Complaints Policy and Procedure

Reviewed: June 2026

Next Review: June 2027

Fairfields School

Approved by Governors:

Fairfields School
Complaints policy and procedures

1. General Principles of complaints

Dealing with Complaints – Initial concerns

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. In most cases the class teacher will be the first approach; it would be helpful if staff were able to resolve issues on the spot, including apologising where necessary. This may be enough to not begin a formal procedure.

Dealing with Complaints – Formal procedure

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. This should then be referred to the Headteacher who will identify either the deputy Headteacher or assistant head teacher to manage the complaint.

Framework of Principles

The effective Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- allow swift handling with established protocols;
- be non-adversarial;
- time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior leadership team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

At each stage in the procedure keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;

- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Persistent or Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. Appendix 4 provides more details about how we manage these complaints.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

2. Overview of Complaints Procedure

At any stage the process may be resolved and therefore next stages not put into action.
Complaints will be handled in the following stages:

- **Stage one**: Complaint heard by staff member (though not the subject of the complaint);
- **Stage two:** Complaint heard by 'the complaints line manager (Business manager, Deputy Head, Assistant Head or Headteacher);
- **Stage three**: Complaint heard by Chair of Governors;
- **Stage four**: Complaint heard by Governing Body's complaints appeal panel.

On occasion there may be need for some flexibility; for example the possibility of further meetings between the complainant and the member of staff directly involved and further investigation or the involvement of an external agency to provide an independent appeal or review.
If the matter is still unresolved the complainant may wish to seek advice from the LA or write to the secretary of state for education.

See Appendix 1 – Flowchart of stages

3. Managing and Recording Complaints

Recording complaints

A complaint can be made in person, telephone or in writing. At the end of the meeting or telephone call the member of staff must make a note of the conversation and keep a copy of written responses together. The Headteacher is responsible for the records and will hold them centrally. A log of all school complaints and

actions is to be kept up to date. If it is a complaint in relation to, or by a member of staff, the records will be kept in individual confidential files.

Governing body review

The Governing Body will monitor the level and nature of complaints and review the outcomes to ensure the procedure is effective and make changes where necessary. Complaints information (from stage 2 and above) is shared with the whole Governing Body regularly in the Headteacher's report but will not name individuals. The Chair of Governors will be made aware of any complaints on-going from stage 2 and above but without any specific detail to keep it anonymous pending the need for a governing body panel.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to school improvement. Listening to complaints can help identify underlying issues to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating the school's performance.

Publicising the procedure

There is a legal requirement for the complaints procedure to be publicised. The details could be included in the school prospectus, school website, information to new parents as their children join the school, a home-school agreement, termly in newsletters, documents for community users including lettings agreement, feedback leaflet which includes a form to make a complaint on.

See Appendix 2 – Guidelines for Complainant

4. Informal Stage

Stage one: Complaint heard by member of staff

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between complainant and the school can be crucial in determining whether the complaint will escalate.

At Fairfields School, members of staff should find out if a concern needs to be actioned as a complaint. If this is not resolved at stage one it should be taken to the Headteacher, by completing a complaints form.
The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. Where the complaint concerns the head teacher, the complainant should be referred to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they may consider referring the complainant to either the assistant Headteacher or deputy Headteacher. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors should follow the complaints procedure and should not act unilaterally on an individual complaint outside the formal procedure. It is important not to be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage two: Complaint heard by either the Headteacher, Deputy Headteacher or Assistant Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

The Complainant will be contacted with an acknowledgement within 24 hours from receipt of the form or letter, they will be told that the school will make an investigation within 5 working days (this does not include school holidays), after this time a letter or electronic communication will be sent to say the investigation has been completed and the matter has been resolved. However, if they are still unhappy they can now make a formal complaint in writing to the Chair of Governors.

5. Formal Stage

Stage three: Complaint heard by Chair of governors

This is a stage before the Full Governing Body are involved, and provides an opportunity for a well-informed but independent person to resolve the complaint. If this stage is required the complainant will be contacted with an acknowledgement within 5 working days from receipt of the letter, they will be told that the Governing Body will make an investigation within 15 working days, after this time a formal letter will be sent to say the investigation has been completed and the matter has been resolved. If they are still unhappy they can request a meeting with the Governing Body panel.

Stage four: Complaint heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governing Body Complaints Appeal Panel giving details of the complaint. The Chair, or a nominated Governor, will convene a Governing Body complaints panel and arrange a meeting with the complainant within 15 working days from receipt of the letter.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and will consist of three five people. The panel may choose their own chair.

