Complaints Policy

Policy

Complaints Policy

Headteacher

Chris Stokes

Policy Review Dates

Review Date	Changes made	By whom	Date shared with staff
14/10/24	Alterations to stage 1,2 and 3	CST	16/10/24
09/09/25	No changes, check only.	CST	09/09/25
27/09/26	No changes, check only.	CST	27/09/26

Date ratified by Governors	Review Date
September 2026	September 2027

1.0 Who can make a complaint?

1.1 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 Bedale High 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.

2.0 The difference between a concern and a complaint

2.1 A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

2.2 A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

2.3 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally (see section 10), without the need to use the formal stages (see section 11 and 12) of the complaint's procedure. Bedale High School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

2.4 If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher (through the School Administrator), will refer you to another staff member.

2.5 Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher (through the School Administrator) 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.

2.6 We understand however, that there are occasions when despite attempts to resolve the matter informally people would like to raise their concerns formally. In this case, Bedale High School will attempt to resolve the issue internally, through stages 2 and 3 outlined within this complaints procedure.

3.0 How to raise a concern or make a complaint

3.1 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.

3.2 Concerns should be raised with any member of staff. If the issue remains unresolved, the next step is to make a complaint.

3.3 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 or Stage 3 of the procedure.

3.3 Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher (through the School Administrator) via the school office. Please mark them as Private and Confidential.

3.4 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.

3.5 Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

3.6 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.

3.7 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.

4.0 Anonymous complaints

4.1 We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5.0 Vexatious or Persistent Complaints

5.1 On the rare occasion that complaints that are received are classified as vexatious or persistent, the Vexatious or Persistent Complaints policy will apply. For details, please see the end of this policy.

6.0 Time scales

6.1 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.

7.0 Complaints received outside of term time

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

8.0 Scope of this Complaints Procedure

8.1 This procedure covers all complaints about any provision of community facilities or services by Bedale High School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	**Who to contact**
Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with North Yorkshire County Council
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the North Yorkshire County Council designated officer (LADO) who has local responsibility for safeguarding.
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. *complaints about the application of the behaviour policy can be made through the school's complaints procedure.

Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education, depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a

	complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

8.3 If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams, Ofsted, Department for Education, 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.

8.4 If a complainant commences legal action against Bedale High 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.

9.0 Resolving complaints

9.1 At each stage in the procedure, Bedale High 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.

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

10.0 Stage 1 – Informal Resolution

10.1 Complaints must be made to the Headteacher (unless they are about the Headteacher or a Governor), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

10.2 Where the complaint is about the Headteacher, 'Stage 1' will be undertaken by a member of the Governing Body as specified by the Chair of Governors.

10.3 Where the complaint is about a Governor, 'Stage 1' will not apply.

10.4 The Headteacher or Chair of Governors will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

10.5 As part of the response from the Headteacher or Chair of Governors, a nominated member of the Senior Leadership Team or Governing Body will be appointed to seek to undertake 'Stage 1'.

10.6 Stage 1 will usually involve a meeting being offered to the complainant (either in person or on the phone) with the nominated person. The purpose of this meeting is to seek to resolve the complaint without the need for Stages 2 and 3 of the policy, therefore, providing a faster response to complaints.

10.7 Stage 1 meetings should be completed within 10 school days; however, it is also possible that this timescale may not be met based on the availability of the complainant.

10.8 If after meeting with the nominated person the complaint remains unresolved, the Headteacher or Chair of Governors will escalate the complaint to 'Stage 2' of the complaints procedure.

11.0 Stage 2 – Formal Procedure

11.1 Where a complaint is unresolved from 'Stage 1', it will be escalated to 'Stage 2' where a formal investigation will be undertaken by either the Headteacher, a nominated member of the Senior Leadership Team, or in the case of a complaint against the Headteacher, a member of the Governing body.

11.2 The person nominated to undertake the investigation will have had no prior involvement in the complaint and will not be the same person who undertook 'Stage 1'.

11.3 During the investigation, the Investigating Officer 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 or recorded record of any meetings/interviews in relation to their investigation.

11.4 At the conclusion of their investigation, the Investigating Officer will provide a formal written response within 20 school days of the commencement of Stage 2 of the procedure.

11.5 If the Investigating Officer is unable to meet this deadline, they will provide the complainant with an update and revised response date.

11.6 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 Bedale High School will take to resolve the complaint.

11.7 The Investigating Officer will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

12.0 Stage 3 – Appeal

12.1 If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

12.2 A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 5 school

days of receipt of the Stage 2 response.

