



St Edward's  
Church of England  
Academy

## Complaints Policy:

Approved by Governors: October 2017

Date of Review: October 2018

Statutory

RECOGNISE • ENCOURAGE • STRIVE • PREPARE • EMPATHISE • CHRISTIAN • TEAMWORK



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## The Vision for Education within a Church of England Academy

There are fundamental reasons, rooted in the Bible, which have motivated centuries of Christian involvement in schooling in this country and around the world. The God of all creation is concerned with everything related to education.

There is a fresh articulation of the Church of England's vision for education as we meet the challenges and take the opportunities offered by the present situation. It is not simply for Church schools but, recognising the Church of England's involvement in education over many centuries, seeks to promote educational excellence everywhere, for everyone. In Church schools like St Edward's Church of England Academy, the deeply Christian foundation for this vision will be seen explicitly in teaching and learning both in RE and across the curriculum, and also in the authentically Christian worship and ethos. The Church's vision for education can be expressed and promoted as one of human flourishing that inspires what the school is and does.

The vision is deeply Christian, with the promise by Jesus of 'life in all its fullness' at its heart. This vision embraces the spiritual, physical, intellectual, emotional, moral and social development of children and young people. We offer a vision of human flourishing for all, one that embraces excellence and academic rigour, but set them in a wider framework. This is worked out theologically and educationally through four basic elements which permeate our vision for education:

- Wisdom
- Hope
- Community
- Dignity

The vision, in line with the Church of England's role as the established Church, is for the common good of the whole human community and its environment, whether national, regional or local. It is hospitable to diversity, respects freedom of religion and belief, and encourages others to contribute from the depths of their own traditions and understandings. It invites collaboration, alliances, negotiation of differences, and the forming of new settlements in order to serve the flourishing of a healthily plural society and democracy, together with a healthily plural educational system.



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## St Edward's Church of England Academy Ethos and Values

The ethos and values of St Edward's Church of England Academy are based on the teachings of Jesus Christ and underpin everything that we are and do, which is encompassed in the word 'RESPECT'.

Each letter links to the Academy motto – *Learn for Life*

### ***'Learn for Life'***

- **R**ecognise and **E**ncourage - everyone's potential, individual skills and talents
- **S**trive to be the best we can be
- **P**repare for the challenges of life
- **E**mpathise - promoting the values of respect, kindness, compassion, fairness, forgiveness, love, honesty and trust
- **C**hristian – a community where we learn from the teachings of Jesus so that we can contribute to the family of St Edward's and beyond
- **T**eamwork – an environment where we work together so we can all achieve our potential



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## Introduction

St Edward's Church of England Academy welcomes contact from parents/carers or members of the community who:

- Are happy with the service it provides and would like to compliment the staff its' pupils
- Have suggestions on how the school can improve the quality of its' provision
- Have a concern or complaint. All concerns and complaints will be taken seriously and given full and proper consideration.

The Majority of issues raised by pupils, parents/carers or the community are concerns rather than complaints, are concerns rather than complaints. St Edward's Church of England Academy is committed to taking concerns seriously, at the earliest stage, in the hope of rectifying the issue wherever possible. It is our hope that by maintaining a good level of communication, the number of formal complaints is kept to a minimum without needing formal procedures.

However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure.

## Purpose of the Complaint Policy

All schools are required by law to have a complaints policy. This policy should help resolve problems and provide a means for issues of concern to be raised and subsequently addressed.

The prime aim of St Edward's Church of England Academy's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

All complainants will be treated respectfully during and after the course of any complaints investigation and will receive a written response to their complaint, unless appropriate and reasonable measures have been put in place as a result of the 'Persistent and/or Vexatious Complainants' policy set out below (refer to Appendix D).



