



## Complaints Policy and Procedure

Date approved:	24 October 2019
Review cycle/date:	Every 2 years
Party responsible:	Headteacher and Full Governing Body

### Introduction

The Swanage School endeavours to provide the best possible education for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the governing board has approved the following procedure which explains what you should do if you wish to make a complaint about the school. The procedure outlined in the main body of this document applies to complaints made by currently registered pupils of The Swanage School, parents/carers of currently registered pupils, or where pupils have recently left the school and the complaint is main within the required timeframe. Concerns and complaints from ex-pupils, parents/carers of ex-pupils, members of the local community or other third parties will be considered under the procedure outlined in Appendix 2. Complaints cannot be made by parents/carers on behalf of pupils (or ex-pupils) who have reached 18 years of age.

### Complaints that fall outside of this procedure

There are a number of areas which are covered by separate policies, procedures or statutory processes and fall outside the scope of this policy and procedure, as shown overleaf.

If other bodies are investigating aspects of a complaint, for example the police, local authority or tribunals, this may impact on our ability to hear the complaint, to commence our procedure or adhere to the timescales within.

If a complainant commences legal action against The Swanage School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaints until legal proceedings have concluded.

School policies are available on the school's website: [www.theswanageschool.co.uk/Policies](http://www.theswanageschool.co.uk/Policies) or on request from the school.

<b>Areas which fall outside this procedure</b>	
<b>Exception</b>	<b>Where to find information</b>
Pupil admissions	Please see the school's Admissions Policy and information on the website: <a href="http://www.theswanageschool.co.uk/Admissions.aspx">www.theswanageschool.co.uk/Admissions.aspx</a>
Pupil exclusions	Please see the school's Behaviour & Exclusions Policy and DfE Guidance "Exclusion from maintained schools, academies and pupil referral units in England": <a href="http://www.gov.uk/government/publications/school-exclusion">www.gov.uk/government/publications/school-exclusion</a>  Complaints about application of the behaviour policy can be made through the Complaints Procedure.
Staff grievances, capability or conduct/disciplinary matters	These are covered by the Staff Grievance Policy, Staff Appraisal & Capability Policy and the Staff Discipline Policy.
Whistleblowing	Staff and volunteers who wish to raise genuine concerns about malpractice or wrongdoing should follow the school's Whistleblowing Policy.
Data Protection matters	Please see the school's Data Protection Policy and Freedom of Information Policy.
Statutory assessment of special educational needs (SEND)	These matters should be raised with the local authority.
Safeguarding matters:  Concerns about safeguarding practices  Matters likely to require a child protection investigation    Allegations of abuse against a member of staff	Please see the school's Child Protection Policy.  Such matters fall under the Child Protection Policy and are handled in accordance with relevant statutory guidance.  Concerns over a child's wellbeing or safety should be raised with the Designated Safeguarding Lead or a member of the safeguarding team.  Please report any concerns to the Headteacher or the Designated Safeguarding Lead. See our Allegations of Abuse Made Against Staff Policy and the Child Protection Policy.
Complaints about third party services	Complaints about services provided by third parties who use our facilities should be raised directly with the third party.
Content of the National Curriculum	Please contact the Department for Education at: <a href="http://www.gov.uk/contact-dfe">www.gov.uk/contact-dfe</a> .  Concerns about the delivery of the national curriculum can be raised under this policy and 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 concern will often be made orally and may be about any aspect of the school.

Concerns should be discussed with a member of staff as appropriate. This will often be a pupil’s tutor, a Head of House or Curriculum Area Leader, or it may be discussed with the Headteacher who will refer you to another member of staff. It is in everyone’s interest that concerns are resolved at the earliest possible opportunity and most day-to-day issues and concerns will be resolved with an informal conversation or meeting and will not fall under this procedure.

A complaint may be defined as *‘an expression of dissatisfaction about actions taken or a lack of action’*.

The procedure detailed in this document gives guidance on how to raise a complaint and on how the school will deal with complaints it receives. It comprises one informal stage and two formal stages.

## Resolving complaints

At each stage in the procedure, The Swanage School wants to resolve the complaint and learn any lessons that are identified. 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 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 offer of mediation
- An apology

Any acknowledgement that the school could have handled the situation better is not an admission of unlawful or negligent action.

