

Beech Hill School

Complaints Policy



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Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

Introduction

We believe that our school provides a good education for all our children, and that the Head teacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.

It is in everyone's interest that both concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to resort to formal procedures. The academy is committed to taking concerns seriously at the earliest stage without the need to necessarily instigate formal procedures. However, depending on the nature of the concern or complaint, the complainant may wish to follow (or may be asked to follow) the academy's formal complaints procedure.

All schools are required to have a procedure for dealing with complaints relating to the school (or to any community facilities or services that the school may offer) and this policy is compliant with recommendations from the Department for Education and government legislation (The Education (Independent School Standards) (England) Regulations 2014).

1.7 For complaints (other than those relating to admissions, statutory assessments of Special Educational Needs (SEN), allegations of child protection, breach of trust or misconduct for which specific protocols are in place) from parents or carers of pupils, this procedure should comply with recommendations from the Department for Education and government legislation (Section 29 of the Education Act 2002) in offering:

- an opportunity to resolve the complaint with the academy on an informal basis, for example through discussion with the class teacher in the first instance
- a formal complaint stage should the complainant be dissatisfied with the response at the informal stage
- a formal appeal hearing with a panel set up by the academy, comprising at least three persons, none of whom has been directly involved in the matters detailed in the complaint, one of whom must be wholly independent of the management and running of the academy.

If any parent is unhappy with the education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child's class teacher immediately.

All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

The complaints process

2. Purpose and scope

- 2.1 The primary aim of this policy is to resolve the complaint as fairly and speedily, and as near to the point of origin, as possible.
- 2.2 Formal complaints will be dealt with in a sensitive, impartial and confidential manner.
- 2.3 Any complaints relating to the conduct of academy staff will be handled in accordance with the academy's internal disciplinary procedures.
- 2.4 There are three stages within the standard procedure of this policy:
- **Stage 1** - the informal stage in which a concern (or complaint) is raised with a staff member* and is hopefully resolved.
**ideally the matter should be raised with the individual against whom the complaint is directed although provision is made for an alternative (normally senior) member of staff to be approached should this be felt*
 - **Stage 2** - should the complainant submit an indication (normally in writing) that he or she remains dissatisfied with the outcome at the conclusion of Stage 1 then formal procedures are invoked and the complaint is reviewed by the headteacher.
 - **Stage 3** - should the complainant submit an indication (normally in writing) that he or she remains dissatisfied with the outcome at the conclusion of Stage 2 then the complaint is heard by the governing body complaints appeal panel.
- 2.5 A modified procedure (outlined in sections 6 to 8) is applicable in instances where the concern or complaint is directed specifically against the headteacher.

3. 'Unreasonable' complaints (serial, persistent, vexatious or anonymous)

(See also Appendix 4)

- 3.1 'Serial' or 'persistent' complaints are defined as those which are in pursuance of a desire to reopen a matter which has already been explored in accordance with this policy until the final stage of the process has been concluded (see section 10). Such complaints need not be responded to by the academy (although care must be taken that these labels are not applied to the complainant in person: they can only be applicable to (the nature of) **the complaint itself**).
- 3.2 Before making a considered decision to stop responding to a complainant the academy should consider whether:
- it has taken every reasonable step to address the complainant's needs
 - the complainant has been given a clear statement of the academy's position and their options (if any)
 - the complainant is contacting the academy repeatedly but making substantially the same points each time.
- 3.3 In this respect the academy is significantly less likely to be open to criticism (for failing to respond) if:
- there is reason to believe the complainant is deliberately causing disruption or inconvenience

- the complainant has been abusive or aggressive (whether in person or via either telephone or written communication)
- the complainant has made insulting personal comments or has threatened staff

3.4 Vexatious* complaints will not be entertained by the academy.

**use of the word 'vexatious' is not recommended by the Department of Education (for fear it could be viewed as inflammatory) but the terminology has legal recognition, having been defined by the Upper Tribunal (in relation to the Freedom of Information Act) as the "manifestly unjustified, inappropriate or improper use of a formal procedure".*

3.5 Anonymous complaints may be considered by the academy but (dependent on the circumstances of the matter raised) will not necessarily be investigated further.

4. Raising a concern

Stage 1: the informal stage

4.1 Concerns can be raised with the academy at any time and should generate an immediate response, which will often resolve the concern. The academy requests that parents make their first contact with the pupil's teacher or, where this is not possible or is deemed inappropriate, the Head of Department or headteacher. (For complaints against the headteacher please refer to the modified procedure in section 6 below.)

4.2 The recipient of the concern may be able to respond immediately. However, on some occasions the concern raised may require investigation, or discussion with others, in which case the academy will endeavour to provide an informal response (which may be either verbal or written) within two working days. The vast majority of concerns will be satisfactorily dealt with in this way.

4.3 However, if the complainant is not satisfied with the result at the completion of Stage 1, they are entitled to progress their concern to the status of an official complaint.

4.4 At this stage they should be provided with a copy of the academy's complaints policy (or signposted to this via the academy's website if this is acceptable to them).

4.5 They should also be requested, at this point, to complete an official complaint form (Appendix 1) which should be returned to the headteacher within ten working days of the complainant receiving an initial response (whether verbal or written). The official complaint form should, ideally, present an opportunity to communicate the complainant's expectations as to how their complaint might best be satisfactorily resolved.

4.6 On receipt of the official complaint form, the complaint will be logged by the academy, including the date of receipt. The academy will then progress the complaint to the next (formal) stage.

4.7 Schools cannot insist on the complainant completing an official complaint form. If the school is in receipt of a notification (this is interpreted to include not only email but also verbal communication – see following clause) which could reasonably be regarded as constituting an official complaint it is still under an obligation to treat this seriously. The school must record the communication and respond appropriately, including escalating the matter to the formal process if it becomes clear that the complainant remains dissatisfied by informal attempts to reach a resolution.

4.8 Schools must ensure that they comply at all times with their obligations under the Equality Act 2010. Although it is common practice to ask for complaints to be made in writing

(ideally by using an official complaint form) it is possible that the complainant may have different communication preferences due to disability or learning difficulties or unfamiliarity with the English language (etc) and in such instances schools must allow alternative methods of contact.

5. Dealing with complaints – formal process

Stage 2: complaint formally reviewed by the headteacher

- 5.1 If the matter has not been resolved at Stage 1, as evidenced by receipt of further communication to this effect, the headteacher will further review the complaint by considering all relevant written material and by discussion with the appropriate member(s) of staff and/or the complainant.
- 5.2 The aim will be to resolve the matter as quickly as possible and an appropriate response will normally be in writing, in which event it should be despatched within five working days of the written complaint having been received.
- 5.3 The academy may wish to extend to the complainant an opportunity to meet with the person appointed to deal with the complaint in order to explore the matter further (unless there are circumstances where it is felt that this might place the investigator at risk).
- 5.4 Any such meeting will normally take place within five working days of the written complaint having been received, and an appropriate response in writing should then be provided within a further five working days, but the timescale may be extended if, as may be the case, this meeting cannot reasonably be arranged within this period.
- 5.5 However, if the complainant remains dissatisfied with the result at the completion of Stage 2 they should write* to the chair of governors within ten working days of receipt of said correspondence to confirm that the complaint has not yet been resolved to their satisfaction.

**if the complainant has a relevant disability the requirement for notification to be in writing should be waived (and see also clause 4.8)*

- 5.6 Once again any such communication will be logged by the academy, including the date of receipt. The academy will then progress the complaint to the next (appeal) stage.

6. Appeal mechanism

Stage 3: complaint heard by the governing body Complaints Appeal Panel

- 6.1 If the matter has not been resolved at Stage 2, as evidenced by receipt of further communication to this effect, the chair of governors will then convene a Complaints Appeal Panel.
- 6.2 The Complaints Appeal Panel will comprise three persons, two of whom may be academy governors with no previous involvement in the case but one of whom must be wholly independent of the management and running of the academy. The latter may be a member of the governing body of a neighbouring school or a local business person of good standing.
- 6.3 If the entire governing body is aware of the substance of a complaint before the final stage has been completed, schools should arrange for a wholly independent panel to hear the complaint – in such instances they may approach a different school to ask for assistance in constituting an appeal panel).