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1. This is the procedure for dealing with complaints for St Edward's Church of England Academy. Within this document, the word "School or Academy" is used
2. This procedure will apply to most general complaints received by the school. It is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal.
3. Complaints about delivery of the National Curriculum and the provision of religious education and collective worship should be handled under the requirements of Section 409 of the Education Act 1996.
4. Separate procedures also exist for appeals about school admissions and exclusions (Admissions Policies)
5. Concerns about allegations of child abuse and staff discipline must be dealt with through separate agreed procedures that have been adopted for these purposes
6. Guidance on dealing with complaints linked to racism is contained in Appendix B
7. The school will make parents aware of the existence of their complaints procedure through the school website.

### **General Principles**

- The resolution of a complaint provides the potential opportunity for the school to improve its practice and further develop a strong partnership with parents
- The complaints procedure should be easily accessible and well publicized, so that parents know how to raise concerns
- It is desirable for any concerns/complaint to be addressed by a member of staff/governor at a level closest to the cause for the concern
- Procedures should be as speedy as possible, consistent with fairness to all
- A complaint is distinct from any formal disciplinary procedure, Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to put their case forward. They should be offered support in responding to any investigation into a complaint
- If it becomes apparent to the Principal or Chair of Governors that the parent's concern/complaint has the potential to be a disciplinary issue, professional advice should be immediately sought. Advice is also available from the Education Funding Agency
- Confidentiality is important in securing the confidence of all concerned. Conversations and correspondence must be treated with discretion. Parents need to feel confident that a complaint will not disadvantage their child. However, the parties to a



complaint should realise that some information may have to be shared to carry out a thorough investigation

- If the investigation of a complaint shows that it is justified, then the school should consider how to make amends in an appropriate way
- Staff and governors in academies should have the opportunity to take part in training or briefing to raise their awareness of the procedure and develop their skills in dealing with people who wish to complain
- All complaints should be recorded and monitored to identify issues and to allow any lessons to be learned by the school
- Every complaint should be acknowledged as “genuinely felt” by the complainant

## Terms Used

For the purpose of the complaints policy, a “parent” includes the natural or adoptive parent of a pupil, irrespective of whether they are or ever have been married, whether they are separated or divorced, whether the pupil lives with them, whether both or one parent has parental responsibility for the pupil or whether they have contact with the pupil.

A “parent” will also include a non-parent who has parental responsibility for a pupil, an adult non-parent with whom the pupil lives, and an adult who is involved in the day-to-day care of the pupil (for example, collecting or dropping off the pupil from school)

Any reference to a “pupil will also include a prospective or former pupil of the School.

Any person making a complaint will be referred to as a “Complainant” throughout this complaints policy.

## Procedure

The School’s complaints procedure consists of three stages:

- Stage 1 – Concerns and difficulties, dealt with informally
- Stage 2 – Complaints formally investigated by the Principal/Chair of Governors (or their designates)
- Stage 3 – Complaints Appeal Panel Hearing



## Timescales

The School aims to resolve concerns, difficulties and complaints in a timely manner. Time limits for each stage of the procedure are set out under each individual stage. For the purpose of this Complaints Policy, a “school day” is defined as a weekday during term time, when the school is open to children. The definition of “school day” excludes the weekend, school holidays and bank holidays. For the avoidance of doubt, term dates are published on the School’s website and information about term dates is made available to parents and pupils periodically.

Although every effort will be made by the School to comply with the time limits specified under each stage of the procedure, it may not always be possible to do so, for example due to the complexity or number of matters raised, or due to the unavailability of the Complainant to attend a meeting, if offered. In all cases, **where a time limit cannot be complied with, the School will write to the Complainant within the specified time limit, setting out the reasons why the time limit cannot be complied with, and confirming the new time limit which will apply.**

## Late Complaints

Where a complaint is submitted more than six months after the incident or event (or where the complaint relates to a series of incidents or events, more than six months from the date of the latest incident or event), the School reserves the right to refuse to investigate the complaint under this Complaints Policy **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.**

Where the School decides that a complaint which was submitted late will not be investigated, the School will write to the Complainant notifying them of the decision with **5 working days** of the school complaint being received.