## Complaints about the headteacher or the governors

Where a complaint is about the Headteacher, the complainant should write to the Chair of Governors (c/o the Clerk to the Governors). The Chair of Governors may see if an informal resolution is possible, may appoint a suitably skilled governor to discuss the matter with the complainant, or may decide to start the process at Stage 2 (formal resolution) undertaking the actions usually carried out by the Headteacher.

Where a complaint concerns a governor, including the Chair or Vice-Chair of Governors, or is about a number of governors or the entire governing body, the complainant should contact the Clerk to the Governors. The Clerk will then determine the most appropriate course of action, which may include appointing an independent investigator, seeking advice as appropriate. This will depend upon the nature of the complaint.

## The timescale for making a complaint

Informal (Stage 1) complaints should be raised as soon as possible after they arise. A complaint raised under the formal stages of this procedure (Stage 2) must be made within three (3) months of the incident which has led to the complaint or, where a series of associated incidents have occurred,

within three months of the last of these incidents. Formal complaints that are submitted outside of this time frame will be considered only if exceptional circumstances apply.

Exceptional circumstances may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the Headteacher/Chair of Governors/Clerk to Governors (as appropriate) will review the circumstances, seek advice and determine whether the complaint should be accepted.

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

## Withdrawal of a complaint

If you wish to withdraw a formal complaint, we will ask you to confirm this in writing.

## Maintaining records

A confidential written record of all complaints that are made in accordance with this procedure will be kept by the school. The written record will include whether the complaint has been resolved following a formal procedure and whether it proceeded to a panel review meeting. It will also refer to any action taken by the school as a result of the complaint regardless of whether it has been upheld. Information will be held no longer than is stipulated by law.

Records relating to complaints will remain confidential except under certain circumstances including Secretary of State request and inspection.

## Anonymous complaints

We will not normally investigate or respond to anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the matters raised in such a complaint warrant an investigation.

## Maintaining confidentiality

Confidentiality should be respected and maintained by everyone involved in the investigation, reviewing and recording of a complaint. As few people as possible should be involved.

If a staff member is complained against, they must be treated fairly by having an opportunity to respond to any concerns raised about them, and it would therefore be rare and at the discretion of the school to exclude the subject of a complaint or other person directly involved from the investigation or knowing the source of the complaint. Exceptional circumstances might include, for example, cases of alleged teacher bullying or where safeguarding issues prevail. Complaints will be handled with sensitivity at all times.

Actions taken in relation to school staff that arise as a result of the complaint will remain confidential to the school and the member of staff concerned.

Written records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

## Expectations of the Complainant

In order for complaints to be resolved as quickly and fairly as possible, we expect complainants to:

- co-operate with the school in seeking a solution to the complaint
- express the complaint in full at the earliest possible opportunity
- promptly respond to any requests for information or meetings
- ask for assistance as needed
- treat any person(s) involved in the complaint with respect
- Respect confidentiality to those involved, and refrain from publicising the details of their complaint on social media.

## Safeguarding

Wherever a concern indicates that a child's wellbeing or safety is at risk, the school is duty bound to report this immediately to the local authority. Any action taken will be in accordance with the school's Child Protection Policy which can be found on the school's website.

## Complaints Procedure

[The detail of the procedure outlined below applies to complaints made by currently registered pupils of The Swanage School, parents/carers of currently registered pupils, or where pupils have recently left the school and the complaint is main within the required timeframe. Please refer to Appendix 2 for complaints from other persons.]

Our complaints procedure has three stages, one informal and two formal.

A complaint may be made by a third party acting on behalf of a complainant as long as they have appropriate consent to do so. Written consent from the complainant will be required before any information will be disclosed to a third party.

## The informal stage

### Stage 1 – Informal Resolution

It is in everyone's best interests if complaints can be resolved informally, without the need to invoke the formal stages, and the majority can be dealt with in this way.

