

Complaints Guidance and Toolkit



Last reviewed in: Spring 2022

Next review due by: Spring 2023

Must be read in conjunction with the Trust's complaints procedure

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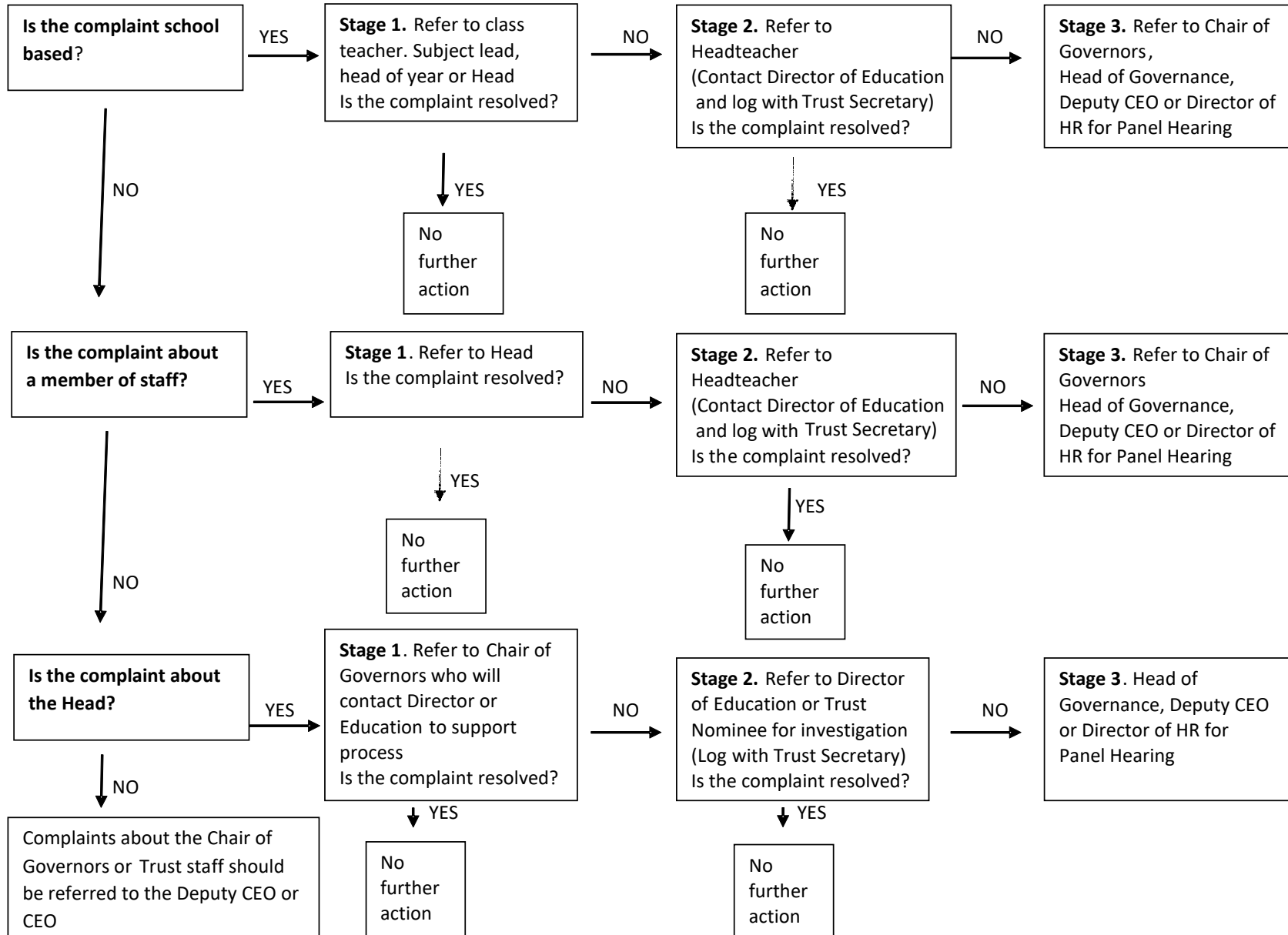
Receiving a concern or complaint

For clarity, this guidance relates to complaints received from parents, the community or anyone external to the organisation. Staff complaints will be dealt with under the grievance, disciplinary or whistleblowing policies.

