



## COMPLAINTS POLICY including Vexatious Parent policy

Written by	Date	Submitted to	Approved by	Renewal date
Role: Head teacher	March 2018	Standards Committee March 2018	Chair of Committee Mr Harold Russell	Spring B 2020
Mrs L Dawney				
Signed: 			Signed 	

### Our Mission

Green Park aims to provide access to high quality education and learning experiences, both in school and in the community and seeks to maximise each pupil's achievement as part of his or her life long learning. It is the school's aim to be a centre of Educational Excellence in the heart of the community.

## 1 Introduction

- 1.1 We strive to provide a good education for all our children. The head teacher and staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.
- 1.2 If any parents are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.
- 1.3 We deal with all complaints in accordance with procedures laid down by the Local Authority.

## 2 Aims

- 2.1 Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

### 3 The complaints process

- 3.1 If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.
- 3.2 Where parents feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher. The head teacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage.
- 3.3 The school encourages parents to seek the advice and support of the **Information, Advice and Support Service** this service is displayed in the school reception. They provide independent advice and support to parents and can be very supportive for parents who are anxious and/or stressed about making a complaint against the school.
- 3.4 **Should any parents have a complaint about the head teacher, they should first make an informal approach to one of the members of the governing body, who is obliged to investigate it. The governor in question will do all s/he can to resolve the issue through a dialogue with the school, but if parents are unhappy with the outcome, they can make a formal complaint, as outlined below.**
- 3.5 Only if an informal complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the Chair of Governors **via the School Business Manager.**
- 3.6 The governing body must consider all written complaints within three weeks of receipt. It will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least three days' notice of the meeting.
- 3.7 After hearing all the evidence, the governors will consider their decision and inform the parent about it in writing. The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

- 3.8 If, after the Governors have dealt with your complaint, you are still unhappy with the decision and feel that the Governing Body have acted unreasonably you can contact the Secretary of State for Education via [www.education.gov.uk/schoolcomplaints](http://www.education.gov.uk/schoolcomplaints)

#### 4. Dealing with persistent or vexatious complaints / harassment in school

- 4.1 The headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **School's Complaints Procedure**.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children in the community. In these exceptional circumstances the school may take action in accordance with this policy.

- 4.2 The aims of this are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to express a concern or pursue a complaint;
- support the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents;
- deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

- 4.3 Parents/carers/members of the public who raise either informal concerns or formal complaints with the school can expect the school to:

- a) Regularly communicate to parents/carers in writing:
  - (i) how and when problems can be raised with the school;
  - (ii) the existence of the school's complaints procedure, and
  - (iii) the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools;
- b) respond within a reasonable time;
- c) be available for consultation within reasonable time limits bearing in mind the needs of the pupils within the school and the nature of the complaint;

- d) respond with courtesy and respect;
- e) attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practice.
- f) keep complainants informed of progress towards a resolution of the issues raised.

4.4 The school can expect parents/carers/members of the public who wish to raise problems with the school to:

- a) treat all school staff with courtesy and respect;
- b) respect the needs and well-being of pupils and staff in the school;
- c) avoid any use, or threatened use, of violence to people or property;
- d) avoid any aggression or verbal abuse;
- e) recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- f) recognise that resolving a specific problem can sometimes take some time;
- g) (In the case of a complaint) follow the School's Complaints Procedure.

4.5 For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious;
- b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- c) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- d) an insistence upon pursuing complaints in an unreasonable manner;
- e) an insistence on only dealing with the headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- f) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

- 4.6 For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (e) above in such a way that they:
- a) appear to be targeted over a significant period of time on one or more members of school staff and/or
  - b) cause ongoing distress to individual member(s) of school staff and/or
  - c) have a significant adverse effect on the whole/parts of the school community and/or
  - d) are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

- 4.7 The Schools actions in cases of Persistent or Vexatious complaints or harassment

In the first instance, the school will verbally inform the complainant that his / her behaviour is considered becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing (Model Letter 1).

If the behaviour is not modified the school will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

- a) inform the complainant in writing that his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (see Model Letter 2);
- b) inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties (see Model Letter 2);
- c) inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only (see Model Letter 2);
- d) (in the case of physical, or verbal aggression) take advice from LA HR / Legal Services (services purchased by the Governing Body) and consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban;
- e) consider taking advice from the LA on pursuing a case under Anti-Harassment legislation;

- f) consider taking advice from the HR / Legal Services of the LA about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the headteacher but only with a third person to be identified by the governing body of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the headteacher accordingly.

Thus, based on the above legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools. However, the school will be advised by the HR / Legal Services of the LA.

If a complainant is persistent in complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances, advice may be sought from the HR/Legal Services of the LA.

The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.

## 5. Monitoring and review

- 5.1 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The head teacher logs all complaints received by the school, and records how they were resolved.
- 5.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents on request, so that they can be properly informed about the complaints process.
- 5.3 This policy is reviewed every two years, or before if necessary.

## MODEL LETTER 1:

### INITIAL LETTER INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS CONSIDERED TO FALL BELOW A REASONABLE/ ACCEPTABLE STANDARD

#### RECORDED DELIVERY

Dear

This letter is to inform you that the school considers your actions in *[describe actions, dates, behaviour]* on ..... when you ..... to be unreasonable/unacceptable *[delete as appropriate]*.