1. If you have a complaint, we encourage you to raise it first with the appropriate person at the school (e.g. your child's Tutor) and to work constructively with that person towards resolving the issue/s. It will be helpful if you identify what you think might resolve the situation and if you discuss the issue in a respectful and informal manner to seek a mutual resolution. The extent to which this is both attempted and followed may be taken into consideration when assessing the reasonableness of a complaint during the formal stages of the procedure.
2. If the Tutor or other member of staff with whom you discuss your complaint cannot resolve the matter alone, it may be necessary for him/her to consult a Curriculum Area Leader, a Head of House, the Deputy Headteacher or the Headteacher.
3. Complaints made directly to the Deputy Headteacher or Headteacher will usually be referred to another member of staff, for example, a Tutor, Curriculum Area Leader, Head of House or the Business Manager as appropriate. This leaves the Deputy Headteacher and

Headteacher free to be able to investigate and make decisions during the formal stages, should informal resolution not resolve the issue to your satisfaction.

4. In investigating the issue, the member of staff dealing with your complaint will normally discuss the issue with the person/s complained about, if relevant, and where necessary conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved.
5. Reasonable endeavours will be made to resolve any informal complaints within ten (10) school days of them being raised, and to keep complainants informed of any delays.
6. A written record will be made of complaints, using the school's management information system, and the date they were received. These records will be kept in accordance with the schools GDPR policy.
7. Should the matter not be resolved as referred to in paragraph 5 above or in the event that it is not resolved to the satisfaction of the complainant, they will be advised to proceed under the formal stages of this procedure.

## The formal stages

There are **two** formal stages of the complaints procedure.

Formal complaints must be made in writing. With agreement, a complaint may be made in person or by telephone where communication difficulties exist as part of a reasonable adjustment. Brief notes of meetings or telephone calls will be made.

### Stage 2 – Formal Resolution

1. A request for a formal investigation of a complaint should be made in writing to the Headteacher or, if the complaint is about the Headteacher, to the Chair of Governors (c/o the Clerk to the Governors), and the Chair of Governors will undertake the actions set out below in place of the Headteacher.
2. Complainants should set out their complaint in full, explain what efforts have been made to resolve the matter informally and identify how they wish their complaint to be resolved.
3. Receipt of the complaint will be acknowledged in writing within five (5) school days of receiving it. The written acknowledgment will, as far as possible, explain how the complaint will be investigated and the timescale for completing the investigation.
4. The Headteacher will consider all relevant evidence. This may include, but is not limited to:
  - obtaining statements from the complainant and those involved with the complaint, including pupils, staff witnesses and/or those complained of
  - meeting with the complainant and those involved with the complaint, including pupils, staff witnesses and/or those complained of, allowing them to be accompanied if they wish
  - reviewing correspondence and other documents relating to the complaint

Conversations/meetings with the complainant may take place before or after other initial investigations are made, depending on the nature of the complaint received. Minutes/notes of these conversations/meetings will be provided to the complainant, subject to any necessary redactions.

The Headteacher may delegate responsibility for undertaking investigation of the complaint to another member of the school's Senior Leadership Team (or the Chair of Governors to a suitably skilled governor), but not the decision to be made.

5. After considering the available evidence, the Headteacher can decide to:
  - uphold the complaint and direct that certain action be taken to resolve it
  - uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and direct for certain action to be taken, or
  - dismiss the complaint entirely
6. The Headteacher will inform the complainant of their decision in writing, the grounds on which it was made and any actions taken as a result of the complaint. This will be within twenty (20) school days of having issued written acknowledgement of receipt of the complaint (see 3 above). The written notification shall also advise the complainant of their right to escalate the complaint to Stage 3 if they are not satisfied with the outcome, including the contact details of the Clerk to the Governors.
7. A record will be kept of the complaint, including whether it was resolved following Stage 2 or proceeded to a panel hearing, and the action taken by the school as a result of the complaint (regardless of whether it was upheld).

### Stage 3 – Review by a Governors' Panel

The complainant is entitled to request a review of the decision taken at Stage 2 and the actions taken. The review is carried out by a panel at a meeting convened by the Clerk to Governors. The Clerk will provide an independent source of advice on procedure for all parties, and act as a clerk to the panel.

The aim of the panel hearing will be on reconciliation, finding a mutually acceptable resolution and identifying any learning points to prevent recurrence and/or improve procedure/policy. All parties should be mindful of this.

