

# Complaints Policy

Approved by Governors: Spring 2025

Next to be reviewed: Summer 2028

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## MVE

At Kettlethorpe High School, staff and pupils embrace the mission, vision and ethos of the school. These should be at the forefront of our minds when setting objectives to further our professional development to support a community of belonging for all stakeholders and the wider community of the school.

### Mission

*'Together, to be the best we can be.'*

Working as a team to support each other, share our strengths, and strive for excellence in everything we do. We embrace collaboration, respect, and growth, so that we can achieve our dreams as individuals and as a community.

### Vision

#### Present

Being fully engaged, both physically and mentally, in all aspects of teaching & learning and as a result creating a positive and focused environment for learning. We arrive on time, we are known, we are focused during lessons and actively participate in school activities to make the most of every opportunity.

#### Achieving

Setting personal and academic goals, then working hard and persevering to reach them. We push ourselves to grow, overcoming challenges, and celebrating progress, whether it's through improved grades, developing new skills, or contributing to our school community.

#### Excelling

Going beyond the minimum expectations and consistently striving for excellence in all areas—academics, extracurriculars, and personal development. We push our limits, demonstrate pride in our work, and continually seek ways to improve and make a positive impact.

### Ethos

*Be Kind*

*Be Respectful*

*Be Reflective*

*Be Resilient*

*Be Responsible*

## Aim of the Policy

This policy statement sets out the school's approach to dealing with concerns and complaints. 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 provided. It is also based on the DFE's guidance for schools on complaints procedures.

Some complaints that are dealt with under other statutory procedures are dealt with outside of this policy. These are detailed under [Appendix B](#).

This complaints procedure is not limited to members of the school community. Any person, including members of the public, may make a complaint to Kettlethorpe High School, about any provision of facilities or services that we provide.

In this procedure:

- 'complaint' means an expression of dissatisfaction however made, about actions taken or a lack of action.
- 'concern' means an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
- 'meeting' means an in person or virtual meeting (i.e., telephone or video conference where all parties can participate verbally), virtual meetings will only be held in the event that all parties have access to appropriate equipment to attend and are happy to do so.
- 'parent' means parent, carer, or anyone with legal responsibility for a child.
- 'school days' excludes weekends and school holidays and periods of partial or total school closures.

## Key Principles

1. At Kettlethorpe High School, we will always try to resolve any issues or concerns at an informal level. We will listen to the views of all members of our school community but accept that from time-to time, mistakes are made and things can go wrong. We would encourage all stakeholders to contact the school in the first instance, and make reasonable attempts to seek an informal resolution. We will do our best to work with you in order to reach a satisfactory resolution to the issues raised. However, if you are still not satisfied with the response from the school the formal channels are outlined within this document.
2. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. We welcome feedback on what parents and all members of the school community feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly. All complaints will be investigated fully and fairly and we will respect confidentiality.

4. Complaints will be dealt with objectively and impartially. Where a complainant has difficulty concerning a particular member of staff, we will respect these views. Similarly, where a member of staff feels unable to deal with a concern we will refer this to another staff member.
5. All complaints are taken seriously by the school and the governing body and will be investigated in line with this policy document. We will treat all concerns and complaints courteously. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils, or on social media.
6. All school staff and members of the governing body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required. The policy is available on request to parents.
7. The school's procedures will be reviewed annually and updated as necessary.
8. Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.

**Please note:** We will listen to concerns and deal with complaints as outlined in this policy, but these should be addressed in a manner which is respectful and appropriate. How the school will treat communications that are abusive, threatening or rude is outlined in Appendix C.

This policy may be adapted as appropriate to take into account any required reasonable adjustments as appropriate. If you feel you need any assistance please inform the school as early as possible.

## Complaints Procedure

The majority of concerns from parents and others are handled under the following general procedures. To ensure you receive an effective response to your complaint, it will be helpful if you:

- co-operate with the school in seeking a solution to the complaint;
- express the complaint in full as early as possible;
- respond promptly to request for information or meetings or in agreeing the details of the complaint;
- ask for assistance if needed and
- treat all those involved in the complaint, with respect.

