

Complaints Policy & Procedure

1. Introduction

- 1.1. Any person may raise a concern or make a complaint to the School and when they do so they should feel that there are clear and open lines of communication and that their concerns or complaints are dealt with effectively and efficiently.
- 1.2. When questions and concerns do arise the School will endeavour to act promptly, sensitively and appropriately to resolve matters, however, there may be times when individuals consider that their concerns have not been dealt with as properly as they may wish and they may choose to make a complaint. This Policy¹ sets out how complaints can be made and how the person making the complaint can expect it to be dealt with.
- 1.3. The aim of this Policy is to:
 - 1.3.1. Provide a transparent and straight forward process for dealing with complaints, both informally and formally;
 - 1.3.2. Encourage the resolution of problems by informal means wherever possible;
 - 1.3.3. Ensure that all those who complain are treated fairly, consistently, efficiently and effectively;
 - 1.3.4. Ensure that complaints are dealt with within a given period of time;
 - 1.3.5. Provide a structured process if complaints need to be taken further;
 - 1.3.6. Use information from complaints to improve our service; and
 - 1.3.7. Deal with complaints sensitively, impartially and in confidence.

2. What is a complaint?

- 2.1. A complaint is an expression of dissatisfaction however made, about actions or a lack of action.
- 2.2. A complaint is not a request for, or the submission of, information, or a question about a policy or procedure. Neither is it a report about an incident or other similar circumstances.
- 2.3. The School recognises that concerns equally require attention and that by paying such attention concerns may be effectively dealt with and not escalate into complaints. A concern may be defined as an expression of worry or doubt over an issue considered to be important for which reassurances are sought. Concerns will be dealt with informally and not through the stages of this complaints procedure.
- 2.4. There are certain complaints which fall outside the remit of a Governing Body's complaints procedure, for example, staff grievances or disciplinary procedures. On receipt of any complaint the School will advise whether it can be dealt with under this complaints procedure and if not how it can be dealt with and under what other procedure. Appendix B gives an outline of the main areas where exceptions may arise.
- 2.5. Concerns and complaints may equally be considered under the procedures set out in Appendix A and referring to dealing with persistent or vexatious complaints or harassment.

¹ Under Section 29 of the Education Act 2002 governing bodies of all maintained schools in England have been required to have in place a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. This policy acknowledges non-statutory Government guidance (Best practice guidance for school complaints procedures 2019) in respect of complaints procedures.

3. How to raise a complaint

- 3.1. A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant as long as they have appropriate consent to do so. Where a complaint is made verbally it is important that the complainant follows this up in writing to ensure that the reason for the complaint and the scope of the complaint is fully understood by the investigating officer and can be completely addressed.
- 3.2. Complaints must be raised within three months of the incident occurring or, where a series of incidents have occurred, within three months of the last of these. The School will not consider complaints outside of this timeframe unless exceptional circumstances apply. Complaints also need to be brought to the School's attention as soon as possible as it becomes increasingly difficult to investigate matters with the passage of time particularly, for example, if these investigations require interviews or impartial recollections of what may have been said or done.
- 3.3. Students are encouraged to raise any concerns they may have before they become complaints so as to achieve an early resolution. They should speak initially to their Housemaster for any matters related to boarding and to their Tutor for any worries or concerns about any aspect of their education. Students may also be advised by their tutors to speak with their subject teachers or subject leaders. If they have any other concerns, or they are unable or feel unable to speak to their Tutor or Housemaster, then they should speak to any of the Assistant Head: Quality of Teaching & Learning, Head of Sixth Form, Deputy Headmaster or the Headmaster or to the School Counsellor but they may then pursue a complaint according to the procedure below.
- 3.4. The School will have regard to DfE advice² when dealing with concerns or complaints arising from conflict between estranged parents over the application of parental responsibility.
- 3.5. Anonymous complaints will not normally be investigated under this procedure however it may trigger the School's own review.
- 3.6. If a person finds they will have difficulty discussing a concern with a particular member of staff, the Deputy Headmaster will nominate another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Deputy Headmaster will refer you to another staff member.
- 3.7. If members of the public or wider community have any concerns regarding any issues associated with the School they should contact the Deputy Headmaster then, if they wish to pursue any matter as a complaint they may do so according to the procedure below and beginning at Stage Three.
- 3.8. A person may write to the Headmaster by-passing Stages One and Two where a complaint is either of a very serious nature or against a member of staff other than himself. If the Headmaster considers the complaint not to be of a very serious nature he will write to you explaining this and refer the complaint to the earlier stages of this procedure.
- 3.9. A person may write to the Chairman of the Governing Body (by writing to the Clerk to the Governing Body at the School's address) where a complaint is about the Headmaster. A Governor will be delegated to take the complaint forward starting at Stage Three and standing in for the Headmaster in that part of the process.
- 3.10. Complainants should not approach individual governors to raise either concerns or complaints. They have no power to act on an individual basis and it may also prevent them from hearing complaints at a later stage in the procedure.
- 3.11. Complaints against a Governor or Governors should be made in writing directly to the Clerk to the Governing Body. These will be addressed following the procedure in Section 6.

