

014 Handling Complaints

Responsibility:	CGJ
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Next Review:	October 2018

Aims of this policy

Holmfirth High School, through its staff and students, wants to be able to respond rapidly to complaints and comments from any source. All members of the school community carry the responsibility to listen to others and respond positively to them.

Principles

Holmfirth High School's complaints procedure adheres to the following principles and follows the procedures and guidance stated within Appendix 1 of this policy:

- 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;
- 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.

Core Roles and Responsibilities

Complaints should be dealt with in the following ways

Students

Staff who are approached should listen to the student and assess the appropriate course of action. If the complaint involves a member of staff the line manager of that person should be the first point of referral. If the complaint involves another student, the tutor of that student should be the first point of referral and if the situation requires urgent action and the tutor is not available, the Year Head or a senior member of staff may be contacted. A response to the complainant should be made as soon as the problem is resolved.

Parents

The details of the complaint should be noted and referred to the appropriate middle or senior member of staff. There should be an immediate acknowledgement of the complaint and the complainant reassured that the matter will be addressed as quickly as possible. A response and action taken should be communicated back to the parent within an appropriate period of time not normally greater than two weeks. An interview should be arranged where it is seen as necessary to resolve the concerns of the parent.

Staff

Complaints by members of staff must be dealt with through the appropriate separate procedures such as grievance, capability, anti-harassment or whistleblowing.

Members of the Public

All complaints from members of the public should be treated with a prompt response. A member of the senior leadership team should normally be contacted to develop the most appropriate form of action. If students are involved there should normally be an opportunity for reconciliation between the parties concerned.

Governors

Governors have a particular role in receiving complaints and should seek to raise the issues through the Executive Head Teacher. The governor involved should also provide the line of communication back in resolving the issue raised.

APPENDIX 1

Dealing with Complaints: Procedure and Guidance

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Overview and Scope

1. From 1 September 2003 Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England were required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.
2. This procedure is to deal with all concerns or complaints relating to the actions of staff and application of school procedures where they affect individual pupils, except matters directly related to curriculum, or to a particular exclusion, child protection, decision regarding special needs provision or admission issue, all of which are dealt with under separate procedures; details of these procedures should also be available from the school.
3. Similarly, any complaints by members of staff should usually be dealt with through the appropriate separate procedures such as grievance, capability or anti-harassment.

Part 1: General Principles of complaints

Dealing with Complaints – Initial concerns/informal procedures

4. These procedures make a distinction between dealing with a concern or complaint informally or formally.
5. The underlying principle of the procedure is that, if at all possible, concerns and complaints ought to be handled and resolved informally (usually by the staff directly concerned) without the need to invoke a formal referral and process. It is expected that the class teacher will be able to resolve most concerns without the need to go any further.
6. An unreasonable refusal by the complainant to attempt an informal resolution may result in the concern or complaint being taken no further.

Dealing with Complaints – Formal procedures

7. The formal Complaint Procedure will need to be invoked when initial or informal attempts to resolve the issue are unsuccessful and the person raising the concern or complaint remains dissatisfied and wishes to take the matter further.
8. There are four stages to the Complaints Procedure:
 - Stage one: receiving a complaint
 - Stage two: complaint heard by staff member (though not the subject of the complaint)
 - Stage three: complaint heard by Head Teacher
 - Stage four: complaint heard by the Governing Body's complaints panel

Framework of Principles

9. Any concern or complaint should be brought to the attention of the school at the earliest opportunity. Any matter raised more than 3 months after the event will only be considered in exceptional circumstances.
10. A concern or complaint from a member of the public who is not a parent or a guardian of a child attending the school should be referred directly to the Executive Head Teacher, unless the complaint is about the Executive Head Teacher in which case it should be referred to the Chair of Governors.
11. An anonymous complaint cannot be dealt with unless there are exceptional circumstances.
12. Any concern or complaint will be dealt with in a way that:
 - respects confidentiality
 - addresses all the points at issue
 - provides an effective response, and, where necessary,
 - appropriate redress
13. Concerns and complaints should be handled in both an impartial and non-adversarial manner, and an open, transparent and constructive way.