Complaint about:	Stage 1. Informal Resolution Submit to	If not resolved under stage 1 informal resolution: Stage 2 formal complaint responded by	If not resolved under stage 2 formal complaint: Stage 3 panel hearing, submitted to	Stage 3 panel hearing heard by
School based concern	Class teacher, subject head, head of year, line manager or Headteacher	Headteacher Headteacher to contact and provide a copy to the Director of Education to support process. Added to complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	Three people not previously involved, including one person independent to the day to day management and running of the school
Member of school staff	Headteacher	Headteacher Headteacher to contact and provide a copy to the Director of Education to support process. Added to complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	Three people not previously involved, including one person independent to the day to day management and running of the school
Headteacher	Chair of Governors and then the Chair of Governors will contact and provide a copy to the Director of Education to support process.	Director of Education Or Suitably skilled governor supported by the Director of Education with support from Head of Governance Added and tracked on complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	Three governors not previously involved, including one person independent to the day to day management and running of the school
Governor or Chair of Governors	Director of Education	Director of Education with support from Head of Governance Added and tracked on complaint log with Trust Secretary	Head of Governance, Deputy CEO or Director of HR	CEO and two independent panel members
Central Team / Executive Team	Deputy CEO or CEO [CEO if regarding Deputy CEO]	Deputy CEO or CEO Added and tracked on complaint log with Trust Secretary	Nominated Trustee Or Clerk to the Trust Board	Nominated Trustee and two independent panel members
CEO or Trustee	Chair of Trustees	Nominated Trustee Added and tracked on complaint log with Trust Secretary	Clerk to the Trust Board	Chair of Trustees and two independent panel members

For exemptions please see the complaints procedure i.e. admissions, involving child protection, exclusions, whistleblowing, staff grievance and staff conduct.

PARENTAL COMPLAINT FLOWCHART



PART 1 – Practical advice for Schools when dealing with parental concerns or complaints

A school, like any other organisation, will sometimes receive feedback from parents or other stakeholders that is less than positive. In order to ensure that relationships with parents are nurtured and in order to learn and develop as a result of the experience, it is essential that schools embrace such feedback. They not only need to demonstrate that this feedback is genuinely welcomed and is taken seriously, but that actions are taken and outcomes are monitored so that future policies and practices are influenced for the better and contribute to the school's overall continuum of improvement. The Trust's Complaints Procedure is reviewed annually.

INFORMAL RESOLUTION (Stage 1: Informal Procedure)

Often the best way to deal with a concern or complaint is for the member of staff, headteacher or Chair of Governors to talk with the complainant so that the school can understand what the concern or complaint is about and take any appropriate action to put things right. The principle of 'pick up the phone' is one we advocate strongly.

The best person to undertake this needs to be agreed as soon as the concern is raised. In general, if the concern or complaint is a day-to-day classroom matter, this should first be dealt with by the class teacher. On matters raised about a member of staff or a school policy or procedure, this would normally be dealt with initially by the headteacher but could be supported by the central trust team. The trust director of education would take this on if the concern or complaint is about the headteacher.

The headteacher may also want to take the opportunity to explain what has happened from the perspective of the school or staff member involved. Low level concerns or complaints about staff members or the application of school policies and procedures can be dealt with quickly and effectively by a headteacher using this approach, which is known as a 'Informal resolution'.

This way of dealing with a complaint means solving, explaining, clearing up or settling the concern or complaint directly with the complainant. It will not result in conduct or capability action being taken against an individual member of staff and the matter will be closed after the process is completed.

How does the Informal resolution process work?

Once the concern has been raised or the complaint made, the headteacher or named investigator who is looking into it should make early contact with the complainant, by arranging a face-to-face meeting, by telephone or contact by letter or by email if the complainant prefers.

For their part, the complainant will need to:

- tell the school what happened and how they felt about it
- say what action they would like to see taken as a result
- agree the process for resolving their concern or complaint

This process is not about apportioning blame or about staff being dealt with through formal conduct or capability procedures – schools are centres of learning for everyone, and it is about learning from what has happened and working together to make sure it doesn't happen again.

For its part, the school will:

- listen to the concerns
- explain what can happen to resolve the complaint
- confirm with the complainant the process that will be followed and who will deal with it
- if necessary, carry out a more detailed investigation into the concern or complaint. This is called School Investigation.

- tell the parent/carer of children with SEND (Special Educational Needs or Disability) how they can access support from the relevant service.

What can the complainant expect from an informal resolution?

Most concerns or complaints are not likely to involve extensive or lengthy enquiries, and therefore the complainant should be encouraged to expect an approach that is proportionate to the complaint made. However, the school should normally respond to a complainant within 5 school working days or the initial concern being raised, with a meeting or dialogue and feedback provided within 10 school working days of the concern being raised.

If, on consideration, the matter looks more complex, the person responsible for handling the concern needs to contact the complainant to let them know that more time is needed and to reset timescales.

As the Informal resolution process is aimed at quickly resolving the complaint informally and learning from it, it won't lead to any formal proceedings against a member of staff. However, where appropriate, the member of staff might receive additional training, advice or other support as a result.

If the concern or complaint is an expression of dissatisfaction with something the school has either done or not done, and not about somebody - for example, about the way the school operates its policies or is directed to fulfil its statutory obligations - then it will still be resolved using this approach.

What happens next?