12.3 The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

12.4 Requests received outside of this time frame will only be considered if exceptional circumstances apply.

12.5 The Clerk 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 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

12.6 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.

12.7 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 Bedale High School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

12.8 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.

12.9 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.

12.10 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.

12.11 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.

12.12 Representatives from the media are not permitted to attend.

12.13 At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.

12.14 Any written material will be circulated to all parties at least 7 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.

12.15 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.

12.16 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.

12.17 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.

12.18 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.

12.19 The Chair of the Committee will provide the complainant and Bedale High School with a full explanation of their decision and the reason(s) for it, in writing, within 20 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 Bedale High School.

12.20 Stage 3 will be heard by a committee of independent, co-opted governors if the complaint is:

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

12.21 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 Bedale High School will take to resolve the complaint.

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

13.0 Next Steps

13.1 If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

13.2 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Bedale High School. They will consider whether Bedale High School has adhered to education legislation and any statutory policies connected with the complaint.

13.3 The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Department for Education, Piccadilly Gate Store Street, Manchester, M1 2WD

Appendix 1: Complaint Form

Please complete and return to to the School Office marked Private and Confidential for the attention of the Headteacher. The School Office will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time 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:

Appendix 2:

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.

Investigating Officer

The Investigating Officer'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 Investigating Officer 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.

Headteacher / Chair of Governors or delegated governor / Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Headteacher or Chair of Governors

The Headteacher or Chair of Governors:

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

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.

Ratified by Governing Body as part of the Bedale High School Complaints Policy

BEDALE HIGH SCHOOL
Vexatious or Persistent Complainants Policy

Introduction

1.1 The School welcomes the opportunity to hear from Parents/Carers and others when services are appreciated, but also wants to know when things go wrong. We are committed to dealing with complaints and provide a high quality service to those who make them. As part of this service, the School does not normally limit the contact that parents/carers have with its staff. However, a very small minority of parents/carers make complaints that are vexatious or unreasonably persistent in order to make life difficult for the School rather than genuinely to resolve a grievance.

Examples include:

- Making excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses.
- Being abusive to staff.
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.

Dealing with Persistent and Unreasonable Requests

Although the policy is written in the context of dealing with vexatious or unreasonable persistent complaints it also provides **a framework to be used when concerns relating to persistent and unreasonable requests are brought to the attention of the school (please refer to Appendix B).**

1.2 This policy addresses these issues and covers parents/carers who make enquiries as well as complaints. The School does, however, recognise its duties under the Freedom of Information Act, the Data Protection Act and related legislation, to provide information to requesters.

1.3 This policy applies to School staff and school governors. However, it should be made clear that, where the School decides to invoke the policy, this does not automatically apply to a member of staff's involvement in a particular case. Staff, however, reserve the right to follow the policy in line with the action taken by the School. Staff also have the right to ask for the policy to be invoked, irrespective of whether the School has applied the policy (please refer to section 5).

2 **Purpose of the Policy**

2.1 To make it clear to all complainants, both at initial contact and throughout their dealings with the School, what the School can or cannot do in relation to their complaint, in accordance with the School's Complaints Policy. In doing so, the School aims to be open and not raise hopes or expectations that it cannot meet.

2.2 To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions we consider unacceptable. The School believes that all parents/carers, employees and staff have the right to be heard, understood and respected.

2.3 To provide a service that is accessible to all complainants. However, we retain the right, where we consider complainant actions to be unacceptable, to restrict or change access to our service.

2.4 To give the School a framework to implement and take appropriate action against those parents/carers who are deemed to be raising vexatious complaints, or are being unreasonably persistent in raising complaints.

3. **Defining Unacceptable Actions by Complainants**

3.1 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to the School. The School does not view behaviour as unacceptable just because a complainant is forceful or determined. However, the actions of complainants who are angry, demanding or unreasonably

persistent may result in unacceptable demands or behaviour towards School employees. It is these actions that the School considers unacceptable and aims to manage under this policy. The School has grouped these actions under three broad headings:

3.1.1 Aggressive or Abusive Behaviour

a. We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. Sometimes complainants are angered by decisions made by the School. However, it is not acceptable when anger escalates into aggression directed towards School staff.

b. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.

c. Examples of behaviours grouped under this heading include: threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

d. Where physical violence has been used or threatened towards staff or their families or associates at any time, this will, in itself, cause personal contact to be discontinued. Thereafter, only one form of contact may be used such as correspondence in writing. All such incidents should be documented and reported using the School's Incident Policy, and notified as appropriate, to the police. Staff will be advised to also refer to the School's Lone Working Policy.

