



Complaints Procedure

Overview

Since 1 September 2003 Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England were required, under Section 29 of the Education Act 2002, summarised in Annex A, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

The school's values are concerned with meeting the needs of pupils, parents/carers and others who have a stake in the school. The governing body believes that constant feedback is an important ingredient in self-improvement and raising standards. Pupils, parents, carers, or other adults who have concerns or complaints should feel that they can be voiced and will be considered seriously. All complainants have the right to be accompanied when making the complaint, and pupils may be accompanied by a parent or another adult.

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

- DFE Best Practice Advice for School Complaints procedures 2016.

Framework of principles:

- We will seek to resolve complaints by informal means wherever possible.
- Investigations will be full, fair and swift, and people will be kept informed of progress and the decisions reached.
- Every effort will be made to respect confidentiality.
- Feedback will be actively sought from those voicing complaints in order to minimise complaints and maximise accountability.
- Be easily accessible and publicised.
- Be simple to understand and use
- Be impartial and non adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the progress.

If parents/carers, pupils or members of the public have concerns they should:

- discuss their concerns with the member of staff most directly involved and, if not satisfied
- discuss their concerns with a senior member of staff and, if not satisfied
- discuss their concerns with the headteacher.

At each stage in the procedure we will attempt to resolve the complaint or concern. It might be sufficient to acknowledge that the concern or 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.

Complainants will be encouraged 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. Equally, an effective procedure will identify areas of agreement between the parties.

If all these avenues have been tried and found unsatisfactory the complainant should receive a copy of the complaints procedure and complete the complaints form Appendix 3 if appropriate.

The Complaints Procedure

The Stages of Complaints

A flow chart for stages can be found in Appendix 2. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the headteacher after a meeting with the complainant.

The three school-based stages are:

- Stage 1: (Informal) Complaint heard by staff member (though not the subject of the complaint) (Informal) Complaint heard by Headteacher.
- Stage 2: (Formal) Complaint letter to the Headteacher.
- Stage 3: (Formal) Complaint referred to the Governing body.
If required complaint heard by GB's complaints appeal panel

Stage 1 – Informal

Please start by discussing your concerns with the class teacher. This is usually the best and quickest way of resolving issues. It is recommended that you make an appointment to speak to the class teacher as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without interruption. The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem. It is good practice for the class teacher to make brief written record of the concern raised and any actions agreed. If you feel dissatisfied with the outcome of discussions with the class teacher you should request an appointment to see the Headteacher or in their absence another member of the schools Senior Leadership Team. The purpose of this meeting is to establish the nature of the ongoing concern, what has been discussed with the class teacher so far and any actions arising from the initial meeting. It is in everyone's interest, particularly the child or children, for the concerns to be sorted out quickly and smoothly. However, it may be necessary for the Headteacher to investigate the concern further before they can offer suggestions to resolve the concern. In this case, it should be agreed on how and within what

timescales all parties will be contacted.

Stage 2 – Formal Complaint letter to the Headteacher.

If you feel that your concern has not been resolved through the informal process and you wish to pursue it further you may raise it through the formal procedure. To do this you must write a formal letter of complaint to the Headteacher. Your letter should set out clearly the concern which has previously been discussed and why you feel that the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking. Moving to the formal complaints procedure is a serious step. In consideration of future home/school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved. The Headteacher will consider the complaint and in doing so will

- 1 Establish what has happened so far, and who has been involved.
- 2 Clarify the nature of the complaint and what remains unresolved.
- 3 Meet or contact you if they need further information.
- 4 Clarify what you feel would put things right if this has not been set out in your letter.
- 5 Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- 6 Conduct any interviews with an open mind and be prepared to persist in the questioning.
- 7 Keep notes of any interviews for the record.

The Headteacher will always keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid 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. (This is not an admission of negligence)
- An assurance that the event complained of will not recur.
- An undertaking to review policy's in light of the complaint.

The Headteacher will discuss the outcome of their consideration of your complaint with you and should send a written response within 20 school days. Where this timescale proves unrealistic you will be informed in writing and given an estimate of how long it will take to provide a full response.

Stage 3 – Complaints heard by the schools Governing Bodies Committee

The Complaints Appeals Committee of the Governing Body will consider complaints where the Headteacher (or Chair of Governors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal. Any appeal must be made in writing to the Clerk to the Governing Body (the School will advise the complainant of the contact details). The Committee will be convened by the Clerk to the Complaints Appeals Committee (Governing Body) and will:

- consider the written materials
- consider the complaint and the Headteacher's (or Chair's) action

- invite the Headteacher or Chair of Governors (as appropriate) and the complainant to the meeting
- seek advice and support as necessary.

