The Bourne Partnership

Hadlow Primary and Shipbourne Primary

Complaints Policy

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1. Definitions and Aims

1.1 Definitions

DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought"
- A **complaint** is defined as "an expression or statement of dissatisfaction however made, about actions taken or a lack of action"

1.2 Aims

Our Partnership aims to meet its statutory obligations when responding to complaints issued in connection with either Hadlow Primary School or Shipbourne Primary School.

When responding to complaints, we aim to:

- be impartial and non-adversarial
- facilitate a full and fair investigation by an independent person or panel, where necessary
- address all the points at issue and provide an effective and prompt response
- respect complainants' desire for confidentiality
- treat complainants with respect and courtesy
- make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- keep complainants informed of the progress of the complaints process
- consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns by informal means wherever possible. Where this is not possible, the formal complaints procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will make sure we publicise the existence of this policy and make it available on each school's website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals. At all times, we will ensure that we act in a manner in keeping with our school and Partnership Values.

2. Legislation and Guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedures for complaints and for managing serial and unreasonable complaints.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. Scope

A concern or complaint can be made about the services or facilities we provide by parents and carers (including those of children no longer at the school) and members of the public. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Unless complaints are dealt with under the following separate statutory procedures, we will use this complaints procedure.

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff conduct and discipline
- School re-organisation proposals
- Curriculum
- Collective worship
- Freedom of information

Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them. Complaints about services provided by other providers who use Partnership premises or facilities should be directed to the provider concerned.

4. Raising a Concern

In most cases, a concern can be resolved through informal means. A complaint will follow formal procedures.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Partnership takes concerns seriously and will make every effort to resolve the matter as quickly as possible. A concern should be raised as soon as possible, and no longer than 3 months after the event.

The concern should be addressed to the relevant member of school staff, where possible the class teacher, or the Headteacher if necessary, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

The school will acknowledge concerns within 3 school days, confirming how they intend to proceed, including an indication of the anticipated timescale. This informal stage will involve meeting between the complainant and agreed member of staff, ideally within a week of the concern being made. The meeting will seek to listen to the views of the complainant and provide an opportunity for the school to discuss the details of the matter and explain any policies or actions taken, in order to reach a resolution and move forward with a shared understanding. Informal mediation may also be facilitated. While this can be useful

in helping the school and complainants reach an agreement and move forward, there are times when it may not be the most appropriate course of action.

Mediation can:

- provide a helpful mechanism for discussion when a concern is raised
- help to rebuild the relationship between all parties

A written response will be provided by the school within 5 school days following the informal meeting. If the concern is not resolved informally, it will be escalated to a formal complaint.

5. Principles for Making a Formal Complaint

We understand that there are occasions when people will need to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure. We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- set new time limits with the complainant
- send the complainant details of the new deadline and explain the delay

5.2 Complaints about our fulfilment of Early Years requirements

We will investigate all written complaints relating to our school's fulfilment of the Early Years Foundation Stage requirements (EYFS) and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that our school is not meeting the Early Years Foundation Stage requirements, by:

- Calling 0300 123 4666
- Emailing enquiries@ofsted.gov.uk
- Using the online contact form available at https://www.gov.uk/government/organisations/ofsted#org-contacts

6. Initiating a Complaint

We have adopted a 2-stage process for dealing with complaints:

- Stage 1 – formal investigation
- Stage 2 – committee review panel

6.1 Who to complain to

- Complaints against school staff (except the Headteacher) should be made to the Headteacher.

- Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors via the school office or to chair@bournepartnership.org.
- Complaints about the Chair of Governors, any individual governor or the whole Governing Body should be addressed to the Clerk to the Governing Body via the school office.
- Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

6.2 How to raise a complaint

A formal complaint must be made in writing. Initially a complaint can be made over the phone or in person, but we will ask for it to be followed up in writing if the complainant wishes to proceed after an initial conversation and offer of an informal resolution meeting as detailed above. Written complaints should be delivered via the school office or by email to the appropriate person. All written communications should be marked as 'Private and Confidential'.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you. In accordance with equality law, we will consider making reasonable adjustments, if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

The complainant should aim to provide as many relevant details as possible to support their complaint and aid effective investigation. This may include dates, times, and the names of witnesses of events, alongside copies of appropriate documents, and what they feel would resolve the complaint. Upon receipt of a written formal complaint, The Headteacher, Chair of Governors or Clerk, as relevant, will decide who will take on the role of Investigator.