If the Complainant is unhappy with the decision which was submitted late, the Complainant may write to the Chair of Governors at the School asking for the decision to be reviewed. The Chair of Governors, will be provided with all documentation relating to the complaint, together with the letter from the School to the Complainant, and will review the decision not to investigate the complaint. The Chair of Governors will **not** investigate the complaint itself during this review.





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The Chair of Governors will write to the Complainant with the outcome of the review within **10 school days** of the date that the letter from the Complainant seeking the review was received, and provide the School with a copy of the letter.

If the Chair of Governors quashes the decision not to be investigate the complaint, it will be referred to the School to be dealt with under this Complaints Policy in the usual way.

If the Chair of Governors upholds the decision not to investigate the complaint, the Complainant may refer the concern or complaint to the Education Funding Agency using the procedure stated towards the end of this Complaints Policy.

The Chair of Governors can delegate the responsibility for the review to the Vice-Chair of Governors.

### **Anonymous Complaint**

The School will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Principal who will decide what, if any, action should be taken.

### **Resolution Principles**

It is in everyone's interest that concerns, difficulties and complaints are resolved to the satisfaction of all parties at the earliest possible stage. The way in which the concern, difficulty or complaint is dealt with after the matter is first raised by the Complainant can be crucial in determining whether the complaint will escalate. To that end, members of staff will be periodically made aware of the procedure in this Complaints Policy, so that they will know what to do when a concern, difficulty or complaint is raised with them.

At each stage of the complaints procedure, the investigator will consider how the complaint may be resolved. In considering how a complaint may be resolved, the investigator will give due regard to the seriousness of the complaint. It **may** be appropriate, in order to bring the complaint to a resolution, for the investigator to offer:

- An explanation
- An apology
- Reassurance that steps have been taken to prevent a recurrence of events which led to the complaint



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- Reassurance that the School will undertake a review of its policies and procedures in light of the complaint

**None of the above will constitute an admission of negligence or an acceptance of liability on behalf of the School.**

## **Confidentiality**

All correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State, a school inspector, or under another legal authority.

## **Publication**

This Complaints Policy has been ratified by the Governing Body and will be reviewed annually. It will be published on the School's website and provided to parents and pupils on request by the School's office. A copy of this Complaints Policy will be provided to a Complainant when a complaint is first raised.

## **Stage 1 – Concerns and Difficulties, Dealt with Informally**

### **Guidelines**

- The vast majority of concerns and complaints can be resolved informally, often straight away by the class teacher, House Leader, Faculty Leader, House Tutors, Senior Leaders or Principal
- The school aims to ensure that parents feel able to raise concerns with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate or helpful for someone to accompany or act on behalf of a parent
- Parents may not be clear at first that they are making a complaint. They may wish to ask a question or express an opinion. A preliminary discussion with school staff will usually clarify the issue and help parents to decide whether they wish to take the matter further



## Procedure

1. Parents should have an opportunity for informal discussion of their concerns with an appropriate member of staff. This discussion should aim to clarify the nature of the parent's concern and assure them that the School wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent is seeking
2. If the member of staff first contacted cannot deal with the matter immediately, s/he should make a firm arrangement to deal with it at a future date or refer the matter to the Principal or another appropriate member of staff. In either case a note of the name, date and contact details of the Complainant should be taken. The first contact should check to make sure the referral has been successful
3. Staff should seek advice from their line manager if they are unsure of how to deal with the matter raised. Any matter that could potentially result in the following should be referred immediately to the Principal: legal or insurance claim, action under the staff disciplinary procedures, child protection matters, complaints relating to employment practice
4. If the concern relates to the Principal and the parent feels unable to raise it with the Principal, they should be advised to contact the Chair of Governors
5. The staff member/Principal dealing with the complaint should make sure that the Complainant is clear about what will happen next (if anything). This should be put in writing if it seems the best way of making the next steps or outcome clear
6. If no satisfactory solution has been found, the Complainant should be informed about how they should proceed if they wish to take their complaint further. They should be informed of any advice and support that may be available to them
7. The School will aim to resolve a concern or difficulty within **fifteen school days** of the date that it was raised. Where a concern or difficulty has not been resolved by informal means within this time limit from the date that it was raised, the complainant can submit matters raised as a formal complaint under Stage 2 of the complaints policy