At the end of their consideration the Committee will:

- determine whether to dismiss or uphold the appeal in whole or part, including, if appropriate, referring the matter back to the Headteacher/Chair of Governors for further consideration. where upheld, decide on appropriate action
- advise the complainant and Headteacher of their decision
- advise the complainant of any further action they could take if they remain dissatisfied.

The Clerk to the Committee will arrange for the School's Complaints Register to be amended to include a brief summary of the complaint and the decision of the Complaints Appeals Committee and for the matter to be reported to the Governing Body.

This stage would normally be expected to take no more than 20 school days.

In cases where the matter has been referred back for further consideration the Complaints Appeals Committee will be reconvened.

If you believe that the school has not properly addressed your concerns or has not acted fairly and reasonably in responding to your complaint you may refer the matter to the local authority. The Local Authority has no legal right or duty to deal with most complaints about schools but can provide advice to the parent/carer and the governing body in the event that a complaint which has been considered under the formal procedure remains unresolved or if the complaint is specifically about the Headteacher.

You can make a formal complaint in writing to:

Governors Support

Level 4

Civic Centre

West Street

Oldham

OL1 1UT

Your letter will need to include details of your complaint, what actions you have already taken, what actions have been taken to resolve the complaint, copies of all correspondence.

Finally if on conclusion of all steps of the complaints procedure you feel that the school's governing body and/or the Local Authority has acted unreasonably you may make a complaint in writing to the Secretary of State for Education at:-

The Schools Complaints Unit (SCU)

Department for Education

2nd Floor

Piccadilly Gate

Manchester

M1 2WD

Recording Complaints

Schools must ensure that they comply with their obligations under the Equality Act 2010. It is common practice to ask for complaints to be made by using a complaint form or in writing, however the complainant may have communication preferences due to disability or learning difficulties and schools must allow alternative methods of contact:

- A complaint may be made in person, by telephone, or in writing;
- In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record. Where there are communication difficulties, schools may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point;
- Schools should record the progress of the complaint and the final outcome. The headteacher or complaints co-ordinator should be responsible for these records and hold them centrally.
- Schools should be aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

The complaint should be made in writing using our Complaint form that can be found in Appendix 2 if possible. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. The complaints co-ordinator / Headteacher is responsible for the records and they will be held centrally.

Governing Body Review

Complaints should not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised;

- If the whole governing body is aware of the substance of a complaint before the final stage has been completed, school will arrange for an independent panel to hear the complaint. They may approach a different school to ask for help or the local Governor Services team at the LA.
- Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. We will consider the request but ultimately, the decision is made by the governors;

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole Governing Body will not name individuals.

Relationship to other policies

This policy should be read in conjunction with all other school policies. Should complaints be referred to the chair of governors the DfE model complaints procedure will be followed.

Concerns or complaints specifically about the Headteacher.

Where you are unhappy about the decision the Headteacher has made about your complaint, this does not become a complaint about the Headteacher. If you feel that the complaint has not been resolved you should move to step 3 of the procedure.

If you have a concern or complaint that is specifically about the Headteacher and which has not been resolved at the informal stage, then you must write a formal letter of complaint to the Chair of Governors. The school will provide you with the Chair of Governors name and you should write to him or her at the school address, marking the envelope 'urgent, private and confidential.'

The Chair of Governors should acknowledge receipt of the letter within 5 school days and contact the Local Authority for advice.

For complaints specifically about the Headteacher the Chair of Governors will arrange for the complaint to be investigated, either by him/herself or by an appropriate independent investigator.

Time Limits

Complaints need to be considered and resolved, as quickly as possible, and efficiently as possible. Complaints made under this procedure will ordinarily be rejected if they are not brought within 3 months, unless there are exceptional circumstances. (Exceptional circumstances will be determined by the Headteacher/ Chair of Governors on a case by case basis, and advice may be sought from the Local Authority in this regard)

Allegations of abuse.

Allegations of abuse against a member of the school must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately. In all cases the school will follow the procedures within the Child Protection and Safeguarding Policy.

Roles and responsibilities.

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

The Complaints Co-ordinator (or headteacher)

The complaints co-ordinator should:-

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:-
 - sharing third party information;
 - additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:-

- providing a comprehensive, open, transparent and fair consideration of the complaint

through:-

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
- consideration of records and other relevant information;
- interviewing staff and children/young people and other people relevant to the complaint;
- analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.
- The person investigating the complaint should make sure that they:
 - conduct interviews with an open mind and be prepared to persist in the questioning;
 - keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Panel Clerk (this could be Clerk to the Governors or the Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected 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;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator.

The Panel Chair

The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case and seek clarity;

- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;
- liaise with the Clerk and complaints co-ordinator.