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

The following steps are taken at Stage 3:

1. Requests for a review of the decision taken at Stage 2 should be made in writing to the Clerk to the Governors within ten (10) school days of the date of the written notification of the decision taken at Stage 2. The request should include a brief summary of the complaint, explain why the complainant is dissatisfied with the outcome of Stage 2 and outline the outcome they are seeking.
2. The Clerk will acknowledge the written request for the complaint to be reviewed no later than five (5) school days after receiving it, and inform the complainant of the steps involved at this stage of the procedure.
3. The Clerk will convene a panel of two school governors and one independent member (who is independent of the running and management of the school). The process used for selection of an independent person will conform to relevant guidance issued by the Department for Education. This may be, for example, a governor from another school who is suitably skilled and who can demonstrate their independence. All three panel members

will have no prior knowledge of the content of the complaint. In cases where the whole governing body is aware of the substance of a complaint prior to convening the panel, or where the complainant makes a case that there is likely to be bias sufficient to taint the decision reached and can provide evidence to support this, the Clerk may decide to convene a fully independent panel, seeking advice as appropriate.

4. The review meeting will take place within twenty (20) school days of receipt of the written acknowledgement from the Clerk (see 2 above), dependent on the availability of panel members.
5. If the complainant rejects the offer of the proposed date, and two further offers, without good reason, the Clerk will decide when to hold the meeting. If there is no likely prospect of holding the meeting with the complainant in attendance in a reasonable timeframe, the Panel may decide to proceed in the complainant's absence or on the basis of written submissions from all parties with a view to reaching a conclusion in the interests of drawing matters to a close. In making this decision, the wellbeing of any pupils or staff members involved will be taken into consideration.
6. It is for the Panel to decide how to conduct the proceedings of the appeal hearing and on whether it will consider matters afresh or limit its review to whether the Stage 2 process was correctly followed. The Panel will also decide on any further written information they would like to request. The Panel will usually invite the following to attend the review meeting and/or submit written representations:
  - the complainant and/or one representative (\*see below)
  - the Headteacher (or Chair of Governors as appropriate) who investigated the complaint and made the decision at Stage 2 and/or one representative (\*see below)
  - persons whom, in the view of the Panel, have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making and/or one representative (\*see below)

\*Where the complainant, the Headteacher and/or relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family member/friend/representative as appropriate, however these are not legal proceedings and neither legal nor media representatives will be permitted to attend.

Where the relevant persons involved in the complaint include pupils at the school, and their attendance at the review meeting has been requested by the Panel, parental permission must be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.

7. Any written material will be requested to be submitted to the Clerk at least ten (10) school days prior to the meeting. This will be circulated to all parties, including the complainant, the Headteacher and Panel members at least five (5) school days in advance of the hearing, along with an order of proceedings.
8. The hearing will be conducted in such a way as to ensure that each party has the opportunity to address the Panel, and will be reasonably informal so that all parties can present their case effectively. The Clerk will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. Electronic recordings of the hearing may be considered, but will only be used with the consent of all those present.
9. The procedure for an appeal hearing will usually be:

- The complainant and school representative enter the hearing together
- The Chair of the Panel will introduce the panel members and outline the process
- The complainant will be invited to explain their complaint
- The school representative and panel members will ask questions of the complainant
- The school representative will explain the school's actions
- The complainant and panel members will question the school representative
- The complainant will be invited to sum up their complaint
- The school representative will be invited to sum up the school's actions
- The Chair of the Panel will explain the timeframe in which both parties will hear from the Panel
- Both parties will leave together while the panel members deliberate
- The Clerk will remain to take notes and assist the Panel

The Chair of the Panel and/or the Clerk reserves the right to modify the above procedure at their sole discretion, for example requiring the complainant and the school representative to present their complaint/actions separately to the Panel in the absence of the other party.

10. After reviewing the available evidence, the Panel can decide (by a majority if necessary) to:

- uphold the complaint and direct that certain action be taken to resolve it;
- uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and direct for certain action to be taken, or
- dismiss the complaint entirely.

Irrespective of the decision taken, the Panel may also recommend steps that the complainant and the school should take to move forward from the presenting issues in the best interests of all concerned. The Panel may also recommend steps to be taken that reduce the likelihood of a similar complaint being made in the future.