The Investigator will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Within this response, the Investigator will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Investigator can consider whether a face to face meeting is the most appropriate way of doing this. The complainant may be accompanied to this meeting, but should inform the school of the identity of their companion in advance.

The Investigator will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 5 school days of the end of the investigation, unless there are unprecedented complications. The Investigator will seek to keep the complainant fully informed at each stage and if unavoidable delays have occurred.

6.3 Roles and responsibilities

<u>The Complainant</u>

The Complainant will get a more effective and timely response to their complaint if they:

- follow the procedures outlined below
- explain the complaint in full as early as possible, including as much evidence and related facts and documentation as possible
- co-operate with the school throughout the process, work collaboratively to seek a solution to the complaint, and respond to deadlines and communication promptly
- respond promptly to requests for further information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved with respect

- do not approach individual governors about the complaint
- do not publish details about the complaint on social media

The Investigator

An individual will be appointed to look into the complaint and establish the facts. This will usually be the Headteacher or other member of the Senior Leadership Team. Where the complaint is about the Headteacher, the Chair of Governors will most likely be assigned as the Investigator. The Investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved whilst keeping an open mind and persisting in questioning
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.
- keeping notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensuring that any papers produced during the investigation are kept securely pending any appeal
- being mindful of the timescales to respond
- preparing a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

Where required, a Stage 1 Investigator may be a suitably skilled and impartial member of the Governing Body, or if there are no suitably skilled and impartial members, it could be considered by an independent Investigator appointed by the Clerk on behalf of the Governing Body. At the conclusion of their investigation, the chosen Investigator will be responsible for providing a formal written response to the complainant and Governing Body.

The Complaints Co-ordinator (where one is required)

The Complaints Co-ordinator can be:

- the Investigator
- a designated complaints governor
- any other staff member providing administrative support

The Complaints Co-ordinator (or Investigator where no separate Co-ordinator is assigned) will:

- keep the complainant up to date at each stage in the procedure
- make sure the process runs smoothly by liaising with staff members, the Headteacher, Chair of Governors, Clerk and Local Authority (LA)
- be aware of issues relating to:
    - sharing third-party information
    - additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- keep records and maintain their confidentiality

Clerk to the Governing Body

The Clerk will:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- be the contact point for the complainant and the complaints committee if Stage 2 is reached, including circulating the relevant papers and evidence before complaints committee meetings
- arrange the complaints committee panel and review meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- record and circulate the minutes and outcome of the review meeting

Stage 2 Committee Chair

The Committee Chair, who is nominated in advance of the complaint meeting, should ensure that:

- all parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease.
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

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 meeting.

Stage 2 committee member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

7. Stage 1: Formal Investigation

7.1 Process of investigation

When investigating a complaint, we will try to clarify:

- what has happened
- who was involved
- who was impacted
- what the complainant feels would put things right

During the investigation, the Investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

7.2 Formal response

At the conclusion of their investigation, the Investigator will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the Investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. This decision will be either to:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

Where appropriate the written response will include details of actions the school will take to resolve the complaint. This may be one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an explanation of the steps that have been or will be taken to ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

The Investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

7.2 Withdrawal or suspension of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against The Partnership in relation to their complaint, we will suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

If a complainant contacts the school again in relation to their complaint, the correspondence may then be viewed as ‘serial’ or ‘persistent’ and we will not respond but will continue to complete the initial complaints procedure in full.

7.3 How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedure, they should inform the Clerk to the Governing Body within 5 school days. Requests received outside of this time frame will be considered in exceptional circumstances.

Complaints can be escalated by contacting the Clerk to the Governing Body:

- By letter or email marked ‘Private and Confidential’
- Through a third party acting on behalf of the complainant

The clerk will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The Clerk will acknowledge receipt of the request within 3 school days.

8. Stage 2: Submission of the Complaint to a Review Committee

8.1 Convening the Committee

The Clerk (or separate complaints co-ordinator if one is elected) will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. and will write to the complainant to inform them of the date of the meeting. If a meeting within this time frame is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the Complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Complaints Committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from the Partnership available, the Clerk will source any additional, independent governors through another local maintained school or governing body.

Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2. Complainants can request an independent complaints committee if they believe there is likely to be bias in the proceedings. Complainants should provide the Clerk with evidence of bias in support of their request. The decision remains with the Governing Body and The Governing Body will err on the side of caution if the appearance of bias may be sufficient to taint any decision reached.