## Stage 2 – Formal Complaint to Principal or Chair of Governors

### Guidelines

- The Principal, or Vice Principal in their absence, needs to determine who has responsibility for responding to a formal complaint, including the decision about their own involvement at various stages
- If the Complainant is dissatisfied with the action of the Principal, or the Principal has been very closely involved informally, the Chair of Governors should carry out all the Stage 2 procedures, with support, if required, from one or more governors, with professional advice if necessary
- The remaining Governing Body should not become involved at this stage to avoid prejudicing their possible future involvement

### Procedure

1. Those who wish to pursue a formal complaint at Stage 2 should be asked to put the complaint and their desired outcome in writing to the Principal or Chair of Governors using the formal complaints form (Annex C). The Principal (or designated member of staff)/Chair of Governors (or Vice-Chair, in their absence) should acknowledge the complaint orally or in writing within **three school days** of receipt giving a brief explanation of the complaints procedures and a target date for providing a response. Ideally, this should be within **ten school days**. If it is not possible to deal with the matter in this time, the Complainant should be informed of when it is likely to be concluded
2. The Principal (or designated member of staff)/Chair of Governors (or Vice-Chair, in their absence) may offer an opportunity for the Complainant to meet with them. The Complainant should, if they wish, be allowed to be accompanied by a friend or relative who can speak on their behalf. Interpreting facilities should be made available if required
3. If necessary, the Principal (or designated member of staff)/Chair of Governors (or Vice-Chair, in their absence) should interview any witnesses and take statements from those involved. If the complaint concerns a pupil, the pupil should also be



interviewed, normally with their parent/guardian present. In some circumstances this may not be possible or appropriate and a senior member of staff with whom the pupil feels comfortable should attend with them. If a member of staff is complained against, the needs of that person should be borne in mind. Advice may need to be sought from professionals or from the Education Funding Agency

4. The Principal (or designated member of staff)/Chair of Governors (or Vice-Chair, in their absence) should keep written records of meetings, telephone conversations and other documentation
5. Once all the relevant facts have been established, the Principal (or designated member of staff)/Chair of Governors (or Vice-Chair, in their absence) should either write to the Complainant or arrange a meeting to discuss or resolve the matter. This meeting should be followed up with a letter summarising the outcome of the meeting. The Complainant should be advised in this letter that if they remain unhappy with the outcome, they may have the decision reviewed by the Chair of Governors, or designated member of the Governing Body, if the Chair has been involved in this stage
6. The Complainant should notify the Principal/Chair of Governors within **ten school days** of receiving the letter detailing the outcome of the complaint if they wish to appeal
7. During any investigations made in this stage, recommendations may be given for changes to the School's systems or procedures to ensure similar problems do not arise in the future

## **Stage 3 – Appeal to Panel of Governors**

### **Guidelines**

- Complaints only rarely reach the appeal stage. At this stage, the Chair of Governors/Chair of the Appeal Panel may wish to seek advice from professional personnel and/or the Education Funding Agency
- The aim of the appeal to a panel of governors is to resolve the complaint and achieve reconciliation between the School and the Complainant. However, it may only be



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possible to establish the facts of a situation and make recommendations about future action, and to satisfy the Complainant that their complaint has been taken seriously

