



Complaints Policy

Reviewed by: Catherine Bull

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Headteacher	Sign and Date	
Chair of Governing Board	Sign and Date	

This policy statement sets out Parsons Down Partnership's approach to dealing with parental concerns and complaints. Further details of how we handle complaints are contained in our School Handbooks. Both the policy and handbooks are published on the school website.

Parsons Down Partnership values 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.

We treat all concerns and complaints seriously and courteously and advise parents and others of the school's procedures for dealing with their concerns. We ask that complaints are made as soon as possible after an incident arises.

We define a '**Concern**' as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

We define a '**Complaint**' as *'an expression of dissatisfaction however made, about the actions taken or a lack of action'*.

The government and the Local Authority (LA) advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations.

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.

The senior leadership of the school, and governing board review the number and nature of complaints (when procedure is completed) in order to ensure that lessons learnt are acted upon.

The school's policy and procedures are reviewed regularly and updated as necessary.

The policy has the following school based stages;

- Informal,
- Formal Investigation and response and
- Appeal.

A further external appeal stage also exists if the complainant is not satisfied with the way in which the investigation has been managed.

Staff and governors receive training in handling parental concerns and complaints as appropriate.

The governing board is part of a reciprocal arrangement with other governing boards in the LA, which can be used if it is not possible to convene a complete panel with governors from our own board, in the event that an Appeals Panel is required.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case.

We acknowledge that some complainants can be persistent in their repeated approaches to the school, and to manage these instances a separate Persistent Complainant policy exists.

If a complainant chooses to take formal legal action whilst the complaint is being investigated the legal action takes precedent over the complaint process, and this process is suspended. However, we would expect the complainant to have exhausted the school complaint process to before legal action is commenced.

If a statutory procedure needs to be invoked at some point during the investigation of a more general complaint, the complaints procedure should be suspended until the statutory proceeds has been concluded

Stages of complaint (not complaints against headteacher, a governor or the governing board)

Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher as appropriate, either in person or by letter, telephone or email.

The school will acknowledge informal complaints within a timely manner, and investigate and provide a response as swiftly as possible.

The informal stage will involve a meeting or phone call, between the complainant and the class teacher / member of SLT or Headteacher, as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: formal

Formal complaints can be raised:

By letter or email

Over the phone

In person

By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

The headteacher (or designated member of the senior leadership team) will contact you to clarify concerns, and seek a resolution. This could include a meeting. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the

school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board within 15 school days, otherwise the matter is considered closed.

How to escalate a complaint

Complaints can be escalated by contacting the clerk to the governing board:

- By letter or email
- Over the phone
- In person
- Through a third party acting on behalf of the complainant

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

The written conclusion of this investigation will be sent to the complainant.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the governing board in writing within 15 school days of receipt of the investigation conclusion document. Requests received outside of this time frame will be considered in exceptional circumstances.

The clerk will acknowledge receipt of the request within a timely manner.

Stage 3: submit the complaint to the review panel

Convening the panel

The review panel consists of the 3 members of the governing board, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress. The governors will select a panel chair from amongst themselves.

If not enough impartial governors are available, we will seek panel members from other schools, the local authority.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

At the meeting

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

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

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

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

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

The school will inform those involved of the decision in writing.

Stages of complaint against the headteacher, a governor or the governing board

Stage 1: informal

Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry this out.

Stage 2: formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the investigation. They will be appointed by the governing board and will write a formal response at the end of their investigation.

Stage 3: review panel

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority.

Referring complaints on completion of schools process

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

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

Persistent Complainants Policy

Parsons Down Partnership 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.

Parsons Down Partnership defines Persistent 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*'.

Where complainants are abusive or threaten staff, a formal written record will be kept by all staff of all contacts made by the complainant, making careful record of any abusive behaviour or threats – preferably recording actual words used where possible. These will be kept on file as evidence of the complainant's behaviour as this may be required for legal purposes at a later date.

A complaint may be regarded as Persistent 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,
- 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; or
- 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 persistent 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 Head teacher or Chair of Governors will discuss any concerns with the complainant informally before the 'unreasonable' marking is applied to the complaint.

If the behaviour continues the Head teacher or Chair of Governors will write to the complainant explaining that their behaviour is Persistent and asking them to desist.

For complainants who excessively contact Parsons Down Partnership 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.

School will continue to provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005 (S.1.1437) and subsequent amendments in the School information (England) Regulations 2008 (S1.1471)

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 Parsons Down Partnership.

Banning from the School Premises

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

If an individual's behaviour is a cause for concern, a school can ask him/her to leave school premises. If the complainant presents himself/herself regularly at the school site and behaves inappropriately, the school will seek advice and guidance from the LA about managing this situation.

In serious cases, the Head teacher or the local authority can notify them in writing that their implied license to be on school premises has been temporarily revoked subject to an appeal hearing. If this decision is taken, this will be put in writing and explain how the decision can be appealed. The individual will be given the opportunity to formally express their views on the decision to ban in writing.

The decision will be reviewed and either confirmed or lifted. If the decision is confirmed the individual will be notified in writing, explaining how long the ban will be in place.

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

Managing staff understanding of communication with persistent complainant

All relevant staff likely to receive contacts will be notified of any actions they are required to take in the future – such as logging calls, not discussing the case, etc.

Where appropriate, the case may be included as a specific item for routine inclusion in meetings with involved staff.