Downlands Community School
Complaint Policy
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Introduction

Governing Bodies of all maintained schools and maintained nursery schools in England are required, under Section 29 of the Education Act 2002 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 Secretary of State has direction making powers under sections 496 and 497 of the Education Act 1996 and, although they are not under a duty to intervene in every case that is brought to their attention, they must always consider whether, in light of the information provided to them by a complainant, they should exercise their powers.

What is a concern and what is a complaint?

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 or disquiet which requires a response*'.

Informal complaints – Downlands Community School takes informal concerns seriously and will make efforts to resolve matters earliest stage possible.

Formal complaints **-** This formal procedure will be used when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Mrs C Cooper, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs Cooper will refer 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.

We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, Downlands Community School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to make a Formal Complaint

Formal complaints are to be made in the first instance, to the school's Complaints Co-ordinator. This role is undertaken by Mrs Cooper. A complaint can be made in person, in writing or by telephone and you will be asked to complete a complaints form (Appendix 5). The Complaints Co-ordinator will record the date the complaint is received and will acknowledge in writing (letter or email) receipt of the complaint within 3 school days. In order for the school to deal with your complaint effectively, it would be helpful to receive complaints as soon as possible after the incident concerned.

Complaints that involve or are about the headteacher should be addressed to Mr Carl Stokes (the Chair of Governors), via the school office. Please mark them as Private and Confidential. Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Mrs Cooper (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

Who can make a Complaint?

Any person may make a complaint to the school if the school is directly responsible for the issue being complained about. It is not limited to parents with children registered at the school and schools cannot refuse to deal with a complaint once the child has been removed from the school register, with the exception of matters relating to SEN. If you want to complain about the school's SEN support you should do it while your child is still registered at the school. This includes complaints that the school has not provided the support required by your child's SEN statement or education, health and care (EHC) plan.

Schools may not consider complaints about behaviour that happens outside the school's hours or premises

Anonymous Complaints

Mrs C Cooper (Complaints Co-ordinator), in conjunction with the Headteacher and Chair of Governors, will determine whether the gravity of an anonymous complaint warrants its investigation.

Time scales

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 if exceptional circumstances apply.

Complaints received out of Term Time

Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period.

Principles of the Procedure

An effective complaints procedure shall: -

- **Not** exclude any group with protected characteristics from making a complaint.
- Encourage resolution of problems by **informal** means wherever possible.
- Be easily **accessible** and **publicised.**
- Be **simple** to understand and use.
- Be **impartial.**
- Be **non-adversarial.**
- Allow **swift** handling with established **time-limits** for action and keeping people informed of the progress.
- Ensure a full and **fair** investigation by an independent person where necessary.
- Respect people's desire for **confidentiality.**
- Address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary.
- Provide **information** to the school's senior management team so that services can be improved (i.e. learning from feedback).
- Have due regard to the principles of the Equality Act 2010 and how they impact upon schools, parents, carers and children/young people.

Scope of this Complaint Procedure

This procedure covers all complaints with the **exceptions** listed below for which there are separate (statutory) procedures.

This policy does **not** cover the following issues: -

Exceptions	Who to contact
● Admissions to schools ● Statutory assessments of Special Educational Needs ● School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <insert local authority details>
● Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <insert LADO/MASH details>.
● Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.*
● 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: www.education.gov.uk/contactus. 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 above), depending on the substance of your complaint.
● Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
● Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
● Complaints about services provided by other providers who may use school premises	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

or facilities	
● National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus
● Campaigns and Duplicate Complaints	See Unreasonable Complainants Policy
● Complaints about collective worship	Standing Advisory Council on Religious Education

Concurrent considerations

Legal, safeguarding or disciplinary proceedings may take precedence over complaints procedures and timescales.

If there is a risk that dealing with a complaint might prejudice a concurrent consideration, the complaints procedure will be suspended until the concurrent consideration is concluded. The Complaints Co-ordinator will write to the Complainant explaining the reason for the decision and the nature of the concurrent consideration. Once the concurrent consideration is concluded, the complaint can be investigated as appropriate.

If a complainant commences legal action against Downlands Community School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, the schools will want to resolve the complaint if possible. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- 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.

Withdrawal of a Complaint

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

Informal complaints or concerns

As stated above, the school takes any concerns or informal complaints very seriously. The school will endeavour to resolve issues informally wherever possible to prevent matters escalating to the formal procedure. If you would like to raise concerns, please start by telling the class teacher or head of year about your concern. This is usually the best and quickest way of resolving issues.

It is recommended that you speak to the class teacher or head of year as soon as possible, as this will give all parties the opportunity to discuss your concerns.

The purpose of this discussion is to establish the issues and to seek a realistic resolution if possible.

Complaints about the Headteacher

If your complaint is about the Headteacher, it will be considered by the Chair of Governors at Stage 2 of the procedure. Please make your complaint either directly to the Chair or as outlined in *How to make a complaint* section on page 3.

Complaints about members of the School Governing Body

If your complaint is about a school governor, it will be considered by the Chair of Governors at Stage 2 of the procedure. Please make your complaint to the Clerk to the Governors.

Complaints about the Chair of Governors

If your complaint is about the Chair of Governors, it will be considered by the Vice Chair of Governors at Stage 2 of the procedure. Please make your complaint to the Clerk to the Governors.

Formal complaints procedure – overview

If it is not possible to resolve the complaint informally, the complainant is to be advised to make a formal complaint. There are three stages to this procedure: -

Stage 1 – Complaint Heard by Headteacher	**Stage 2 – Complaint Heard by Chair of Governors**	**Stage 3 – Complaint Heard by Governing Body Review Panel**
If the complaint cannot be resolved informally, then the Headteacher will investigate.	If the complainant remains unhappy or the complaint is about the Headteacher the investigation will be undertaken by the Chair of Governors. Complaints about Governors will be considered by the Chair of Governors. Complaints about the Chair of Governors will be considered by the Vice Chair.	This will consist of Governors not involved in the complaints process at an earlier stage.

If the complaint is about a Headteacher, then the complaint will automatically be considered at Stage 2.

Timescales

Every effort will be made to investigate and respond to complaints as quickly as possible. The following timescales will be adhered to at each stage.

For the School

Stage 1 – complaint acknowledged within 3 working days. Investigation and response sent within a reasonable agreed timescale. The schools should aspire to 20 working days but may consider an extension depending on the complexity of the issues raised. The complainant will be kept up to date on reasons for any delays and given new timescales for a response as necessary.

Stage 2 – complaint acknowledged within 3 working days. Investigation and response sent within 10 working days with extension(s) of 10 working days depending on the complexity of the issues raised. The complainant will be kept up to date on reasons for any delays and given new timescales for a response as necessary.

Stage 3 – See Panel Review below

For the Parent
We consider 3 months to be an acceptable time frame in which to lodge a complaint. Additional time can be given in exceptional circumstances. Historic complaints cannot be fairly investigated due to the passage of time, or staff departures etc. This needs to be clearly communicated by the school including the reason why, with a referral to the Department for Education

Stage 2 requests should be ideally considered within 20 working days of the stage 1, so ensure momentum. Unless there have been extenuating circumstances. Discretion should be used by the school when considering Stage 2 requests after 20 working days.

Stage 3 requests should be ideally considered within 20 working days of the stage 2, so ensure momentum. Unless there have been extenuating circumstances. Discretion should be used by the school when considering Stage 3 requests after 20 working days.

Detailed procedure

Stage 1 – Complaint Heard by Headteacher

Formal complaints must be made to Mrs C Cooper (Complaints Coordinator). A complaint can be made in person, in writing or by telephone. The Complaints Co-ordinator will record the date the complaint is received and will **acknowledge** in writing (letter or email) receipt of the complaint within 3 school days.

The Headteacher will investigate the complaint and respond to the Complainant within 10 school days of the date of receipt of the complaint. If this date cannot be met, the Complainant will be given an update and revised response date. The Headteacher will advise the complainant to contact the Complaints Co-ordinator if they wish to escalate their complaint to Stage 2.