If the Committee is convening following rejection of three proposed dates without good reason, the complaint will proceed on the basis of written submissions from both parties but in making their decision they will be sensitive to the complainant's needs.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The Committee will not normally accept, as evidence, electronic recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

8.2 The Committee review meeting

The aim of the Committee review meeting should be:

- to ensure that the complaint's procedure has been followed
- to ensure that the complaint has been addressed sufficiently
- to facilitate reconciliation and to put right things that may have gone wrong

When the Complainant attends the meeting, they may bring someone along to provide support. This can be a relative or friend. Representatives from the media are not permitted to attend.

The Department for Education recommend that neither the Complainant nor the school bring legal representation. These committees are not a form of legal proceedings. However, the Department for Education recognises there may be occasions when legal representation is appropriate, for instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted, unless a Complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. Schools are data controllers in their own right and have the discretion via their policies to decide for themselves whether to allow complainants to record meetings, if it's not required for the purposes of a reasonable adjustment.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The Committee, the Complainant and the school representative will be given the chance to ask and reply to questions. Once the Complainant and school representatives have completed presenting their cases, they will be asked to leave, and evidence will then be considered.

Unless otherwise stated, the procedure for the Stage 2 review meeting is as follows:

- the parent and school representative will enter the hearing together
- the Chair of the Committee will introduce the committee members and outline the process
- the parent will explain the complaint;
- the school representative and committee members will question the parent
- the school representative will explain the school's actions
- the parent and the committee members will question the school representative
- the parent will sum up their complaint;
- the school representative will sum up the school's actions;
- the Chair of the Committee will explain that both parties will hear from the committee within 5 school days
- both parties will leave together while the Committee decides;
- the Clerk will stay to assist the Committee with its decision making.

Many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.

Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee 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 committee 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 committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Committee considers is not in the child/young person's best interests.

At all times, the welfare of the child/young person is paramount.

8.3 The stage 2 review outcome

Following the meeting, the Committee will put together its findings and recommendations from the case. The Committee will consider the complaint and all the evidence presented. The Committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the Complainant and the school with a full explanation of their decision and the reason(s) for it, along with a copy of the meeting minutes, in writing, within 5 school days.

The letter to the Complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the school along with copies of the minutes.

If the complaint is upheld, the Committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

9. Referring complaints on completion of the school's procedure

If the Complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

www.gov.uk/complain-about-school

We will include this information in the outcome letter to complainants.

10. Unreasonable and persistent complaints

10.1 Serial or persistent complaints

If the Complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the Complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The Complainant's communications are often or always abusive or aggressive
- The Complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the points raised are materially different to those raised previously and/or are unconnected to the previous complaint.

10.2 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. We are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. Anyone has the right to raise a new complaint at any time. 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.

The school defines unreasonable complaints as 'those who, because of the frequency or nature of their contact with the school, hinder our consideration of their or other people's complaints'.

A complaint may become unreasonable if the person:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information that they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate or acts maliciously
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

The above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

10.3 Steps we will take

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

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 or Chair of Governors will write to the Complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For Complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

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 an individual'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 person may wish to make. Schools should always give that person the opportunity to formally express their views on the decision to bar in writing. Anyone wishing to complain about being barred can do so, by letter or email, to the Chair of Governors. The decision to bar should then be reviewed, taking into account any representations and either confirmed or lifted. If the decision is confirmed the person should be notified in writing, explaining how long the bar will be in place and when the decision will be reviewed, usually after 6 months.

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.

11. Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised, which in the view of the school, warrants further consideration, the procedure outlined in section 6 or 7 (as appropriate) will be repeated.

12. Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from Complainants unconnected with the school, a complaint campaign will be assumed. Following an internal investigation by the Senior Leadership Team, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If Complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

13. Record keeping and confidentiality

Our school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel. It will be stored only for as long as necessary and in line with data protection law, our privacy notices and records management record retention schedule.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

14. Learning Lessons

The Chair of Governors will review any underlying issues raised by complaints with the Headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

15. Monitoring arrangements

The Governing Body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Governing Body will track the number and nature of complaints, and review underlying issues as stated in section 11. This policy will be reviewed annually by the Headteacher and Governing Body or sooner if issues arise. At each review, the policy will be approved by the Full Governing Body.

Concern Form

Please complete and return to your child's class teacher or Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Email address:** **Day time telephone number:** **Evening telephone number:**
Please give details of your concern, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?
Signature: **Date:**
Official use
Date acknowledgement sent:
By whom:
Concern referred to:
Date:

Complaint Form

Please complete and return to the appropriate person, as detailed in section 6.1, who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Email address:** **Day time telephone number:** **Evening telephone number:**
Please give details of your concern, including whether you have spoken to anybody at the school about it.

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: