

# Complaints Procedure

## Red Lane Primary School

### **BASE Academy Trust**



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

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 Red Lane Primary 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. Where a complaint is considered vexatious, persistent or unreasonable the procedure for this will be applied.

### **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*'.

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 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. Red Lane Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

### **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**

Where parents have a concern, in order that they can be reassured and the matter dealt with quickly, it is advised that parents contact their child's class teacher. Where parents feel this is not appropriate or where they already have raised the concern but would like further discussion they should contact the unit lead who is a member of the leadership team. These are:

- Mrs Willenbrook – Early Years
- Mr Charlton– Y1/2

- Mrs Behan – Y3/4
- Mr Hudson – Y5/6

In the unlikely event that a concern has not been resolved at this stage, Mrs Driver, Headteacher will deal with concern. If at this stage parents still feel the concern remains unresolved they may wish to raise this formally- using the stages within this policy.

In some circumstances, parents may feel that their concern is of a level in which they would like immediate reassurances and in these cases may refer the concern directly to Mrs Driver, Headteacher. Depending on the situation, Mrs Driver will hear the concern and may deal with it personally or may refer you to another staff member.

A summary of who should be contact can be found at the end of this policy. Although the majority of incidents covered by the scope of this policy will be raised and dealt with as concerns. We understand however, that there are occasions when people would like to raise their concerns formally as a complaint. In this case, [Red Lane Primary School](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### Complaints

Complainants should not approach individual governors to raise 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 always be made in the first instance, to [Mrs Driver, Headteacher](#) via the school office. Please mark them as Private and Confidential. Mrs Driver will handle all official complaints inline with stage 1 of this policy. In the event that you are unhappy with the actions within the stage then the complaint should then be referred to [Mrs L Whittaker](#) (the Executive Headteacher),

Complaints that involve or are about the Headteacher should be addressed to [Mrs L Whittaker](#) (the Executive Headteacher), via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Executive Headteacher should be addressed to [Mr C Graham](#) (Chair of the Trust board) via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of the Local Governing Board, any individual governor or the whole local governing board should be addressed to [Mr C Graham](#) (Chair of the Trust board) via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of the Trust Board, any individual trustee or the whole Trust Board should be made to the Department for Education.

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.

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, Executive Headteacher or Chair of the Local 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.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by [Red Lane Primary School](#) other than complaints that are dealt with under other statutory procedures, including those listed below.

| Exceptions                                                                                                                                                                      | Who to contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul> | Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="#">Bolton Local Authority</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>                                                                    | <p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <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). Bolton's Referral and Assessment Team, part of the Multi-agency Screening and Safeguarding Service (MASSS) - <b>01204 331500</b>. The LADO can be contacted at:</p> <p>Bolton Safeguarding Children Board<br/>Westhoughton Town Hall<br/>Market Street<br/>Westhoughton<br/>BL5 3AW<br/>Telephone <b>01204 337474</b><br/>Email <a href="mailto:boltonsafeguardingchildren@bolton.gov.uk">boltonsafeguardingchildren@bolton.gov.uk</a></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>*complaints about the application of the behaviour policy can be made 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 direct 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. 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.</p> |
| <ul style="list-style-type: none"> <li>Staff 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 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>Complaints about services provided by other providers who may use school premises or facilities</li> </ul> | <p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>                                                                   | <p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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 [Red Lane Primary School](#) in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## Resolving complaints

At each stage in the procedure, [Red Lane Primary 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.

## Formal complaints - Stage 1

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 by them and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 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 10 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 [Red Lane Primary 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. Should the complainant remain unhappy they should refer their complaint to Mrs L Whittaker (Executive Headteacher).

If the initial complaint is about the Headteacher, Mrs L Whittaker (Executive Headteacher) will complete all actions of stage 1.

