

## Harmony Primary School Complaints Policy

At Harmony Primary School, we always endeavour to provide high quality education whilst ensuring we build positive relationships with children, parents, community members and other stakeholders. To further enhance this relationship and to encourage continuous improvement, we feel it is essential that concerns and complaints are dealt with appropriately and effectively in a timely manner.

We strongly believe that it is in everyone's interest that complaints are resolved at the earliest possible stage. If any parent is unhappy with the education that their child is receiving, or have any concerns relating to any aspect of the school, we encourage them to talk to their child's class teacher immediately. There is no doubt that if a concern is shared with the class teacher, they can either reassure worried parents or together devise steps to address the concern. Parents must never be worried about sharing their concerns with the class teacher. They WILL always be taken seriously.

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Harmony Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.

We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.

All school staff and members of the governing body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required. The policy is available on request to parents and on the school website.

### Aim

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible.
- Ensure that concerns are dealt with quickly, fully and fairly and within defined time limits where possible.
- Provide effective and appropriate responses to concerns and complaints.
- Maintain good working relationships between the school and all those involved.
- Respect people's desire for confidentiality.

To ensure you receive an effective response to your concern/complaint, it will be helpful if you:

- Co-operate with the school in seeking a solution to the concern/complaint.
- Express your concerns in full as early as possible.
- Respond promptly to request for information or meetings or in agreeing the details of the concern/complaint.
- Ask for assistance if required.
- Treat all those involved in the complaint, with respect.

### **The difference between a concern and a complaint**

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. Harmony Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

### **How to raise a concern or make a complaint?**

A concern or complaint can be made in person, in writing or by telephone. It may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Yousif Khan (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the clerk of the governing body. Please mark them as Private and Confidential.

If the whole governing body is aware of the significant detail of a complaint (that is not collectively against them) before the final stage has been completed, you can consider arranging an independent committee to hear the complaint. We may ask for help sourcing governors to serve on a complaints committee from:

- Another school
- The local authority's governor services team

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office.

### **Duplicate complaints**

After closing a complaint at the end of the complaint's procedure, we may receive a duplicate complaint from a:

- Spouse
- Partner
- Grandparent
- Carer
- Child

If the complaint is about the same subject, we can inform the new complainant that the school has already dealt with that complaint and the local process is complete. We should advise the new complainant to contact the department if they are dissatisfied with the school's handling of the original complaint.

We shall ensure these are investigated and dealt with to the full extent of the complaint's procedure.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if exceptional circumstances apply.

### **Complaints received outside of term time**

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

### **Resolving complaints**

At each stage in the complaint's procedure the school will seek to look at ways how the complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology
- An admission that the situation could have been handled differently or better
- An explanation of the steps that have been taken to ensure it does not happen again, and an indication of the timescales within which any changes will be made
- An assurance that the event that was the basis of the complaint will not recur
- An undertaking to review school policy or procedure considering the complaint

