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| Federation of Abbey Schools |
| Complaints Procedure |
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 **COMPLAINTS PROCEDURE**

***Date of Issue: September 2022***

***To be Reviewed: September 2025***

The school’s Headteacher and the Board of Trustees are committed to providing the best educational experience they can for all pupils attending these schools. They recognise the value to all concerned of dealing fairly, speedily and effectively with any complaint against their decisions, actions or omissions which a pupil or parent or other aggrieved person may have.

It is important to be clear about the difference between a complaint and a concern. If the latter is dealt with carefully at an early stage, involving discussion between relevant parties, eg teacher and parent, then the need for any formal procedures may be avoided.

A 'complaint', within the terms of the procedures described here is an expression of dissatisfaction, by a person or persons with a legitimate interest in the school but not being employed at the school. The complaint may be about the standard of teaching of members of the teaching staff, or about the conduct, actions or omissions of members of the teaching or non-teaching staff employed at the school. Formal complaints should be made in writing.

**General Principles:**

The principles guiding the school’s procedure for handling complaints are that it should:

* encourage resolution of problems by informal means wherever possible;
* be easily accessible and publicised;
* be simple to understand and use;
* be impartial;
* be non-adversarial;
* allow swift handling with established time-limits for action and keeping people informed of the progress and as such investigation of any complaint or review request will begin within 5 school days of receipt of the same, save in exceptional circumstances. The investigation will be completed as soon as reasonably practicable
* ensure a full and fair investigation by an independent person where necessary;
* respect people’s desire for confidentiality;
* address all the points at issue and provide an effective response and appropriate redress, where necessary;
* provide information to the school’s senior management team so that services can be improved – SLT should consider any need for changes in procedure following a complaint and inform Trustees of these changes.
* anonymous complaints will not be investigated under this procedure unless there are exceptional circumstances
* complaints should be brought to the attention of the school as soon as possible To allow for a proper investigation. Any matter raised more than 3 months after the event being complained of will not be considered, save in exceptional circumstances.

Complainants will be advised at the earliest possible stage of:

* the scope, if any for pursuing their complaint and the extent of the procedure for dealing with it;
* the way in which the complaint is likely to be handled

Complaints will be dealt with as quickly and effectively as possible, adhering to time limits laid down for responding to complainants at each stage of the procedure. Everyone involved will adhere to the procedures for the hearing of complaints.

###### Complaints Co-ordinator

A Complaints Co-ordinator will be the headteacher, unless the complaint involves that person, and they will manage the formal complaints process to ensure the quick and effective resolution of complaints. Where the complaint involves the Headteacher the Chair of the Board of Trustees (or nominee) will be the Complaints Co-ordinator. The Complaints Co-ordinator will work with the person appointed to investigate the complaint.

The role of the Complaints Co-ordinator is to: -

* provide guidance
* case manage the complaint, reviewing and escalating the process, and acting as mediator as appropriate
* convene the start-up meeting
* agree timescales

 **Definition of a complainant**

 A proper complainant is someone:

* who allegedly has been wronged; or
* whose child(ren) has been wronged, i.e., a parent, guardian or other person with parental responsibility; or
* someone representing a person in one of the above groups, for example, a Councillor

Where a complainant is a pupil under the age of 18 years, the complaint may be pursued only by, or on behalf of, the child' s parent or other guardian. Where someone other than a pupil or parent is pursuing a complaint on their behalf, this can be done only with the consent of the pupil or parent.

**Handling complaints of various kinds**

Where there are established statutory or other procedures for disposal of a complaint, those will be followed. Areas to which this applies are:

# Parental choice of School

This is a matter for the Board of Trustees in the case of an academy.

If parents/carers are advised of a decision not to comply with their preference about admission, the relevant admission authority must give them details of their right of appeal. An explanation of this procedure is to be found in the LEA' s booklet "School Admission Appeals - A guide for Parents & Carers".

Copies of the leaflet are available from the school.