Where further investigation is deemed necessary, the Panel will decide how it should be carried out and the timeframe.

11. The Panel's findings will be sent by the Clerk in writing to the complainant within ten (10) school days of the review meeting taking place. The letter will state any reasons for the decision reached and recommendations made by the Panel. Any decision reached that may have financial implication for The Swanage School will need the appropriate approval from the relevant authorities, e.g. the Board of Governors, although any such approval should be compatible with the decision of the Panel.
12. **The decision reached by the Complaints Panel is the final stage at which the school will consider the complaint.** When communicating the decision of the Panel, advice will be provided to the complainant on making further representations to the Department for Education (Education & Skills Funding Agency). It should be noted that the ESFA will not investigate nor change the decision made but could ask The Swanage School to change the complaints procedure or to reconsider the complaint from an appropriate stage in the procedure.
13. A summary of the outcome and any recommendations arising will also be provided to the Headteacher (of Chair of Governors as appropriate), where relevant the person complained about, and to the Board of Governors. These will be available for inspection by members of the Academy Trust.

14. The Swanage School will keep a record of all appeals, decision and recommendations of the Complaints Panel. These records will be kept in accordance with the schools GDPR policy.

## Timescale for completing the formal stages of the procedure

The Swanage School will endeavour to complete the formal stages of its complaints procedure in a timely manner and within the timescale for each stage that is referred to above. However, if it becomes clear that for any reason we will be unable to meet the timescale for completing a stage of the procedure, the complainant will be advised of this immediately, along with the reason for the delay and the revised timescale.

## Recording of meetings

The school reserves the right to propose recording meetings, and may suggest this where matters are likely to be particularly complex. Recording devices will not be used without the prior consent of all parties. The school will not normally allow complainants to record meetings for reasons other than for the purposes of a reasonable adjustment for communication difficulties or disabilities.

## Duplicate complaints

There may be some cases where at the end of the complaints procedure, the school receives a duplicate complaint from, for instance, a complainant's spouse, partner, grandparent or child.

Where the complaint is about the same subject, the new complainant will be informed that the school has already considered that complaint and the local process has been completed. The new complainant will be advised to contact the Education & Skills Funding Agency if they are dissatisfied with the school's handling of the original complaint.

The school will take care not to overlook any aspects to the complaint that may not have been previously considered. Any new elements of a complaint will be investigated and dealt with in line with the full complaints procedure.

## Complaints campaigns

For the purposes of this policy, "complaints campaigns" are where the school receives a significant number of complaints that are all based on the same subject.

Where the school becomes the subject of a complaints campaign from complainants who are **not** connected with the school (e.g. are not parents of a current pupil), a standard, single response will be published on the school's website.

If the school receives a significant number of complaints about the same subject from complainants who **are** connected to the school (e.g. parents) each complainant will receive an individual response. If complainants remain dissatisfied with the school's response, they will be directed to the Education & Skills Funding Agency.

## Serial, persistent and unreasonable complaints

For the purposes of this procedure, a complaint may be viewed as serial and/or persistent if it relates to the same issue that was the subject of a previous complaint (made by the same complainant) which has already been through a formal complaints procedure in which the

complainant has been notified of the outcome. In such cases it is likely that the complainant will be informed that the matter is now closed and that The Swanage School will provide no further response.

For the purposes of this procedure, a complaint may be viewed as unreasonable if it contains threatening, abusive or offensive language and conveys unrealistic outcomes beyond all reason. In such cases the Headteacher/Chair of Governors/Clerk to the Governing Body (as appropriate) will consult with relevant parties and may decide that the complaint is not considered under this procedure. The complainant will be notified in writing that this is the case and that The Swanage School will provide no further response.

In reaching decisions on these matters, reference will be made to the information in Appendix 3, which is in line with guidance from the Department for Education, and other advice where appropriate.