There are different ways of dealing with the concern or complaint using The Informal resolution Process. These include:

- immediate resolution by providing information face-to-face or by telephone, as appropriate
- a letter from the school concluding the matter after proportionate consideration, explaining what has been done
- individual communication between the complainant and the person the concern or complaint was about. This is organised through the headteacher or governor
- a face-to-face meeting with the person working on the concern or complaint and/or the person the concern or complaint was about. This requires the consent of all parties

What might happen as a result?

The school could take the following actions to resolve the complaint:

- provide information or an explanation to clear up a misunderstanding;
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the governing board to address matters of school policy or procedure
- arrange feedback and support by the headteacher to address any issues arising about a member of staff and their actions or behaviour
- apologise on behalf of the person the concern or complaint was about, but only if they agree to this
- if necessary, move to a more detailed investigation using parts 2 of the Trust's Complaints Procedure.

Please see model letters 1, 3 and 4 to assist with the informal process

FORMAL COMPLAINT (Stage 2)

If the complainant or the person looking into the concern considers that the informal resolution has not delivered a satisfactory conclusion, they can submit a formal complaint in accordance with Stage 2 of the school's Complaints Procedure.

It is intended that the concern or complaint will be resolved, explained, cleared up or settled directly with the complainant, but doing so with a more detailed investigation than at the informal resolution level.

It is possible that during this detailed investigation, concerns regarding a member of staff's conduct or capability may be raised which require further investigation. In some circumstances, the complaints process may be delayed if it is necessary if other processes such as the trust's disciplinary process require this.

How does the Formal Stage 2 Investigation process work?

Once the concern or complaint is made, the headteacher or named investigator who is looking into it must make early contact with the complainant, and arrange to talk face-to-face, on the telephone or contact them by letter or by email if they prefer. Please note, the named investigator may be a member of the Central or Executive Team. When a complaint is being addressed by the chair of governors, the trust central team will provide advice and normally will arrange the necessary investigation.

The principles of Informal resolution apply to the Complaints Procedure in that despite the fact that this is a formal procedure, the intention is to look openly and without prejudice at the concerns that have been raised and consider what the school might have done differently or better and what actions might need to be taken to resolve matters and to ensure that similar concerns do not need to be raised again. It is important not to approach the Complaints Procedure like a 'court of law' but simply as a process which allows a more detailed investigation of the issues raised. This may involve talking to a range of individuals and gathering information which will allow the investigator to make a decision regarding what actions, if any, the school needs to take as a result.

Each school should have a named member of administrative staff who is responsible for responding to complaints with the Headteacher having oversight of the administration of the complaint. The named member of staff will be responsible for liaising with the parents, the trust and School Choice as required.

Key features of a good investigation:

A calm and friendly approach - the school needs to be explicit and genuine in its commitment to listening to parents' concerns. Generally, parents do not find it easy to make a complaint, and if they have done so, it is likely that they may feel upset, worried and even angry.

A quick response – the longer it takes to get in touch with a complainant to let them know that you are taking their concerns seriously and to give them some timescales for a resolution, the more likely it is that the complainant will become frustrated. This will make an informal, respectful and productive dialogue more difficult to achieve.

Clear communication and clear timescales – The person investigating the complaint needs to be very clear in the initial contact, what the complainant can expect in terms of the timings of communications from the school regarding their complaint. It is helpful if they offer to negotiate methods of communication too: for example, would the complainant prefer an email, a face-to-face meeting or a letter?

As a guideline

- An initial response acknowledging the complaint should be sent within 5 school working days

- A dialogue to discover the detail and nature of the complaint with the complainant should take place within 5 school working days
- A letter/meeting communicating the outcome of the investigation should be despatched within a further 10 school working days

Some concerns or complaints may demand more detailed and perhaps time-consuming enquiries, and therefore the school should advise the complainant to expect an approach that is proportionate to the concern or complaint made.

Open and detailed feedback - Following the investigation (stage 2 of the complaints procedure) the person carrying out the investigation should share their findings with the headteacher/chair of governors and then provide feedback to the complainant which details any recommendations to be made to the headteacher/governing board regarding actions to be taken by the school.

Open and timely demonstration of actions taken/outcomes from the investigation – If the complaints procedure has resulted in recommendations for action which might involve changes to policy and/or practice, it is essential that the complainant sees some demonstration of this change.

It is essential that details of the complaint are not shared with other governors at this stage – Whilst the trust is corporately accountable for the school and therefore expects clear and formal communication of work done on its behalf, in the case of complaints (and other matters that may require them to form an appeal panel), it is important that information is not shared amongst governors. Thus a complainant should not be advised to send a letter to the governing board as a whole, nor should letters of complaint or updates on the progress of a complaint be given to governors either within or outside of governing board meetings. This is essential in order to protect the integrity and objectivity of the process so that any governors involved in an appeal are able to do so objectively.