# Appeals to Special Education Needs Tribunal

Details for parents of when they can appeal to the Tribunal are set out in the booklet "Statutory Assessment of Children with Special Educational Needs Information for Parents".

# Exclusions from Schools

The Education (N°. 2) Act 1986, amended by the Education Act 1993, sets out the procedures for exclusion and the rights of parents.

**Public Examinations**

Complaints about grades are matters for the examining board, but parents have the right to seek the support of the school if they wish to query a result. If complaints raise matters of principle which go beyond an individual school, then the LEA will provide support for parents in challenging an examination board.

# Complying with the GDPR

Before disclosing information regarding a complaint to a third party, the school will obtain written consent from the complainant. Notes of meetings and telephone calls should will be kept securely to prevent any later challenge or disagreement over what was said.

**Recording meetings**

Consent will be obtained from all involved parties before conversations or meetings are recorded. As data controllers, the school will have the discretion to decide whether to allow complainants to record meetings if this is not already required as part of a reasonable adjustment.

**Audio and video evidence**

The DfE may accept independently notarised transcriptions of recordings and may ask for the written consent of all recorded parties. Schools will be supported should they choose to refuse to accept recordings of conversations that were obtained without the informed consent of all parties being recorded as evidence.

**Retaining records**

The Board of Trustees have a responsibility to decide how long they keep records for but should have due regard to statutory regulations and the GDPR when doing so. All personal data should only be kept for as long as is necessary for the immediate purpose of processing.

**Transferring data**

When a pupil changes school, their educational record will be transferred to the new school and no copies are retained. Schools can, however, consider retaining records of complaints separate to their pupil records, while a complaint is ongoing, so that access to them can be maintained.

**Escalation beyond the Academy Trust**

Academies operate independently of the local authority. As such, the local authority is unable to investigate complaints regarding Academies even if the complaints relate to Special Educational Needs provision, the National Curriculum or collective worship. Parents wishing to escalate a complaint about an Academy, which has not been satisfactorily resolved through the Academy’s complaints procedure should contact the Education Funding Agency at the following address:

Department for Education, Castle View House, East Lane, Runcorn,

Cheshire, WA7 2GJ

[www.education.gov.uk](http://www.education.gov.uk)

**Complaints not covered by established procedures**

Those complaints for which there is no other established procedure will be handled in the manner set out in these procedures.

**Part A) Complaining about the actions of a member of staff other than the Head Teacher.**

**1) Informal Stage**

The complainant is normally expected to arrange to communicate directly with the member of staff 1 concerned. This may be by letter, by telephone or in person by appointment.

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the Head Teacher 2

An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith.

Any dispute in relation to the “reasonableness” may be determined through the review process

**2) Formal Stage**

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Head Teacher2, who will be responsible for its investigation.3, 4

The complainant should include details that might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the Head Teacher2 may meet with the complainant to clarify the complaint.5

The Head Teacher2 will collect such other evidence, as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, a friend or representative may accompany that member of staff if they wish.

The investigation will begin as soon as possible and when it has been concluded, the complainant, and the member of staff concerned will be informed in writing of the outcome. This may be to the effect that:

* There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
* The concern is not substantiated by the evidence
* The concern was substantiated in part or in full. In this instance, where possible some details may then be given of action the school may be taking to review procedures etc… but details of the investigation or of any disciplinary procedures will not be released
* The matter has been fully investigated and those appropriate procedures are being followed, which are strictly confidential. [ e.g. Where staff disciplinary procedures are being followed ]

The complainant will be told that consideration of their complaint by the head teacher is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Board of Trustees review the process followed by the Head Teacher2 in handling the complaint. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Head Teacher, and include a statement specifying any perceived failures to follow the procedure. The procedure described in Part C) will be followed.

If the complainant considers that the decision of the Head Teacher is perverse, or that the Head Teacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Head Teacher under part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

1 or other designated post-holder/middle manager, such as a Head of Year.