- It is important, should a complaint reach the appeal stage that the Governing Body is impartial and independent and is seen to be so. Individual complaints should not be considered by the full Governing Body. The Governing Body will, therefore, establish a panel to deal with complaints by nominating a pool of Governors from which two can be drawn for any hearing, together with an independent member not involved with the management or running of the school
- Panel members should have had no prior involvement with the complaint. Generally, the Chair of Governors is not on the panel as they may have been involved at the earlier stage. Governing bodies should have regard to the advantages of having a mix of types of Governor on the panel and be sensitive to issues of equal opportunity in the composition of the panel
- Besides those that may have aided the Chair of Governors at the previous stage, individual Governors should not be involved in looking into complaints to avoid prejudicing their potential involvement at this stage. If individual Governors are approached by parents or others with complaints, they should refer the complainant to the School's complaints procedure, making the necessary introduction to a member of staff or Principal, if appropriate
- Complaints that reach the appeal stage will do so because the Complainant is not satisfied with the response so far. In this situation it is perhaps helpful for the Governing Body to view any complaint as being against the School rather than an individual staff member whose actions may have led to the original complaint
- Complainants that are not satisfied with the way in which their complaint has been handled by the School, are to be made aware of the Education Funding Agency's complaints system which can be found at the following:

<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>



## Procedure

Upon receipt of a written request from the Complainant for the complaint to proceed to Stage 3, the following procedure should be followed. A suitable Clerk and Chair to the panel should be appointed.

1. The Clerk should write acknowledging receipt of the written request, informing the complainant that a panel of the Governing Body will hear it within **fifteen school days** of receipt
2. The Clerk should convene a meeting of the appeals panel at a time that is convenient for the Complainant and the School
3. The Clerk should ensure that the Complainant, Principal and any other witnesses are given at least **five school days'** notice in writing of the date, time and place of the hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the Complainant should also inform them of their right to be accompanied by a friend/relative who can act as an advocate. The Chair of the appeal panel should ensure that interpretation facilities for the hearing are offered and made available if required. The letter should set out the procedure for the conduct of the hearing (see Annex A)
4. The Clerk should invite the Principal to attend the hearing and to submit a written report for the panel in response to the complaint. The Principal may also invite the Chair of Governors or any other members of staff directly involved in matters raised by the Complainant to respond in writing and/or in person to the complaint. Any involvement of other staff should be at the discretion of the Chair of the panel
5. All relevant documents should be received by all parties, (including the Complainant) at least **five school days** before the meeting of the panel. This provides adequate opportunity to read them prior to the start of the meeting
6. An officer from the Education Funding Agency and/or a professional advisor may be invited to attend the meeting to advise the panel
7. The elected chair to the panel should ensure that proper minutes of the meeting are taken



8. The Chair of the panel should try to ensure that the proceedings are sufficiently informal as possible and that the Complainant and other participants feel at ease
9. At the conclusion of the representations and questions, the Chair should explain that the panel will consider the issues and write to both
10. All except the appeal panel and any advisers should then withdraw and the panel should consider the evidence. This should include: a judgement about the validity of the complaint; appropriate action to be taken by the School and/or the Complainant, and where appropriate, recommendations on changes to the School's systems or procedures to ensure similar problems do not arise in the future
11. The School should ensure that a copy of all correspondence and notes is kept confidentially on file in the School. This should be separate from pupils' personal records
12. The broad outcomes recommended by the panel can be reported to the next full Governing Body meeting or appropriate committee with the identity of all those taking part kept confidential. The Governing Body should monitor implementation of any recommendations

## **Complaints Regarding the Governing Body**

If complaints regarding the Governing Body are received, these should be referred to the Diocese, who will appoint an impartial NLG (National Leader for Governance) or Chair of Governors from another school so the complaint may be dealt with impartially.

Complaints regarding individual Governors should initially be dealt with by the Chair of Governors, or the Vice-chair if the complaint is regarding the Chair of Governors, following the procedures as described in the stages above.