Stage 2 – Complaint Heard by the Chair of Governors

If the Complainant is dissatisfied with the outcome of the Headteacher's investigation at Stage 1 and wishes to take the matter further or if the complaint is about the Headteacher, they can ask for the matter to be considered by the Chair of Governors by contacting Mrs Cooper. Complaints about governors are also considered by the Chair of Governors or the vice Chair if about the Chair.

The Chair of Governors/Vice Chair will acknowledge the complaint within 3 school days. The acknowledgement will include a summary of the complaints procedure and a response date given. This will be within 10 school days. If this date cannot be met, the Complainant will be given an update and revised response date.

The Chair of Governors will provide a formal written response to the Complainant detailing actions taken to investigate the complaint and provide a full explanation of decisions taken and the reasons for them. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The Complainant will be provided with details of how to contact the Governing body if they are not satisfied with the response.

Stage 3 – Complaint Heard by the Governing Body's Complaints Review Panel

The Complainant must contact the Clerk to the Governors giving details of the complaint in writing if possible. If not, the school will make the arrangements to take this information from the Complainant as necessary. Complaints must have been considered by the first two stages before proceeding to panel.

The Clerk to the Governors will acknowledge the request in writing within 3 school days and inform the Complainant of the right to submit any further documents or information relevant to the complaint. The panel will not consider new complaints. A deadline for submission of these documents will be 5 working days before the hearing.

The school will submit the Stage 1 and 2 responses (as appropriate) together with any written response from the Headteacher as appropriate. The Headteacher may also invite members of staff directly involved in matters raised by the Complainant to respond personally or in writing.

The Clerk to the Governors must convene the complaints committee elected from the Governing Body. The committee will comprise 3 governors who have had no previous involvement with the complaint. The complaint will not be heard by the entire governing body.

The Complaints Panel will set a timetable for the hearing and will notify the Complainant of this. The review hearing will be heard within 20 school days of receiving the request.

The aim of the panel will be to resolve the complaint and achieve reconciliation between the school and the Complainant if this is possible.

The hearing will be held in private. Any witnesses (other than the Complainant and the Headteacher) must only attend for the part of the hearing in which they give their evidence. Good practice would be that at no point will the Headteacher or the parent/carer be left with the complaint panel without the other being present.

Once the panel are satisfied that they have heard all the information they need to make a decision, the Chair of the Panel will explain to the Complainant and the Headteacher that the committee will consider its decision and respond in writing within 15 school days. The Complainant and the Headteacher will then leave.

The panel will then consider the complaint and all the evidence presented. The panel can: -

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part
- 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 difficulties in the future.

A written response detailing the decisions, recommendations and the basis on which these have been made will be sent to the Complainant within 15 school days. The Complainant must be notified of the right to refer their concerns to the Department for Education if they are dissatisfied with the way their complaint has been dealt with.

Recording

The complaints coordinator will record all details of the complaint including: -

- Date of receipt.
- Action taken.
- Summary of complaint.
- Brief notes of meetings and telephone calls with the progress of the complaint.
- Ensure that the staff member subject to a complaint is informed as soon as possible.
- Any written response.
- Minutes of any meetings.
- Final outcome.
- Learning from complaints.

All functions of the complaints procedure will be mindful of the requirements of the General Data Protection Regulation (GDPR) and the Freedom of Information Act, 2000

Publicity

Details of the school's complaints procedure can be found as follows: -

- home school bulletins or newsletters;
- posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- the school website (https://downlandsschool.org/)

Monitoring of the procedure

The school will monitor the operation and effectiveness of this complaints procedure as well as how information about complaints is being used to improve services and delivery.