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors will determine if a complaint warrants an investigation.

The procedure is divided into three stages:

**Stage One** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage Two** is the first formal stage at which written complaints (via the form on the school website) are considered by the Headteacher/Appointed Investigator. If the complaint is about the Headteacher, then the Chair of Governors will appoint a suitably qualified governor to consider the complaint.

**Stage Three** is the final stage of our complaint's procedure. The complaint is considered by the Governing Body Complaints Committee.

## Timescales/Limitations

- You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if exceptional circumstances apply (at the discretion of the Headteacher).
- Lengthy complaints will detract from our responsibility to look after the interests of all staff and pupils in our care. Therefore, complainants must be succinct, precise and factual. Using our complaints form (Appendix A) will help complainants summarise the nature of their complaint, details of the matter, names of those involved (including witnesses) and what they want the outcome to be from this complaint. The school reserves the right to manage serial and unreasonable complaints which make excessive demands on school time by frequent, lengthy and complicated contact (see Appendix C).
- Where a complaint is based wholly or largely on hearsay evidence or evidence that cannot be substantiated, the school may be unable to determine whether or not the complaint is upheld.

## Withdrawal of a Complaint

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

## Stage One – Informal Resolution

- 1.1 At this stage, the main contact person for a complaint will be the appropriate staff member. This may be Class Teacher/Year Manager/Key Stage Leader/ Team Leader of Subject Area. If the complaint is sent to the Headteacher it will be forwarded to the appropriate person to make contact. This will also apply if you have completed the form on the school website.
- 1.2 The vast majority of concerns and complaints can be resolved informally, often straight away by the appropriate staff member.
- 1.3 Parents should be given an opportunity to discuss their concerns with the appropriate member of staff, who can clarify the nature of their concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation arose. It may also be helpful, at this point, to identify what sort of outcome the parent is looking for and see if this can be reached.
- 1.4 The member of staff will need to respond appropriately, taking into account the seriousness of the complaint. In many cases, this will lead to immediate resolution of the issue.
- 1.5 If the member of staff first contacted cannot deal immediately with the matter, or if they need to refer the matter to someone else, they will need to make a clear note of the date, name and contact address/phone number of the complainant.
- 1.6 In either case, the member of staff should subsequently ensure that appropriate action is taken to deal with the matter speedily.
- 1.7 Where the concern relates specifically to the Headteacher, the parent should be given the opportunity to meet with the Headteacher to discuss and resolve the problem. In some circumstances, the complainant may prefer to contact the Chair of Governors, and this will be accommodated.
- 1.8 The staff member dealing with the complaint should make sure that the complainant is clear what will happen next (if anything). This will be put in writing only if it seems the best way of making the outcome clear.
- 1.9 **For internal purposes only**, the appropriate member of staff will make an internal written record of the concerns/complaint and the date on which they were received and actions taken. They will inform other relevant colleagues. This record will be kept for one year after the individual leaves the school.
- 1.10 Should the matter not be resolved, or in the event that the appropriate member of staff and the complaint fail to reach a satisfactory resolution, then the complainant can proceed with their complaint in accordance with Stage Two of this procedure.

This should be done in writing, on the form on the school website ([Appendix A](#)).  
Please refer to 2.1 if you require help with this or an alternative format.

**Whilst all parents and members of the community have the right to express concerns and raise issues (and we do encourage open dialogue) we ask that you carefully consider your desired outcome before proceeding to the formal stages of this policy. Investigations take a considerable amount of time; we have limited capacity within school, and our efforts are often best spent focusing on ensuring that our pupils are happy, safe and make progress.**

**For these reasons we ask members of our community to work with us to find a resolution within the informal stage wherever possible.**

## Stage Two – Formal Consideration

2.1 Formal complaints must be made to the Headteacher (unless they are about the Headteacher). For ease of use, and to ensure all elements of the concern are investigated thoroughly a template complaints form ([Appendix A](#)) is to be used and this can be found on the school website. If you require help in completing the form, please contact the school office either by telephone or in person. You can also ask third party organisations, such as Citizens Advice, for support with this.