- 6.4 Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Schools should give consideration to such requests but any decision to have recourse to an independent panel is entirely at the discretion of members of the governing body.
- 6.5 The Complaints Appeal Panel should meet within a maximum of ten working days of receipt of said communication. Both the complainant and the headteacher (representing the academy) will be invited to attend the appeal hearing and all parties will be issued with relevant documentation (that will be referred to in the hearing) no less than five working days in advance of the hearing.
- 6.6 The invitation should state that due consideration will be given to any relevant disabilities which might affect the complainant's ability to attend or partake in the hearing, such as mobility or communication issues.
- 6.7 The academy must extend to the complainant the right to be accompanied in a panel hearing.
- 6.8 At this point the complainant may (if unwilling or unable to attend in person) elect to submit a written statement for consideration by the panel in their absence.
- 6.9 The invitation to attend the hearing should additionally make clear that if the complainant fails to respond by confirming their intention (either to attend the hearing or to elect to have the complaint heard in their absence) the complaint will not be investigated further and the process will cease at this point.
- 6.10 The appeal hearing will be held within the academy (unless a suitable alternative venue is agreed by all parties) and will be minuted (normally by the clerk to governors). The panel chair should conduct the hearing in accordance with the guidance set out in Appendix 3.
- 6.11 The aim of the Complaints Appeal Panel hearing is to resolve the complaint impartially and to achieve reconciliation between the academy and the complainant. All parties will be notified in writing of the panel's decision within five working days of the date of the hearing.
- 6.12 This stage is the last school based stage of the complaints procedure and the decision of the Complaints Appeal Panel is final.

7. Raising a concern in relation to the headteacher (modified procedure)

Stage 1: the informal stage

- 7.1 The academy requests that parents initially address their concern with the headteacher. If, however, this is not possible, or is deemed inappropriate, they may address their concern (either verbally or in writing) to the chair of governors.
- 7.2 The concern raised is highly likely to require investigation, or discussion with others, in which case the chair will endeavour to provide an informal response (which may be either verbal or written) within five working days. The vast majority of concerns will be satisfactorily dealt with in this way.
- 7.3 However, if the complainant is not satisfied with the result at the completion of Stage 1, they are entitled to progress their concern to the status of an official complaint.
- 7.4 At this stage they should be provided with a copy of the academy's complaints policy (or signposted to this via the academy's website if this is acceptable to them).

- 7.5 They should also be requested, at this point, to complete an official complaint form (Appendix 1) which should be returned to the chair of governors within ten working days of the complainant receiving an initial response (whether verbal or written). The official complaint form should, ideally, present an opportunity to communicate the complainant's expectations as to how their complaint might best be satisfactorily resolved.
- 7.6 On receipt of the official complaint form, the complaint will be logged by the chair of governors, including the date of receipt. The chair of governors will then progress the complaint to the next (formal) stage.
- 7.7 Schools cannot insist on the complainant completing an official complaint form. If the school is in receipt of a notification (this is interpreted to include not only email but also verbal communication – see following clause) which could reasonably be regarded as constituting an official complaint it is still under an obligation to treat this seriously. The school must record the communication and respond appropriately, including escalating the matter to the formal process if it becomes clear that the complainant remains dissatisfied by informal attempts to reach a resolution.
- 7.8 Schools must ensure that they comply at all times with their obligations under the Equality Act 2010. Although it is common practice to ask for complaints to be made in writing (ideally by using an official complaint form) it is possible that the complainant may have different communication preferences due to disability or learning difficulties or unfamiliarity with the English language (etc) and in such instances schools must allow alternative methods of contact.