The Panel will then write to the complainant within 5 working days with their decision.

The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any Governor sitting on a complaints panel needs to remember:

A. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the

circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

B. 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 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.

C. 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.

D. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

E. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The Department strongly recommends that any panel or group of Governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

The Role of the Chair of the Panel

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

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;

- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; within 5 working days. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

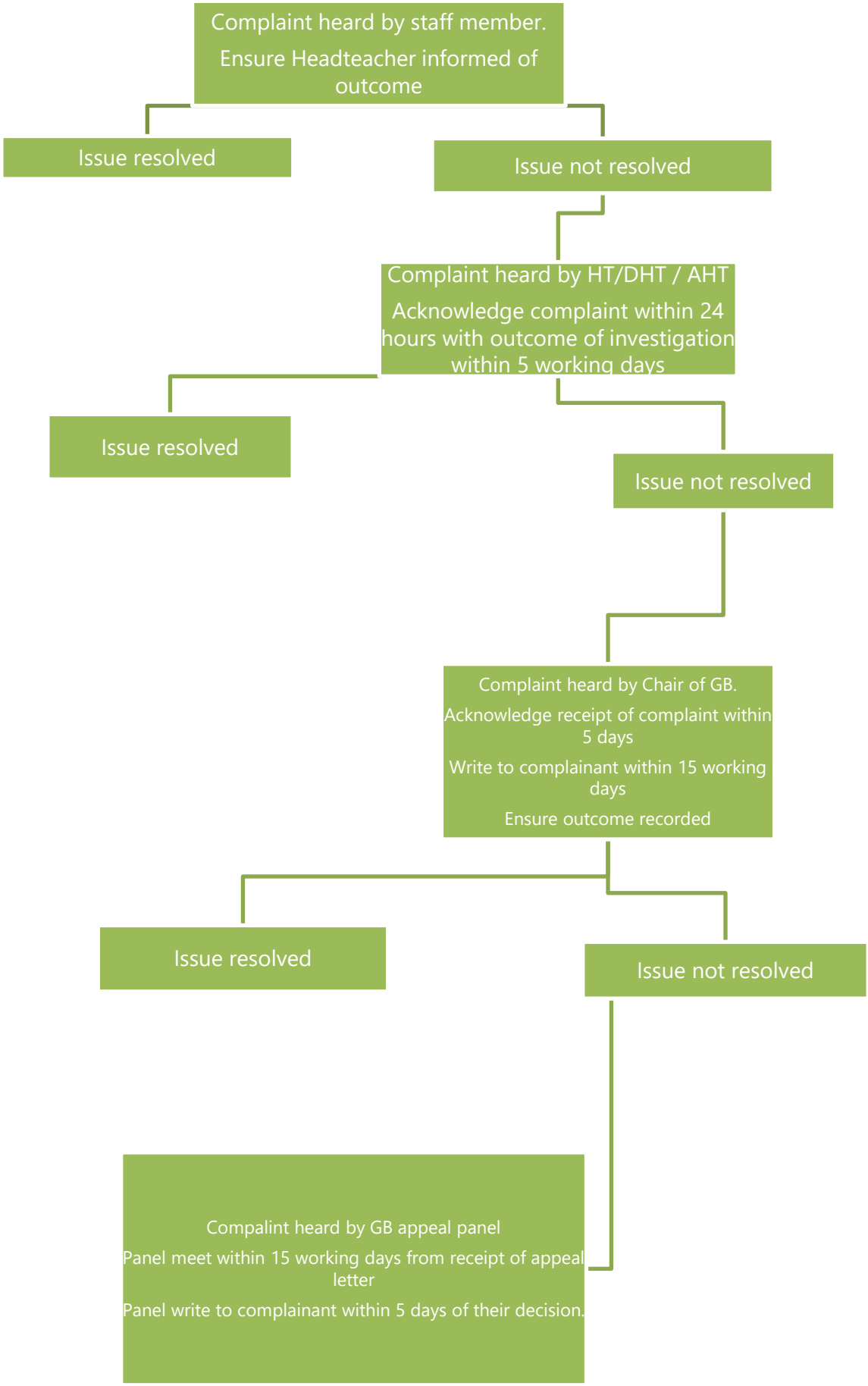
Checklist for a Panel Hearing

The panel needs to take the following points into account:

- ✓ The hearing is as informal as possible.
- ✓ Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- ✓ After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- ✓ The Headteacher may question both the complainant and the witnesses after each has spoken.
- ✓ The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- ✓ The complainant may question both the Headteacher and the witnesses after each has spoken.
- ✓ The panel may ask questions at any point.
- ✓ The complainant is then invited to sum up their complaint.
- ✓ The Headteacher is then invited to sum up the school's actions and response to the complaint.
- ✓ Both parties leave together while the panel decides on the issues.
- ✓ The chair explains that both parties will hear decision within 5 working days.

