



Complaints Policy

Headteacher	H Sarai
Chair of Governors	N Round
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Introduction

Bantock Primary School prides itself on the quality of teaching provided for its pupils. However, if parents have concerns, they can expect any issues to be treated seriously by the school in accordance with this policy document.

The Complaints Policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to aspects of the school or the provision of facilities or services.

- This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure. This person is referred to as the complainant.
- Schools may have a nominated member of staff with responsibility for the operation and management of the school complaints procedure. This member of staff, however, may not necessarily be the Headteacher. At Bantock Primary School, the class teacher will be the first point of contact.
- A concern becomes a complaint only when the complainant asserts the school has acted wrongly in some significant decision, action or failure to take action.
- Even when a complaint has been made it can be resolved or withdrawn at any stage.
- It is important to follow appropriate procedure from the outset, so that the interests of the individuals may be safeguarded and in order to seek to identify a resolution as quickly as possible (Appendix 1)

Legal framework

This policy has due regard to the following legislation and guidance, including, but not limited to:

- Human Rights Act 1998
- The Education Act 2002
- General Data Protection Regulation 2016/679
- Freedom of Information Act 2000
- Best Practice Advice for School Complaints Procedures 2019

Difference between a concern and a complaint

A complaint can be defined as ‘an expression of dissatisfaction’ which can be regarding actions taken or a perceived lack of action.

- A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.
- 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 school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.
- If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the office staff will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the office staff will refer you to another staff member. 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, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

NB: For the purpose of this policy, “concerns” will be classed and addressed as complaints. Any further references to “complaints” will include “concerns”.

How to raise a complaint

Bantock Primary School will ensure that all aspects of the complaints procedure is:

- Easily accessible and publicised.
 - Simple to understand and put into practice.
 - Impartial and fair to all parties involved.
 - Respectful of confidentiality duties.
 - Continuously under improvement, using information gathered during the procedure to inform the school's senior management team.
 - Fairly investigated, by an independent person when necessary.
 - Used to address all issues in order to provide appropriate and effective responses where necessary.
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- A concern or complaint can be made in person, in writing or by telephone. 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.
 - Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.
 - 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.
 - Complaints against school staff (except the headteacher) should be made in the first instance, to Mrs Sarai via the school office. Please mark them as Private and Confidential.
 - Complaints that involve or are about the headteacher should be addressed to Mrs Round (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 Kaur (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.
 - Complaints are expected to be made as soon as possible after an incident arises in order to amend the issue in an appropriate timescale.
 - Bantock Primary School upholds a three month time limit in which a complaint can be lodged regarding an incident.
 - Complaints made outside this time limit will not be automatically refused and exceptions will be considered.
 - In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.
 - 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 (Appendix 3).
 - 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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an 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 outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Duplicate complaints

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

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

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

We will take care not to overlook any new aspects to the complaint that we may not have previously considered. The school will need to ensure these are investigated and dealt with to the full extent of the complaints procedure.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the school, other than complaints that are dealt with under other statutory procedures, including those listed in Appendix 1.

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 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.

Complaints not covered by this procedure

- Complaints regarding the following topics should be directed to the LA:
 - Statutory assessments of Special Educational Needs and Disabilities
 - School re-organisation proposals
 - Matters which may require a Child Protection Investigation are handled under our child Protection policy and in accordance with relevant statutory guidance. If we have serious concerns, we may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
 - Admissions to schools - Complaints concerning admissions should be directed to the local authority admissions authority.
- Complaints about children being excluded from the school should be dealt with by following the process explained at: <https://www.gov.uk/school-discipline-exclusions/exclusions>
- Bantock Primary School has an internal whistleblowing procedure for all employees and voluntary staff. Complaints of this nature should not be addressed using this complaints procedure. 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 and disciplinary procedures will be dealt with using the grievance and disciplinary procedures. In these cases, complainants will not be informed of the outcome of any investigations.
- This complaints procedure is not to be used when addressing any complaints made about services provided by a third party who may use the school premises or facilities. All complaints concerning this should be directed to the service provider.
- Complaints about the daily act of worship will be signposted to the local authority.

Resolving Complaints

At each stage in the procedure, the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure 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 undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

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

Complaints procedure

Stage One

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The headteacher 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 headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

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.

At the conclusion of their investigation, the headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the headteacher 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. Where appropriate, it will include details of actions the school will take to resolve the complaint.

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

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 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 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.

Stage Two

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 1 response.

The Clerk 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 write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this 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 school available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, 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.

Note: 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.

Representatives from the media are not permitted to attend.