8. Dealing with complaints – formal process

(modified procedure for complaints in relation to the headteacher)

Stage 2: complaint formally reviewed by the chair of governors

- 8.1 If the matter has not been resolved at Stage 1, as evidenced by receipt of further communication to this effect, the chair of governors will formally review the complaint by considering all relevant written material and by discussion with the headteacher and/or the complainant.
- 8.2 The aim will be to resolve the matter as quickly as possible and an appropriate response will normally be in writing, in which event it should be despatched within five working days of the written complaint having been received.
- 8.3 This timescale may be extended if, as may often be the case, a review meeting with the complainant requires to be arranged at this point to explore the matter further. The academy may wish to extend to the complainant an opportunity to meet with the chair of governors (unless there are circumstances where it is felt that this might place that individual at risk).
- 8.4 Any such meeting will normally take place within five working days of the written complaint having been received, and an appropriate response in writing should then be provided within a further five working days, but the timescale may be extended if, as may be the case, this meeting cannot reasonably be arranged within delay.
- 8.5 As before, the aim will be to resolve the matter as quickly as possible. However, if the complainant remains dissatisfied with the result at the completion of Stage 2 they should write* to the chair of governors within ten working days of receipt of formal response to confirm that the complaint has not yet been resolved to their satisfaction.

**if the complainant has a relevant disability the requirement for notification to be in writing should be waived (and see also clause 7.8)*

8.6 Once again any such communication will be logged by the academy, including the date of receipt. The chair of governors will then progress the complaint to the next (appeal) stage.

9. Appeal mechanism

(modified procedure for complaints in relation to the headteacher)

Stage 3: complaint heard by the governing body Complaints Appeal Panel

- 9.1 If the matter has not been resolved at Stage 2, as evidenced by receipt of further communication to this effect, the chair of governors will then convene a Complaints Appeal Panel.
- 9.2 The Complaints Appeal Panel will comprise three persons, two of whom may be academy governors with no previous involvement in the case but one of whom must be wholly independent of the management and running of the academy. The latter may be a member of the governing body of a neighbouring school or a local business person of good standing.
- 9.3 If the entire governing body is aware of the substance of a complaint before the final stage has been completed, schools should arrange for a wholly independent panel to hear the complaint – in such instances they may approach a different school to ask for assistance in constituting an appeal panel).
- 9.4 Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Schools should give consideration to such requests but any decision to have recourse to an independent panel is entirely at the discretion of members of the governing body.
- 9.5 The Complaints Appeal Panel should meet within a maximum of ten working days of receipt of said communication. Both the complainant and the chair of governors (representing the academy) will be invited to attend the appeal hearing and all parties will be issued with relevant documentation (that will be referred to in the hearing) no less than five working days in advance of the hearing.
- 9.6 The invitation should state that due consideration will be given to any relevant disabilities which might affect the complainant's ability to attend or partake in the hearing, such as mobility or communication issues.
- 9.7 The academy must extend to the complainant the right to be accompanied in a panel hearing.
- 9.8 At this point the complainant may (if unwilling or unable to attend in person) elect to submit a written statement for consideration by the panel in their absence.
- 9.9 The invitation to attend the hearing should additionally make clear that if the complainant fails to respond by confirming their intention (either to attend the hearing or to elect to have the complaint heard in their absence) the complaint will not be investigated further and the process will cease at this point.
- 9.10 The appeal hearing will be held within the academy (unless a suitable alternative venue is agreed by all parties) and will be minuted (normally by the clerk to governors). The panel chair should conduct the hearing in accordance with the guidance set out in Appendix 3.

- 9.11 The aim of the Complaints Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the academy and the complainant. All parties will be notified in writing of the panel's decision within five working days of the date of the hearing.
- 9.12 This stage is the last school based stage of the complaints procedure and the decision of the Complaints Appeal Panel is final.

10. Resolved complaints – storage and confidentiality

- 10.1 All documentation (correspondence, statements and records) relating to individual complaints should be stored in an appropriate manner and should be kept confidential.

11. Complaints unresolved at conclusion of process

- 11.1 There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant attempts to reopen the same issue following the Complaints Appeal Panel Hearing, the chair of the governing body should inform them in writing that the procedure has been exhausted and that the matter is now closed.
- 11.2 Any such correspondence may wish to point out that the complainant remains at liberty to consult the Department for Education website (www.education.gov.uk) to assess whether their complaint might be capable of being pursued by alternative means, should they so desire.