## Formal complaints - 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 – a meeting with members of the local governing board's complaints committee, which will be formed of the first three, impartial, local governors available. This is the final stage of the complaints procedure. At this stage, the Local Governing Board will inform the Board of Trustees that a formal complaint has been received and will be investigated. Details of the investigation and the outcome will be reported to the Trustees.

A request to escalate to Stage 2 must be made to the Chair of the Local Governing Board, Mrs M Tuckley, via the school office, within 10 school days of receipt of the Stage 1 response.

The Chair 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 Chair will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Chair will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Chair 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 local 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 local governors from [Red Lane Primary School](#) available, the Chair will source any additional independent governors through another school in the Trust or through the LA 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 10 school days before the meeting, the Chair 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 7 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. 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.

The committee will consider the complaint and all the evidence presented. The committee can:

- 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:

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

The Chair of the Committee will provide the complainant and [Red Lane Primary School](#) with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by [Red Lane Primary School](#)

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire local governing board or
- the majority of the local 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 [Red Lane Primary School](#) will take to resolve the complaint.

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

## 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 [Red Lane Primary School](#). They will consider whether [Red Lane Primary School](#) has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

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

# Complaint Form

Please complete and return to **Mrs R Driver**, Headteacher, who will acknowledge receipt and explain what action will be taken.

|                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------|
| <b>Your name:</b>                                                                                                  |
| <b>Pupil's name (if relevant):</b>                                                                                 |
| <b>Your relationship to the pupil (if relevant):</b>                                                               |
| <b>Address:</b>                                                                                                    |
| <b>Postcode:</b>                                                                                                   |
| <b>Day time telephone number:</b>                                                                                  |
| <b>Evening telephone number:</b>                                                                                   |
| <b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b> |

**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:**

# Roles and Responsibilities

## Complainant

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

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

## Investigator

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

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

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Local 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.

## **Clerk to the Governing Body**

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.

## **Committee Chair**

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 Member

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.

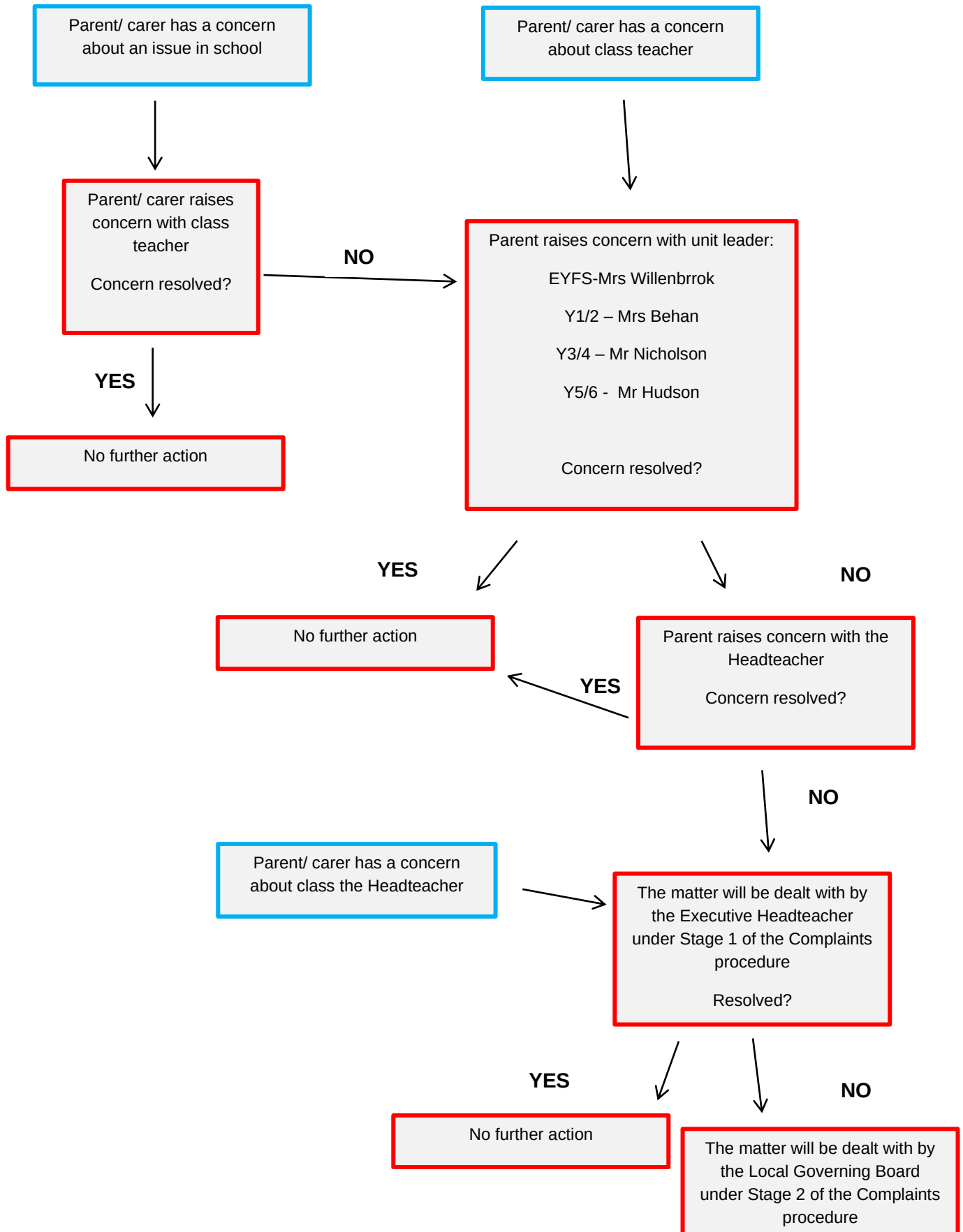
The committee should respect the views of the child/young person and give them equal consideration to those of adults.