We would ask you to bear in mind the fact that such behaviour on a school site can be disruptive and distressing to pupils, staff and parents/carers *[delete if behaviour complained of did not occur on school site e.g. persistent use of e-mail, verbally abusive telephone calls]*.

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the School's Complaints Procedure.

At the moment we are dealing with these issues by *[describe actions being taken to resolve concern]*.

Please note that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment sets out standards of behaviour expected of all people in their dealings with the School. These include:

- behaving reasonably;
- treating others with courtesy and respect;
- resolving complaints using the School's Complaints Procedure;
- avoiding physical and verbal aggression at all times.

The Policy also indicates the steps that we may take if these standards are breached. These include:

- making special arrangements for meetings and communication with the school;
- considering a ban from the school premises;
- considering legal action.

I would ask that you allow school time to resolve the issues according to the correct procedures, and would assure you that we shall take every step to move this process forward as quickly as possible.

Yours sincerely

Headteacher

**MODEL LETTER 2:**

**INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS NOW CONSIDERED TO FALL UNDER THE TERMS OF THE POLICY FOR DEALING WITH PERSISTENT OR VEXATIOUS COMPLAINTS/ HARASSMENT**

**RECORDED DELIVERY**

Dear

You will recall that I wrote to you on *[insert date]* telling you that I felt your behaviour was unreasonable.

I am now writing to inform you that in view of your behaviour on *[date]*, when you *[describe actions/behaviour]* it has been decided that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment Policy will apply from the date of this letter.

In the circumstances I have made the following arrangements for your future contact with the school:

*[\*Delete A or B as applicable]*

\*A For the foreseeable future, should you wish to meet with any member of staff, I would ask you to note:

- (a) all routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to ..... at the school address; email correspondence will not be responded to;
- (b) an appointment will be arranged and confirmed in writing as soon as possible;
- (b) a third party from the school will be present;
- (c) in the interests of all parties, formal notes of this meeting may be made.

\*B For the foreseeable future, all meetings arising from any written communication with the school will not be conducted by a member of staff, but will be conducted by ..... representing the school. I would ask you to note:

- (a) all routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to ..... at the school address; email correspondence will not be responded to;
- (b) an appointment will be arranged and confirmed in writing as soon as possible;
- (b) a third party will be present;
- (c) in the interests of all parties, formal notes of this meeting may be made.



Exceptionally, these arrangements do not apply to any emergency involving *[insert name of pupil]* – in which case you should contact the school in the usual way.

While these arrangements are in place, with respect to normal access to information available on parents' evenings, this will be provided in a summary written report.

These arrangements take effect straightaway. If you wish to make a representation about the contents of this letter, which may include any expressions of regret on your part and any assurances that you are prepared to give about your future good conduct, you can do so by writing to me at the school by *[state ten working days from the date of the letter]*. If on receipt of your comments I consider that the arrangements outlined above should continue, you will be supplied with details of how to review a circumstance of your case.

I do hope that the difficulties we are currently experiencing can soon be resolved.

Yours sincerely

Headteacher

## **Extract from Wolverhampton City Council Website –**

Complaints about schools

### **How to make a formal complaint.**

Any concerns about your child's education can be settled by speaking to the headteacher or other member of staff.

### **How to make a complaint**

- Contact the headteacher of the child's school

### **What if I'm not happy with the Headteacher's response?**

If you are unhappy with the Headteacher's response, you should contact the Chair of Governors. You can do this by writing a letter to the Chair of Governors.

In your letter you should request a meeting to discuss your concerns further.

If after this you are still not satisfied, then you could ask to make a formal complaint to the Governing Body.

### **If you are still unhappy**

If, after the Governors have dealt with your complaint, you are still unhappy with the decision and feel that the Governing Body have acted unreasonably you can contact the Secretary of State for Education via [www.education.gov.uk/schoolcomplaints](http://www.education.gov.uk/schoolcomplaints)

### **Complain to OFSTED**

**OFSTED** as well as inspecting schools and monitoring how they perform, Ofsted also considers complaints if they affect **the school as a whole**. For example:

- the school is not providing a good enough education
- the pupils are not achieving as much as they should, or their different needs are not being met
- the school is not well led and managed, or is wasting money
- the pupils' personal development and wellbeing are being neglected

You can contact Ofsted by calling its hotdesk from 8am to 8pm Monday to Friday on 08456 404045 or by e-mail [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).



## COMPLAINTS POLICY

*Procedure for conducting a complaints meeting:*

### **Meeting Agenda**

- 1. Welcome and Introduction**
- 2. Record of the meeting**
  - *Introduce the role and purpose of the minute taker.*
- 3. The Complaints procedure**
  - *Headteacher to explain the school's complaints process to parents.*
- 4. Parents Views**
  - *Opportunity for Parents /Carers to express their concern to the Headteacher.*
- 5. Moving forward**
  - *Identifying the steps to be taken by the school to address the concern.*
  - *Agree a realistic timescale for a response that reflects the nature and level of the work to be undertaken agreed above.*
  - *Identify how to share this feedback with parents/carers.*
- 6. Planning for a Review**
  - *Ensuring actions have been are taken and parents and school are satisfied with the resolution.*
  - *Identify people who need to be involved in ensuring actions achieved.*
  - *Agree follow up meeting to ensure all actions implemented.*