Much like the Informal resolution stage, outcomes from an investigation using the complaints procedure might include the following:

- an apology on behalf of the school
- providing information or an explanation to clear up a misunderstanding
- learning from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arranging action by the governing board to address matters of school policy or procedure
- arranging feedback and support by the headteacher to address any issues arising about a member of staff and their actions or behaviour
- apologising on behalf of a person that was complained about, but only if they agree to this
- informing the complainant of any actions to be taken by the school as a result of the investigation
- Providing feedback when those actions have been taken

Please see Model Letters 2 to 4 to assist with this process.

PANEL HEARING (Stage 3)

If the complainant remains unsatisfied following the outcome of stage 2 of the trust's Complaints Procedure, they have a right to proceed with a request for a panel hearing against the decisions made. A panel with clear terms of reference should be made up of three governors who have had no prior knowledge of the detail of the complaint. One member of the appeal panel should be independent of the management and running of the school (ie not a school governor).

Mediation can be considered at any point during this process, but early intervention gives the best results. Mediation could be offered by a member of the executive team who has not previously been involved.

Timescales and Communications – Guidelines

Following the outcomes of stage 2, the school should inform the complainant within 10 school working days, of their right to appeal against the decision giving the complainant 20 school working days to respond to this. If no response is provided within the 20 school working days period, the complaint will be deemed as concluded.

The school should send an acknowledgment of the request to escalate to stage 3 within 2 school working days and a notification sent to the Head of Governance, (or in their absence Director of HR or Deputy CEO) including a copy of the original complaint form and paperwork associated with the earlier stages of the process. The Head of Governance (Deputy CEO or Director of HR) will confirm with the parent that a panel is being arranged and asks the parent to complete Appendix 1 of the Complaints Policy (should they have not already done so) and confirm their preferred resolution.

Head of Governance (or in their absence, the Deputy CEO or Director of HR) liaises with Schools Choice to organise the panel logistics with the school. They will appoint a trained Schools Choice clerk who will liaise with the nominated school staff member, the panel members, the headteacher and parents regarding required paperwork and the arrangements for the panel hearing.

All requests to a stage 3 panel hearing will be passed also to the CEO.

Key features of a good appeal hearing

It is important that the appeal hearing is independent and impartial and that it is seen to be so.

- 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. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial
- The governors sitting on the panel need to be aware of the Complaints Procedure. The chair of the panel should have attended the appropriate training provided by the trust.

The role of the Clerk to the Appeals Panel

- 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 7 days in advance of the meeting
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- provide advice and guidance to the panel about their remit and responsibilities
- notify all parties of the panel's decision
- copy the CEO, the headteacher, chair of governors and Head of Governance into the panel's decision letter being sent to the complainant.

Please see Example Letters 5 and 6 which will be sent by Schools' Choice as part of their clerking responsibilities for the Panel

PART 2 - Developing clear parental expectations and managing unreasonable behaviour

General Guidance

In a minority of cases, parents or carers pursue their complaints and concerns in a way that is unreasonable. They may behave unacceptably, or be unreasonably persistent in their contacts and submission of information. This can impede the effective investigation of their concern or complaints, which can have a significant impact on time, resources and staff well-being in school. This behaviour can occur at the early stages of a concern being raised, whilst a complaint is being investigated, or once the school has concluded the complaint investigation.

If the school determine that the complainant is unreasonable in pursuing the complaint (see criteria below), then the school may interrupt the complaints process. In this case the school needs to be clear that they have done all they can to engage fully and properly with the complainant when seeking to resolve the complaint and have gathered appropriate evidence to demonstrate this.

Definition of unreasonable behaviour

'Unreasonable behaviour', may include one or two isolated incidents, as well as 'unreasonably persistent behaviour', which is usually an accumulation of incidents or behaviour over a longer period.

Unreasonably persistent complainants are those parents or carers who, because of the nature or frequency of their contacts with the school, hinder the school's consideration of their concern or complaint.

There is a distinction between persistent and unreasonably persistent complainants, for example, criticising a complaints procedure when the policy set out is not properly followed, is not unreasonable.

If the school has clear guidelines for parents on how to feedback concerns to the school, and a robust complaints procedure which is well understood by staff and governors, then responding to expressions of dissatisfaction and requests for information should not cause the school a problem. However, some parents or carers may have justified concerns or complaints but may pursue them in inappropriate ways

Others may pursue complaints which appear to have no substance or which have already been investigated and determined. Their communication with the school may be amicable but still place very heavy demands on staff time, or they may be very emotionally charged and distressing for all involved.

