

**A Place to Flourish**

***“I have come that they may have life, and have it to the full” (John 10:10)***



# **Complaints Policy and Procedure**

## **Statutory Policy**

Date of review/adoption	Spring 2024
Date of next review	Spring 2025
Notes	

Signed ...*C. Robertson*... Chair of Governors

Date .....05.02.2024.....

*\*Electronically signed and approved at Full Governing Board Meeting held on 05.02.24*

# BLUNDESTON CEVC PRIMARY SCHOOL COMPLAINTS POLICY AND PROCEDURE

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## **1. Aims**

Our school aims to meet its statutory obligations when responding to complaints.

When responding to complaints, we aim to:

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

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

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## **2. Legislation and guidance**

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. It is also based on guidance for schools on complaints procedures from the Department for Education (DfE) (Best practice guidance for school complaints procedures 2019), including the model complaints procedure and model policy for managing serial and unreasonable complaints.

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

### **3. Definitions**

#### **3.1 Who can make a complaint?**

This complaints procedure is mainly aimed at parents or carers of children who are registered at the school, but it is not limited to them.

Any member 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), the school will use this complaints procedure.

#### **3.2 The difference between a concern and a complaint**

DfE guidance explains the difference between a concern and 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'*. The school will resolve concerns through day-to-day communication as far as possible.
- A **complaint** may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interests 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. We take 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 Headteacher will refer you to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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, the school will attempt to resolve the issue internally through the stages outlined within this complaints procedure.

### **4. 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.

### **5. Duplicate complaints**

If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent or a child not attending this school, we

will remind them that we have already considered the complaint and the local process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

If we are made aware of any new aspects or new information relevant to the original complaint, we will take these into account and will follow this complaints procedure again, from the beginning.

## 6. Complaint campaigns

If we receive, what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- Send the same response to all complainants; or
- Publish a single response on the school's website.

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

## 7. Timescales

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 timeframe only if exceptional circumstances apply.

## 8. 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.

## 9. Scope of the Complaints Policy

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 below.

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• The school's re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the LA (Suffolk County Council).
<ul style="list-style-type: none"><li>• <b>Matters likely to require a Child Protection Investigation</b></li></ul>	<b>Complaints about child protection matters are handled under our Safeguarding and Child Protection Policy and in accordance with relevant statutory guidance.</b>

	<p>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).</p> <p>LADO contact details: LADO@suffolk.gov.uk or 0300 123 2044 MASH Professional Consultation Line: 0345 606 1499</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*You can lodge a complaint about the application of the Behaviour Policy through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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 directly with their employer. Referrals can be made at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure.</p> <p>You may also be able to complain directly to the LA or the Department for Education (DfE) (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff members' grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff members' conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> <li>Data</li> </ul>	<p>We take any complaints about our collection and use of personal information very seriously.</p> <p>If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting the school office, or by contacting the school's Data Protection Officer, Sian Durrant, on <a href="mailto:data.protection@schoolschoice.org">data.protection@schoolschoice.org</a>.</p> <p>Alternatively, you can make a complaint to the Information Commissioner's Office:</p> <ul style="list-style-type: none"> <li>Report a concern online at <a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a></li> <li>Call 0303 123 1113</li> <li>Or write to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF</li> </ul>

<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use the school's premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
<ul style="list-style-type: none"> <li>National Curriculum content</li> </ul>	Please contact the Department for Education at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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.

## 10. 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.

## 11. Withdrawal of a complaint

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

## 12. How to raise a concern or make a complaint

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 the Headteacher, via the school office. Please mark them as 'private and confidential'.

Complaints that involve, or are about, the Headteacher should be addressed to 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 board, should be addressed to the Clerk to the Governing Board, via the school office. Please mark them as 'private and confidential'.

For ease of use, a template complaint form is included at the end of this procedure. If you require help on completing the form, please contact the school office. You can also ask third party organisations, such as Citizens Advice, to help you.

In accordance with equality law, we will consider making reasonable adjustments, if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## **13. Stages of a complaint**

### **13.1 Raising an informal concern or complaint**

The school will take informal concerns seriously and make every effort to resolve the matter quickly.

### **13.2 Stage 1**

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be made in person, in writing (preferably using 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 **five school days**.

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 **fifteen 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, or has taken, 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 board (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 board must be made to the Clerk to the Governing Board, via the school office.

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

### **13.3 Stage 2**

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. This is a meeting with members of the governing board'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 to the Governing Board, via the school office, within **five school days** of receipt of the Stage 1 response.

The Clerk to the Governing Board will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **five school days**.

Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

The Clerk to the Governing Board will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **fifteen school days** of receipt of the Stage 2 request. If this is not possible, the Clerk to the Governing Board 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 to the Governing Board will source any additional, independent governors through another local school or through the 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 committee 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.

As soon as possible, the Clerk to the Governing Board will:

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

Any written material will be circulated to all parties at least **three school days** before the

date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

### **13.4 Structure of the meeting**

The committee will consider the complaint and all the evidence presented by the complainant and respondent (Headteacher) individually, one at a time.

Once the committee are satisfied that they have all the information necessary to make a decision, the complainant and respondent may leave (if in attendance). The committee will then deliberate.