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 Downlands Community School. They will consider whether Downlands Community 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, by telephone on: 0370 000 2288 or by writing to:

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

Useful Contacts

Complaints Co-ordinator
Mrs C Cooper
Downlands Community School
College Road
Blandford Camp

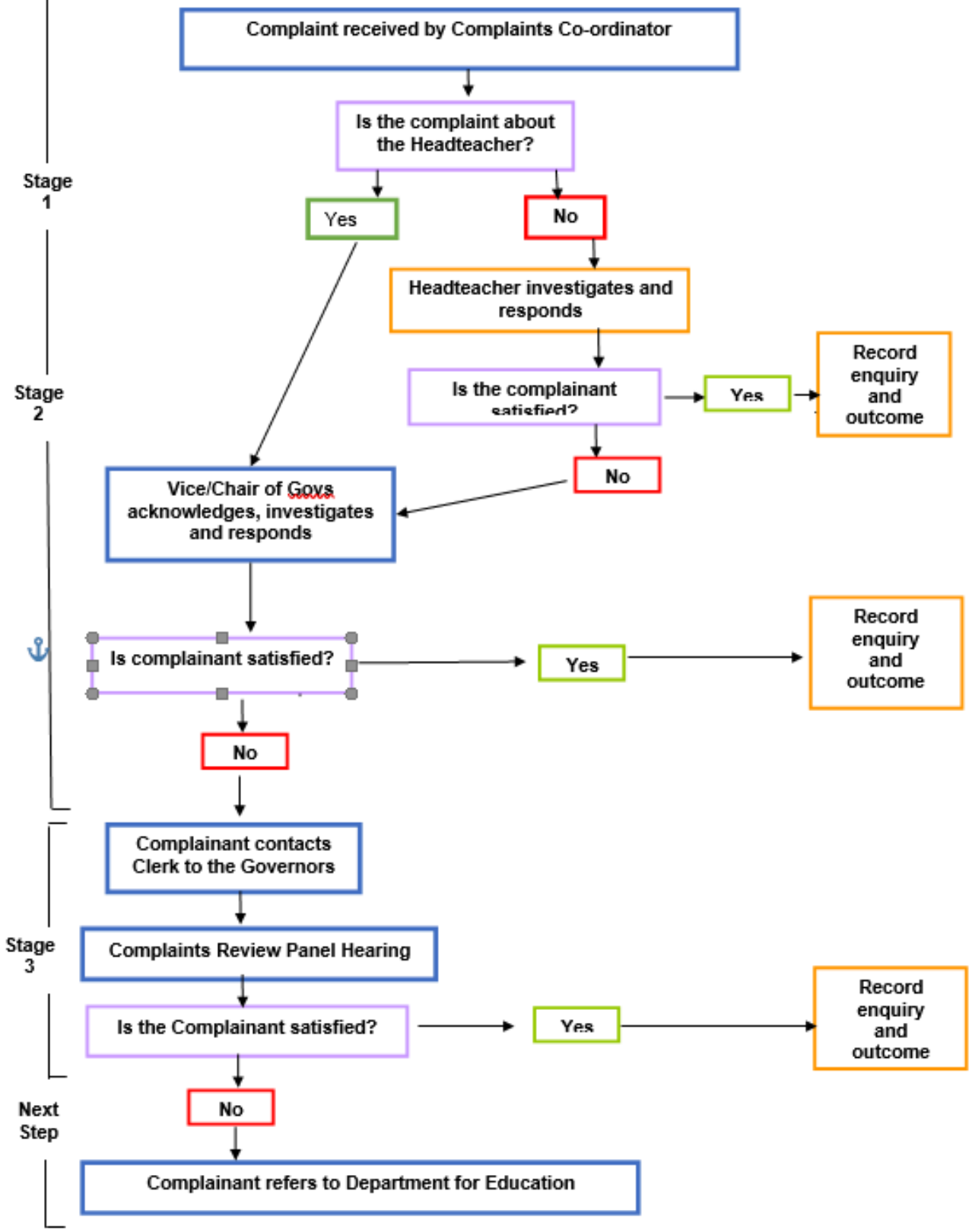
Blandford Forum
DT11 8BG
ccooper@downlandsschool.org
01258 453348

Department for Education
2nd Floor
Piccadilly Gate
Store Street
Manchester
M1 2WD
Tel 03700002288
www.education.gov.uk