3.1.2 **Unreasonable Demands**

a. Complainants may make what we consider unreasonable demands on the School for example through:

- the amount of information they seek;
- the nature and scale of service they expect;
- the number of approaches they make.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant. A complainant could seek help with this from an advice agency.

b. Examples of actions grouped under this heading include:

- demanding responses within an unreasonable time-scale;
- continually making phone calls or sending letters or emails;
- repeatedly changing the substance of the complaint;
- raising unrelated concerns.

c. We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the School, such as taking up an excessive amount of staff time to the disadvantage of other complainants or functions.

3.1.3 **Unreasonably Persistent**

a. We recognise that some complainants will not or cannot accept that the School is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.

b. Examples of actions grouped under this heading include:

- persistent refusal to accept a decision made in relation to a complaint;

- persistent refusal to accept explanations relating to what the School can or cannot do;
- continuing to pursue a complaint without presenting any new information.

The way in which these complainants approach our office may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

c. We consider the actions of persistent complainants to be unacceptable when they take up what the School regards as being a disproportionate amount of time and resources.

4 Managing Unacceptable Actions by Complainants

4.1 There are relatively few complainants whose actions the School considers unacceptable. How the School aims to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict complainant contact with the School in order to manage the unacceptable action. The School will aim to do this in a way, wherever possible, that allows a complaint to progress to completion through our complaints process. We may restrict contact in person, by telephone, letter or electronically or by any combination of these. However, we try to maintain at least one form of contact.

4.2 The threat or use of physical violence, verbal abuse or threatening behaviour towards School staff is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

4.3 We do not deal with correspondence (letter or electronic) that is abusive to employees. When this happens we tell the complainant that we consider their language to be offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence if they do not stop. We may require future contact to be through a third party. The Freedom of Information Act does not require the School to answer vexatious requests. But the tone and language of the request may not in itself render the request vexatious.

4.4 The School staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The employee taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.

4.5 Where a complainant repeatedly contacts the School, sends irrelevant documents or raises issues that have already been answered, we may decide to:

- only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one employee to deal with calls or correspondence from the complainant in the future;
- require the complainant to make an appointment to see a named employee before visiting the office or that the complainant contacts the office in writing only;
- return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;
- take other action that we consider appropriate. We will, however, always tell the complainant what action we are taking and why.

4.6 Where a complainant continues to correspond on a wide range of issues and, this action is considered excessive, then the complainant is told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

4.7 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the School's decision relating to their complaint. The complainant is told that no future contact will be accepted or interviews granted concerning this complaint. The complainant will be advised to contact the Department of Education – see Appendix B for details. Any future correspondence which does arrive will be read and filed, but only acknowledged or responded

to if the complainant provides significant new information relating to their complaint.

5. Deciding to Restrict Complainant Contact

5.1 When a complainant has been deemed vexatious or unreasonably persistent, the relevant member of staff will decide on what action to take, following advice from the Headteacher. (Staff who wish to invoke the policy should seek advice from the Headteacher in the first instance). The complainant will be notified in writing outlining:

- the reason/s why the decision to apply the policy was taken;
- what it means for his or her contacts with the School;
- how long any restrictions will last; and
- what the complainant can do to have the decision reviewed.

5.2 This notification must be copied promptly for the information of others already involved, such as Senior Staff, School Governors, School Advisors etc. Records must be kept on file, for future reference, of the reasons why the decision has been made to classify individuals as vexatious or unreasonably persistent and the action taken.

5.3 The School may decide to deal with vexatious or unreasonably persistent complainants in one or more of the following ways:

- Once it is clear that one of the criteria in section 3 (above) has been breached, it may be appropriate to inform the individual/s, in writing, that they are at risk of being classified as vexatious or unreasonably persistent. A copy of this policy should be sent to them and they should be advised to take account of the criteria in any future dealings with the School and its staff. In some cases it may be appropriate, at this point, to copy this notification to others involved and suggest that complainants seek advice in taking their complaint further (e.g. via the Citizens Advice Bureau).
- It may be useful to hold a meeting with the complainant to find if there is a more effective way for the correspondence to be dealt with. This may bring to light an underlying, common cause for the various complaints.
- If more than one department is being contacted by an unreasonably persistent complainant, the School will consider a strategy meeting to agree a cross-departmental approach; and, where appropriate, designating one Senior Leader to coordinate future School's responses to the complainant.
- Any new complaints will be considered on their own merits. However, if new complaints relate to same or similar issues previously addressed, it may be appropriate for these issues not to be investigated further under the school complaints procedure. This should only be done with the agreement of the Headteacher and Chair of Governors. The complainant should be told this, and there is no need to provide any right of appeal. Subsequent complaints should then simply be noted.
- The School can decline further contact either in person, by telephone, letter or electronically, or any combination of these, provided that one form of contact is maintained. Alternatively, any further contact could be restricted to liaison through a third party.
- Notify complainants in writing that the School has fully responded to the points raised, and has tried to resolve the issues but there is nothing more to add and continuing contact on the matter will serve no useful purpose. This notification should state that the correspondence is at an end and that further communications will be acknowledged but not answered.
- Inform complainants that in extreme circumstances the School reserves the right to refer vexatious or unreasonably persistent complaints to the police.

6. Restricting contact

6.1 Any restrictions will be agreed by the Headteacher or Chair of Governors and will be appropriate and proportionate to the nature of the complainant's contacts with the School at that time. The following is a summary of the types of restriction which may be used:

- Placing time limits on telephone conversations and personal contacts.
- Restricting the number of telephone calls that will be taken (for example one call on one specified morning / afternoon of any week).
- Limiting the complainant to one medium of contact (telephone, letter, e-mail etc).
- Requiring the complainant to communicate only with a named employee.
- Requiring any personal contacts to take place in the presence of a witness.
- Closing the investigation into a complaint.
- Refusing to register and process further complaints providing the complainant with acknowledgements only of further letters, faxes, or e-mails received after a particular point.
- Banning a complainant from some or all of the School's premises.
- Involving the police in cases where we believe the complainant has committed a criminal offence (for example, harassment, assault on staff or criminal damage), where assault is threatened, or where the complainant refuses repeated requests to leave School premises.

7 **Withdrawing restriction**

7.1 Once an individual has been classified as a vexatious or unreasonably persistent complainant, there is a mechanism for withdrawing this status if, for example, a more reasonable approach is subsequently demonstrated by the complainant.

7.2 Staff should have already used careful judgement and discussion with the Headteacher in recommending or confirming vexatious or unreasonably persistent status and similar judgement / discussion will be necessary when recommending that such status should be withdrawn.

Monitoring and review

The Governing Body will be responsible for monitoring the effectiveness of this policy annually. Any changes will be made in line with legislation.

APPENDIX A

Some examples of vexatious and unreasonably persistent complainants

- Refusal to specify the grounds of a complaint, despite offers of assistance from School staff.

- Refusal to co-operate with the complaints investigation process or insistence on the complaint being dealt with in ways which are incompatible with the school complaints procedure.

- Making what appears to be groundless complaints about the employees dealing with the complaints or attempting to use the complaints procedure to pursue a personal vendetta against an employee or team.

- Making unnecessarily excessive demands on the time and resources of School staff whilst a complaint is being looked into.

- Changing the basis of the complaint as the investigation process goes on and/or denying statements he / she made at an earlier stage.

- Raising at a late stage in the process, significant new information which was in their possession when he or she first submitted a complaint.

- Introducing trivial or irrelevant new information or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.

- Lodging numbers of complaints in batches over a period of time, resulting in related complaints being at different stages of a complaints procedure.

- Refusal to accept that issues are not within the remit of a complaints procedure or demanding outcomes which the complaints procedure cannot in itself provide. This could include the overturning of court decisions, dismissal or criminal prosecution of staff.

- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved.

- Seeking to coerce, intimidate or threaten staff or other people involved, whether by use of language, tone of voice or behaviour including body language.

- Submitting repeat complaints essentially about the same issues, which have already been addressed under the school complaints procedure.

- Persistence in contacting the School and demanding responses or action long after the School has closed the enquiry / investigation into a complaint and all rights of review and appeal have been exhausted.

- Making complaints against members of staff for implementing a defined policy in the way that it is specified within the policy.

APPENDIX B

PERSISTENT AND UNREASONABLE REQUESTS

From time to time the school may find parents/carers making persistent or unreasonable requests. The school will have the right to assess each case individually and the Headteacher will determine whether such requests are detracting resources from the core purpose of the school. In such cases the spirit of the process dealing with persistent complaints will be adopted.