Investigating Complaints

14. At whatever stage, the person investigating the concern or complaint should:
 1. establish what has happened so far, and who has been involved;
 2. clarify the nature of the complaint and what remains unresolved;
 3. clarify what the complainant feels would put things right;
 4. interview those involved in the matter and / or those complained of, allowing them to be accompanied if they wish;
15. Any person interviewed as part of an investigation is entitled to be accompanied by a friend or representative and / or a translator, and to agree any notes taken, particularly if the investigation is part of the formal process.

Resolving Complaints

16. At whatever stage, the person dealing with the concern or complaint should endeavour to find a resolution, but obviously this will depend on the nature of the concern or complaint and what the complainant wants.
17. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.
18. Complainants should be encouraged to state what actions they feel might resolve the problem at any stage – though this should be on the understanding that it may not be possible or reasonable to deliver them.

19. It may be appropriate and sufficient to acknowledge that the complaint is valid in whole or in part - an admission that the school could have handled the situation better is not the same as an admission of negligence.
20. In addition, it may be appropriate to offer one or more of the following:
 - an expression of regret for any distress, etc.
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that every effort will be made to ensure that the event complained of will not recur;
 - an explanation of the steps that have been taken to try to ensure that it will not happen again;
 - an undertaking to review school policies in light of the complaint.
21. Use of the formal procedures means that all attempts at an informal resolution of the concern have failed; resolution will then depend upon any recommendations based on the judgements made from the evidence uncovered in the investigation.
22. Of course, an investigation may find no evidence for the complaint or that the complaint is otherwise groundless.

Vexatious Complaints

23. See Appendix 2

Time-Limits

24. A concern or complaint will be acknowledged as soon as it is received and attempts to deal with it informally started as soon as practicable in timescales agreed by all parties. (It is recommended that, if at all possible, this starts within 5 working days of receiving the concern or complaint and is completed within 10 working days of starting.)
25. Once a complaint has been lodged formally, an investigation should begin within 5 working school days and a realistic but reasonable timescale should be set for completion, etc. It is reasonable for a complainant to expect to receive verbal or written feedback within 10 working school days of an investigation completing.
26. However, where further investigations become necessary or delays occur, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Part 2: The Complaints Procedure

Stage one: Receiving a complaint

27. A complaint from a member of the public, who is not a parent or guardian of a child attending the school, should go directly to the Executive Head Teacher in the first instance. Parents, carers or guardians wishing should, where possible, contact the member of staff concerned (which may be the Executive Head Teacher) - by letter, telephone or in person.

28. Whoever receives the complaint should direct the complainant to the member of staff concerned, or to the Executive Head Teacher:
- if the complainant wants an acknowledgement of the issue, and / or a resolution to a problem which is relatively straightforward, and / or the prevention of a recurrence, this is more likely to be suited by an informal process;
 - on the other hand, a formal process is required if the nature of the complaint is such that it requires (1) an investigation - rather than, or following, the appropriate person just "making enquiries about" or "looking into" an issue or the complaint - or (2), for the matter to be seen and recorded to have been dealt with.
29. A complaint should be acknowledged as soon as it is received.
30. If any member of staff receives a complaint, they should not attempt to deal with the issue but should pass it to the appropriate person. Similarly, if a member of staff feels too compromised to deal with the complaint, the matter should be referred to a more appropriate member of staff.
31. Also, there will be occasions when the complainant may have concerns about discussing their complaint with a particular member of staff, if so, the complainant should be directed to address their concerns to the Executive Head Teacher or appropriate member of the senior leadership team.
32. Please note: if the first approach is made direct to a governor they should direct the complainant to the appropriate person - usually the class teacher. Governors should not act unilaterally on an individual complaint outside the procedure - such action may compromise future action regarding the complaint.