Appendix 1 – Flowchart

Summary of complaints procedure



Appendix 2 Guidelines for Complainant

Stage one: Complaint heard by member of staff

Many concerns may be settled by contacting your child's teacher because they work regularly with your child, they may be able to give immediate help but they may ask you to give them time to find further information. In the event of the matter not being resolved, you may wish to take your concern further, by putting it in writing to the Headteacher.

Stage two: Complaint heard by either the Headteacher, Deputy Headteacher or Assistant Headteacher

They will seek to contact you within twenty four hours to confirm that the complaint has been received; one of them will then seek to investigate the complaint within a further five school days or as soon as possible. They will confirm that the matter has been investigated and dealt with in the appropriate manner. Hopefully the matter will be resolved at this stage.

However, if you are not satisfied with the response to your concern, you may wish to make a formal complaint.

The Formal Stage

Stage three: Complaint heard by Chair of Governors

At this stage you should put your complaint in writing to the Chair of Governors at the school. You will receive an acknowledgement within five school days.

The Chair will then investigate the complaint on your behalf within fifteen school days. You may be asked to provide further information. You will then receive a formal reply.

Stage four: Complaint heard by governing bodies complaints appeal panel

If you are still not satisfied with the reply, you may request a meeting with the Governing Body complaints appeal panel. You will then be invited to a meeting within fifteen school days at which the matter will be discussed. The time and date of the meeting will be arranged to suit everyone and you may bring a friend with you. The committee's decision will be sent to you within five school days. The aim of this meeting is to resolve the complaint.

Unresolved Issues

The secretary of State for Education

All complaints should be resolved within the school. However, you can forward your complaint to the Secretary of State for Education if you believe that the Governing Body of the school has failed to carry out its lawful duties or has acted unreasonably.

The Local Authority (LA)

You may also wish to contact the LA for advice.

Conclusion

Everyone who is involved in your child's education seek to work together to make sure that your child is happy and supported in their life at school. This procedure should make sure that your concerns are sorted out as quickly as possible and that you are satisfied with the school's reply. Some concerns may be the responsibility of the LA. If this is the case, the Headteacher will be able to advise you.

Appendix 3 - Complaint Form

Please complete and return to Lesley Elder who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?

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

Are you attaching any paperwork? If so, please give details.

Signature:
Date:

Official use
Date acknowledgement sent: **By who:**
Complaint referred to: **Date:**

AGREED OUTCOMES

Appendix 4 - Persistent or vexatious complaints

About this procedure

This guidance is about the management of abusive, persistent and/or vexatious complainants. It sets out how Fairfields School will deal with complainants that fall within the scope of this definition. Those identified will be treated consistently, honestly and proportionately while ensuring that others within the school suffer no detriment.

It is considered that all complainants have the right to have their concerns examined in line with the relevant complaints procedure. In most cases, dealing with complaints will be a straightforward process; however in a minority of cases, the complainant may act in a manner that is deemed unacceptable.

They may act in a way that is considered abusive, unreasonably persistent or vexatious and by doing so it may hinder the schools ability to investigate their complaint or the complaints of others. This behaviour may occur at any time before, during or after a complaint has been investigated.

The time spent on dealing with all complaints should be proportionate to the nature of the complaint and consistent with the outcome that is being sought being realistic and achievable.

How is unreasonable complaint behaviour defined?

It should be noted that raising a complaint about Fairfields School does not in itself constitute unreasonably persistent behaviour and neither do complainants who escalate through all stages of the relevant complaints procedure or those who express criticism about the complaints process itself.

Local Government Ombudsman's definition and the identified characteristics for unreasonable or unreasonably persistent complainants "*For us, unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints*".