Panel Member

Panellists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;
- No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;
- However, it must be recognised that the complainant might 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.
- Many complainants will feel nervous and inhibited in a formal setting;
- Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;
- Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.
- The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests.
- The welfare of the child/young person is paramount.

Interviewing Best Practice Tips

Children/young people

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people should be told what the interview is about and that they can have someone with them.

Staff/Witnesses

Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.

- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the complaints co-ordinator/ headteacher/ Chair of Governors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

Notification of the Committee's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The Committee's decision is to be regarded as final and the complainant will be advised of any further recourse available, such as the Secretary of State, should she or she be dissatisfied with the outcome.

Arrangements for monitoring and evaluation

All complaints and the action taken will be documented and a summary included in the head teacher's termly report to the governors, with advice on any implications for policies.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

Serial and Persistent complaints

Beal Vale Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Beal Vale Primary School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

If school staff find it difficult to deal direct with a complainant because of their unreasonable behaviour and other strategies are not working, they may be able to approach the governor services team at their LA to ask for assistance. If this is agreed, complainants can be advised not to contact the school, but to communicate instead with the LA who will co-ordinate any response.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Beal Vale Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

Different procedures apply to FOI and Data Protection (DP) correspondence. Once we have decided that it is appropriate to stop responding, we will need to let the complainant know; ideally, through a hard copy letter or an email will suffice.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Beal Vale Primary School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when:

- Despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Chair of Governors may write informing them that all stages of the procedures have been exhausted and the matter is considered to be closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.
- Complainants behave in an unreasonable manner when raising and/or pursuing concerns.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

The Role of the School Complaints Unit

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has

a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, we may request that the complaint is looked at again.

If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Schools may wish to contact the SCU for advice on whether they have acted reasonably; for example: in closing down a complaint from a serial complainant before the local procedure has been completed. However, the SCU will not be able to advise on how to resolve the complaint. Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to:

Department for Education School Complaints
Unit 2nd Floor Piccadilly Gate Store Street Manchester M1 2WD

Publicising the Procedure

There is a legal requirement for the Complaints Procedures to be publicised. It is up to the Governing Body to decide how to fulfil this requirement but details of the Complaints Procedures could be included in:

- the school prospectus;
- any report/communication from the governors to parents;
- the information given to new parents when their children join the school;
- the information given to the children themselves;
- the home-school agreement;
- home school bulletins or newsletters;
- a specific complaints leaflet which includes a form on which a complaint can be made;

Section 29 of the Education Act 2002 requires that:

- (1) The governing body of a maintained school (including a maintained nursery school) shall –
 - (a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to

the school by virtue of a statutory provision other than this section, and

(b) Publicise the procedures so established.

(2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

“maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

“maintained nursery school” means a nursery school which is maintained by a local education authority and is not a special school;