² Understanding and Dealing with Issues Relating to Parental Responsibility, January 2016

- 3.12. If after closing a complaint at the end of the complaints procedure, a duplicate complaint is received and the complaint is about the same subject the new complainant will be informed that the School has already considered that complaint and the School's complaints process is complete. The new complainant will be advised they may take their complaint further as set out in section 7 if they are dissatisfied with the School's handling of the original complaint. If however the new complainant raises any new aspects to the complaint that have not previously been considered then the complaints procedure will deal with these aspects and any impact they may have on the original complaint.
- 3.13. If it becomes apparent that the School is the focus of a campaign and receives large volumes of complaints either all based on the same subject or from complainants unconnected to the School then the procedures in this Policy will be disapplied in that case, at the discretion of the Headmaster and Chair of Governors, they may, for example, elect to send a standard response to complainants or, if appropriate, publish a single response on the School's website. Campaign complainants are still able to refer their complaints as set out in Section 7 and to be determined as set out in Appendix A and dealt with as referring to dealing with persistent or vexatious complaints or harassment.
- 3.14. Complaints received not on a school day, for example during school holidays or on a weekend, will be considered as received on the next day that school is in session. Where a complaint is in progress and a school holiday approaches the procedure may have to be paused however, we will endeavour to continue with the procedure if it is reasonable and feasible to do so.

4. Confidentiality

- 4.1. It will usually be unhelpful if a complaint is broadcast to the school community or wider, including through social media, therefore the School will treat the matter with a high degree of confidentiality and expect any person who raises a concern or complaint to do the same.
- 4.2. In advising complainants of the outcome of their complaint certain information and/or specific detail may be withheld if its release may be prejudicial to, or be an obstacle to, the fair application of other procedures for example disciplinary or capability procedures, or if it contravenes employment or data protection rights.
- 4.3. The meetings 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 as essential. 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.

5. Complaints procedure

- 5.1. The following stages describe what procedures a person should follow when making a complaint.
- 5.2. At each stage the person/s investigating the complaint will make sure that they:
- 5.2.1. Establish the facts relevant to the complaint, what has happened so far, and who has been involved;
 - 5.2.2. Meet or contact the complainant to clarify the nature of the complaint, what remains unresolved and, if appropriate what the complainant feels would put things right;
 - 5.2.3. Carry out the appropriate investigations and interviews keeping notes throughout so as to provide a comprehensive, open, transparent and fair consideration of the complaint, and
 - 5.2.4. Analyse the information gathered and prepare a comprehensive report that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- 5.3. At each stage in the procedure the School will look to ways in which a complaint can be resolved and at each stage in the procedure you may be offered the opportunity to discuss how a resolution might be found through discussion.