2 or other designated member of staff on behalf of the head teacher [in such case the head must be satisfied that the process has been conducted properly and accept responsibility for the same ]

3 Alternatively the complainant may be referred back to the informal stage of the procedure.

4 If the complaint is judged to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be investigated

5 it may be appropriate to offer the complainant the opportunity to be accompanied by a friend at any such meeting.

**Part B) Complaining about the actions of the Head Teacher**

**Stage 1) Informal stage**

The complainant is usually expected to arrange to speak directly with the Head Teacher. In the case of serious concerns it may be appropriate to raise them directly with the Chair of the Board of Trustees. The Chair6 will seek to find an informal resolution.

Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved, if both parties agree, then a third party may be invited to act as a mediator at a further meeting.

A refusal, unreasonably, to attempt an informal resolution may result in the procedure being terminated forthwith.

**Stage 2) Formal Stage**

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Chair6 who will determine which of the agreed procedures to invoke3,4. If it is determined that the complaint is “General”, the Chair will arrange for its investigation and (if required) appoint a Trustee to lead the investigation.

The complainant should include details that might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc…. In addition the complainant will be invited to meet with the Chair6 to present oral evidence or to clarify the complaint.5

The Chair6 will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Head Teacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair6. Once there has been an opportunity for the Head Teacher to consider this, he/she will be invited to meet separately with the Chair6 and another director, in order to present written and oral evidence in response. A friend or representative may accompany the Head Teacher at this meeting if they wish.

When the investigation has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action.

The complainant will be told that consideration of their complaint by the Chair6 is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the Chair6 is perverse, or that the Chair6 has acted unreasonably in considering the complaint, then the complainant may request that the Board of Trustees review the handling of the complaint by the Chair6. Any such request must be made in writing within 2 weeks of receiving notice of theoutcome from the Chair6, and include a statement specifying any perceived failures.

6 or designated Trustee responsible for investigating complaints

7 For the avoidance of doubt, it may be helpful to specify the persons who are allowed access to the records.

**Stage 3 ) Review Process**

Any review of the process followed by the Head Teacher2 or the Chair6 shall be conducted by a panel constituting 3 members, 2 to be members of the Board of Trustees, as convened by a meeting of the directors not hitherto involved in the complaint and the third to be an independent person, not associated with the school.

The review will normally be conducted through a consideration of written submissions, allow for a parent to attend and be accompanied at a panel hearing if they wish.

The format of the review is suggested at Appendix 7

The panel may also have access to the records kept of the process followed.

The complainant, and the Head Teacher2 or the Chair6, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

* There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
* The concern is not substantiated by the evidence
* The concern was substantiated in part of in full but that the procedural failure did not affect the outcome significantly so the matter is now closed.
* The concern was substantiated in part of in full and the Board of Trustees will take steps to prevent a recurrence or to rectify the situation where this is practicable.

If a complainant has exhausted an academy’s complaints procedure, they will be advised that they can submit a complaint to the ESFA by completing the online form or in writing to:

Ministerial and Public Communications Division

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD

**Appendix 1**

Notes to accompany the procedures

The complainant is not entitled to access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential. 7

If a complainant believes that the Board of Trustees has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State for Education and Skills.

**Appendix 2: Guidance for the Investigation Procedure**

Carrying out an Investigation into a Formal Complaint

The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance not only for the complainant but also for the member of staff against whom the complaint has been made.

Any procedure should include provision that “An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.” These would include serious concerns such as Child Protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

Where the Head Teacher2 or Chair of the Board of Trustees6 receives a complaint, it should be acknowledged formally and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant in due course.

The member of staff, against whom the complaint has been made, should be notified that a complaint has been received, provided with a copy of the complaint and be informed that an investigation will be carried out.

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint should be confirmed with the complainant.

Once the complaint has been confirmed the investigator should establish who they wish to interview and what documentation they will need to review.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant and the member of staff should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed. The complaints procedureallows for a parent to attend and be accompanied at a panel hearing if they wish.

Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger pupils be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interview. The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to "lead" them must be resisted. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or to issues unrelated to the complaint should be resisted.

The investigator should avoid reaching conclusions or passing judgement until the investigation has been completed.

A summary of the process undertaken and the outcome of the investigation should be provided to both the complainant and the member of staff against whom the complaint has been made. Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of the employee to continue in post.

Any recommendations should also be shared with the parties, unless there is good reason not so to do. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the Board of Trustees.

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

* an apology;
* an explanation;
* an admission that the situation could have been handled differently or better;
* an assurance that the event complained of will not recur;
* an explanation of the steps that have been taken to ensure that it will not happen again;
* an undertaking to review school policies in light of the complaint.

**Appendix 3 Supporting Letters**

# Federation of Abbey Schools Complaint Form

Please complete this form and return it to the Head Teacher, or Office Manager who will forward it to the Clerk to Board of Trustees. You will review acknowledgement of its receipt and will be informed of the next stage in the procedure.

Your name:

Relationship with school [ e.g. parent of a pupil on the schools roll ]:

Pupil’s name [ if relevant to your complaint ]:

Your Address:

Daytime telephone number:

Evening telephone number:

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| Please give concise details of your complaint, [including dates, names of witnesses etc…], to allow the matter to be fully investigated: You may continue on separate paper, or attach additional paperwork, if you wish. |
| Number of Additional pages attached = |

What action, if any, have you already taken to try to resolve your complaint? [i.e. who have you spoken with or written to and what was the outcome?]

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

Signature: Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

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| --- | --- | --- | --- |
| Complaint referred to: |  |  |  |
| Date: |  |  |  |

**Suggested response to spurious complainant**

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the Board of Trustees’ General Complaints Procedure as:

You have not identified any specific actions of which you might complain

Your concerns are presented as conclusions rather than specific actions of which there is cause to complain.

The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.

The substance of your complaint has been addressed under this procedure already.

The concerns that you raise do not fall within the scope of this procedure.

You have not identified any potential sources of evidence which might allow the matter to be investigated.

The school offered to resolve the matter informally and in my judgement you refused unreasonably to take advantage of this.

If you wish my decision to be reviewed then you may take advantage of the procedure outlined in Appendix 6, by writing to the Clerk to the Board of Trustees.

Yours sincerely,

Head Teacher

Or Chair of Board of Trustees

Suggested letter of

**NOTIFICATION OF DECISION REGARDING GENERAL PARENTAL COMPLAINT**

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I have concluded that:

There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

The concern is not substantiated by the evidence in that ……

OR

The concern was substantiated in part/in full, as ………. The school will review its practices/procedures….... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

OR

In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

I hope that we may now put this matter behind us and work together for the benefit of your child’s progress.

Yours truly

Head Teacher / Chair of Board of Trustees

c.c. Head Teacher

Suggested **REVIEW OUTCOME NOTIFICATION**

Dear

Having carefully considered your representations in the context of the relevant evidence, the Board of Trustees Complaints Review Panel has concluded that the General Complaints Procedure was followed appropriately in respect of your complaint in that …………… .

Therefore, the matter is now closed as far as the school is concerned.

Or

Having carefully considered your representations in the context of the relevant evidence, the Board of Trustees Complaints Review Panel has concluded that the Head Teacher/ Chair of Board of Trustees followed the General Complaints Procedure except ………….. .

Therefore, the following action will be taken ………. .

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Board of Trustees Complaints Review Panel has concluded that the Head Teacher/ Chair of Board of Trustees followed the General Complaints Procedure except that ………….. .

We have determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours truly

Chair of Complaints Review Panel

c.c. Head Teacher

 Chair of Chair of Board of Trustees

**Appendix 4: Model Paragraph for inclusion in School Prospectus**

# Raising Concerns and Resolving Complaints

From time to time parents, and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations the Board of Trustees has adopted a “General Complaints Procedure”.