Stage two: Complaint dealt with by staff member

33. The class teacher or appropriate member of staff or Executive Head Teacher will attempt to resolve the complaint using whatever reasonable means are appropriate. This will usually involve meeting the complainant to discuss the matter further, and may also involve talking to pupils, other staff members or consulting senior staff including the Executive Head Teacher.
34. If having raised their concerns with the class teacher or appropriate member of staff, the complainant is still dissatisfied, or if the class teacher or other nominated member of staff is the subject of the complaint, then the complainant should contact the Executive Head Teacher (unless the Executive Head Teacher is the subject of the complaint - then the complainant should contact the Chair of Governors).

Stage three: Complaint dealt with by Executive Head Teacher

35. The Executive Head Teacher will attempt to resolve a complaint using whatever reasonable means are appropriate. This may involve meeting the complainant to discuss the matter further; it may also involve the Executive Head Teacher interviewing staff members.
36. The Executive Head Teacher must be allowed reasonable time to investigate the complaint and gather any information that is required. On this basis, the Executive Head Teacher should aim to be able to give either verbal or written feedback to the complainant no later than 10 school days after receipt of the complaint.

37. On some occasions the Executive Head Teacher may delegate the investigation to a senior member of staff, usually a deputy or assistant head teacher who has had no involvement with the case: the decision on the appropriate person rests with the Executive Head Teacher.
38. If having raised concerns with the Executive Head Teacher, the complainant is still dissatisfied, or if the Executive Head Teacher is the subject of the complaint, then the complainant should contact the Chair of Governors.

Stage four: Complaint dealt with by Governing Body

39. The Governing Body has responsibility for ensuring that any formal complaints are dealt with: complaints must be in writing – using a specific form if required.
40. In cases that require urgent consideration the Chair may deal with the matter exclusively and without delay.
41. Otherwise, the Chair of Governors should decide if a reasonable attempt has been made by the Executive Head Teacher or other staff to address the concern or complaint. It is important that concerns or complaints are dealt with appropriately as well as properly, and that staff are not subjected to “double jeopardy”.
42. The Chair of Governors may refer to external support e.g. local authority governor support for advice and guidance in deciding, and these agencies may deal with the concern or complaint if the nature of it requires this.
43. If the Chair of Governors decides that the concern or complaint has been dealt with reasonably, then the complainant should be told that, and that their only grounds for appeal may be on the basis of the way in which their concern or complaint was handled (and not against the decision made).
44. If the Chair of Governors decides that the concern or complaint may not have been dealt with reasonably, or that a formal appeal is appropriate, then a hearing by a Complaint Panel of the Governing Body should be arranged.
45. The Chair will ensure that a designated panel of three or five governors will be convened to hear the complaint.
46. Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.
47. The designated governors will deal with the complaint on an impartial basis via a panel hearing – please refer to Notes for Guidance
48. It is important that any hearing is independent and impartial and that it is seen to be so: no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
49. Also, in deciding the make-up of the panel, governors should try to ensure that it is a cross-section of the categories of governor and, as far as is practicable, sensitive to the issues of race, gender and religious affiliation.
50. The clerk to the Governing Body will normally record the proceedings.
51. The aim of the hearing, which must be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