- 5.4. The procedure has four stages which will be considered by the following people within the School:
- Stage 1: A member of the School's staff
Stage 2: A senior member of the School's staff
Stage 3: Headmaster
Stage 4: Governors
- 5.5. It will only be necessary to move to the next stage of the complaints procedure if the complainant is not satisfied with the outcome of the previous stage.
- 5.6. Where the complaints procedure requires the submission of complaints or evidence in writing, or for any response to be sent in writing, and the School are aware, or the complainant or their representative makes the School aware, that there are sufficient grounds to show an alternative method of communication would be more appropriate then an appropriate alternative will be used.
- 5.7. Each stage refers to a time limit however, where further investigations are necessary, new time limits can be set and the complainant will be notified should this be the case and be given an explanation for the delay.
- 5.8. If other bodies (including but not limited to the Police, any tribunal or a safeguarding authority) are investigating aspects of the complaint it is likely to impact on the School's ability to adhere to the timescales within this procedure or result in the procedure being suspended until those bodies have completed their investigations and in particular:
- 5.8.1. If at any time a child protection concern becomes apparent, the child protection process will take precedence over the complaints process, which will be halted until the child protection matter is resolved.
- 5.8.2. If at any time it becomes apparent that there may be criminal proceedings the complaints process will be halted until any such proceedings are complete.
- 5.8.3. If a complainant commences legal action against the 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.
- 5.9. Complaints should not usually 'leap frog' any of the stages, but it may be necessary, for example as set out above where the complaint is about the Headmaster. In that example it can be considered by Governors i.e. at Stage Four, by-passing Stages One to Three.
- 5.10. **Stage One: Complaint heard by a member of the school's staff**
- 5.10.1. Most concerns can be dealt with quickly and informally by a telephone call, an email or a quick word with the member of staff concerned and without the need for any formal procedure but if a brief discussion does not resolve your concern, or if you do not feel able to speak to a particular staff member, then you should contact:
- Your child's Housemaster (for boarding issues)
 - The Subject Leader (for academic issues) or
 - The Bursar (for any other issues)
- 5.10.2. You must make it clear to the relevant member of staff that you are invoking the complaints procedure.
- 5.10.3. Your complaint will be acknowledged as soon as possible but within 5 school days and, if it is not already clear, the relevant member of staff will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.
- 5.10.4. Informal discussion will be offered to seek an early resolution. In the event that this is unsuccessful the relevant member of staff will carry out any further investigations required and write to you to explain the outcome of your complaint. They will normally do this

within 5 school days of informal discussion or within 5 school days of you confirming that informal discussion is not required.

5.10.5. The response will detail the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it and, where appropriate, details of actions the School has taken or will be taking to resolve the complaint.

5.10.6. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage One.

5.11. Stage Two: Complaint heard by a senior member of the school's staff

5.11.1. If you are dissatisfied with the outcome of your complaint after Stage One you may write, within 10 school days of receiving the decision from Stage One, to:

- The Assistant Head: Quality of Teaching & Learning (for academic issues)
- The Head of Sixth Form (for Sixth Form issues)
- The Deputy Headmaster (for boarding, discipline and any other issues)

5.11.2. Your letter must set out your complaint, making it clear that you are invoking Stage Two of the complaints procedure. If the complaint has already been considered at Stage One your letter must also say why you consider the Stage One response did not address your complaint.

5.11.3. Your letter will be acknowledged as soon as possible but within 5 school days.

5.11.4. Informal discussion will be offered to seek an early resolution. In the event that this is unsuccessful the relevant member of staff will carry out any further investigations required and write to you to explain the outcome of your complaint. They will normally do this within 10 school days of informal discussion or within 10 school days of you confirming that informal discussion is not required.

5.11.5. The response will detail the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it and, where appropriate, details of actions the School has taken or will be taking to resolve the complaint.

5.11.6. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage Two.

5.12. Stage Three: Complaint heard by the Headmaster

5.12.1. If you are still dissatisfied after Stage Two of the complaints procedure you may write, within 10 school days of receiving the decision from Stage Two, to the Headmaster.