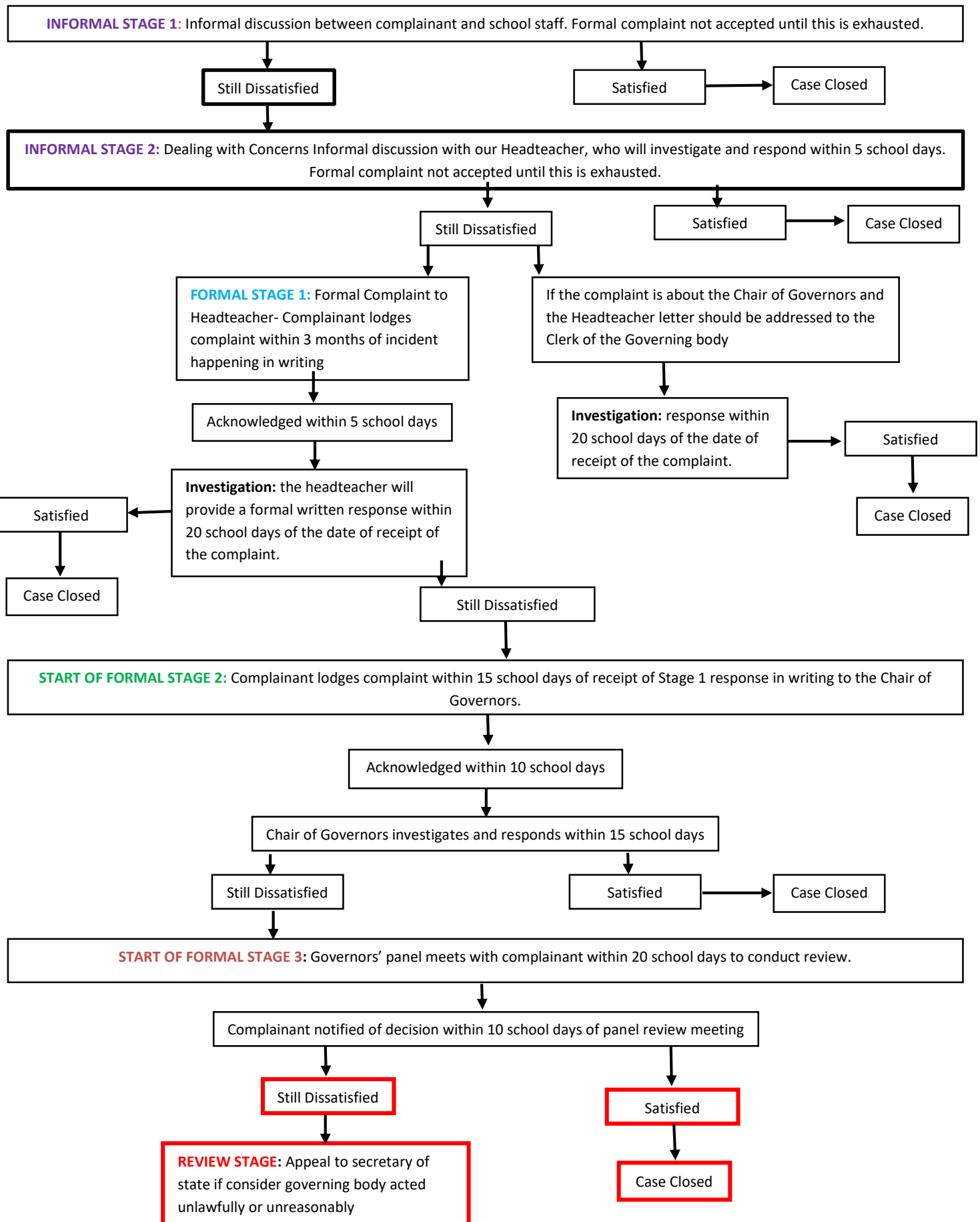
- An explanation that there is insufficient evidence and thus the complaint cannot be upheld
- An explanation that, following investigation, the evidence does not substantiate the concern
- Details of any disciplinary procedures that have taken place because of the complaint will not be shared

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.



## Dealing With Concerns/ Complaints About Schools - Flowchart



#### Informal Stage: Complaint heard by staff member

- Any parent who has a concern regarding their child's education should discuss the matter, in the first instance, with the child's class teacher or form tutor. In our experience most matters of concern can be resolved positively in this way with apologies where necessary and agreed course of next steps to be taken.
- There may be instances where the staff member may feel it appropriate to refer the matter to a member of the Senior Leadership Team (SLT). In this instance they will inform the parent and the SLT member will deal with the complaint liaising with the class teacher as necessary and respond to within 5 days.
- If the response is unsatisfactory then the parent may wish to proceed to stage 1.