Very occasionally, complainants also act deceitfully by forging documents, making covert recordings of meetings, adopting false identities and so on. Such behaviour is unacceptable and managing it can become a distraction from consideration of the original substance of complaint

Situations can escalate, and in a few cases, parents or carers may become abusive, offensive, threatening or otherwise behave unacceptably. In response a school may have to restrict access to its premises or staff, protecting the staff and children from exposure to harassment and harm

Examples of unreasonable behaviour, persistence, demands, arguments and lack of co- operation

- A single incident may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the concern or complaint.
- Unreasonable behaviour
- Refusing to specify the grounds of a complaint, despite offers of assistance
- Refusing to co-operate with the complaints investigation process
- Refusing to accept that certain issues are not within the scope of a complaints procedure
- Making unjustified complaints about staff and/or governors who are trying to deal with the issues, and forwarding information to others or requesting that someone else deals with the issue
- Changing the basis of the complaint as the investigation proceeds
- Denying or changing statements he or she made at an earlier stage
- Introducing trivial or irrelevant new information at a later stage
- Raising numerous, detailed but unimportant questions; insisting they are all answered
- Sending rude, threatening or confrontational letters/emails

Unreasonable persistence

- Persisting even though the complaint has been comprehensively addressed.
- Reframing the complaint
- Demanding a review of the complaint
- Making an issue of trivial things, repeatedly, and making unreasonable demands of the school

Unreasonable demands

- Insisting on the complaint being dealt with in ways which are incompatible with the Trust's complaints procedure or with good practice
- Insisting on unattainable outcomes
- Wanting revenge or retribution
- Making demands about the way the complaint should be handled
- Providing an extraordinary degree of irrelevant detail
- Creating complexity where there is none and proposing unreasonable arguments

Unreasonable arguments

- Advancing irrational beliefs (e.g. seeing cause-and-effect links where none exist)
- Advancing and sticking to what is clearly a conspiracy theory unsupported by evidence
- Insisting that a particular solution is the correct one
- Insisting on the importance of an issue that is clearly trivial
- Refusing to co-operate with you

Unreasonable lack of co-operation

- Presenting a large quantity of disorganised information
- Withholding information
- Refusing to define the issues underlying the complaint
- Focusing on principles, rather than issues
- Changing the complaint

Considerations prior to taking action under the policy

The decision to designate someone's behaviour as unreasonable, and restrict their access to the school, will have serious consequences for the parent/carer and the child, so you should be satisfied that:

- the complaint is being or has been investigated properly and proportionately
- any concluding determination is the right one

- communications with the complainant have been adequate, and the complainant is not now providing any significant new information that might affect the school's view on the complaint

When it is necessary to designate the complainant as behaving unreasonably, some of the following steps may assist:

- Offering the complainant, a meeting with the headteacher and the chair of governors to explore scope for a resolution of the complaint and explain why their current behaviour is seen as unreasonable.
- Sharing your policy with the complainant and warning them that restrictive actions may need to be applied if their behaviour continues
- Designating a key contact (headteacher, senior member of staff or governor as appropriate) to co-ordinate the school's response(s)

When complaints about new issues are made, these should be treated on their merits. You should consider whether any restrictions previously applied are still appropriate and necessary.

Options for action

Any actions taken should be proportionate to the nature and frequency of the complainant's current contacts. The following options may be suitable, taking the complainant's behaviour and circumstances into account. The objective is to manage the complainant's unreasonable behaviour in such a way that their complaint can be brought to a conclusion briskly, without further distractions. Options include:

- placing limits on the number and duration of contacts with staff per week or month
- offering a restricted time slot for necessary calls
- limiting the complainant to one medium of contact (telephone, letter, email etc.)
- requiring the complainant to communicate only with one named member of staff/governor
- requiring any personal contacts to take place in the presence of a witness and in a suitable location
- refusing to register and process further complaints about the same matter
- where a decision on the complaint has been made, you can inform the complainant that correspondence will be read and placed on file but not acknowledged, unless it contains new information. A designated officer should be identified who will read future correspondence.

Banning a parent or carer

It is very important to make sure that legitimate business between the banned parent/carers and school can still take place – bans should not disadvantage the child, e.g. safe delivery and collection of children.

Necessary and proper communication channels need to be agreed and shared with the parent/carers and staff. A ban should not deprive a parent/carers of all rights to communicate with the school.

It may be necessary to consider a representation meeting prior to making a decision on banning, therefore please ensure you have sought the advice of a Director of Education before making any such decision and they could support the meeting.

Keep detailed records to show:

- if the decision is taken not to apply the designation of unreasonable behaviour when a member of staff asks for this to be done, or

- if the decision is taken to make an exception for the unreasonable behaviour once the designation has been applied
- if the decision is taken not to put a further complaint from this complainant through your complaints procedure for any reason, and
- if the decision is taken not to respond to further correspondence, making sure any further letters, or emails from the complainant are checked for any significant new information

Remember - this evidence may be used in Court in the event of a civil or criminal prosecution of the parent/carer, and/or in any appeal brought by the parent/carer to challenge the decision to ban them.

Reviewing decisions to restrict access

A ban should be considered to be a cooling off period and should not be disproportionately long (preferably weeks not months).