5.12.2. Your letter must set out your complaint, making it clear that you are invoking Stage Three of the complaints procedure. If the complaint has already been considered at Stage One/Two your letter must also say why you consider the response(s) from the previous Stages did not address your complaint.

5.12.3. Your letter will be acknowledged as soon as possible, but within 5 school days, and explain what will be done to investigate it. These investigations may often involve other senior staff.

5.12.4. Informal discussion will be offered to seek an early resolution. In the event that this is unsuccessful the complaint will be investigated. When the investigation is complete, the Headmaster will write to you to explain the outcome of your complaint. He will normally do this within 20 school days of informal discussion or within 20 school days of you confirming that informal discussion is not required.

5.12.5. The response will detail the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it and, where appropriate, details of actions the School has taken or will be taking to resolve the complaint.

5.12.6. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage Three.

5.13. **Stage Four: Complaint heard by Governors**

5.13.1. If you remain dissatisfied after Stage Three you may write, within 10 school days of receiving the decision from Stage Three, to the Chairman of the Governing Body. Correspondence for the Chairman of the Governing Body should be sent to the Clerk to the Governing Body at the School's address.

5.13.2. Your letter must set out your complaint, be accompanied by any appropriate documentation and make it clear that you are invoking Stage Four of the complaints procedure. If the complaint has already been considered at Stage One, Two and/or Three of this procedure then your letter must also say why you consider the response(s) from the previous Stages did not address your complaint.

5.13.3. Your letter will be acknowledged as soon as possible but within 10 school days and we will tell you what arrangements have been made for your complaint to be considered.

5.13.4. Informal discussion may be offered to seek an early resolution. In the event that this is unsuccessful arrangements will be made for a Panel of Governors to consider your complaint. Governors will decide whether to deal with the complaint by inviting you to a meeting or whether to deal with it through written representations. If they decide upon a meeting with you, it will be to clarify your concern and to seek further information before embarking on their investigation. You can, if you wish, bring someone else along to the meeting to provide support.³

5.13.5. Where a meeting is required we will endeavour to find a suitable time convenient to all parties. If a complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.

5.13.6. Unless this complaint is eligible to by-pass earlier stages of the complaints procedure and begin the complaints procedure at Stage Four then Governors will not consider 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 One of the procedure.

5.13.7. The complaint will be investigated within 15 school days of this meeting or within 15 school days of you confirming that a meeting is not required.

5.13.8. When the investigation is complete, the Chairman of the Panel, will write to you to explain the outcome of your complaint. The response will detail the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it and, where appropriate, details of actions the School has taken or will be taking to resolve the complaint.

5.13.9. This is the final stage of the complaints procedure. The response will signpost the complainant as to where they can take a complaint further if they wish.

6. **Complaints about Governors**

6.1. **Stage One: Complaint heard by a Governor/Independent Investigator**

6.1.1. Complaints against a Governor will be managed by the Chair of the Governing Body or, if the complaint is about the Chair of the Governing Body then by the Vice-chair of the Governing Body or another impartial Governor (all referred to below as the Delegated Governor).

³ This would usually be a friend or relative and not usually a legal representative as these committees are not a form of legal proceedings. In some instances legal representation may be appropriate; Governors will consider an application to bring along such a representative on the particular circumstances of each complaint and each person attending. Representatives from the media are not permitted.