The procedure is devised with the intention that it will:

* Usually be possible to resolve problems by informal means
* Be simple to use and understand
* Be non-adversarial
* Provide confidentiality
* Allow problems to be handled swiftly
* Address all the points at issue
* Inform future practice so that the problem is unlikely to recur.

Full details of the procedure may be obtained from the School Office or from the Clerk to the Board of Trustees.

**Appendix 5**

Background & general principles

General [Non-Statutory] Complaints Procedure for Maintained Schools:

**Background**

This policy is based on the NAHT model policy, which was devised to complement the guidance that was issued by the Secretary of State. It conforms to the same framework of principles.

**Statutory Framework**

The School Standards and Framework Act 1998 provided an additional function of the Board of Trustees to establish and publicise procedures for dealing with complaints relating to the school, other than those that are covered by legislation and formal procedures elsewhere.

Section 157 of the Education Act 2002 requires, in terms of independent school standards, that regulations shall prescribe standards about the manner in which independent schools handle complaints.

The Education (Independent School Standards) (England) Regulations 2003 which came into force on 1st September 2003 require that: “A school shall provide to parents of pupils and prospective pupils and on request to others, including the Chief Inspector and the Secretary of State, details of the complaints procedure set out in accordance with paragraph 7 of the regulations, and the number of complaints registered under the formal procedure during the preceding school year.”

**General Principles**

The procedure is designed to ensure that, wherever possible, an informal resolution is attempted.

All stages of the complaints procedure should be investigatory rather than adversarial.

The procedure is intended to be extended to those persons who may have a legitimate complaint relating to the school and where any complaint may not be pursued through a statutory complaints procedure. It is anticipated that, primarily, these persons will be parents, as defined by Section 576 of the Education Act 1996, and those with parental responsibility, as defined in the Children Act 1989.

The responsibility for dealing with General Complaints lies solely with the school. The procedures of LEAs, Diocesan Boards and other agencies are expected to reflect existing legislation and ensure that any non-statutory complaint received by them will be redirected to the school immediately and that the complainant be informed accordingly.

Any procedure should include provision that “An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.” These would include serious concerns such as Child Protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

There should be a mechanism for terminating spurious complaints and those brought by vexatious complainants. Model letters are included in Appendix 3 to the procedure.

In advising complainants of the outcome of their complaint it is important to be most circumspect in the details provided. To do otherwise may prejudice the ability of any employee complained about to continue in post. The release of certain information might be an obstacle to the fair application of disciplinary/capability procedures or otherwise contravene the employee’s employment rights. Sample responses are included in appendix 3 to the procedure.

In the event that a complainant believes that the appropriate procedures have not been followed, by the person dealing with their complaint, the complainant may make request that the Board of Trustees review the process that has been followed in order to verify whether the procedure has been adhered to. Any review request that is based solely on dissatisfaction with the outcome, rather than any identified failure to deal with a complaint according to procedure, should not be accepted.

Members need to be aware of the possibility that, if the complainant believes that the school is acting unreasonably, they may make a complaint to the Secretary of State under sections 496 or 497 of the 1996 Act.

It is important that any potential complainant is aware of the correct channel through which to pursue their complaint. This will reduce the likelihood of letters of complaint being fired off with a scattergun approach to, the LEA, Secretary of State, Councillors, MP, local paper, individual Trustees, the Diocese, the Bishop etc… . Therefore it is essential that reference to is made, to the existence of the General Complaints Procedure, in the school prospectus. [ A model paragraph is included in appendix.4 ]

Some existing procedures include a “hearing” stage, where the subject of the complaint is questioned in the presence of the parent or by the parent. The absence of such a stage in this procedure is deliberate as its inclusion creates an opportunity for confrontation, which runs counter to the resolution of any complaint. This is strictly in accord with the principle stated in the DfES Guidance that the procedure be non-adversarial.