Appendix 1

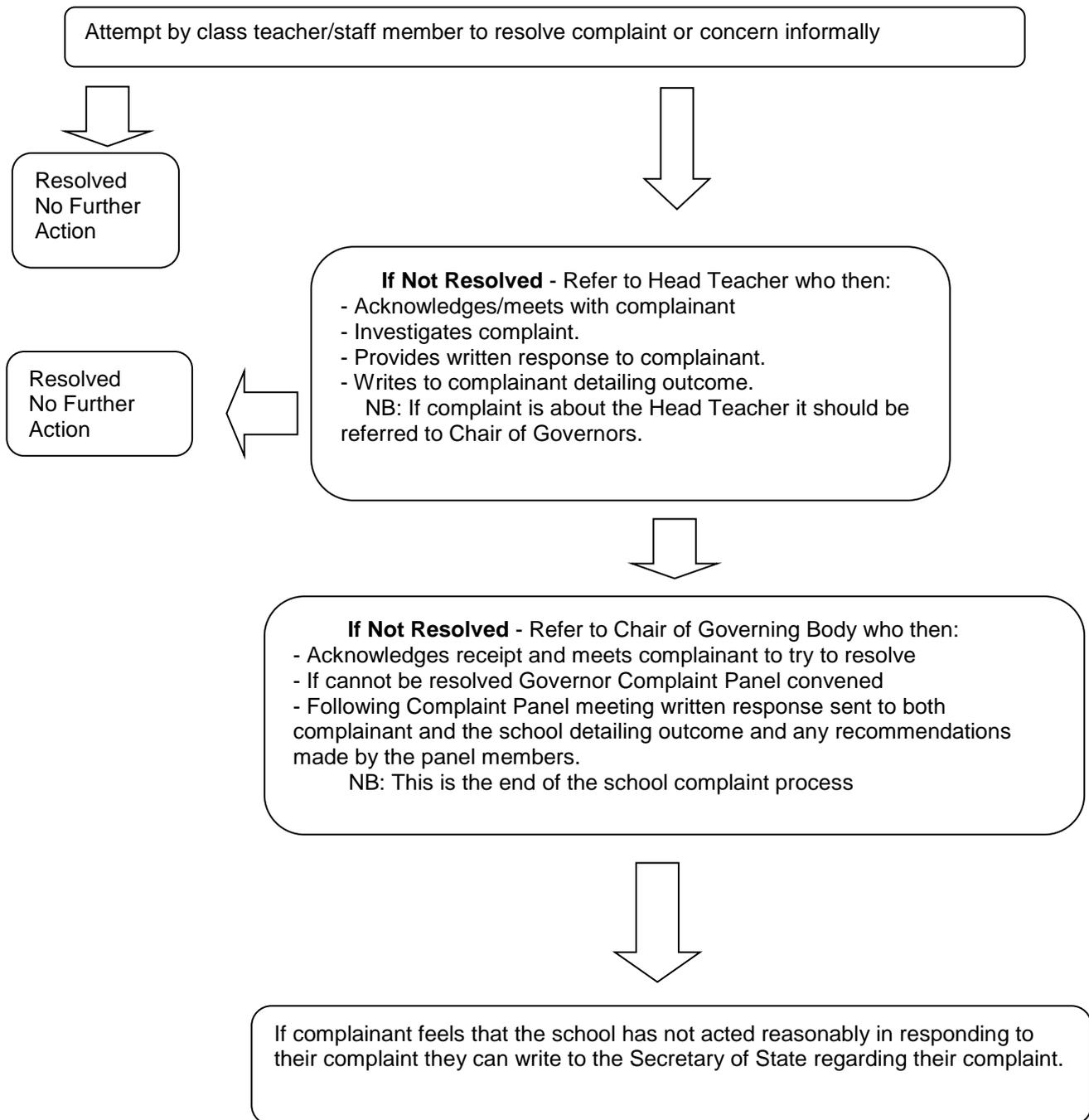
Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Appendix 2

COMPLAINTS FLOWCHART





Complaint form

Please complete and return to(complaints co-ordinator)
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 who:

Complaint referred to:

Date:

Appendix 4

Model Letter 1:-

Initial Letter informing a complainant that his/her behaviour is considered that this/her behaviour is considered to fall below a reasonable/acceptable standard.

Dear

This letter us to inform you that the School considers your actions in (describe the actions, give dates and explain behaviour) is unacceptable/ unreasonable. (delete as appropriate)

We would ask you to bear in mind the fact that such behaviour on a school site can be disruptive and distressing to pupils, staff and parents/ carers.

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the School's Complaints Procedure. At the moment we are dealing with these issues (describe the actions being taken)

Please note the School' Policy for Dealing with Persistent or Vexatious Complaints sets out standards of behaviour expected of all people in their dealings with the school. These include:

- Behaving reasonably
- Treating others with courtesy and respect.
- Resolving complaints using the School's Complaints Procedure.
- Avoiding physical and verbal aggression at all times.

The complaints policy also indicates the steps that we may take if these standards are breached. These include:

- Making special arrangements for meetings and communication with the school.
- Considering a ban from the school premises.
- Considering legal action.

I would ask that you allow the School time to resolve the issues according to the correct procedures, and would assure you that we shall take every possible step to move this process forward as quickly as possible.

Your sincerely

Headteacher

Appendix 5

Model Letter 2

Informing a complainant that his/her behaviour is now considered to fall under the terms of the policy for dealing with persistent or vexatious complaints/ harassment.

Dear

You will recall that I wrote to you on (Date) telling you that I felt your behaviour was unreasonable.

I am now writing to inform you that in view of your behaviour on (date), when you (describe actions) it has been decided that the Schools Policy for dealing with persistent or vexatious complaints will apply.

In the circumstances I have made the following arrangements for your future contact with the school:-

(Delete as appropriate)

1. An appointment will be arranged and confirmed in writing as soon as possible.
2. A third party from the school will be present.
3. In the interests of all parties, formal notes of this meeting may be made.

For the foreseeable future, all routine communication with the school should be by letter only. Please address letters to _____ at the school. We shall respond as quickly as possible.

Exceptionally, these arrangements do not apply to any emergencies involving _____ in which case you should contact the school in the usual way, or to parents evenings, which will continue as in the past, but with a third party from the school present.

These arrangements take effect immediately. If you wish to make a representation about the contents of this letter you can do so by writing to me at the schools by (state 10 working days from date of letter) If on receipt of your comments I consider that the arrangements outlined above should continue, you will be supplied with details of how to review the circumstances of your case.

I do hope that the difficulties we are currently experiencing can soon be resolved.

Yours sincerely

Headteacher