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.

## How to Raise a Concern -Summary



# Procedure for Dealing with Vexatious Complaints, Unreasonably Persistent Complainants and Unreasonable Complainant Behaviour

## Red Lane Primary School

### BASE Academy Trust



#### Introduction

Red Lane Primary School is committed to dealing with all complaints fairly and impartially and to providing a high quality response to complainants. 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.

Red Lane Primary School defines unreasonable complaints or 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 complaints 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.

## Aim

The aim of the procedure for dealing with unreasonably persistent complainants and unreasonable complainant behaviour is to deal fairly and honestly with the complainant whilst ensuring that other members of the school community, including staff/governors do not suffer any detriment from people making repeated and persistent, unreasonable complaints.

## Dealing with Unreasonable or Persistent Complainants

The decision to designate someone as unreasonably persistent can only be made by the Chair of Governors in consultation with the Headteacher and Executive Headteacher. As appropriate, staff and governors should be informed that contact with a named complainant is being restricted and the reasons for that decision.

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

## Assessing whether the action is proportionate and necessary

Consideration of the following points, together with any other relevant factual information, will be necessary to assess whether the proposed action is proportionate and necessary:

- Is the complaint being investigated properly and in accordance with the school's procedure for investigating complaints?
- Is there another, more specific, path for the complainant to follow?
- Are the correct timescales being adhered to?
- Has the complainant been advised of any delays that may have occurred?
- Are the considerations/decisions reached, as part of the investigation, being reached correctly?
- Have communications with the complainant been adequate, clear and coordinated?
- Has consideration been given to the possibility of mental health problems, learning disabilities, or personality disorders?
- Is the complainant now providing any significant new information that might affect the Academy's view of his/her complaint?

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.

## Applying restrictions

If the behaviour continues, the Executive Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Red Lane 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 be reviewed after six months. The Chair of Governors will update the Trust Board of any restrictions in place.