- 6.1.2. Complaints against the majority or the entire Governing Body will be considered by an Independent Investigator appointed by the Governing Body.
- 6.1.3. Complaints about Governors can only be made in respect of their conduct as Governors and not in any capacity as private individuals outside of school.
- 6.1.4. Your letter, addressed to the Clerk of the Governing Body, must set out your complaint, be accompanied by any appropriate documentation and make it clear that you are raising a complaint about a governor/(s).
- 6.1.5. Your letter will be acknowledged as soon as possible but within 10 school days and we will tell you what arrangements have been made for your complaint to be considered.
- 6.1.6. Informal discussion may be offered to seek an early resolution. In the event that this is unsuccessful the Delegated Governor/Independent Investigator will decide whether to deal with the complaint by inviting you to a meeting or whether to deal with it through written representations. If they decide upon a meeting with you, it will be to clarify your concern and to seek further information before embarking on their investigation. You can, if you wish, bring someone else along to the meeting to provide support.⁴
- 6.1.7. If any investigations in respect of complaints about Governors involve the need to interview students the School's Designated Safeguarding Lead will carry out the required investigations and report to the Delegated Governor/Independent Investigator.
- 6.1.8. Where a meeting is required we will endeavour to find a suitable time convenient to all parties. If a complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.
- 6.1.9. The complaint will be investigated within 15 school days of this meeting or within 15 school days of you confirming that a meeting is not required.
- 6.1.10. When the investigation is complete the Delegated Governor/Independent investigator will write to you to explain the outcome of your complaint. The response will detail the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it and, where appropriate, details of actions taken or to be taken to resolve the complaint.
- 6.1.11. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage One.

6.2. **Stage Two: Complaint heard by a Panel**

- 6.2.1. If you are not satisfied with the Delegated Governor's/Independent Investigator's response you may, within 10 school days of receipt of the response, write to the Clerk to the Governing Body.
- 6.2.2. Your letter must set out your complaint, be accompanied by any appropriate documentation and make it clear that you are invoking Stage Two of the complaints against governors procedure. If the complaint has already been considered at Stage One of this procedure then your letter must also say why you consider the response from the previous Stage did not address your complaint.
- 6.2.3. Your letter will be acknowledged as soon as possible but within 10 school days and we will tell you what arrangement have been made for your complaint to be considered.

⁴ This would usually be a friend or relative and not usually a legal representative as these committees are not a form of legal proceedings. In some instances legal representation may be appropriate; Governors will consider an application to bring along such a representative on the particular circumstances of each complaint and each person attending. Representatives from the media are not permitted.

- 6.2.4. A panel of three persons will consider your complaint. Depending on the particulars of the complaint these persons may be Governors or independent persons appointed by the Governing Body.
- 6.2.5. Informal discussion may be offered to seek an early resolution. In the event that this is unsuccessful the Panel will decide whether to deal with the complaint by inviting you to a meeting or whether to deal with it through written representations. If they decide upon a meeting with you, it will be to clarify your concern and to seek further information before embarking on their investigation. You can, if you wish, bring someone else along to the meeting to provide support.⁵
- 6.2.6. If any investigations in respect of complaints about Governors involve the need to interview students the School's Designated Safeguarding Lead will carry out the required investigations and report to the Panel.
- 6.2.7. Where a meeting is required we will endeavour to find a suitable time convenient to all parties. If a complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.
- 6.2.8. The Panel will not consider 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 One of this procedure for complaints against Governors.
- 6.2.9. The complaint will be investigated within 15 school days of your meeting or within 15 school days of you confirming that a meeting is not required.
- 6.2.10. When the investigation is complete the Chairman of the Panel will write to you to explain the outcome of your complaint. The response will detail the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it and, where appropriate, details of actions taken or to be taken to resolve the complaint.
- 6.2.11. This is the final stage of the complaints procedure against governors. The response will signpost the complainant as to where they can take a complaint further if they wish.

7. Taking a complaint further

If you remain dissatisfied after the final stages of the complaints procedures you are entitled to refer your complaint to the Secretary of State or, for complaints relating to boarding, to Ofsted, both of whose contact details are listed below. Each will investigate your complaint according to their own procedures. Please refer to the guidance provided by each as to how they will do this.