#### Stage 1 (Formal): Complaint heard by Headteacher

- Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office
- The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

If a parent feels their concern has not been addressed by the class teacher or member of the SLT, or that their concern is of a more serious nature, then they should make an appointment to see the Headteacher and forward details of the complaint in writing.

Parents will be informed of the outcome in writing within 10 working days of meeting the Headteacher.

*Note: The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.*

- During the investigation, the headteacher (or investigator) will:
  - Interview those involved in the matter and/or those complained of if necessary, allowing them to be accompanied if they wish.
  - keep a written record of any meetings/interviews in relation to their investigation.
- If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
- At the conclusion of their investigation, the headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint.  
If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

- The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Harmony Primary School will take to resolve the complaint.
- The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office. This will be investigated and responded within 20 school days of the date of receipt of complaint

If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

#### Stage 2 (Formal): Complaint heard by Chair of Governors

- If the complainant is dissatisfied with the outcome of Stage 1 and wishes to take the matter further, they can escalate the complaint to stage 2- writing to the Chair of Governors to request that their complaint is considered further.
- The complaint must be made in writing stating the nature of the complaint and a summary of how the school has handled it so far, within 15 school days of receipt of the Stage 1 response. This should be addressed to the 'Chair of Governors'. He/she will record the date the complaint is received and acknowledge the receipt of the complaint in writing or by phone/email within 10 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- Complainants will be informed of the outcome in writing within 15 days of when the Chair of Governors acknowledges the complaint.
- If the complaint is about the Chair of Governors, then complainants should write to the clerk.

#### Stage 3 (Formal): Complaint heard by the Governing Body Complaints Appeal Panel

- If the complainant is still not satisfied after stage 2 then they can escalate the matter to the Governing Body Complaints Appeal Panel (as defined below) who will hear the complaint. The panel will comprise of nominated members of the Governing Body and will be chaired by the Chair of the Governing Body, unless he / she has been involved in previous stages. In this instance the Vice Chair or another nominated governor will chair.
- The Governing Body Appeals Panel is the last school-based stage of the complaints process and is not convened merely to rubber stamp previous decisions. It is an impartial panel which does not consist of individuals who have had previous involvement in the process. It will consist of 3 or more members. Individual complaints will not be heard by the whole Governing Body 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.

*Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

- The complaint must be made in writing within 10 school days of receipt of the Stage 2 response. Receipt of the complaint will be acknowledged in writing or by phone/email within 10 school days.
- The complainant will be informed of a date and time for a meeting. The aim will be to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the complainant will be provided an anticipated date and kept informed. If the complainant rejects the offer of three proposed dates, without good reason, the Chair will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.
- At this panel hearing the complainant may be accompanied by a relative or friend if they wish. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate
- Representatives from the media are not permitted to attend.
- At least 5 school days before the meeting, the Chair will:
  - confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
  - request copies of any further written material to be submitted to the panel at least 5 school days before the meeting.
- Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it.
- Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

#### Remit of The Governing Body Complaints Appeal Panel

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.



The Chair of the Panel will provide the complainant and Harmony Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. The letter will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Harmony Primary School and also explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

then complainants should write to the Proprietor.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Harmony Primary School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

The copy of the decision and all matters relating to complaints will be also made available to the person complained about, if relevant and stored in the Complaints Folder so can be viewed by Head Teacher and Proprietor. In this folder a record of all complaints that are made, whether they are resolved following a formal procedure or proceed to a panel hearing and action taken by the school will be logged because of those complaints. All these findings will be stored in a locked cupboard that the Head Teacher has access to. These will be available on request from a regulatory body.

#### General Principles

- No governor will sit on a panel if he/she has had prior involvement.
- At any stage throughout the complaints process the complainant may be accompanied or represented by a person of their choosing.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.
- The panel Chair will ensure that the proceedings are as welcoming as possible.
- The panel will equal consideration to the views of the child as they do to an adult.
- It has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour.

#### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Secretary of State for Education at the Department for Education (DfE) after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Harmony Primary School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

The School Complaints Unit (SCU):

Department for Education

2nd Floor, Piccadilly Gate

Manchester

M1 2WD

### **Summary of the Complaints Process**

#### **Informal Stage** - Complaint heard by staff member

- ✓ Ensure complaints coordinator informed of outcome.

If not resolved, then escalate to **Stage 1** – Complaint heard by Headteacher.

- ✓ Acknowledge receipt of complaint;
- ✓ Write to complainant with outcome of investigation within 20 working days of receipt of complaint
- ✓ Ensure complaints co-ordinator informed of outcome;
- ✓ Offer escalation to Stage 2 if dissatisfied.

If not resolved, then escalate to **Stage 2** - Complaint heard by Chair of Governors.

- ✓ Acknowledge receipt of complaint in writing or by phone;
- ✓ Write to complainant with outcome of investigation within 15 days of when the Chair of Governors acknowledges the complaint;
- ✓ Ensure complaints co-ordinator informed of outcome;
- ✓ Offer escalation to Stage 3 if dissatisfied.

If not resolved, then escalate to **Stage 3** - Governor's complaints panel meeting arranged.

- ✓ Issue letter inviting complainant to meet;
- ✓ Issue letter confirming panel decision as per the agreed timescales;
- ✓ Ensure complaints co-ordinator informed of outcome.

Advise of escalation route to the Secretary of State for Education.

## Annexe C (I) Complaint Form

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

<b>Your name:</b>			
<b>Pupil's name (if relevant):</b>		<b>Your relationship to the pupil (if relevant):</b>	
<b>Address:</b>		<b>Postcode:</b>	
<b>Day time telephone number:</b>		<b>Evening telephone number:</b>	
Please give details of your complaint, including whether you have spoken to anybody at the school about it.			
What actions do you feel might resolve the problem at this stage?			
Are you attaching any paperwork? If so, please give details.			
<b>Signature:</b>		<b>Date:</b>	
<b>Official use</b>	<b>Date acknowledgement sent:</b>		
<b>By who:</b>	<b>Complaint referred to:</b>	<b>Date:</b>	

**Annexe C (I) FORMAL STAGE : To be filled in by complainant**

**School Complaints Recording Form**  
**Complaints / Feedback form**

Personal Details: ....

Name: .....

Address: .....

Postcode: .....

Telephone number(s):.....

Email address .....

If applicable, name of child(ren) and year at school  
.....

Your relationship to the school, e.g. parent, carer, neighbour, member of the public, student:

.....

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your concern? Who did you speak to, when and what was the response?

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

Signature: ..... Print Name: .....

Date: .....

**Official Use:** Date of acknowledgment: ..... By whom: .....

Complaint referred to: ..... Date: .....

**Annexe C (II) Schools Complaints Outcome Log**

Name of complainant: .....

Address: .....

Post Code: .....

Telephone Number: ..... Email: .....

If applicable, name of child(ren) and year at school

.....  
 .....  
 .....

*Please ensure this log is passed on to the governor responsible for dealing with this complaint*

Brief details of the complaint:

What stage has this complaint been through?

Informal stage 1: by whom? .....

Informal 2 by whom? .....

Brief details of what steps were taken by the school at the Informal stage(s)

**Formal stage**

What action(s) have been taken by the school to try and resolve the complaint?

Action taken by .....

Details of final outcome:

Has the complainant been closed? Yes at what stage: .....

No

If **No** has this moved to Review stage Yes/No

Signature: ..... Print Name.....

Date: .....

#### **Annexe D Model Complaint Closure Letter – Stage 2**

**Please Note:** letters should be sent out on School Letter Headed paper

Dear Mr and Mrs X,

#### **FORMAL STAGE 1 COMPLAINT ABOUT Y AND SCHOOL Z**

Thank you for your letter dated..... From your letter(s) it is clear that you are still unhappy with the situation. As a result I have decided to have the matter investigated as part of formal stage one of the school's complaints procedure.