At least 5 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

Interviewing witnesses

- When interviewing children in order to gather information regarding a complaint, the interview should be conducted 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.
- Bantock Primary School will ensure that the conduction of interviews does not prejudice a LADO or police investigation.
- The school understands the importance of ensuring a friendly and relaxed area which is free from intimidation.
- All children interviewed will be made fully aware of what the interview concerns and their right to have someone with them.
- 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.
- The interviewer will not express opinions in words or attitude so as to not influence the interviewee.
- The interviewee will sign a copy of the transcription of the interview.

Recording a complaint

- A record shall be kept of any complaint made, whether via phone, in person or in writing, detailing the main issues raised, ready to discuss at a later date.
- Bantock Primary School holds the right to use recording devices, where appropriate, to ensure all parties involved are able to review the discussions at a later date.
- Where there are communication difficulties or disabilities, the school may provide recording devices to ensure the complainant is able to access and review the discussions at a later point
- Details of any complaint made shall not be shared with the entire governing body unless completely necessary, in case an independent panel is needed to hear the complaint.
- The progress and the final outcome of a complaint will be recorded and kept up-to-date by the Headteacher/complaints co-ordinator.
- Bantock Primary School will hold all records of complaints centrally.
- Complainants have a right to access copies of these records under the Freedom of Information and Data Protection Acts.

Exceptional circumstances

- If the complaint suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual harassment or neglect, it may be referred without further notice to the children's social care and/or to the LA.

- If a social services authority decides to investigate a situation, the Headteacher or governing board may postpone the complaints procedure.
- Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions, certain decisions relating to formal assessment of special educational needs, and decisions to permanently exclude a child.

Serial and unreasonable complainants

- 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 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.
- If a complainant attempts to re-open an issue which has previously fully completed the complaints procedure, the chair of the governing body will inform the complainant that the matter is now closed.
 - If the complainant contacts the school regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the school does not have an obligation to respond.
 - The school must ensure that a complaint is not classed as 'serial' before they have fully completed the complaints procedure.
- Bantock Primary School will not take the decision to stop responding to an individual lightly. The school will ensure that:
 - They have previously taken every reasonable step to address the problem.
 - They have provided the complainant with a statement of their position.
 - The complainant is contacting the school repeatedly with the same complaint.
- The 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:
 - 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 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
 - 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
 - uses abusive, offensive or discriminatory language or violence
 - knowingly provides falsified information
 - publishes unacceptable information on social media or other public forums.

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, email or text), as it could delay the outcome being reached.

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

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

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.

Barring from the premises

- School premises are private property and therefore any individual can be barred from entering the premises (Section 547 Education Act 1996)
- If a parents/carers behaviour is cause for concern, a school can ask the individual to leave the premises.
- The LA will notify the parties involved via writing, explaining that their implied licence for access to the premises has been temporarily revoked subject to any representations that the individual may wish to make.
- The individual involved will be given the opportunity to formally express their views regarding the decision to bar them.
- This decision to bar will be reviewed, taking into account any discussions following the incident.
 - If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place.
- Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the Local Authority.
- Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Courts.

Roles and responsibilities

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

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 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.

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 Clerk 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
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

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

- both 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. 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 Clerk (and complaints co-ordinator, if the school has one).

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/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.
- the welfare of the child/young person is paramount.

Reviewing the procedure

- The complaints procedure will be reviewed every two years, taking into account the latest guidance issued by the DfE.
- Responsibility for reviewing the procedure belongs to a committee of the governing body, an individual governor or the Headteacher.
- All projected review dates will be adhered to.
- Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process.
- The monitoring and reviewing of complaints will be used to help evaluate the school's performance.

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 2.
- The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the 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
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Appendix 1

Electing the most appropriate procedure

Bantock Primary School has clear procedures for receiving enquiries and complaints and an effective mechanism for 'triage', so that they are directed to the appropriate person(s) for resolution.

Contact/Complaints Triage Table

Nature of Contact	Appropriate person to receive contact	Relevant Policy Procedure
Request for published information	School Office	Freedom Of Information Act Charging Policy
Request for personal pupil information	Headteacher or Senior member of staff	Data Protection Act Charging Policy
Complaints about GB policy (content or application of)	Chair	General Complaints Procedure
Concern about provision of facilities or services by the school	Headteacher	General Complaints Procedure
Child Protection Investigation	Designated Safeguarding Lead LA Designated Officer	Child Protection and Safeguarding Policy
Staff Conduct	Headteacher or Chair (if allegation against head)	Disciplinary Procedure (Confidential to School and Employee)
Staff Grievances	Headteacher or Chair (if allegation against head)	Grievance Procedure
Conduct of another pupil (e.g. bullying)	Deputy Head or Senior member of staff	School behaviour and discipline procedures (Confidential to School and parents of alleged perpetrator)
Discipline of a pupil	Headteacher or Senior member of staff	School behaviour and discipline procedures (Confidential to school and parents of pupil)
Statutory SEN assessments	Local Authority	LA procedures
Admissions to schools	Local Authority	Admissions Procedure Admissions Appeal Procedure
Exclusions	Headteacher	General Complaints Procedure
National Curriculum Content		Department for Education www.education.gov.uk/contactus
Extended Services	Manager of relevant service	Procedures of Service Provider
Decision to remove licence for a person to enter school premises (banning)	Headteacher LA	LA Procedures