Department for Education	Piccadilly Gate, Shore Street, Manchester, M1 2WD www.gov.uk/complain-to-dfe
Ofsted	The online complaints form can be found at: www.ofsted.gov.uk/onlinecomplaints

8. Persistent complaints

- 8.1. If, despite all stages of the procedures having been followed, the complainant remains dissatisfied and tries to reopen the same issue, the Chairman of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant continues to pursue the same issue, or if the complainant at any stage in the complaints procedure behaves in a manner that is deemed to be unreasonable, then the School may consider whether the complaint is persistent or vexatious or if the complainant's actions are a form of harassment. If

⁵ This would usually be a friend or relative and not usually a legal representative as these committees are not a form of legal proceedings. In some instances legal representation may be appropriate; Governors will consider an application to bring along such a representative on the particular circumstances of each complaint and each person attending. Representatives from the media are not permitted.

they consider any of these to be the case they will act in accordance with Appendix A attached and referring to such complaints and behaviour.

- 8.2. Concerns or any other issues which do not become complaints but are continually pursued, or with behaviour in a manner deemed to be unreasonable, will be considered in the same context as persistent and vexatious complaints and harassment if the School consider it appropriate and in such a case they will act in accordance with Appendix A.

Dealing with Persistent or Vexatious Complaints or Harassment

1. Introduction

- 1.1. The Headmaster and staff deal with specific complaints as part of their day-to-day management of the School in accordance with the School's complaints procedure as outlined in the main body of this policy.
- 1.2. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing either concerns or complaints. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the School as well as directly or indirectly on the overall well-being of the students or staff in the School. In these exceptional circumstances the School may take action in accordance with this policy and the procedure set out below.
- 1.3. At all times the School aims to:
 - 1.3.1. Uphold the standards of courtesy and reasonableness that should characterise all communication between the School and persons who wish to express a concern or pursue a complaint;
 - 1.3.2. Support the well-being of students, staff and everyone else who has legitimate interest in the work of the School, including volunteers, governors and parents/carers;
 - 1.3.3. Deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff.⁶

2. Complainants expectations of the School

In accordance with the School's complaints procedure persons who raise either informal concerns or formal complaints with the School can expect the School to:

- 2.1. Communicate how and when concerns can be raised and complaints can be made and the School's procedure for dealing with these;
- 2.2. Respond, with courtesy and respect, within a reasonable time, and in accordance with the School's complaints procedure or if there is any delay to communicate this, to explain the delay and to set out a revised time table for dealing with the matter;
- 2.3. Be available for consultation within reasonable time limits bearing in mind the needs of the students within the School and the nature of the complaint;
- 2.4. Try to resolve problems using reasonable means, and in line with the School's complaints procedure and other policies and practice, keeping complainants informed of progress towards a resolution of the issues raised.

3. The School's expectations of Complainants

The School expects persons who wish to raise either informal concerns or formal complaints with the School to:

- 3.1. Treat all school staff with courtesy and respect;
- 3.2. Respect the needs and well-being of students and staff in the school;

⁶ For the purposes of this appendix staff may include volunteers, Governors, Feoffees and everyone else who has a legitimate interest in the work of the School.

- 3.3. Avoid any use, or threatened use, of violence to people or property;
- 3.4. Avoid any aggression or verbal abuse;
- 3.5. Recognise the time constraints under which members of staff in schools work and allow the School a reasonable time to respond;
- 3.6. Recognise that resolving a specific problem can sometimes take some time;
- 3.7. Follow the School's complaints procedure above.