## **The Role of the Education Funding Agency (EFA)**

- The primary responsibility for resolving complaints rests with the Governing Body. (1998 Education Act, Part II, Chapter 3. Para. 39[1]) The Education Funding Agency role in School complaints is to provide advice to all parties
- When The Education Funding Agency receives a general complaint which does not come under one of the areas covered by statutory requirements, nor is obviously concerned with child abuse or staff disciplinary matters, the Complainant will be referred to the School's complaints procedure. The Complainant will be advised to contact the Principal to take the matter further. If the complaint has already involved the Principal but has not achieved a satisfactory resolution from the perspective of the Complainant, the Education Funding Agency officer may seek to resolve issues between the Principal and the Complainant. If this is not possible or successful, the Complainant will be referred to the Chair of Governors. In this situation the Principal will be notified of the referral and details of the complaint
- Education Funding Agency staff will give advice to the Principal, Governors and parents on the use of complaints procedures. For serious or complex complaints this will be through a Senior Education Officer
- Where possible the Education Funding Agency will provide advice and appropriate support to complaints panels of Governing Bodies, including attendance of an officer at meetings to hear complaints



## **APPENDIX A: Model Procedure for the Conduct of a Stage 3 Governors Appeal Panel Hearing**

1. The Chair of the panel should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person
2. The Chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the School and the Complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action
3. The Chair should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines-
  - a) The Complainant describes their complaint and may call witnesses
  - b) The Principal may seek clarification from the Complainant and any witnesses
  - c) The appeal panel or its' advisers may seek clarification from the Complainant and any witnesses
  - d) The Principal will respond to the complaint and may call witnesses
  - e) The Complainant may seek clarification from the Principal and any witnesses
  - f) The appeal panel (including any advisers) may seek clarification from the Principal and any witnesses
  - g) The Principal will be given the opportunity to sum up
  - h) The Complainant will be given the opportunity to sum up
  - i) Both parties will leave the room to allow the appeal panel to deliberate but any advisers may remain to offer technical and/or procedural advice
4. The appeal panel should make a decision or judgement on:  
the validity of the complaint; appropriate action to be taken by the School and/or Complainant; and where appropriate, recommendations on changes to the School's systems or procedures to ensure similar problems do not arise in the future
5. The decision or judgement will be confirmed in writing within **five school days**

NB. If there is more than one Complainant, this procedure should be followed for each one in turn, unless the Complainants agree to the complaint being dealt with together.



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## **APPENDIX B: Dealing with Complaints about Racism in Schools Racist Behaviour to a Child or Pupil**

The procedures to be followed are stipulated in the guidance on reporting bullying as identified by the nine characteristics of the Equality Act 2010.

### **Racist Incident Alleged Against School Staff**

- i. The report/complaint should be made to the Principal, or if the Principal is the subject of the report/complaint, to the Chair of Governors
- ii. As racism is a disciplinary offence, the normal disciplinary procedures are followed

### **Institutional Racism**

Parents who perceive that racist practice or policies are operated by the School should pursue these through the General Complaints Procedure.



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## APPENDIX C: Formal Complaint Form

Please complete and return to the School who will acknowledge receipt and explain what action will be taken.

Your Name:

Pupil Name:

Your relationship to pupil:

Pupil's DOB and Form:

Address and postcode:

Daytime phone number:

Evening phone number:

Full details of complaint (including names of all persons involved and the dates of the incidents referred to)

What action have you taken already to try and resolve your complaint (for example whom did you speak to and what was the response)?



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

Are you attaching any paperwork/evidence? If so, please give details:

Signature:

Date:

*For official use:*

*Date of acknowledgement sent:*

*Name of person complaint referred to:*

*Signature:*

*Date:*



## **APPENDIX D: Persistent and/or Vexatious Complaints Policy**

### **Unacceptable Behaviour**

The Principal/Governing Body are committed to dealing with all concerns and complaints fairly and impartially, whilst providing a high quality service to those who raise them. As part of this service they would not normally limit the contact Complainants have with the Academy.

However, the Principal/Governing Body also have a duty to ensure the safety and welfare of pupils, parents and staff. Thus, we do not expect Academy staff to tolerate behaviour by Complainants that is unacceptable, for example, which is abusive, offensive or threatening, and it will take action to protect staff from that behaviour. This applies to unacceptable behaviour on any part of the school premises.

If the Principal considers that a Complainant's behaviour is unacceptable, the Complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues, the Principal will take action to restrict the Complainant's contact with Academy.