Queries regarding any aspect of the complaints procedure should be directed to the Clerk to the Governors at the following address:

[clerk@theswanageschool.co.uk](mailto:clerk@theswanageschool.co.uk)

The Swanage School  
High Street  
Swanage  
Dorset  
BH19 2PH

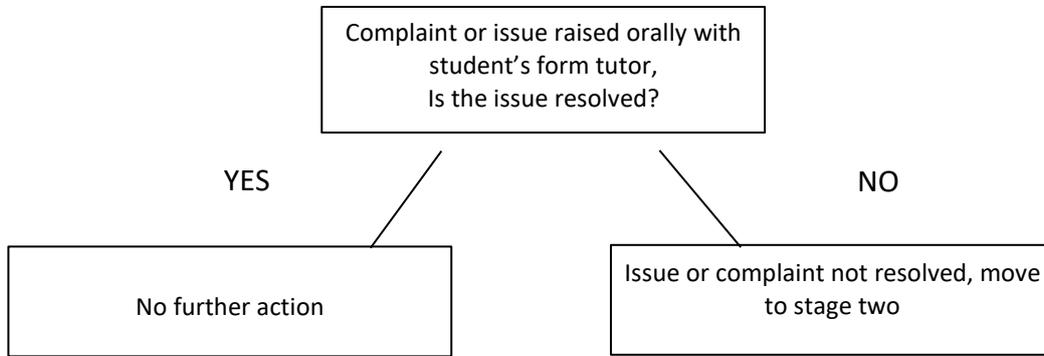
Further guidance can be found at: <https://www.gov.uk/complain-about-school/state-schools>

## Monitoring, Evaluation and Review

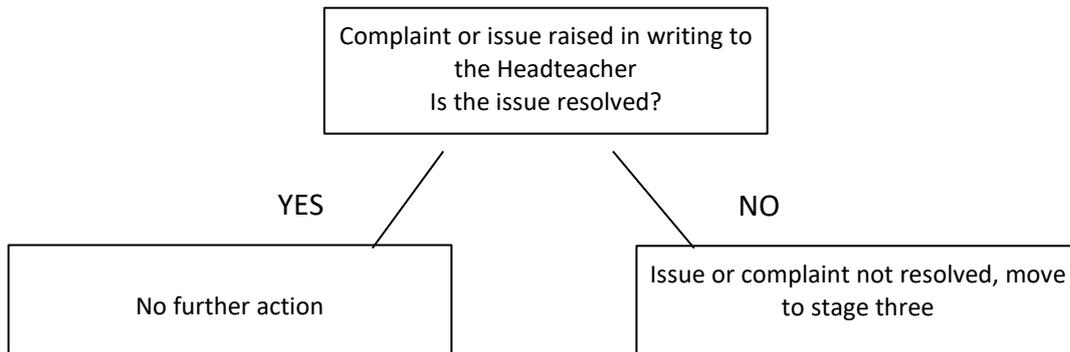
The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

## Complaints Policy and Procedure – Summary

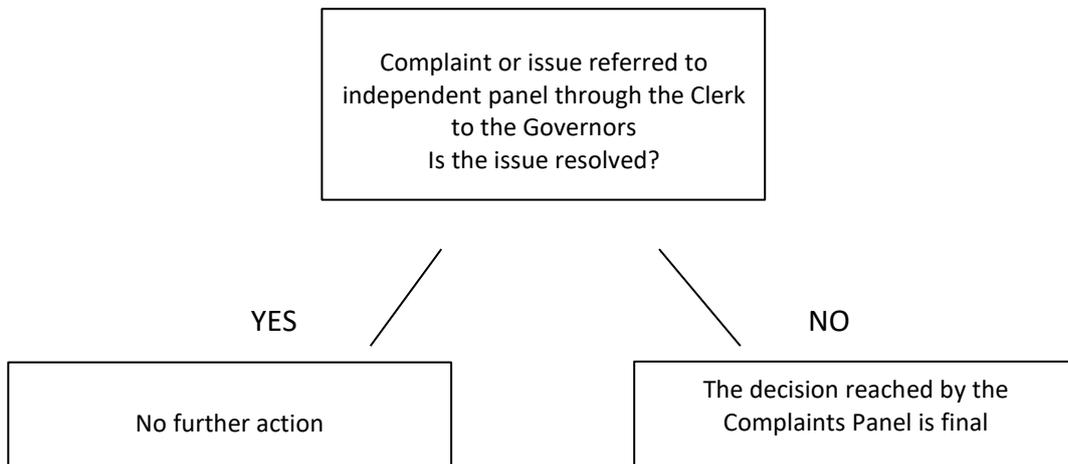
### Stage One - Informal Resolution



### Stage Two - Formal Resolution



### Stage Three – Panel Hearing



## Concerns or complaints from persons other than current pupils or parents/carers of current pupils

The Complaints Procedure outlined in the main body of this document applies solely to complaints made by currently registered pupils of The Swanage School, parents/carers of current pupils, or where children have recently left the school where the complaint is made within the required timeframe.