- When imposing a restriction on access, you should have a specified review date and communicate this to the parent/carer in writing
- Restrictions should be lifted and relationships returned to normal unless there are good grounds to extend the restrictions
- You should inform the complainant of the outcome of your review. If restrictions are to continue, explain your reasons and state when the restrictions will next be reviewed
- Bans should not be used as a substitute for reporting criminal matters, e.g. assault, criminal damage, public order offences etc. to the police

Inappropriate use of social network sites

Social media websites and online systems are being used increasingly to fuel campaigns and complaints against academies, headteachers, school staff, and in some cases other parents/students.

the trust considers the use of social media websites being used in this way as unacceptable and not in the best interests of pupils or the whole school community. Any concerns you may have must be made through the appropriate channels by speaking to the class teacher, senior leader or the headteacher (as outlined in this Complaints Procedure), so they can be dealt with fairly, appropriately and effectively for all concerned.

Defamatory posts

In the event that any pupil or parent/carer of a pupil being educated by a school within the trust is found to be posting defamatory comments on Facebook or other social network sites, they will be reported to the appropriate 'report abuse' section of the network site. It is likely that the police will also be informed. All social network sites have clear rules about the content which can be posted on the site and they provide robust mechanisms to report content or activity which breaches this. Each school will also expect that any parent/carer or pupil removes such comments immediately.

Recordings

The trust and our schools do not permit electronic recordings of meetings or telephone calls by parents or staff without the explicit prior permission of all involved, and in agreement with senior managers. A recording may be unlawful (under the civil law) if it constitutes a misuse of private information, a breach of confidence, a breach of the GDPR or Data Protection Act 2018. All staff should conduct meetings as though they were being recorded to ensure nothing inappropriate is said that could be used to form the basis of a formal complaint.

Model Letter 1 – Initial contact at Stage 1 (Informal process)

Name of school

Telephone:

Date

Dear

I am writing to acknowledge receipt of the complaint you made to school on *xx insert date xx*. In order to investigate your complaint properly I would be grateful if you could contact me via the **{School/other preferred means}** in order to discuss your complaint further. We prefer to resolve any complaints informally by working with parents and carers so this is an opportunity for you to share your concerns.

If within 10 school working days of the date of this letter, I have had no response from you, I will assume that you no longer wish to continue with your complaint and I shall advise the school that the matter is closed. The recommendation will be on the basis that without your assistance and co-operation it is not practicable for me to investigate the complaint further.

Yours sincerely

Appointed Person
School Governor or Staff Member or Headteacher

Model Letter 2 – Initial contact at Stage 2

Name of school

Telephone:

Date

Dear

I am responding to the complaint you made to the school on *xx insert date xx* . I understand that it has not been possible to resolve your concerns informally and that you wish to proceed to Stage 2 of the Complaints Procedure.

In order that I can follow the school's Complaints Policy and consider your concerns in more detail, I would be grateful if you could contact me via the *{School/other preferred means}* in order to discuss your complaint further.

If within 10 school working days of the date of this letter, I have had no response from you, I will assume that you no longer wish to continue with your complaint and I shall advise the school that the matter is closed. The recommendation will be on the basis that without your assistance and co-operation it is not practicable for me to investigate the complaint further.

Yours sincerely

Appointed Person
School Governor or Staff Member or Headteacher

Model Letter 3 – Follow up letter following Stage 1 or 2 complaints meeting/discussion

Name of school

Telephone:

Date

Dear

RE: Complaint against {name of school}

I refer to your complaint against {school name} dated {date} and our {meeting/discussion} on {date}. At that meeting you agreed that your complaint be dealt with by way of the {Informal resolution/School Investigation} process and you requested the following action be taken.

{free text}

I will now review the details of your complaint, and I will write to you within 10 school working days to report my findings, or, if the matter proves more complex, to update you on progress. If you prefer to have updates by other means such as e-mail or telephone, then please contact me.

If the matter takes longer than 10 school working days I will notify you of the expected date of its completion and when you can expect contact from me. In the meantime, please do not hesitate to contact me on (add email or phone number) if I can be of any further assistance.

Appointed Person
School Governor or Staff Member or Headteacher

Model Letter 4 – Outcome of Stage 1 or 2 investigation

Name of school

Telephone:

Date

Dear

I refer to your complaint against {xx school} dated {date}.

You agreed that your complaint be dealt with by way of the {Informal resolution/School Investigation} process and we agreed a set of actions which have been carried out as follows:

{List actions as agreed with complainant in the action plan and detail the action you have taken in response to each aspect of the plan}

I do hope that you find I have carried out the investigation in line with your wishes. Enclosed is a copy of my report and findings, which will be reported to the governing body and colleagues in the Trust as appropriate.

{free text}

As a result of complaints made by members of our school community, we can influence the development of individuals and the working practices of {insert school name}.