The form will help you with referencing relevant dates, times, names of witnesses alongside any relevant documentation. In accordance with equality law, we will consider making reasonable adjustments if required. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding a meeting in an accessible location.

2.2 The Head's PA will record the date the complaint is received and will acknowledge receipt of the complaint in writing within 2 school days. The acknowledgement will refer to the school's complaints procedure.

*Note: The Headteacher may delegate the investigation to a member of the Senior Leadership Team. Sometimes it may be appropriate to use an independent investigator, and the complainant will be kept informed if this is to happen and given clarity on the process to be followed.*

2.3 During the investigation, the Headteacher or 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
- Use other evidence/records held by the school.

2.4 At the conclusion of their investigation, the Headteacher or Investigator will provide an initial formal written response within 20 school days of the school's acknowledgement of the complaint.

2.5 If the Headteacher or Investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date.

2.6 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. Where appropriate, it will include details of actions Kettlethorpe High School will take to resolve the complaint.

2.7 The Headteacher or Investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

- 2.8 The Investigator will need to provide an opportunity for the complainant to meet with them to supplement any of the information provided previously at the informal stage. It will need to be made clear to the complainant that they can if they wish to be accompanied to any meeting by a friend, relative, representative who can speak on their behalf. The school should also provide interpreting facilities if they are required. It is also recommended that the Investigator meet the complainant with another member of staff present to record the proceedings.
- 2.9 Where necessary, the Investigator will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil may also be interviewed, if considered appropriate. When pupils are interviewed in a formal situation, the children's parents may be invited to be present or a member of staff who is known and trusted by the pupil should be invited to attend. We will always take into account the best interest of the child when making any decision. Sometimes, a child will request that parents are not involved.
- 2.10 Once all relevant facts have been established, the Investigator will then produce a written response to the complainant and they also may wish to meet the complainant to discuss/resolve the matter directly. The written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint, where required.
- 2.11 If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair) a suitably skilled governor will be appointed to complete all the actions at Stage 2.
- 2.12 Complaints about the Chair and Vice Chair jointly, or the entire/majority of the governing body will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.
- 2.13 If the complainant is still unsatisfied with the outcomes of the school's formal consideration of their complaint then they can ask for it to be escalated to Stage 3 "Governing Body Complaint's Committee". This will involve consideration by a committee of the governing body. This needs to be done in writing/email marked for the attention of the Chair of Governors at Kettlethorpe High School / [headteacher@kettlethorpe.wakefield.sch.uk](mailto:headteacher@kettlethorpe.wakefield.sch.uk) making clear what the grounds for the complaints are. All complaints MUST be submitted within 5 school days of receipt of the Stage 2 formal consideration outcomes letter.
- 2.14 If no further communication is received from the complainant within 10 school days, it is deemed that the complaint has been resolved and will be closed.
- 2.15 All records of actions and copies of correspondence and evidence relating to each complaint will be stored confidentially and securely with the Head's PA in

accordance with data protection policy. Correspondence, statements, and records relating to individual complaints will be kept confidential except where:

- Access is requested by the Secretary of State;
- disclosure is required in the course of a school inspection;
- an individual has a legal right to access their own personal data contained within such documentation; or
- under other legal authority.
- records will be kept for one year after the individual leaves the school.

## Stage Three – Governing Body Complaints Committee

- 3.1 If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 (Governing Body Complaints Committee), which will be formed of the first three, impartial governors available. This is the final stage of the complaint's procedure.
- 3.2 The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of this procedure.
- 3.3 On occasions, governors may decide to invite independent specialists or governors from another school or a Headteacher or senior leader from another school to join the panel.
- 3.4 The panel will be made up of independent governors from another school where the complaint is:
  - Jointly about the Chair and Vice Chair;
  - the entire governing body; or
  - the majority of the governing body.
- 3.5 Representatives from the media are not permitted to attend.