4. Who is a Persistent or Vexatious Complainant?

- 4.1. For the purpose of this policy, a persistent or vexatious complainant is any person:
 - 4.1.1. Who complains, repeatedly complains or frequently raises issues, either formally or informally, that the complainant considers to be within the remit of the School; or
 - 4.1.2. Who persists in pursuing a complaint where the School's complaints procedure has been fully and properly implemented and exhausted at all stages;
 - 4.1.3. Whose behaviour is unreasonable.
- 4.2. Unreasonable behaviour is that which hinders our consideration of complaints because of the frequency or nature of the complainants contact with the School and this behaviour may be characterised by, but not be limited to, any of the following:
 - 4.2.1. Actions which are obsessive, persistent, harassing, malicious, prolific or repetitious;
 - 4.2.2. Using abusive, offensive or discriminatory language or violence;
 - 4.2.3. Prolific or excessive correspondence, e-mail or telephone contact about a concern or complaint;
 - 4.2.4. Excessive and unreasonable use of Freedom of Information requests;
 - 4.2.5. Refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - 4.2.6. Refusing to co-operate with the complaints investigation process;
 - 4.2.7. Refusing to accept that certain issues are not within the scope of the complaints procedure;
 - 4.2.8. An insistence upon pursuing trivial or insubstantial complaints and/or expecting unrealistic or unreasonable outcomes;
 - 4.2.9. Changing the substance of a complaint or continually raising further concerns, questions or new issues (but not new complaints) upon receipt of a response;
 - 4.2.10. An insistence upon pursuing complaints in an unreasonable manner, or in a manner which is incompatible with the complaints procedure or with good practice;
 - 4.2.11. Knowingly provides falsified information;
 - 4.2.12. Publishes unacceptable information on social media or other public forums;
 - 4.2.13. An insistence on only dealing with the Headmaster or Chairman of the Governing Body irrespective of the issue and the level of delegation in the School to deal with such matters;
 - 4.2.14. An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the School because it is unlawful;
 - 4.2.15. Repeatedly making the same complaint despite previous investigations or responses concluding that the complaint is groundless or has been addressed;

- 4.2.16. Refusing 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.
- 4.3. For the purpose of this policy, harassment is, but is not limited to, the unreasonable pursuit of such actions as in 4.2 above and in such a way that they:
- 4.3.1. Appear to be targeted over a period of time on one or more members of staff; or
 - 4.3.2. Cause ongoing distress to individual members of staff; or
 - 4.3.3. Have a significant adverse effect on the whole or any part of the School community; or
 - 4.3.4. Are pursued in a manner which can be perceived as intimidating, bullying, oppressive or aggressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have the cumulative effect over time of undermining confidence, well-being and health.

5. The School's actions in cases of Persistent or Vexatious Complaints or Harassment

Duty of Care

- 5.1. The School has a duty of care to its students and staff. All members of the School's community have the right to work free from abuse, humiliation, harassment, and bullying and the right to feel safe and valued. As much as the School will not tolerate this behaviour from those within its own community neither will it tolerate the same from persons raising concerns or making complaints.
- 5.2. In so far as all concerns and complaints will refer to school matters complainants must not raise any concern or make any complaint to staff or members of the School's community whilst they are outside of school and acting in their capacity as private individuals.
- 5.3. No proceedings in respect of persistent or vexatious complaints or harassment will reflect or impact upon any of the complainants' children in the School.

Police & other Agencies

- 5.4. Where aggressive or threatening behaviour is displayed or physical assault has taken place the School reserves the right to refer to the police. The School may, if the circumstances so require, contact other relevant agencies in order to comply with their safeguarding duties. This action will be taken, if required, irrespective of the procedures below.

General procedures

- 5.5. On the basis of evidence to justify his decision the Headmaster⁷ may deem a complaint persistent or vexatious or a person a persistent complainant.
- 5.6. The Headmaster will inform the complainant that their behaviour is considered to be becoming unreasonable and unacceptable and, if it is not modified, action may be taken in accordance with this policy. This may be verbally (followed up in writing⁸) or in writing.
- 5.7. If the behaviour is not modified some or all of the following actions may be taken, as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the School and its community:
- 5.7.1. Inform the complainant that their behaviour is now considered by the School to be unreasonable and unacceptable and, therefore, to fall under the terms of this policy;
 - 5.7.2. Require, except in emergencies, all meetings with a member of staff to be conducted only in the presence of a second person and that notes of meetings be taken;

⁷ Or in the absence of the Headmaster, the Deputy Headmaster or other senior member of staff who is at that time in charge of the School