Examples of unreasonably persistent behaviour:

(this list is not exhaustive, nor does one single characteristic on its own imply that the person will be considered as being in this category)

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of the Council's jurisdiction or within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- 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 many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various members of staff and/or organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations, which the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

Examples of abusive and/or vexatious complainants

Fairfields School will take steps to protect its staff from people who are behaving in a way which is considered abusive and/or vexatious. This may include physical or verbal abuse and could include the following (however this list is not exhaustive):

- Speaking to the member of staff in a derogatory manner which causes offence.
- Swearing, either verbally or in writing despite being asked to refrain from using such language.
- Using threatening language towards Fairfields staff which provokes fear.
- Repeatedly contacting a member of staff regarding the same matter which has already been addressed

Managing unreasonable complainant behaviour

The guidance maybe followed if Fairfields School considers that a complainant has behaved in a manner which is deemed unreasonable (see above). The Headteacher may take any actions against a complainant that it considers to be reasonable and proportionate in the circumstances.

Types of actions Fairfields School may take:

- Where the complainant tries to reopen an issue that has already been considered through the schools complaints procedures, they will be informed in writing that the procedure has been exhausted and that the matter is now closed
- Where a decision on the complaint has been made, the complainant should be informed that future correspondence will be read and placed on file, but not acknowledged, unless it contains important new information
- Limiting the complainant to one type of contact (for example telephone, letter, email, etc.)
- Placing limits on the number and duration of contacts with staff per week or month
- Requiring contact to take place with a named member of staff and informing the complainant that if they do not keep to these arrangements, any further correspondence that does not highlight any significantly new matters will not necessarily be acknowledged and responded to, but will be kept on file
- Assigning one member of the leadership team to read the complainant's correspondence, in order to ensure appropriate action is taken
- Offering a restricted time slot for necessary calls to specified dates and times
- Requiring any face to face contacts to take place in the presence of a witness and in a suitable location

Matters to take into account before taking action

Before taking a decision to invoke this guidance consideration should be given to whether any further action is necessary, such as:

- Consideration about whether it is appropriate to convene a meeting with the complainant and a member of the senior leadership team in order to seek a mutually agreeable resolution

Staff must be satisfied before taking any action as defined by this guidance that the complainant's individual circumstances have been taken into account including such issues as age, disability, gender, race and religion or belief.

Imposing restrictions

In the first instance the Headteacher will communicate to the complainant either by phone or in writing to explain why this behaviour is causing concern, and ask them to change this behaviour. They will explain what actions the Council may take if the behaviour does not change.

If the complainant continues with the unreasonable behaviour the Headteacher will consult with the Governing Body about whether it is necessary to take appropriate action by invoking this guidance.

When the decision has been taken to apply this guidance to a complainant, the Headtecaher will contact the complainant in writing (and/or as appropriate) to explain:

- why this decision has been taken
- what action the school will be taking

- the duration of that action
- the review process of this guidance

Any restriction that is imposed on the complainant's contact with the school will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between three and six months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

If the complainant continues to behave in a way which is deemed unacceptable then the Headteacher, in consultation with the Governing Body, may decide to refuse all contact with the complainant and cease any investigation into his or her complaint. In this instance, the Local Authority will be contacted.

Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, the School will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

New complaints from those who have been treated as being abusive, vexatious and/or unreasonably persistent complainants.

Any new complaints received from complainants who have come under this guidance will be treated on their merits. The school does not support a blanket ban on genuine complaints simply because restrictions may be imposed upon that complainant.

Review

The Headteacher and Governing Body will review any restrictions which are imposed upon the complainant after three months and at the end of every subsequent three months within the period during which the guidance is to apply.

Should the decision be taken to extend the period of restriction, the complainant will be advised in writing how the school plans to go about this and that the decision to restrict contact will be put in place for a further specified period (for example six months). The outcome of any subsequent review will be communicated to the complainant, outlining if the restrictions will continue to apply and if so why.

If at the end of the restricted period it is considered that the complainant's behaviour is no longer deemed to be unreasonable, the school will confirm this in writing advising that the restrictions have now been lifted.

Ceasing Contact with a Complainant

There may be occasions where the relationship between the school and unreasonably persistent or vexatious complainants breaks down completely. This may even be the case while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure. Where this occurs the school will advise the complainant that they may approach the Local Authority who may be prepared to consider a complaint before the procedure has run its course.

Record Keeping

The Senior Leadership Team will keep a record of all complainants who have been treated as being unreasonably persistent, abusive and/or vexatious in accordance with this guidance. This will include details of why the policy was invoked, what restrictions were imposed and for what period of time.