Appendix 2

Policy for unreasonable complainants

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

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

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

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

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

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Knowing it to be false
- Using falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers

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

Whenever possible, the Headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

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

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

Appendix 3

Bantock Primary School Complaints Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. (If your complaint is against the Headteacher you will need to send the form to the Chair of the Governing Body).

Name		Address	
Telephone Numbers			
Pupil's Name		Postcode	
Pupil's Date of Birth		Relationship to school	

Please give concise details of your complaint, (Including dates, names of witnesses) to allow the matter to be fully investigated.

When did you discuss your concern/complaint with the appropriate member of staff?

What was the result of the discussion?

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

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

Signed:

Date:

School Use	
Date form received	
Received by	
Date of acknowledgement sent	
Acknowledgement sent by	
Complaint referred to	
Date	

Appendix 4

Bantock Primary School Complaints Review Request Form

Please complete this form and return to the chair of Governors who will acknowledge its receipt and inform you of its next stage in the procedure.

Name		Address	
Telephone Number			
Relationship to school		Postcode	

Dear Sir/Madam

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

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

School Use	
Date form received	
Received by	
Date of acknowledgement sent	
Acknowledgement sent by	
Complaint referred to	
Date	

Appendix 5

Bantock Primary School Example Letter

An example of a letter that the Chair of the Governing Body may wish to send to the complainant upon receipt of a complaint at Stage 2 for consideration by the Governing Body.

Dear

Thank you for your letter dated setting out the reasons why you are not satisfied with the Headteacher's response to your complaint about

I write to let you know that I will be arranging for a Complaints Appeal Panel (CAP) to consider your complaint in accordance with our school's complaints procedure.

As explained in the procedure, the Chair of the CAP will let you know in writing how the CAP intends to consider your complaint.

Yours sincerely,

Chair of the Governing Body

Appendix 6

Bantock Primary School Example Letter for complaints against the Headteacher

Dear

I have received your complaint against the Headteacher of Bantock Primary School.

I write to let you know that I have forwarded a copy of your complaint to the Headteacher with a request that s/he respond within ten school days to the issues raised in the complaint.

A copy of the Headteacher's response will be sent to you as soon as possible.

If you are not satisfied with the Headteacher's response, I will arrange for a Complaints Appeal Panel (CAP) to consider your complaint in accordance with Stage 2 of the attached complaints procedure.

As explained in the procedure, the Chair of the Complaints Appeal Panel will let you know in writing how the complaint will proceed.

Yours sincerely,

Chair of the Governing Body

Appendix 7

Incident report form

This includes trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to personal property. This form should be completed as fully as possible (please use a continuation sheet if necessary). For an incident involving or witnessed by a pupil, a member of staff should complete the form on their behalf. However, any discussion between one witness and another should not precede completion of the form, as this might lead to allegations of collusion.

Date of incident	
Day of week	
Time	

1. Member of staff reporting incident

Name	
Work address	
Position	

2. Personal details of person assaulted/verbally abused (if appropriate)

Name	
Work address	
Home address (if pupil)	
Job/Position (if member of staff)	
Class/Age/Sex	

3. Details of trespasser/assailant(s) (if known)

Name	
Relationship between member of staff/pupil and trespasser/assailant, if any	

4. Witness(es) if any

Name	
Address	
Age/Sex	

5. Details of incident

a) Type of incident (eg. if trespass, was the trespasser causing a nuisance or disturbance and how; if assault, give details of any injury suffered, treatment received etc)

b) Location of incident (attach sketch if appropriate)

c) Other details: describe incident, including, where relevant, events leading up to it; relevant details of trespasser/assailant not given above; if a weapon was involved, who else was present

Outcome: (eg. whether police called; whether trespasser was removed from premises under section 547; whether parents contacted; what happened after the incident; any legal action)

7. Other information (to be completed as appropriate)

a) Possible contributory factors
b) Is trespasser/assailant known to have been involved in any previous incidents - YES/NO
c) Give date and brief details of (b) if known
d) Had any measures been taken to try to prevent an incident of this type occurring? If so, what? Could they be improved?
e) If no measures had been taken beforehand, could action now be taken? If so, what?
f) Name and contact details of police officer involved, and incident number or crime reference number, as appropriate
g) Any other relevant information

Signed

Date