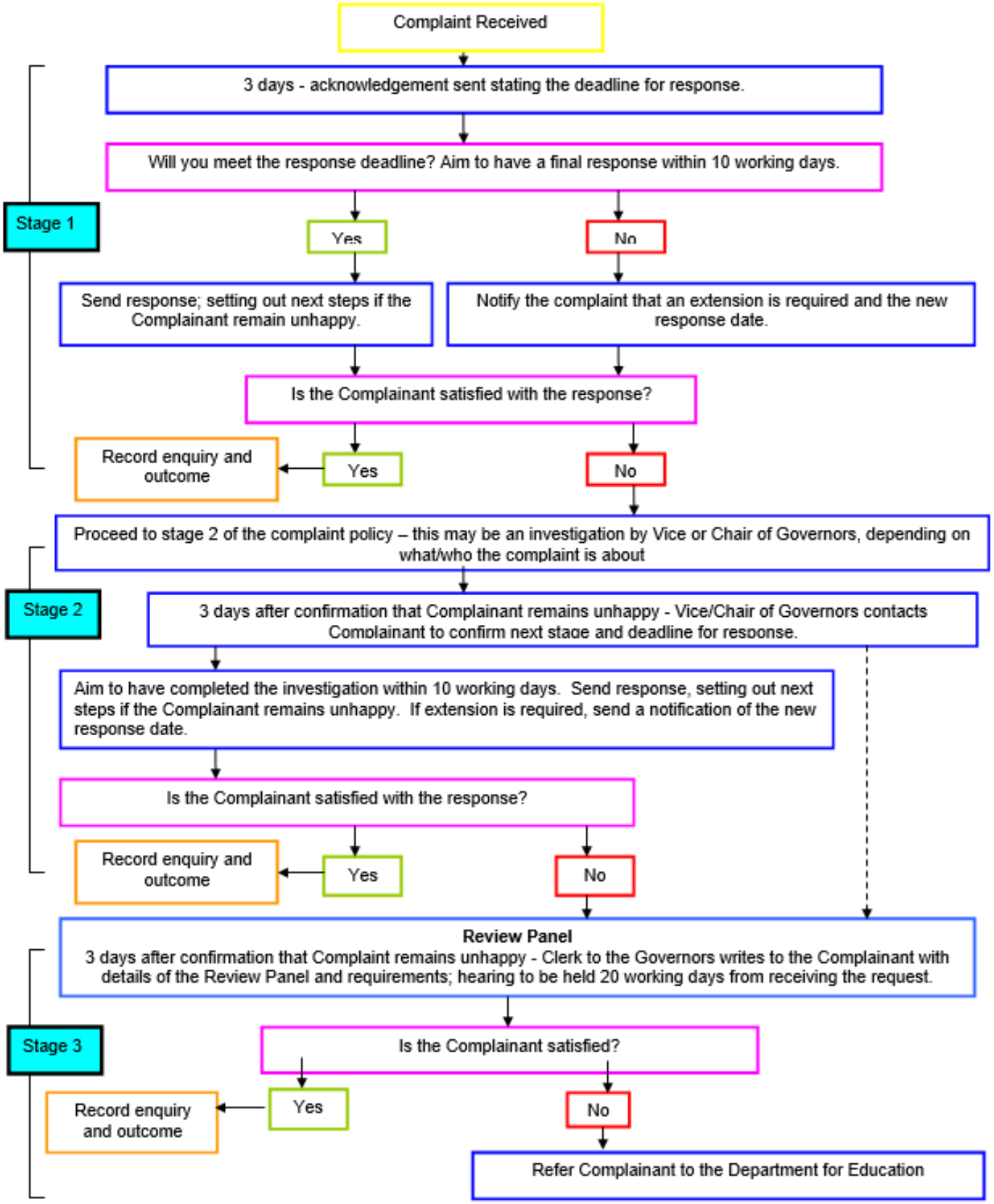
If the complaint is related to an SEN matter, then you may wish to contact your Local Authority upon completion of the schools complaints process. However they will only focus on SEN support and if the child is getting what they're supposed to be getting. They will not overturn or provide a route of appeal if stage 3 fails to resolve matters.

This document can be made available in other formats including Braille, audio and large print and other languages.