### **The Governing Body Complaints Committee operates according to the following formal procedures.**

- 3.6 A complaint at Stage 3 must be made to the Head's PA via the school office ([headteacher@kettlethorpe.wakefield.sch.uk](mailto:headteacher@kettlethorpe.wakefield.sch.uk)). Complaints at Stage 3 must be submitted within 5 school days of receipt of the Stage 2 formal consideration outcomes letter. The Head's PA 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. In this complaint you must provide any further written documentation you would like to be considered in support of your appeal. You must outline clearly in this complaint how you consider that school has not taken the complaint seriously or conducted the process fairly. This will form part of the consideration for the panel and the complainant may be questioned.
- 3.7 The Head's PA will write to the complainant to inform them of the date of the committee meeting. They will aim to convene a meeting within 20 school days from the acknowledgement of the Stage 3 request. If this is not possible, the Head's PA will provide an anticipated date and keep the complainant informed.
- 3.8 The panel may make the decision to invite the Complainant to the panel meeting, or an additional face-to-face meeting/online meeting/conference call. The presence of the complainant and other relevant parties during the panel meeting may not be

deemed necessary if the panel considers that there is sufficient written information to consider how the complaint process has been followed.

- 3.9 If the complainant is invited to attend the meeting but the complainant rejects the offer of three proposed dates, without good reason (good reason to be determined at the discretion of the Chair of Governors), the Chair of Governors will decide when to hold the meeting. If the Chair of Governors has been involved at stage 2, this decision will be made by the Chair of the Governing Body Complaints Committee. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 3.9 At least 10 school days before the meeting, the Head's PA will:
  - Confirm by letter and notify the complainant of the date, time, and venue of the meeting, ensuring that if the complainant is attending, 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 5 school days before the meeting.
  - Circulate any written material to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 3.10 The Headteacher or Investigator will be asked to prepare a written response, outlining detail as to how the complaint has been dealt with. The panel can request additional information from other sources if necessary.
- 3.11 The letter will explain what will happen at the panel meeting. If the complainant is required to attend a meeting, it will state that the complainant is entitled to be accompanied. The choice of person to accompany the complainant is the complainant's own, but it is usually best to involve someone who is not directly connected with the school. They are there to give the complainant support but also to witness the proceedings and to speak on the complainant's behalf if they so wish. The complainant must alert the panel to who will be accompanying them in writing five days before the meeting. Please note that this is not a legal hearing.
- 3.12 Representatives from the media are not permitted to attend.
- 3.13 The complaint investigator may, with the agreement of the Chair (of the panel), invite relevant witnesses directly involved in matters raised by the complainant to attend the meeting.
- 3.14 The Chair will bear in mind that the formal nature of the meeting can be intimidating for the complainant and will do their best to put the complainant at ease.

- 3.15 As a general rule, no new evidence or witnesses should be introduced into the meeting. If either party wishes to do this, the meeting will be adjourned at the discretion of the Chair so that the other party has a fair opportunity to consider and respond to the new evidence.
- 3.16 The Chair will ensure that the meeting is properly minuted. The minutes will not be automatically provided to the complainant. Since such minutes usually name individuals, they are understandably of a sensitive, and therefore, will be treated as confidential.
- 3.17 The written outcome of the panel meeting, which will be sent to you, should give you all the information you require. The Head's PA will send you and the Headteacher a letter outlining the decision of the panel within 15 school days following the hearing.
- 3.18 The panel will consider the complaint and all evidence presented in order to:
  - Reach a unanimous, or at least a majority, decision on the case: either to uphold the complaint in whole or in part or dismiss the complaint in whole or in part;
  - Decide on the appropriate action to be taken, if the complaint is upheld in whole or in part;
  - Recommend, where appropriate, to the Governing Body, changes to the school's systems or procedures to improve further practice.
- 3.19 All records of actions and copies of correspondence and evidence relating to each complaint will be stored confidentially and securely with the Head's PA in accordance with data protection policy for [state how long]. These will be separate from pupils' personal records if the complaint was brought in relation to a specific pupil.