Appendix 1

School Complaint Form

Please complete and return to Chair of Governors who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

**What action, if any, have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)**

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix 2

Guidance for Staff Investigating Complaints*

It is suggested that at each stage, the person investigating the complaint, makes sure that they:

- establish **what** has happened so far, and **who** has been involved
- take details of the complaint to clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or if further information is necessary)
- clarify what the complainant feels would put things right
- interview all persons identified by the complainant as being relevant to the matter (and any others deemed appropriate) allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview.

An appointment to discuss the issue should normally be offered as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. Complaints need to be considered and resolved, as quickly and efficiently as possible, however where further investigation is necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

At each stage in the procedure it is appropriate to consider ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part*. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint and, if found appropriate, to modify practice and protocols accordingly.

It may be instructive to encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence[†].

An effective complaints procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a more positive atmosphere in which to discuss any outstanding issues.

*All staff investigating a complaint should have received (through INSET) appropriate instruction on how to conduct an enquiry.

[†]If a complaint is upheld which does lead to disciplinary action being taken against a member of staff, such detailed information cannot be divulged to the complainant, who should merely be informed that appropriate management action has been taken.

Appendix 3

Guidance for Governing Body Complaints Appeal Panel Hearing

The Complaints Appeal Panel will consist of three persons, two of whom will normally be governors with no previous involvement in the case but one of whom must be wholly independent of the management and running of the academy. The latter may be a member of the governing body of a neighbouring school or a local business person of good standing.

Normally the panel will be chaired by the chair of governors although another governor may be nominated to lead the process (and this may be necessary when the complaint is directed against the headteacher).

It is important that the appeal hearing is independent and impartial. No individual may sit on the appeal panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

The aim of the hearing, which should be held in private, is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The parent or carer may, should they wish, be accompanied at the hearing. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

The Role of the Clerk

The clerk is the contact point for the complainant and is required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing, ensuring that complainants are aware that they may be accompanied
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the panel's decision

The Role of the Chair of the Panel

The chair of the panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed (and that in the event of a new issue arising during the course of the hearing, all parties are afforded the opportunity to consider and comment on it)
- key findings of fact are made

- parents and others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in a manner that allows each party to treat the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or has had any involvement in an earlier stage of the procedure
- each side is given the opportunity to state their case and ask questions
- written materials are seen by all parties

Before the meeting:

- the formal complaints letter should be passed to the vice-chair if the chair will be unable to receive the letter within 5 days
- members of the panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff governors will be members of the panel
- the letter inviting the parent/carer to attend should indicate that they may be accompanied by a friend

At the meeting:

- the panel must be made up of three members, who are accompanied by a clerk
- one member of the panel (in an academy or independent school) must be completely independent of the school
- although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned and the parent or carer put at ease - the parent or carer may, should they wish, be accompanied at the hearing
- the clerk should take notes of the meeting, listing who is present, and should make everyone aware of the confidential nature of the process
- the chair of the panel should open the meeting, introducing panel members and stating the purpose and the format of the meeting to clarify this to all in attendance – the chair should note that the meeting will be minuted and that its outcome will be final, whilst indicating that a record of the complaint and its outcome will be forwarded to the complainant
- other persons present should introduce themselves stating their reason for being at the meeting
- the chair of the panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why he or she feels the issue has not been resolved
- the panel members can ask questions to make sure they understand the issue from the parent's point of view
- the chair of the panel should request a verbal statement from the headteacher (or his or her representative) in support of his or her written account of the complaint and the steps taken to resolve the issue
- the panel members can ask questions to make sure they understand the issue from the headteacher's point of view
- members of the panel should make sure they fully understand the issues and ask any further questions to clarify any points that may still not be clear to them

- the chair of the panel must ask the complainant and the headteacher (or his or her representative) if they are satisfied that they have provided all the information they wanted to present or if there is something they wish to add and if they feel they have had a fair hearing
- when the panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk

After the meeting:

- the panel members will need to consider the information presented in order to come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children
- the panel members will discuss the issues in private and the clerk will remain to record their decision
- the panel can:
 - dismiss the complaint in whole or in part
 - uphold the complaint in whole or in part
 - decide on the appropriate action to be taken to resolve the complaint
 - recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur
- when the panel have reached a decision the clerk will inform everyone concerned in writing as soon as possible but in any event within five working days of the panel meeting
- the outcome letter will also contain advice as to what the complainant should do if they wish to take the matter further, although it should be noted that, as long as the correct procedure has been followed, the decision of the panel will be final
- a record should be kept of the outcome of the hearing
- written records of complaints will be kept and reported on an annual basis to governors

Appendix 4 – Complaint procedure Beech Hill School

POLICY FOR DEALING WITH PERSISTENT OR VEXATIOUS COMPLAINTS / HARASSMENT IN SCHOOLS

The Principal and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **School's Complaints Procedure**. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are occasions when complainants behave in an unreasonable manner when raising and / or pursuing concerns. In these circumstances the school may take action in accordance with this policy.

1. AIMS OF POLICY

The aims of this policy are to:

- Uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to express a concern or pursue a complaint
- Support the well-being of students, staff and everyone else who has legitimate interest in the work of the school, including governors and parents
- Deal fairly, honestly and properly with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment

2. PARENTS' EXPECTATIONS OF THE SCHOOL:

Parents / carers / members of the public who raise either informal or formal issues or complaints with the school can expect the school to:

- a) Inform parents of the complaints procedure
- b) Inform parents of the policy for dealing with persistent or vexatious complaints and / or harassment in schools
- c) Respond within a reasonable time
- d) Be available for consultation within reasonable time limits bearing in mind the needs of the pupils / students within the school and the nature of the complaint
- e) Respond with courtesy and respect
- f) Attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practices, and keep complainants informed of progress towards a resolution of the issues raised

3. THE SCHOOL'S EXPECTATIONS OF PARENTS / CARERS / MEMBERS OF THE PUBLIC

The school will expect parents / carers / members of the public who wish to raise problems with the school to:

- a) Treat all school staff with courtesy and respect
- b) Respect the needs and well-being of pupils and staff in the school
- c) Avoid any use, or threatened use, of violence to people or property
- d) Avoid any aggression or verbal abuse

- e) Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond
- f) Recognise that resolving a specific problem can sometimes take some time
- g) (in the case of complaint) follow the school's complaints procedure

If the above are not adhered to the school will refuse to investigate until the above behaviour is evident

4. WHO IS A PERSISTENT COMPLAINANT?

For the purpose of this policy, a persistent complainant is a parent / carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) Actions which are obsessive, persistent, harassing, prolific, repetitious
- b) Prolific correspondence or excessive email or telephone contact about a concern or complaint
- c) An insistence upon pursuing unsubstantial complaint and / or unrealistic or unreasonable outcomes
- d) An insistence upon pursuing complaints in an unreasonable manner
- e) An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (e) above in such a way that they:

- a) Appear to be targeted over a significant period of time on one or more members of school staff and / or
- b) Cause on-going distress to individual member(s) of school staff and / or
- c) Have a significant adverse effect on the whole / parts of the school community and / or
- d) Are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health

5. THE SCHOOL'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT

In the first instance the school will verbally inform the complainant that their behaviour is considered to be becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing.

If the behaviour is not modified the school will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

- a) Inform the complainant in writing that their behaviour is now considered by the school to be unreasonable / unacceptable and therefore, to fall under the terms of this policy
- b) Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- c) Inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only
- d) (in the case of physical or verbal aggression) refer to Joint Local Authority – Police guidance for schools, "Dealing with abuse, threats and violence towards school staff", and consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban
- e) Consider taking advice on pursuing a case under anti-harassment legislation
- f) Reporting violent and threatening behaviour or behaviour which harasses any member of staff or shows discrimination to any member of staff to the police

If a complainant's persistent complaining / harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the Local Authority.

6. REVIEW

The school will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.

Appendix 2

Clerk to the governors: Mrs Pat Chappell
Head teacher: Mrs Shameem Hussain
Deputy Head teachers: Mrs Fiona Pether and Mrs Helen Crowther
Chair of Governors: Mr Chris Haddock