The committee can do the following:

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

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

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

The Chair of the Complaints Committee will provide the complainant with a full explanation of their decision and the reason(s) for it, in writing, within **five working days**, unless there are exceptional circumstances which prevent this, in which case the complainant will be notified of this and the reason for the delay. The complainant will also be informed that the panel's decision is final.

The letter to the complainant will include details of how to contact the Department for Education (DfE) if they are dissatisfied with the way their complaint has been handled by the school.

If the complaint is:

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

Stage 2 will be heard by a committee of independent governors.

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, or has taken, to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## **14. 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 (DfE) after they have completed Stage 2.

The Department for Education (DfE) 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 (DfE) online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus) or [www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school), by telephone on 0370 000 2288 or in writing to:

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

## **15. Roles and responsibilities**

### **15.1 Complainant**

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

- 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
- respect confidentiality.

## **15.2 Investigator (if applicable)**

The investigator's role is to establish the facts relevant to the complaint by doing the following:

- 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 Headteacher as appropriate to clarify what the complainant feels would put things right.

The investigator should do the following:

- 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.

## **15.3 Complaints coordinator (Headteacher)**

The complaints coordinator (Headteacher) should do the following:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, the Chair of Governors, Clerk to the Governing Board and LA (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding the following:

- 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
  - collate any written material relevant to the complaint (for example, Stage 1 paperwork, school and complainant submissions) and send it to the Clerk to the Governing Board in advance of the committee meeting within the specified timescale.

#### **15.4 Clerk to the Governing Board**

The Clerk is the contact point for the complainant and the Complaints Committee, and they should do the following:

- 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 committee meeting within the specified timescale
- record the minutes of proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

#### **15.5 Chair of the Complaints Committee**

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

- 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
- that 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
- that the 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

- that 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
- that 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
- that the issues are addressed
- that key findings of fact are made
- that the committee is open-minded and acts independently
- that 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
- that the meeting is minuted
- that they liaise with the Clerk to the Governing Board and Headteacher, as appropriate
- that they inform the complainant that the panel's decision is final and that they will be advised of further recourse in the letter that they will receive within the specified timescale, detailing the committee's decision.

## **15.6 Complaints Committee Member**

Complaints Committee members should be aware of the following:

- 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.

Where 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.

## **16. Managing serial and unreasonable complaints**

### **16.1 Definition**

Most complaints raised will be valid, and therefore, will be treated seriously. Blundeston CEVC 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 take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals.

We will 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.

Blundeston CEVC Primary 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 does the following:

- 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 cooperate 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
- insists on a complaint being dealt with in ways that are incompatible with the timescales set out in the complaints procedure
- introduces trivial or irrelevant information which they expect to be taken into account and commented upon
- 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 adequately addressed by the complaints procedure)
- makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive



- insists on pursuing a complaint that is unfounded, or out of the scope of the complaints procedure
- refuses to accept the findings of the investigation into a complaint where the school's complaint procedure has been fully and properly implemented and completed (including, where appropriate, referral to the Department for Education)
- seeks an unrealistic outcome, or a solution that lacks any serious purpose or value
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email, text or by telephone while the complaint is being dealt with, causing disruption, annoyance or inconvenience.
- 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) because it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally first, before applying an '*unreasonable*' marking and taking action under this section.

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 our school site.

## **16.2 The procedure**

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 (by telephone, email, text, in writing or in person) 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.

## **16.3 Persistent correspondence**

If complainants frequently contact the school, causing a significant level of disruption, but refuse to engage with the complaints procedure, the school can do the following:

- restrict the complainant to a single point of contact via an email address

- limit the number of times the complainant can make contact, such as a fixed number per term
- ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- put any other strategy in place as necessary.

The restriction will be limited to the complainant's capacity to complain. For all other issues, the complainant can contact the school as normal.

#### **16.4 Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- we believe we have taken all reasonable steps to help address their concerns
- we have provided a clear statement of our position and their options
- the complainant contacts us repeatedly, and we believe their intention is to cause disruption, annoyance or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

### **17. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and telephone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the Complaints Committee.

This is except where the DfE, Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a Freedom of Information (FOI) request, through a subject access request under the terms of GDPR, or where the material must be made available during a school inspection by Ofsted.

Records of complaints will be kept securely, only for as long as necessary and in line with GDPR law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a Complaints Committee needs to be organised at a later point.

### **18. Learning lessons**

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

## **19. Monitoring arrangements**

The governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in Section 18, by receiving anonymous information in the Headteacher's termly Report to Governors.

The complaints records are logged and managed by the Headteacher.

This policy will be reviewed by the governing board annually. At each review, the policy will be approved by the full governing board.

## **Appendix A**

### **Glossary of terms**

DfE	Department for Education
DPA	Data Protection Act 2018
FOI	Freedom of Information
GDPR	General Data Protection Regulations
LA	Local Authority (Suffolk County Council)
LADO	Local Authority Designated Officer
MASH	Multi-Agency Safeguarding Hub
SEND	Special Educational Needs and Disabilities

## **Blundeston CEVC Primary School Complaint Form**

*Please complete and return to the Headteacher, via the school office, who will acknowledge receipt and explain what action we will take. If the complaint is about the Headteacher, please return to the Chair of Governors, via the school office.*

**Your name:**

**Pupil's name (if relevant):**

**Your relationship to the pupil (if relevant):**

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**

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

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**