## Next Steps

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 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Kettlethorpe High School. They will consider whether Kettlethorpe High School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus) by telephone on: 0370 0002288 or by writing to:

Department for Education: Piccadilly Gate, Store Street, Manchester, M1 2WD

## Appendix A – Complaints Form

Linked here:

<https://form.jotform.com/231552008009042>

## Appendix B – Complaints which are subject to statutory procedures

A complaints procedure should cover all complaints about any provision of facilities or service that a school provides with the exceptions listed below, for which there are separate (statutory) procedures

Exceptions	Who to contact
Admissions to schools	<a href="mailto:admissions@wakefield.gov.uk">admissions@wakefield.gov.uk</a> Telephone 01924 305338
Statutory assessments of Special Educational Needs (SEN)	<a href="mailto:SEND@wakefield.gov.uk">SEND@wakefield.gov.uk</a> Telephone 01924 302465
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under the Child Protection and Safeguarding policy and in accordance with relevant statutory guidance. Please contact the Designated Safeguarding Lead at Kettlethorpe High School. Please contact the school if you cannot access the website. If you have serious concerns, you may wish to contact the relevant Local Authority Designated Officer <a href="mailto:lado.referrals@wakefield.gov.uk">lado.referrals@wakefield.gov.uk</a>
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/schooldiscipline-exclusions/exclusions">www.gov.uk/schooldiscipline-exclusions/exclusions</a> .
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> . Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link)
Staff grievances and disciplinary	Complaints from staff will be dealt with under the school's internal grievance procedures
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

The Headteacher will in most cases determine which if any of these statutory procedures apply. Advice can be obtained from the local authority on any such issues by contacting the appropriate service manager. If one of these statutory procedures needs to be involved at some point during the investigation of a more general complaint, the complaints procedure will be suspended until the statutory procedure has been concluded.

## Appendix C - Policy for managing serial, unreasonable and duplicate complaints and vexatious and persistent complainants

Kettlethorpe High School is committed to dealing with all complaints fairly and impartially, and to provide a high quality service to those who complain. We will not normally limit the contact complainants have with our 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.

Kettlethorpe High School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- takes part in actions which are obsessive, persistent, harassing, prolific, repetitious;
- 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 e.g. refuses to complete school form/supply enough information/unsubstantiated complaints);
- refuses to accept that certain issues are not within the scope of the complaints procedure (e.g. timescales and limitations);
- 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 which 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;
- makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- 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 or happened some time ago (complaints policy states three months);
- 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 unreasonable or 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 and after its conclusion
- uses threats to intimidate;
- uses abusive, offensive or discriminatory language or violence;
- knowingly provides falsified information and

- publishes unacceptable information on social media or other public forums

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

- appear to be targeted over a significant period of time on one or more members of school staff and/or
- cause ongoing distress to individual member(s) of school staff and/or
- have a significant adverse effect on the whole/parts of the school community and/or
- 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.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone or email or text), as it could delay the outcome being reached.

In the first instance the school will inform the complainant that his/her/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 (Model Letter 1).

If the behaviour continues, the Headteacher/Chair of Governors will write to the complainant explaining that their behaviour has continued to be unreasonable and explain the further actions the school will take (Model Letter 2). For complainants who excessively contact Kettlethorpe High School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

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 the school.

## Actions

- The Headteacher with the agreement of the Chair of Governors, may deem a complainant an unreasonably persistent complainant.
- The Headteacher will ensure that there is sufficient evidence available to justify the decision.