## Options for action

The precise nature of the action the school decides to take should be appropriate and proportionate to the nature and frequency of the complainant's contacts with the school at that time. The following is a list of some possible actions for managing a complainant's involvement with the school through a communication plan:

- Placing time limits on telephone conversations and personal contacts
- Developing a clear agenda and time-scale for any meeting
- Ensuring meetings are chaired and minuted
- Restricting the number of telephone calls that will be taken
- Limiting the complainant to one contact medium and/or requiring the complainant to communicate with one named member of staff
- Requiring personal contacts to take place in the presence of a witness.
- Refusing to register/process further complaints about the same matter.

## Completed complaints

Where the complaint has gone through Stage 2 of the school's complaints procedure then there is no further avenue through which to pursue the matter. Should correspondence from the complainant continue, the Chair of the Governing Board will write to the complainant to inform him/her that the matter is at an end and the school will not enter into further correspondence about the complaint, and any further letters on the same subject will be read and placed on file, but will receive no acknowledgement or response.

## Dealing with Unreasonable Complainant Behaviour

The school has a duty to ensure the health, safety and welfare of its staff and it does not expect staff to tolerate language or behaviour by complainants which is abusive, offensive, or threatening. Members of staff who feel threatened or intimidated by the language or behaviour of complainants should report their concerns to their Acting Headteacher who will inform the Executive Headteacher and Chair of Governors. The decision will then be made as to whether it is necessary to:

- write to the complainant, requiring him/her not to repeat the behaviour and, if necessary, setting conditions and restrictions for further contact with staff.
- report the incident to the Police.

### Telephone contact

During a telephone conversation, if staff consider that the caller is becoming aggressive and/or offensive, they will inform the caller that they will terminate the conversation unless such behaviour ceases. If the aggression continues, the member of staff will terminate the call and a note will be placed on file explaining why the call was terminated. Repeated calls of this nature are considered to be unacceptable and should be reported to the Acting Headteacher who to determine appropriate action.

### Personal contact

Visitors to school premises may show aggressive behaviour when they do not achieve the aim of their visit. Triggers for unreasonable behaviour can include:

- Not being able to see the person he/she holds responsible for his/her grievance.
- Not being allowed instant access to the Principal.
- Not being able to resolve his/her complaint during his/her visit.

Examples of aggressive and unreasonable behaviour can include:

- Shouting loudly.
- Threatening members of staff.
- Using abusive and upsetting language.
- Refusing to leave until the problem is resolved.

Difficult situations such as this can sometimes be resolved by being patient, remaining calm, listening and identifying the exact nature of the problem. If it is not possible to resolve the situation actions may include:

- Ensure another member of staff is present. If this is not practicable, assess the situation and decide what action you should take eg leave the room to seek assistance
- Telephone to ask for further assistance if necessary.
- Ask the complainant to leave the premises and discuss the issue at a later time
- Explain clearly that you are unable to help any further but that you will pass on the details of his/her complaint to the relevant person.
- If the complainant refuses to calm down, raise the alarm to ask for assistance.
- As soon as possible after the incident, write up a clear account of what has happened, listing those present at the time. Sign and date the document and forward to the Principal.

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 premises

## **Future Complaints by the same Complainant**

When/if the complainant makes a complaint about a new issue this should be treated on its merits and a decision will need to be taken on whether any restrictions which have been applied before are still appropriate/necessary.

## **Reviews of Decisions**

Reviews of decisions to restrict a complainant's contacts, or the school's responses to those contacts, should be carried out in accordance with agreed timescales or at least every six months by the Acting Headteacher who Headteacher, Executive Headteacher and Chair of Governors. If no further contact has been received from the complainant over a period of six months, consideration may be given to cancelling the restrictions. However, urgent assessment will be necessary to re-introduce them if behaviour which led to the original decision recommences. The Complainant may request that the Governing Board review the decision of the Chair and Acting Headteacher who Headteacher by submitting their reasons in writing. The Governing Board will consider the decision at their next meeting.