May I take this opportunity to apologise that on this occasion you felt that the school did not meet its own high expectations and I hope that any future contact you have with {insert school name} restores your confidence.

If you are still unhappy with the outcome of the investigation you may proceed to the next stage of the Complaints process. Please address this in writing to the Chair of Governors c/o the school within 20 school working days.

Yours sincerely

Appointed Person
School Governor or Staff Member or Headteacher

Below is an example letter which will be sent by Schools' Choice to a complainant requesting a Stage 3 panel. Please contact the Head of Governance for further guidance.

Example Letter 5 – Stage 3. Invitation to panel hearing

Name of school

Telephone:

Date

Dear

I refer to your complaint against {xx school} dated {date}.

You have informed us that you wish to appeal against the **decision/s** made following the school investigation.

Therefore we would like to invite you to attend an panel meeting on (date/time/venue).

If this date is inconvenient, please can you inform me as soon as possible so that an alternative date can be arranged.

You will receive any paperwork that relates to the initial school investigation 7 days in advance of the panel meeting.

At the meeting, a panel of three governors, who have had no previous dealings with your complaint, will listen to your appeal, they will also listen to what the headteacher has to say, and then they will come to a decision whether to uphold the appeal fully or in part, or whether they believe that the school has acted appropriately and that no further actions are necessary. This panel are not able to hear any other complaints or additional concerns at this meeting.

Whilst this is a part of the formal complaints procedure, we aim to make the meeting as informal as possible, so that all parties can put forward their views in a positive and respectful manner.

When the appeal panel have considered all the information made available to them, they will make a decision and inform you in writing of the outcome.

Yours sincerely,

Clerk to Governors/Chair of Panel

Below is an example letter which will be sent by Schools' Choice to a complainant requesting a Stage 3 panel. A copy of this letter will also be sent to the CEO and Head of Governance.

Please contact the Head of Governance for further guidance.

Example Letter 6 – Outcome of panel hearing

Name of school

Date

Telephone:

Dear

I refer to your complaint against {xx school} dated

Following the panel meeting held on (insert date), I am writing to inform you of the panel's decision.

In this instance the panel have decided to *uphold the appeal made regarding the following issues raised/not to uphold the appeal regarding the following issues.*

*(State which items are upheld and what actions will be taken – remember not to pre-empt any decisions the GB might make about specific actions, especially where a member of staff is concerned, but give enough information so that the complainant is clear what they might see as an outcome)
(Now state any aspects of the appeal which were not upheld and explain briefly why the panel have decided that the school policy/practice was appropriate). If any aspects are upheld, add:*

(Following consideration by the school of the recommendations by the appeal panel, I shall be in contact with you in (state a timescale – be realistic if this needs to involve significant changes) to report on progress of these actions).

The complaints procedure is now complete and there is no right to a further appeal. I hope that you feel that the school has dealt with your complaint effectively. However if you are unhappy with the way the school has managed your complaint, you may submit a complaint to the Department for Education online at:

www.gov.uk/complain-about-school

Or write to:

School Complaints Unit
Department of Education
2nd Floor, Piccadilly Gate,
Store Street,
Manchester M1 2WD

Yours sincerely,

Clerk to the Appeals Panel

Model Letter 7 – Dispensation – unreasonable pursuance of complaint

Name of school

Telephone:

Date

Dear

I write with reference to your complaint against *xx insert name of school xx*.

Having reviewed the matter, it is my intention to apply to The Governing Body to dispense with your complaint(s), the grounds for doing so are that **(choose explanation from options as follows)**

OPTION 1 – UNREASONABLE BEHAVIOUR

The school's guidance states that a complainant "*behaves unreasonably when he/she:*

- *Refuses to specify the grounds of a 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 a complaints procedure.*
- *Makes unjustified complaints about staff and/or governors who are trying to deal with the issues, and forwarding information to others or requesting that someone else deals with the issue.*
- *Changes the basis of the complaint as the investigation proceeds.*
- *Denies or changes statements he or she made at an earlier stage.*
- *Introduces trivial or irrelevant new information at a later stage".*

OR

OPTION 2 – UNREASONABLY PERSISTENT

The school's guidance states that a complainant is "*unreasonably persistent when he/she:*

- *Persists although the complaint has been comprehensively addressed.*
- *Reframes the complaint.*
- *Demands a review of the complaint.*
- *Makes an issue of trivial things, repeatedly, and makes unreasonable demands of the school".*

OR

OPTION 3 - UNREASONABLY DEMANDING

The school's guidance states that a complainant is "unreasonably demanding when he/she:

- *Insists on the complaint being dealt with in ways which are incompatible with the school's complaints procedure or with good practice.*
- *Insists on unattainable outcomes.*
- *Wants revenge or retribution.*
- *Makes demands about the way the complaint should be handled.*
- *Provides an extraordinary degree of irrelevant detail.*
- *Creates complexity where there is none and proposes unreasonable arguments".*