⁸ Email or emailed correspondence will be regarded as informing in writing

- 5.7.3. Require, except in emergencies, all routine communication between the complainant and the School be by letter only and to the School's address;
 - 5.7.4. Acknowledge, but not respond to, correspondence from the complainant that raises concerns or makes complaints about issues that have already been dealt with through the School's complaints procedures and the procedure duly exhausted;
 - 5.7.5. In the case of physical, or verbal aggression, and after taking advice if required, consider warning the complainant about being banned from the School site; or, if the circumstances so require, proceed straight to a temporary ban;
 - 5.7.6. Consider taking advice on pursuing a case under Anti-Harassment legislation and act on that advice;
 - 5.7.7. Consider taking advice about putting in place a specific procedure for dealing with complaints from the complainant, e.g. appointing a third party to act on behalf of the School to investigate, determine whether or not the concern or complaint is reasonable or vexatious and then advise the Headmaster accordingly.
- 5.8. The Headmaster will inform the Chairman of Governors of any action or actions he proposes to take under this procedure. The Headmaster will inform the complainant in writing, of what action or actions he is taking, explain his decision and explain the way that future complaints will be dealt with.
- 5.9. Any restrictions imposed will be appropriate and proportionate.

Recordings

- 5.10. Electronic recordings of meetings or telephone conversations can only occur when all parties have agreed to the recording. Circulation of such recordings to third parties without the prior knowledge and consent of other parties involved constitutes a breach of confidentiality.

Removing or reinstating restrictions

- 5.11. Any action taken under the general procedure above may remain in force for such time as the Headmaster sees fit bearing in mind all of the circumstances giving rise to that action however this should be for no longer than is necessary. The complainant may apply to the Headmaster to request a review of when any restriction may be lifted.
- 5.12. If a complainant's persistent complaining or harassing behaviour is modified but is then resumed at a later date, within a reasonable period of time, the School may resume the process identified above at an appropriate level.
- 5.13. The Headmaster will inform the Chairman of Governors if a restriction is not lifted after more than one term or if any restriction has been reinstated.

New complaints

- 5.14. Legitimate new complaints will be considered even if the person making them is, or has been, subject to any part of this procedure however due regard will be had to the nature of the complaint and all other circumstances as set out in sections 4 and 5 above in determining how the complaint will be dealt with.

Complaints Outside of the Scope of this Policy

Exceptions	How are concerns dealt with?
School admissions	<p>Appeals for School admissions are handled under the School's admission procedures.</p> <p>If however you have a concern about the process of place allocation in Year 7 (not the outcome) then you will need to contact the Local Authority as they handle this under coordinated admissions arrangements.</p>
Statutory assessments of Special Educational Needs	Concerns about statutory assessments of Special Educational Needs should be raised with the Local Authority.
School re-organisation proposals	Concerns about school re-organisation proposals should be raised with the Local Authority.
Matters likely to require a Child Protection Investigation	<p>Concerns about safeguarding and child protection matters are handled under the School's 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) who can be reached either directly at the Local Authority or through their Single Point Access Team (SPA).</p>
Suspension or exclusion of children from school	Concerns about the application of the School's Behaviour Policy can be raised through this Complaints Policy however information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
Whistleblowing	<p>The School has a whistleblowing procedure for all our employees, including temporary staff, contractors and volunteers under which concerns can be raised. Depending on the substance of your concern you may also be able to raise it directly with the Local Authority.</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 employer. Referrals can be made at: www.education.gov.uk/contactus.</p>
Staff grievances	Complaints from staff will be dealt with under the School's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the School's internal disciplinary procedures.</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>
Complaints about services provided by others who use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
Curriculum	Concerns about the delivery of the curriculum can be raised through this Complaints Policy however concerns about the <u>content</u> of the National Curriculum can be raised by contacting the Department for Education at: www.education.gov.uk/contactus .
Collective worship & Religious Education (RE)	Concerns parents and carers may have about the handling of a request by them to withdraw their child from RE or the daily act of collective worship can be raised through this Complaints Policy however concerns about the content of the daily act of collective worship should be directed to the Local Authority.