You complain that:

***summary of complaint to be stated. State each point separately.***

I have completed my investigation and can offer the following response(s) on each of the points you have raised.

1. Concerning your complaint that ....

2. Concerning your complaint that ....

It is important that you are clear about what action the school has taken at each stage of the process so far:

Informal stage

***State what action was taken in response and the outcome of this.***

Formal stage one

***State what investigative action was taken in response and the outcome of this, including any remedial action to be taken if complaint is upheld.***

I hope this response answers your concerns. Please let me know if you wish me to clarify any points.

In the meantime, if you are still not satisfied with my reply, there is a further stage of the complaints procedure that you can follow. This formal stage two is a review by a panel of governors who will look at the way in which your complaint has been dealt with. The panel will not, however, rehear the whole case.

To go to the next formal stage two, you should write to the chair of governors within 15 days of the receipt of this letter, giving your reasons why you wish to take your complaint further. If you are still not satisfied with the results of formal stage two (panel of governors outcome), you can complain to the Secretary of State for Education who will consider how your complaint has been handled.

Yours sincerely,

### **Annexe E Model Complaint Closure Letter – Stage Three**

**Please Note:** letters should be sent out on School Letter Headed paper

Dear Mrs and Mrs .....

### **FORMAL STAGE 2 COMPLAINT ABOUT Y AND SCHOOL Z**

The panel met on .....,date.....to hear your appeal regarding your complaint which can be summarised as follows:

***That so and so/the school did/said/did not,...***

#### **Legal or administrative background**

*State any legal or administrative background to the case, including any legislation relevant to the investigation.*

#### **The investigation**

*Set out the key facts about the complaint, the findings and conclusions from the formal stage one investigation, and any continuing concerns.*

#### **Conclusion**

*Set out the findings of the panel*

#### **Panel decision**

*Outcome of the decision*

Please let me know if you wish me to clarify any points for you.

In the meantime, if you remain dissatisfied with the way in which your complaint has been dealt with, you can contact the Secretary of State for Education through the DfE website [www.education.gov.uk](http://www.education.gov.uk) or by writing to the following address:

The School Complaints Unit (SCU)  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester M1 2WD



Yours sincerely

## Appendix (i)

### Complaints which are subject to statutory procedures

This procedure covers all complaints about any provision of community facilities or services by Harmony Primary School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> <li>Statutory assessments of Special Educational Needs</li> <li>School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Harrow Council admissions team and Harrow Council SEN department.</p>
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO: <a href="mailto:Janice.Miller@harrow.gov.uk">Janice.Miller@harrow.gov.uk</a> Tel: 020 8736 6435 Monday – Friday) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). 020 8901 2690</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their</p>

	<p>employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

## **Appendix (ii)**

### **Sample Policy for Unreasonable Complainants**

This policy can also be adapted to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Harmony Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Harmony Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process.
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being

dealt with.

- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Harmony Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Harmony Primary School .

## **Appendix (iii)**

### **Roles and Responsibilities**

#### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Co-operate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

#### **Investigator**

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

#### **Complaints Co-ordinator (Headteacher)**

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure.
- Be aware of issues regarding:
  - sharing third party information.
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

### **Chair to the Governing Body**

The Chair is the contact point for the complainant and the panel and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR).
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- Collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- Record the proceedings.
- Circulate the minutes of the meeting.
- Notify all parties of the committee's decision.

### **Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that: both parties are asked (via the Chair) to provide any additional information relating to the complaint by a specified date in advance of the meeting.

- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the panel is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's privacy under the DPA 2018 or GDPR.  
If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- The issues are addressed.
- Key findings of fact are made.
- The panel is open-minded and acts independently.

- No member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- The meeting is minuted.  
They liaise with the Chair (and the Headteacher)

### **Panel Member**

Panel members should be aware that:

- The meeting must be independent and impartial, and should be 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.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The panel should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.