The Swanage School wishes to work closely with other members of the local community and will deal with concerns and complaints as follows:

**Stage 1 (informal).** A concern regarding the school and/or its operations may be made to any member of staff. That member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or member of the Senior Leadership Team who is best placed to deal with the concern. It is expected that most concerns will be responded to orally or in writing within ten (10) school days. If a longer period is required, you will be kept informed of the progress of the investigation.

**Stage 2 (formal).** Where a concern is not resolved at Stage 1 above, or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Headteacher to investigate. The Headteacher may delegate the task of investigation and/or responding to the complaint to another member of the Senior Leadership Team or may escalate the complaint straight to Stage 3. A formal response to the complaint will usually be provided within ten (10) school days of receipt of the letter of complaint although if a longer period is required to respond, you will be kept updated.

**Stage 3 (formal).** If you are not satisfied with the response at Stage 2 above, you may request a review by writing to the Clerk to the Governors. You should write to the Clerk within ten (10) school days of receipt of the letter at Stage 2. Requests received outside this timeframe will only be considered if exceptional circumstances apply. The Clerk will arrange for a governor to consider the complaint alone or may convene a Complaints Panel on the same terms as set out in the main body of this policy. The decision at this stage will usually be sent to you within twenty (20) school days of receipt of the request for a review. The decision at Stage 3 exhausts the School's complaints procedure.

Concerns or complaints regarding the Headteacher, the Chair of Governors, a member of the governing body or governing body as a whole should be referred directly to the Clerk to the Governors c/o The Swanage School, High Street, Swanage, BH19 2PH or via email to [clerk@theswanageschool](mailto:clerk@theswanageschool) who will arrange for the stages above to be considered by an appropriate person.

## Policy for Managing Serial, Persistent and Unreasonable Complaints

The Swanage School is committed to dealing with all complaints 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 or threatening.

### Serial and persistent complaints

- The school will act in a manner they believe to be appropriate when dealing with an individual who consistently makes the same complaints or who continuously asks the school to reconsider their position.
- If a complainant attempts to re-open an issue which has previously fully completed the complaints procedure, the Clerk, on behalf of the Chair of Governors, will inform the complainant that the matter is now closed.
- If the complainant contacts the school regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the school does not have an obligation to respond.
- The school must ensure that a complaint is not classed as 'serial' before they have fully completed the complaints procedure.
- The school will not take the decision to stop responding to an individual lightly. The school will ensure that:
  - They have previously taken every reasonable step to address the problem.
  - They have provided the complainant with a statement of their position.
  - The complainant is contacting the school repeatedly with the same complaint.
- If the school believes that the complainant is continuously contacting the school to cause disruption or inconvenience, or if the complainant is being abusive or threatening, the school has the right to not respond to the complainant.
- Once the school decides to no longer respond to a complainant, the individual will be informed of this decision in writing.
- The complainant has the right to be accompanied (other than by a legal or media representative) at any meeting and has a right to appeal to the Department for Education at the end of the complaints procedure. This would not make the individual a "serial" or "persistent" complainant.
- Any new complaint made by a 'serial' complainant will be responded to.

### Unreasonable Complainants

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

- 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.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.

- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the school's complaints procedure has been fully and properly implemented and completed including referral to the Department for Education.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, 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.
- Is aggressive, violent or uses threats to intimidate.
- Uses abusive, offensive or discriminatory language.
- Knowing provides falsified information.
- Publishes unacceptable information on social media or other public forums.
- Behaves in a manner which could otherwise be considered to be unreasonable.

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' marking.

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 the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six 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 premises.