



BENTLEY CE PRIMARY SCHOOL

COMPLAINTS POLICY

Date of review	May 2022
Period of review	Annual
Review lead	N. Austin
Originally written	K.Pinches & D. Ibbotson in 2019 using DfE template
Governor Committee	FGB

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 Bentley CE 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.

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

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. We have a clear pathway for parents to be able to access the appropriate member of staff to talk to in any instance (please see Appendix 1) from class teacher to Senior Leaders to the headteacher. 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, Bentley CE Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone in the first instance. 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 initially with the class teacher, then Senior Leader, then Headteacher (see Appendix 2). If the issue remains unresolved, despite our three tier pathway

of support (see Appendices 3 & 4), the next step is to make a formal complaint (see Appendix 5).

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 Katy Pinchess, headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to either Mark Desborough or Emily Spicer, the joint Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Judith Araque, the Clerk to the Governing Body, via the school office. Please mark them as Private and Confidential. The office will email within 3 school days to confirm the complaint has been received and passed to the clerk. If for some reason a complainant has not had their complaint acknowledged within 3 days, they must follow up and get in touch with the school office to check it has been received.

A template complaint form is included at the end of this procedure. Using this complaint lets us know you would like this complaint to be escalated beyond the school staff and what has happened so far. This form must be completed by the complainant if a complaint is being raised to the headteacher at Stage 1, then updated and resubmitted again if the complaint is being continued to Stage 2. 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 or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise a 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 only 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 Bentley CE 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">• Admissions to schools• Statutory assessments of Special Educational Needs• School re-organisation proposals	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Hampshire County Council.</p> <p>https://www.hants.gov.uk/educationandlearning/complaints/educationservices</p> <p>Children's Services Complaints Team Children's Services Elizabeth II Court North Winchester Hampshire SO23 8UG</p>
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	<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).</p> <p>Hampshire LADO; Phone 01962 876364</p>

	Email child.protection@hants.gov.uk
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</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"> Whistle blowing (protected disclosures) 	<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: www.education.gov.uk/contactus.</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"> Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> Staff conduct 	<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.</p> <p>However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> 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.

<ul style="list-style-type: none"> National Curriculum – content 	Please contact the Department for Education at: www.education.gov.uk/contactus
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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 Bentley CE 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.

Complaint campaigns and/or Persistent, aggressive or unreasonable complainants

A ‘complaint campaign’ is if we receive large volumes of complaints

- all based on the same subject
- from complainants unconnected with the school

We may, if this is appropriate, send a template response to all complainants or publish a single response on our school website.

Please see Appendix 6 for more details.

Resolving complaints

At each stage in the procedure, Bentley CE 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.

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 writing using the template provided, or by telephone or in person, where a member of staff will record the complainant's words using the template.

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 10 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 20 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 Bentley CE 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 of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

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

If the complaint is:

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

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

Stage 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 by using the template format to sum up their a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 20 school days of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 30 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will

act as the Chair of the Complaints Committee. If there are fewer than three governors from Bentley CE Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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

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

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 3 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 Bentley CE 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 Bentley CE Primary School.

If the complaint is:

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

Stage 2 will be heard by a committee of independent, co-opted 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 Bentley CE 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 Bentley CE Primary School. They will consider whether Bentley CE 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, by telephone on: 0370 000 2288 or by writing to:

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

Complaint Form to be used for Stage 1 and Stage 2 formal complaints

Please complete and return to Mrs Katy Pinchess, headteacher who 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:

Office 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 (usually the headteacher)

The complaints co-ordinator should:

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

Clerk to the Governing Body (or Complaints Panel Clerk secured by Hampshire Governor Services)

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 on the panel 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 and the minutes shared (only with the panel members) to check for accuracy
- they liaise with the Clerk (and complaints co-ordinator, if the school has one)
- all paperwork is secured in a hard copy paper format at the school after the proceedings are completed. These will be held in a confidential file. They will be destroyed after 5 years unless they are required for any further linked complaints.

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.

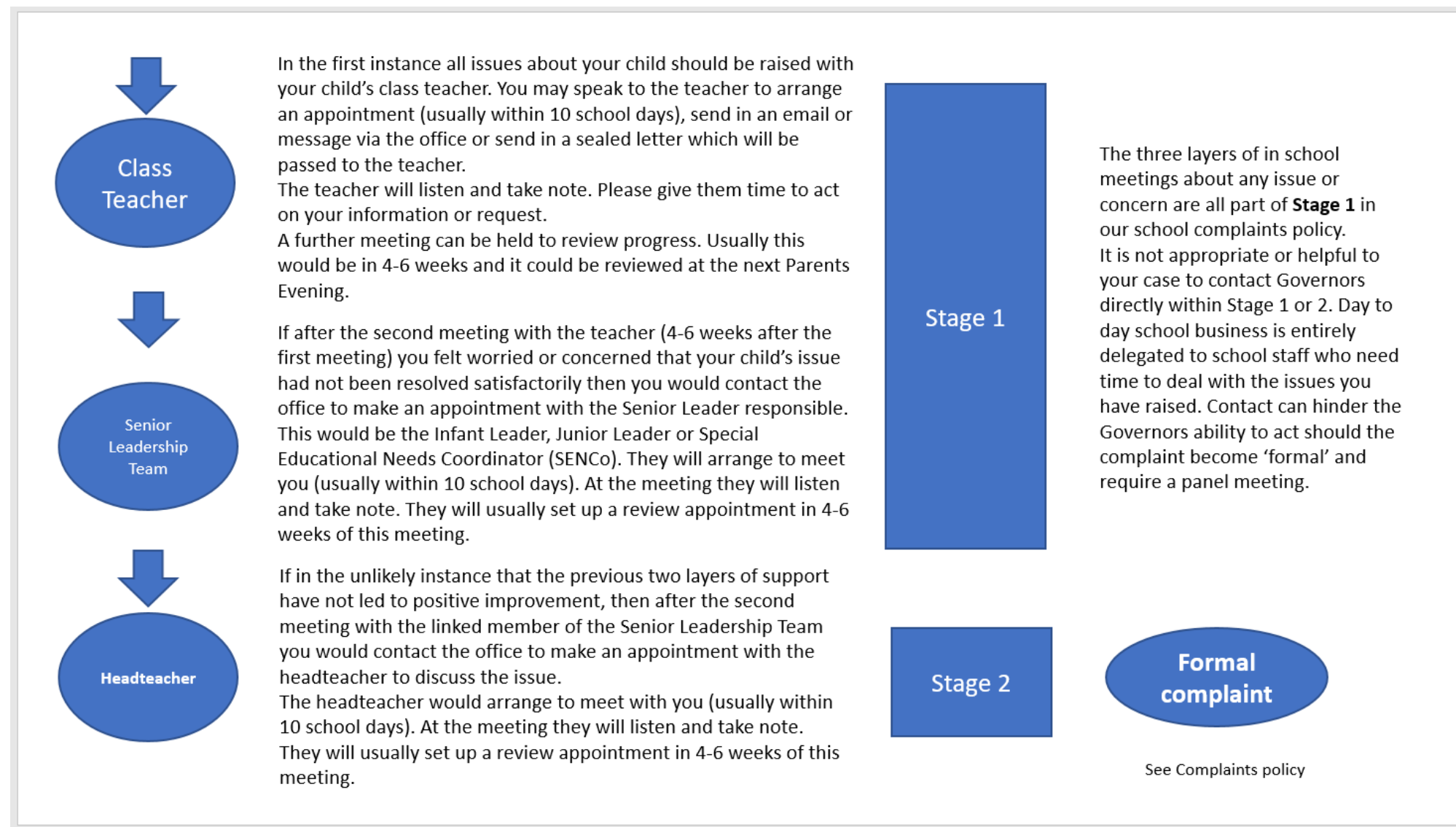
The committee should respect the views of the child/young person and give them equal consideration to those of adults.

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.

Appendix 1 Complaints pathway diagram



Appendix 2 Request for discussion with the teacher



BENTLEY C. E. PRIMARY SCHOOL

REQUEST TO SEE CLASS TEACHER

Child's name: Class:

Parent or Carer's name:

Either; **I would like to arrange a face to face meeting** or **I would like to speak to you by telephone**

Teachers are committed in class for the vast majority of the day and are busy setting up before school, so generally an after school meeting or phone call is their best option. All teachers run clubs and there is a weekly staff training every Wednesday so please choose options around these times where possible.

The best time to speak to me/us is:

|

Please outline what you would like to discuss at the meeting:

Date received by the office/teacher:

Meeting or phone call set for:

Please continue overleaf if required...

Bentley Church of England Primary School, School Lane, Bentley, Farnham, Surrey GU10 5JP

(01420) 525010 adminoffice@bentley.hants.sch.uk www.bentleyprimaryschool.co.uk

Appendix 3 Request for discussion with a member of the Senior Leadership Team



BENTLEY C. E. PRIMARY SCHOOL

REQUEST TO SEE SENIOR LEADER

I would like to request a meeting with;

Mrs Miffing, Junior Leader

Mrs Vogel, Infant Leader

Mrs Rhodes, SEND Lead

Child's name: Class:

Parent or Carer's name:

Either; **I would like to arrange a face to face meeting** or **I would like to speak to you by telephone**

Teachers are committed in class for the vast majority of the day and are busy setting up before school, so generally an after school meeting or phone call is their best option. All teachers run clubs and there is a weekly staff training every Wednesday so please choose options around these times where possible.

The best time to speak to me/us is:

Please outline what you would like to discuss at the meeting:

|

Date received by the office/teacher:

Meeting or phone call set for:

Please continue overleaf if required...

Bentley Church of England Primary School, School Lane, Bentley, Farnham, Surrey GU10 5JP

(01420) 525010 adminoffice@bentley.hants.sch.uk www.bentleyprimaryschool.co.uk

Appendix 4 Request for discussion with the headteacher



BENTLEY C. E. PRIMARY SCHOOL

REQUEST TO SEE THE HEADTEACHER

In line with school procedures your first point of call is the **class teacher** and then second point is a member of the **Senior Leadership Team**. Generally the headteacher is only the first point of call in regard to; parent/carer or wider family concerns (e.g. bereavement, financial difficulties or queries, safeguarding, divorce or separation) or should a parent or carer be seeking advice about schooling beyond Bentley.

Child's name: Class:

Parent or Carer's name:

Either; **I would like to arrange a face to face meeting** or **I would like to speak to you by telephone**

The best time to speak to me/us is:

Please outline what you would like to discuss at the meeting:

Date received by the office/headteacher:

Meeting or phone call set for:

Please continue overleaf if required...

Bentley Church of England Primary School, School Lane, Bentley, Farnham, Surrey GU10 5JP
(01420) 525010 adminoffice@bentley.hants.sch.uk www.bentleyprimaryschool.co.uk

Appendix 5 Formal Complaint form for Stage 1

<p>Complaint Form to be used for Stage 1 and Stage 2 formal complaints</p> <p>Please complete and return to Mrs Katy Pinchess, <u>headteacher</u> who will acknowledge receipt and explain what action <u>will be taken</u>.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Your name:</td> </tr> <tr> <td style="padding: 5px;">Pupil's name (if relevant):</td> </tr> <tr> <td style="padding: 5px;">Your relationship to the pupil (if relevant):</td> </tr> <tr> <td style="padding: 5px;">Address:</td> </tr> <tr> <td style="padding: 5px;">Postcode:</td> </tr> <tr> <td style="padding: 5px;">Day time telephone number:</td> </tr> <tr> <td style="padding: 5px;">Evening telephone number:</td> </tr> <tr> <td style="padding: 5px;">Please give details of your complaint, including whether you have spoken to anybody at the school about it.</td> </tr> </table>	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.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">What actions do you feel might resolve the problem at this stage?</td> </tr> <tr> <td style="padding: 5px;">Are you attaching any paperwork? If so, please give details.</td> </tr> <tr> <td style="padding: 5px;">Signature:</td> </tr> <tr> <td style="padding: 5px;">Date:</td> </tr> <tr> <td style="padding: 5px;">Office use</td> </tr> <tr> <td style="padding: 5px;">Date acknowledgement sent:</td> </tr> <tr> <td style="padding: 5px;">By who:</td> </tr> <tr> <td style="padding: 5px;">Complaint referred to:</td> </tr> <tr> <td style="padding: 5px;">Date:</td> </tr> </table>	What actions do you feel might resolve the problem at this stage?	Are you attaching any paperwork? If so, please give details.	Signature:	Date:	Office use	Date acknowledgement sent:	By who:	Complaint referred to:	Date:
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.																		
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Are you attaching any paperwork? If so, please give details.																		
Signature:																		
Date:																		
Office use																		
Date acknowledgement sent:																		
By who:																		
Complaint referred to:																		
Date:																		

See pages 12 & 13

This document is also attached as a separate Word document for ease of use.

Appendix 6 Persistent, aggressive or unreasonable complainants

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

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

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

- refuses to accept that certain issues are not I the scope of Bentley CE Primary School's complainants procedure, which is based on the accepted practice of Hampshire County Council and the Department for Education;
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- insists on the complaint being delat with in ways which are incompatible with the adopted complaints policy or with good practice;
- introduces trivial or irrelevant information which the complaint expects to be taken into account and documented on, or raises large numbers of details 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 the complaint is groundless or has been addressed;
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including

referral to the Department for Education;

- seeks an unrealistic outcomes;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

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

- maliciously;
- aggressively;
- using threats (including the threat to accelerate the complaint to the local authority, to Ofsted or the Department for Education, without due regard to the school's complaints procedure), using intimidation tactics or threatening violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as on social media platforms, websites and newspapers.

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

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' assessment. If the behaviour continues, the Headteacher or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Bentley CE Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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

Department for Education Guidance – Best Practice for School Complaints 2016

Serial and Persistent Complaints – Schools should do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, schools must be careful that they do not mark a complaint as 'serial' before the complainant has completed the procedure.

Where an individual's behaviour is causing a significant level of disruption, schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

Ultimately, if a complainant persists to the point that the school considers it to constitute harassment, legal advice should be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours.

Barring from the School Premises

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

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.