Appendix 1 – Flow Chart of Formal Process



Appendix 2 – Timescales (Formal Procedure)



3 – 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 the Complaints Co-ordinator (Mrs Cooper) for assistance as needed.
- Treats all those involved in the complaint with respect.

The Complaints Co-ordinator/ Mrs Cooper (Clerk to Governors).

The Complaints Co-ordinator will: -

- Ensure that all people involved in the complaint procedure are aware of the legislation around complaints including the Equality Act 2010, General Data Protection Regulation (GDPR) and Freedom of Information Act.
- Liaise with the Staff Member, Headteacher, Chair of Governors and Panel 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.
- Ensure that the Complainant is fully updated at each stage of the procedure and that sometimes letters regarding the progress of the complaint may also need to be translated.

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.
    - Consideration of records and other relevant information.
    - Interviewing with 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.
- Identifying solutions and recommending courses of action to resolve problems.
- Be mindful of the timescales to respond to the Complainant in plain and clear language.

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 headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
    - sharing third party information
    - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

The Panel Clerk

The Clerk is the contact point for the Complainant for the panel meeting and is required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Notify all parties of the panel's decision.
- Liaise with the Complaints Co-ordinator. (If not, the Clerk to the Governors).

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 parties and each party has 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 each party treating the other with respect and courtesy.
- The layout of the room will set the tone and 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.
- Each side is given the opportunity to state their case and ask questions.
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on.

- Liaise with the Panel Clerk and Complaints Coordinator

Panel Member

Panellists must 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. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the Complainant. However, it has to be recognised 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.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child or young person. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the Complainant is a child/young person. Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel needs to be aware of the views of the child/young person and
- give them equal consideration to those of adults. Where the child/young person's parent/carer is the Complainant, it would be helpful to give the parent/carer the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.

NB Governors sitting on the panel need to be aware of the complaints procedure.

Appendix 4 - Checklists

Investigation Checklist

The person investigating at each stage of the complaint will need to: -

- Establish what has happened so far, and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the Complainant or contact them – see ***Meeting with the Complainant*** below.
- Establish the outcomes that the Complainant is seeking and whether these are achievable through the complaints process.
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Conduct interviews with an open mind and be prepared to persist in the questioning.
- Keep notes of interviews.

Meeting with Complainant

The investigator will need to: -

- Allow the Complainant to explain how they feel and express any strong emotions – they need to feel that the school has accepted their complaint.
- Clarify the complaint and all its individual parts and produce a written record.
- Ask what the Complainant is seeking regarding solution or outcomes.

- Check whether the Complainant needs support of any kind, in order to understand the discussion properly.
- Determine whether they need support during the process i.e. an advocate or any accessibility needs such as signer, hearing loop etc.
- Read the background to the complaint and the relevant legal and administrative policies and procedures.
- Consider whether the complaint could be resolved without further investigation.
- Assess whether the complaints procedure is the most appropriate way of handling this complaint.

Interviewing

Children/young people

- Children/young people will 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.
- Care needs be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people will be told what the interview is about and that they can have someone with them.

Staff

- 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 he has anything to add, and to sign the record as accurate.

Complaints Panel Checklist

The panel will try to ensure that: -

- 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, outline their desired outcome and be followed by their witnesses.
- The Headteacher may question the Complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions, their views on the desired outcomes 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.
- The Chair explains that both parties will hear from the panel within 15 school days.
- Both parties leave together while the panel decide on the issues.

Appendix 5 - School Complaint Form

Please complete this form and return it to Mrs C Cooper/Complaints Coordinator who will acknowledge receipt and explain what action will be taken.

Your name:
Child/young person's name:
Your relationship to the child/young person:
Your Address: Daytime telephone number: Evening telephone number: Email:
Please give concise details of your complaint, what you think the School did wrong or did not do. Include dates, names of witnesses etc.
What action, if any, have you already taken to try to resolve your complaint? (who have you spoken with or written to and what was the outcome?).

What do you think the School needs to do to resolve matters at this stage?