Action to be taken where a complainant is deemed an “unreasonable complainant”

- The Headteacher and/or a member of the governing body will write to the complainant to explain the decision. Any restrictions imposed will be appropriate and proportionate.
- Some or all of the following actions may be taken, depending on the particular circumstances of the case:
  - insisting that no member of staff should meet the complainant on their own;
  - restricting telephone calls from the complainant to specified days and times and/or to a single email address or named contact person
  - requiring that all future contacts with the school are in writing, except in emergencies; this includes contacts with members of the Governing Body, who should only be contacted at the school address;
  - merely acknowledging correspondence from the complainant that raises issues that have already been dealt with;
  - banning the complainant from the school premises where the complainant's behaviour constitutes a nuisance or disturbance, with any appointments with staff to be agreed in writing via the Headteacher;
  - seeking legal action and
  - ending the complaint.

However, all correspondence from the complainant will be considered and any new and substantive issues will be addressed and a reply sent to the complainant. New complaints from people, who have been deemed unreasonably persistent complainants, will be treated on their merits.

## 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 there are new aspects, we will follow this procedure again.

## 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, the school may respond to these complaints by:

- Putting a single response on the website

- Sending a template response to all the complainants.

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

### Model letter 1

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

Dear

This letter is to inform you that the school considers your actions ..... [describe actions, dates, behaviour] on ..... when you..... to be unreasonable/unacceptable [amend 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 [amend if behaviour complained of did not occur on school site e.g. persistent use of e-mail, verbally abusive telephone calls/emails].

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 by ..... [describe actions being taken to resolve concern].

Please note that the school's Policy for Dealing with Persistent or Vexatious Complainants / Harassment and the school's Complaints Policy 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 and
- avoiding physical and verbal aggression at all times.

The school 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.

We ask you to modify your behaviour/language (amend as needed) so it aligns with our expectations and would ask that you allow the school time to resolve issues according to the correct procedures.

Yours sincerely,

Headteacher / Chair of Governors

## 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 [insert date] telling you that I felt your behaviour/use of language (amend a needed and describe actions) was unreasonable. I am now writing to inform you that in view of your behaviour/use of language on [date], when you [describe actions/behaviour], it has been decided that the school's Policy for Dealing with Persistent or Vexatious Complainants/Harassment will apply.

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

[\*Delete A, B or C as applicable and amend actions as required]

~A For the foreseeable future and until agreed by the school (can insert timeframe here if required), you will be banned from the school site

\*B For the foreseeable future, should you wish to meet with a member of staff, I would ask you to note:

\*C For the foreseeable future, all meetings arising from any written communication with the school will not be conducted by a member of staff, but will be conducted by ..... representing the school. I would ask you to note:

- (a) all routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to..... at the school address; email correspondence will not be responded to;
- (b) an appointment will be arranged and confirmed in writing as soon as possible;
- (c) a third party from the school will be present;
- (d) in the interests of all parties, formal notes of this meeting may be made.

Exceptionally, these arrangements do not apply to any emergency involving [insert name of pupil] - in which case you should contact the school in the usual way. While these arrangements are in place, with respect to normal access to information available on parents' evenings, this will be provided in a summary written report.

These arrangements take effect straightaway. If you wish to make a representation about the contents of this letter, which may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct, you can do so by writing to me at the school by [state ten working days from the date of the letter].

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

Yours sincerely,

Headteacher / Chair of Governors

## Appendix D - Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### 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 through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - 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.

The investigator should:

- 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
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

### The Head's PA

The Head's PA is the contact point for the complainant and the committee and should:

- 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)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible

- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings (minutes may be completed by a third party)
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

### Governing Body Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Head's PA) 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. This is particularly important if the complainant is a child/young person
- 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.
- 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
- 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 Head's PA (and complaints co-ordinator, if the school has one).

### Committee Members

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.
- 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.
- Many complainants will feel nervous and inhibited in a formal setting
- Parents 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.
- The welfare of the child/young person is paramount.