It may be helpful to place a limit on the time after which a complaint will **normally** not be considered [ e.g. Complaints must be raised within 3 months of the event being complained of, save in exceptional circumstances]

Schools should include an indication of the time scale within which the school will process the complaint. e.g. Investigation of any complaint or review request shall begin within 5 school days of receipt of the same, save in exceptional circumstances. The investigation shall be completed as soon as reasonably practicable.

The matter of keeping a record of the complaint and its investigation could be addressed. [ It would not be appropriate to keep this in the child’s record as the parent may request access ] The issue of taking notes/minutes may also be addressed.

The procedure should be designed to facilitate resolution of concerns with the minimum of conflict. Therefore, it is important that the procedure adopted carries the confidence of all interested parties so that its use secures “closure”. This is more likely to be the case if the procedure adopted has been the subject of wide consultation.

The use of well designed “Complaints” and “Review Request” Forms may assist the process by focusing the complainant on the importance of being specific about the nature of their complaint and the need to provide evidence or at least to be able to cite relevant incidents. Model letters and forms are provided in Appendix 3 of this document.

###### Vexatious Complainants

It is clear from the information provided by our members that the vast majority of complaints are resolved by informal contact. Problems arise where the complainants are unreasonable and are not seeking to have a situation remedied but are determined to extract retribution for some real or imagined wrong.

It is these latter circumstances that can lead a school, which is acting very reasonably, to being sucked into an interminable saga with letters flying back and forth with each reply demanding more and more answers to more and more questions. Often an attempt to clarify the situation will trigger a multitude of questions, none of which possible answers serve any constructive purpose. It is these vexatious complainants from which schools need protection.

**Appendix 6**

Timescales for each stage

**Informal stage** (Part A or Part B)

2 weeks from receipt of notification of complaint to notification of outcome of the informal stage.

If the complaint is received less than 15 working days from the Summer, Christmas or Easter breaks, then the time for the investigation begins on return from the break.

If the complaint is received less than 10 working days from half-term (1 week) breaks, the time required will be split either side of the break, so the total time will be no more than 4 weeks including the break.

**Formal stage** ( Part A or Part B)

2 weeks from notification of the outcome of the informal stage, to the notification of the outcome of the formal stage.

If the complaint is received less than 15 working days from the Summer, Christmas or Easter breaks, then the time for the investigation begins on return from the break.

If the complaint is received less than 10 working days from half-term (1 week) breaks, the time required will be split either side of the break, so the total time will be no more than 4 weeks including the break.

**Review of the process**

2 weeks from notification of the outcome of the formal stage, to the notification of the outcome of the review.

If the complaint is received less than 15 working days from the Summer, Christmas or Easter breaks, then the time for the investigation begins on return from the break.

If the complaint is received less than 10 working days from half-term (1 week) breaks, the time required will be split either side of the break, so the total time will be no more than 4 weeks including the break.

NB: Whilst every attempt will be made to adhere to these time scales, complaints may take longer to investigate for valid reasons on either side - i.e. due to sickness, holidays etc. In any event that the time scales are not able to be met, such reasons will be clearly communicated to all parties and revised time scales will be agreed by the Complaints Co-ordinator.

**APPENDIX 7**

**Suggested Format for the Complaints Review Panel Hearing**

1. The Review Panel Hearing to commence with introductions.
2. The Complainant invited to present any written/or oral submissions they may have.
3. The Head Teacher or Chair, as appropriate, invited to respond and present the conclusions drawn at the formal stage of the Complaints Procedure.
4. The Complainant invited to present any points of appeal they may have against the conclusions drawn.
5. Opportunity for the Panel, Complainant and Head Teacher or Chair to ask any further questions they may have.

Following the above the Panel will retire in private to consider the information/evidence presented. The outcome will then be communicated in writing to the Complainant, Head Teacher/Chair (as appropriate) in accordance with the Complaints Procedure.