OR

OPTION 4 – UNREASONABLE ARGUMENTS

The school's guidance states that it will "be unreasonable to:

- *Advance irrational beliefs (e.g. seeing cause-and-effect links where none exist).*
- *Advance and stick to what is clearly a conspiracy theory unsupported by evidence.*
- *Insist that a particular solution is the correct one.*
- *Insist on the importance of an issue that is clearly trivial.*
- *Refuse to co-operate with the school".*

OR

OPTION 5 - UNREASONABLY LACKING IN CO-OPERATION

The school's guidance states that a complainant is "unreasonably lacking in co-operation when he/she:

- *Presents a large quantity of disorganised information.*
- *Withholds information.*
- *Refuses to define the issues underlying the complaint.*
- *Focuses on principles, rather than issues.*
- *Changes the complaint".*

In my consideration, your approach in this matter has been **xx insert description xx** and therefore meets the above criteria.

OR

OPTION 6 – VEXATIOUS, OPPRESSIVE, REPETITIVE or AN ABUSE OF THE PROCEDURE

A repetitious complaint is one which:

- *is substantially the same as a previous concern or complaint, or*
- *contains no new information which significantly affects the matter, or*
- *contains no new evidence to support the concern or complaint.*

The matter to which you refer is already the subject of a previous complaint, **xx cross ref xx** and is substantially the same. Your letter contains no new information that significantly affects the matter and no new evidence to support your complaint.

I consider that the matters you raise are **(vexatious, oppressive or an abuse of the procedure)** for the following reason.

(insert reason(s))

As a consequence, your complaint will not be progressed.

Yours sincerely

**Appointed person
School Governor**

Model Letter 8 – Banning - warning

Dear

I am writing to you about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents].

I must inform you that the School will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. On behalf of the governing body I am therefore issuing a formal warning to you, and if this behaviour is repeated, I will have no alternative but to ban you from the premises in line with Section 206 of the Education Act 2002.

In order for us to re-establish good working relationships, I would therefore ask you to contact me at the school to arrange a meeting in order to agree next steps. At this meeting, I will be accompanied by a Director of Education, who will consider any representations you may have and will work with us to re-establish good working relationships.

Yours sincerely,

Headteacher

Model Letter 9 – Initial banning

Dear

I am writing to you about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents].

I must inform you that the School will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. On behalf of the governing body I am therefore instructing that (for a temporary period – make this proportionate, this should be a cooling off period not a punishment) you are not to reappear on the premises of the school. If you do not comply with this instruction, I shall arrange for you to be removed from the premises and prosecuted under Section 206 of the Education Act 2002. If convicted under this section, you are liable to a fine.

In the case of a primary school include: For the duration of this decision you may bring your son(s)/daughter(s) (complete as appropriate) to school and collect them/him/her (delete as appropriate) at the end of the school day, but you must not go beyond the school gate.

In the case of infant children, also insert: Arrangements have been made for your (delete as appropriate) son(s)/daughter(s) (insert child/rens names) to be collected, and returned to you, at the school gate by a member of the school staff.

The withdrawal of permission for you to enter the school premises takes effect immediately. However, I still need to decide whether it is appropriate to confirm this decision and before I do so I would like to give you an opportunity to give me in writing any comments or observations of your own in relation to this letter. These comments may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct. To enable me to take a decision on this matter at an early point, you are asked to send me any written comments you wish to make within 5 school working days.

If on receipt of your comments I consider that my decision should be confirmed, you will be supplied with details of how to pursue a review of the circumstances of your case.

Yours sincerely,

Headteacher

Model Letter 10 – Revoking the ban

Dear

I am writing to you about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents].

Following your communication with me regarding the circumstances of the above behaviour, in this instance I have decided to revoke the ban that was imposed on (date). Therefore, on behalf of the governing body, I would like to invite you to meet with **myself and/or named governor** to agree how we move forward to ensure that we establish clear expectations and lines of communication between home and school, so that this incident is not repeated. Please contact me at the school to arrange a meeting.

May I reassure you of our continued commitment to provide the very best education for your **child/children**.

Yours sincerely,

Headteacher

Model Letter 11 – Endorsing the ban

Name of school

Telephone:

Date

Dear

I am writing to you about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents].

I must inform you that the school will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. On behalf of the Governing Body I am therefore instructing that you are not to reappear on the premises of the school. If you do not comply with this instruction, I shall arrange for you to be removed from the premises and prosecuted under Section 206 of the Education Act 2002. If convicted, you are liable to a fine.

This decision will be reviewed on (set a date that is proportionate to the incident) and I will be in contact with you within one school working week of this date to discuss the outcome of the review.

May I reassure you of our continued commitment to provide the very best education for your child/children and I hope that after this cooling-off period, we can agree further arrangements which will enable us to re-establish a good working relationship.

Yours sincerely,

Headteacher