52. The panel will:
 - Dismiss the complaint in whole or in part, or
 - Uphold the complaint in whole or in part, or
 - Where appropriate decide action to be taken to uphold the complaint, or
 - Recommend changes to the school systems or procedures to seek to ensure that problems of a similar nature do not recur.
53. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour, and therefore it may only be possible to establish the facts and make recommendations which will satisfy the complainant that their complaint has been taken seriously.
54. Following the hearing, the complainant will receive written feedback from the clerk including any decisions, recommendations and the reasons for them and, if appropriate, the next steps. The written feedback should be issued within ten working days after the investigation has concluded.
55. If the outcome might lead to action under another procedure, e.g. disciplinary, then the complainant need only be told that appropriate action will be taken.
56. Further, there may be occasions when a panel would wish to resolve an issue by means which are clearly within the responsibility of the internal management of the school: governors (and Head Teachers) need to be mindful of their roles and responsibilities in regulation – see Guide to the law for School Governors.
57. Only in exceptional circumstances should governors consider taking a decision that may undermine the authority of an Executive Head Teacher or other staff and governors must consult School and Governor Support before doing so.
58. This is the final step of the process for the school (though the recommendations may be such, eg: changes in policy or practice, that it is necessary for the full Governing Body to receive a short report regarding the findings of the investigation. (Please note: this should not mention names).
59. The Chair of Governors is responsible for ensuring that the correct procedures have been followed.
60. Of course, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed but that the complainant may take their complaint to the LA. Their remit is to review due process, so there is no onus on them to re-open an investigation: they may only decide to do so if they judge that there has not been due process.
61. In the event that a complaint is received about the Chair of Governors, this should be referred to the Vice Chair of Governors who will attempt to resolve the matter informally in the first instance, where appropriate to do so. Where this is not possible a designated panel of three or five governors should be convened to hear the complaint. Stage Four, parts 47 to 59 inclusive should then be followed as above.

62. In the event that a complaint is heard about the Chair of Governors, the Vice Chair of Governors is responsible for ensuring that the correct procedures have been followed.

Part 3: Notes for Guidance

The Complaints Panel Hearing

63. The hearing should be as informal as possible – many complainants feel nervous and inhibited in a formal setting and parents often feel emotional when discussing an issue that affects their child: the proceedings should be as welcoming as possible and the layout of the room should try to ensure the setting is informal and not adversarial, so as to set the appropriate tone.
64. Any parties being heard may be accompanied by a person of their choice - a friend or representative, and/or a translator - and notes taken should be agreed by attendees.
65. Governors on the panel should make themselves familiar with these procedures before any hearing
66. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
67. Before the hearing starts, the panel should agree which one of them will chair the hearing
68. It will not usually be appropriate for the hearing to consider any issues or material which is introduced at the hearing for the first time. The Chair must insist that this is addressed outside this meeting (but through the use of this guidance as appropriate).
69. The hearing should follow any agreed meetings protocols, and proceedings should be as follows:
- a) After introductions, the complainant should be invited to explain their complaint, and be followed by their witnesses.
 - b) The Executive Head Teacher may question both the complainant and the witnesses after each has spoken.
 - c) The Executive Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
 - d) The complainant may question both the Executive Head Teacher and the witnesses after each has spoken.
 - e) Up to this point, the panel may ask questions at any time.
 - f) The complainant is then invited to sum up their complaint.
 - g) The Executive Head Teacher is then invited to sum up the school's actions and response to the complaint.
 - h) Both parties leave together while the panel decides on the issues.
 - i) The chair explains that both parties will hear from the panel within a set time scale.
70. It is recommended that any panel or group of three governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:
- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;

- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

71. The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.
- the complainant is notified of the panel's decision, in writing, with the panel's response and what further steps may be planned or available; this is usually within the agreed deadline.

Adopting and Publicising the Procedures

72. The Governing Body should formally accept and adopt these procedures at a meeting.
73. The procedures should then be made available to all staff through the agreed mechanisms, e.g. staff notice boards, as well as on request.
74. Parents and guardians, etc. should be notified that the school has procedures and that these are available on request, but the school should also have available an "easy-to-read" guide.