### **Examples of Unacceptable Actions and Behaviour**

Whilst not an exhaustive list, the following are some examples of actions and behaviours that are considered unacceptable:

- Foul and abusive language towards staff, other parents and pupils
- Behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication
- Undermining school policies by actively encouraging pupils to ignore staff requests
- Making unnecessarily excessive demands on the time and resources of staff, by for example, excessive telephoning or sending emails to numerous staff, writing lengthy/complex letters every few days and demanding immediate responses
- Combinations of some or all of these

The decision to restrict access to the Academy will be taken by the Principal (or designate). Any restrictions imposed will be appropriate and proportionate. The options most likely to be considered are:



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- Requesting contact in a particular form (for example, by letter only)
- Requiring contact to take place with a named member of staff
- Restricting telephone calls to specified days and times
- Asking the complainant to enter into an agreement about their conduct

In all cases the Academy will write to tell the Complainant why it considers their behaviour unacceptable, what action is being taken and the duration of that action.

Where a Complainant continues to behave in a way which is unacceptable, the Academy may

terminate contact with the Complainant and discontinue any investigation into their complaint. However, the Governing Body will seek to limit any detriment to pupils who attend the Academy, as far as is reasonable within these circumstances e.g. access to parents evenings, newsletters, and any other correspondence.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the Academy's staff, other options will be considered, for example reporting the matter to the police or taking legal action. In such cases, prior warning of that action may not be given to the Complainant.

### **Unreasonably Persistent Complaints**

The Principal/Governing Body are also accountable for the proper use of public money and must ensure that it is spent wisely and achieves greatest value for pupils, parents and the wider community.

However there are a small number of Complainants who, because of their frequent contact with the Academy, hinder consideration of their or other people's concerns and/or complaints whilst also impacting the core purpose of the School. Such Complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Principal will take action to limit their contact with the Academy.



## **Examples of the Actions and Behaviours of Unreasonable and Unreasonably Persistent Complainants**

Whilst not an exhaustive list, the following are some examples of the actions and behaviours employed by unreasonable and unreasonably persistent complainants:

- Refusing to follow the Complaints Policy procedures whilst still wishing their complaint to be resolved
- Refusing to accept that issues are not within the remit of the Complaints Policy despite having been provided with information about the policy's scope
- Insisting on their complaint being dealt with in ways which are incompatible with the Complaints Policy
- Making what appear to be groundless complaints about the staff dealing with a complaint and seeking to have them replaced
- Changing the basis of their complaint as the investigation proceeds and/or denying statements they made at an earlier stage
- Introducing new information which the Complainant expects to be taken into account and commented on, or raising large numbers of detailed questions that are particularly time consuming and costly to respond to and insisting they are all fully answered
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being investigated, by for example excessive telephoning or sending emails to numerous Academy staff, writing lengthy complex letters every few days and expecting immediate responses
- Submitting repeat complaints, essentially about the same issues, with additions/variations that the Complainant insists makes these 'new' complaints that should be investigated using the Complaints Policy
- Refusing to accept a judgement – repeatedly arguing the point and complaining about the decision
- Combinations of some or all of these





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The decision to restrict access to the Academy will be taken by the Principal (or designate). Any restrictions imposed will be appropriate and proportionate. The options most likely to be considered are:

- Requesting contact in a particular form (for example, by letter only)
- Requiring contact to take place with a named member of staff
- Restricting telephone calls to specified days and times
- Asking the complainant to enter into an agreement about their future contact with the Academy

In all cases the Academy will write to tell the Complainant why it considers them to be an unreasonably persistent complainant, what action is being taken and the duration of that action.

Where a Complainant persists in communicating with the Academy regarding a complaint that is closed, the Academy may decide to terminate contact with the Complainant. In such cases, we will read all correspondence from that Complainant, but unless there is fresh evidence that affects

any judgement given on the complaint, it will simply be placed on file with no acknowledgement.

Fresh complaints from individuals that have previously been deemed persistent and/or vexatious will be treated on their merits.