Please list any paperwork you are attaching:

Do you need the paperwork to be returned to you: Yes/No

Signature: …… Date: ……

School Use

Date form received: Received by:
Date acknowledgement sent: Acknowledgement sent by:

Complaint referred to: Date referred:

Date response sent:

Appendix 6 Policy for Unreasonable Complainants

The Headteacher and staff at <school> deal with specific complaints as part of their day-to-day management of the school in accordance with its Complaints Procedure. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

The <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, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing their concerns and the school does not expect their staff to tolerate unacceptable behaviour. The school will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

In these circumstances the school may take action in accordance with this policy.

Aims of the policy

The aims of this policy are to:

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

Definition of Unreasonable Complainant

Downlands Community 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 can 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 raising large numbers of detailed but unimportant questions and insisting 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 process has been fully and properly implemented and exhausted including referral to the DfE.
- Seeks an unrealistic outcome;

- Has a history of making unreasonable complaints;
- 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 whilst the complaint is being dealt with;
- Electronically recording meetings or conversations without the prior knowledge and consent of the other persons involved.
- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing complaints without merit and/or unrealistic outcomes beyond all reason
- insistence upon pursuing complaints without merit in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

A complaint will 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.
- Acts in a persistent way by: -
    - Sending numerous letters;
    - Making multiple phone calls;
    - Sending multiple e-mails;
    - Leaving multiple voicemails;
    - Sending multiple text messages;
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Barring from school premises

If a parent or complainant's behaviour is cause for concern, they may be asked to leave the school premises as we need to act to ensure that the school remains a safe place for its pupils, staff and other members of the community. In serious cases, the school may write to parents/complainants to advise that their implied licence to be on school premises has been temporarily revoked subject to any representations the parent/complainant may wish to make. Any decision may be appealed by contacting the Headteacher or Chair of Governors. If the decision is upheld, the complainant will be notified in writing and advised of the length of time the bar will be in place.

Any complaint about barring will be considered through the school's complaints procedure but cannot be escalated to the Department for Education in the usual way. Once the school's own complaints procedure has been exhausted, the next steps would be through the courts.

Action to be taken by the school

Whenever possible, the Headteacher or Chair of Governors will discuss the concerns with the Complainant informally before invoking the procedure. This will be confirmed in writing.

If the behaviour continues the Headteacher will write to the Complainant explaining that their behaviour is unacceptable and is being considered under this policy. The letter will specify what behaviour is unreasonable and asking them to change it. The Headteacher may also specify methods of communication and times in a communication plan. This action may or may not include barring from the school premises as detailed above.

Any serious incident of aggression or violence the concerns and action will be put in writing immediately and the Police informed.

Any legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Unreasonable Complaints.

Review

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

Complaint campaigns

Occasionally, the school may become the focus of a campaign and receive large volumes of complaints all based on the same subject, from complainants unconnected with the school

We recommend you include a separate procedure in your complaints policy to handle complaints of this nature. This could include:

- sending a template response to all complainants
- publishing a single response on the school's website

In accordance with the duty on schools to publish their complaints procedures online under the School Information (England) Regulations 2008, any alternative process must be included in the complaints procedure published on the school's website.

You can continue to signpost complainants to the Department for Education if they're dissatisfied with your response.

Duplicate complaints

After closing a complaint at the end of the complaints procedure, you may receive a duplicate complaint from:

- a spouse
- a partner
- a grandparent
- a child

If the complaint is about the same subject, you can inform the new complainant that the school has already considered that complaint and the local process is complete. You should advise the new complainant to contact the department if they are dissatisfied with the school's handling of the original complaint.

Take care not to overlook any new aspects to the complaint that you may not have previously considered. You will need to ensure these are investigated and dealt with to the full extent of the complaints procedure.

When to stop responding

The decision to stop responding should never be taken lightly. The school may stop responding if:

- We have taken every reasonable step to address the complainant's concerns
- the complainant has been given a clear statement of the schools 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 school agree with one or more of these statements:

- their letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- you have reason to believe the individual is contacting you with the intention of causing disruption or inconvenience

Referral to Department for Education

Usually the Department for Education (DfE) will expect the complaints process to be completed before becoming involved. However, you can complaint directly if:

- a child is at risk
- a child is missing school
- the school is stopping you from following its complaints procedure