Annex A - Outline School Complaints Procedure Guide: Table

	Complaint raised and received and passed to appropriate member of staff = Executive Head Teacher, if complaint from anyone other than a parent or carer)
	Complaint heard by staff member (informally and as soon as possible)
Issue resolved: (including no further action)	Issue not resolved
	Complaint heard by Executive Head Teacher <ul style="list-style-type: none"> • Acknowledge receipt of complaint • Meet with complainant to clarify complaint • Look into complaint as soon as possible • Inform complainant of outcome (+ write to confirm)
Issue resolved: (including no further action)	Issue not resolved
	Complaint referred to Chair of Governors <ul style="list-style-type: none"> • Governor's complaints panel arranged • Issue letter inviting complainant to meeting
	Panel meet: decide to dismiss / uphold / decide action / recommend change and issue letter confirming panel decision *END OF PROCESS FOR SCHOOL*
	Complainant may complain to the LA who may decide to review due process

Annex B - Form to record a formal complaint

Please complete and return to the **Executive Head Teacher/Chair of Governors*** who will acknowledge receipt and explain what action will be taken (*Please indicate to whom the complaint is addressed – see stage of complaints).

Your name:			
Pupil's name:			
Your relationship to the pupil:			
Address:			
		Postcode:	
Day time telephone number:		Evening telephone number:	
Please give details of your complaint.			
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?			
What actions do you feel might resolve the problem at this stage?			
Are you attaching any paperwork? If so, please give details.			
Signature:			Date:
Official use			
Date acknowledgement sent:		Complaint referred to:	
Acknowledgement sent by:		Date:	

Appendix 2

Dealing with persistent or vexatious complaints/harassment in schools

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Introduction

The Executive Head Teacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's Complaints Policy and Procedures. 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 or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

Aims

The aims of these procedures are to:

75. 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;
76. Support the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents;
77. 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.

Parent's Expectations of the School

78. Parents/carers/members of the public who raise either informal concerns or formal complaints with the school can expect the school to:
 - 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;
 - 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;
 - respond with courtesy and respect;
 - attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practice and in line with advice from the Local Authority (LA) keep complainants informed of progress towards a resolution of the issues raised.

The School's Expectations of parents /carers/members of the public

79. The school can expect parents/carers/members of the public who wish to raise problems with the school to:
- treat all school staff with courtesy and respect;
 - respect the needs and well-being of pupils and staff in the school;
 - avoid any use, or threatened use, of violence to people or property;
 - avoid any aggression or verbal abuse;
 - recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
 - recognise that resolving a specific problem can sometimes take some time;
 - (in the case of a complaint) follow the School's Complaints Procedure.

Who is a persistent complainant?

80. 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) uses Freedom of Information requests excessively and unreasonably
 - d) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
 - e) an insistence upon pursuing complaints in an unreasonable manner;
 - f) an insistence on only dealing with the Executive Head Teacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
 - g) 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.
81. For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in 6 (a) to (g) above in such a way that they:
- appear to be targeted over a significant period of time on one or more members of school staff and/or
 - cause ongoing distress to individual member(s) of school staff and/or
 - have a significant adverse effect on the whole/parts of the school community and/or
 - 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.

The School's actions in cases of persistent or vexatious complaints or harassment

82. In the first instance the school will verbally inform the complainant that his / her behaviour is considered to be becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy.
83. This will be confirmed in writing (Model Letter 1).
84. 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/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/legal services on pursuing a case under Anti-Harassment legislation;
 - f. consider taking advice from the 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 Executive Head Teacher 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 Executive Head Teacher accordingly.
85. Thus, based on 85f 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 legal services of the LA.
86. If a complainant's persistent 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 legal services of the LA.

Review

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

ANNEX C - 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 procedures 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 procedures also indicate 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
Executive Head Teacher

ANNEX D - MODEL LETTER 2: INFORMING A COMPAINANT THAT HIS/HER BEHAVIOUR IS NOW CONSIDERED TO FALL UNDER THE TERMS OF THE PROCEDURES 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 procedures for dealing with persistent or vexatious complaints/harassment 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
Executive Head Teacher

