



HOE VALLEY SCHOOL

PARENTAL COMPLAINTS PROCEDURE

Person Responsible: Board of Governors
Date Adopted: December 2015
Date of last review: July 2016
Date of next review: Summer 2019

1. INTRODUCTION

This guidance and complaints procedure is intended to be a good practice guide that will apply to most general complaints received by the school. The aim of this procedure is to seek a resolution to a complaint and restore positive relationships. In the case of parental complaints the aim is to arrive at a resolution that is in the best interests of the student and whilst taking into account the interests and special educational needs of all students in the school.

The DfE provide the following guidance as to the difference between a concern, which should be dealt with informally, and a complaint which would be the subject of this procedure : “A ‘concern’ may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*. A complaint may be generally defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*”.

There is a separate policy on bullying and how parents can work with the school to try and prevent this. Bullying is a common cause for concern by both parents and students which is best dealt with by the school and parents working in partnership. Complaints regarding bullying are subject to these complaint procedures.

The 2002 Education Act places a duty on school governing bodies to establish procedures for handling general complaints about their school, including bullying. Schools must ensure these procedures are publicised to parents and others.

The types of complaint set out below are subject to other statutory procedures that are separate from this general complaints procedure:

Section 39 School Standards & Framework Act Complaints regarding: Provision of information, delivery of, or withdrawal from, the national curriculum, religious education or collective worship and non-approved external qualifications or syllabuses.	Governors agreed complaints procedure applies, but complainant has further right of appeal to the Local Authority. For further information contact the Local Education Officer Team via Surrey County Council Contact Centre 03456 009 009
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Staff grievances and disciplinary procedures	Complaints and Grievances Policy; Discipline and Capability Policy. Complainants will not be informed of the outcome of any such procedures
Student Exclusion	Parents have the right to make representations about fixed term exclusions to a panel of Governors. There is also a right of appeal to independent panel for permanent exclusion. For further information see the Exclusions policy.
Admission to school	Right of appeal to independent panel if admission is refused. For further information, see the Admissions policy.
Child Protection/Safeguarding	Surrey Safeguarding Children's Board procedures apply. Contact the Surrey County Council Contact Centre 03456 009 009.
Statements of Special Educational Needs (SEN)	Local Authority statutory assessment procedures apply if a parent requests a statement. There is then a right of appeal to independent SEN Tribunal. For information contact the SEN Administration Team via Surrey County Council Contact Centre 03456 009 009.
Whistleblowing	Whistleblowing Policy for staff and volunteers. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Providers should be contacted directly.

2. GENERAL PRINCIPLES

The aim of these guidelines is to achieve a resolution to concerns and complaints made by parents or members of the public. Most concerns can be resolved informally without any need to involve

governors. However, if a concern becomes a complaint then this four-stage process will be used. It is not possible to jump stages in the procedure, it is a fundamental principle that each party must be allowed the opportunity to resolve the complaint before it is escalated to the next stage.

The School's aim is to build a positive relationship between parents and their child's teachers and other school staff; this relationship should be based on mutual respect and an understanding that both parties have the student's best interests at heart. This is the basis on which all schools operate and is another key principle of these procedures.

Any complaint raised will be treated seriously and courteously. You will be given the opportunity to make your concerns known and school staff must be given time to properly investigate them in order for the matter to be resolved to everyone's satisfaction. It is important that you have confidence in these procedures and know that the matter will be investigated impartially and dealt with as quickly as possible. Resolving concerns involves balancing the rights and responsibilities of students, parents and school staff; there should be recognition that responsibility rests with each of these parties.

To comply with equalities legislation the School will be sensitive to the individual needs and circumstances of the complainant. No-one will be excluded from the complaints system because of any difficulties they may have in representing themselves either in writing or in person.

The school's complaint procedure is available on the website or from the school office.

The School recognises that some people will need help in pursuing their complaint and consideration will be given to putting complainants in touch with a suitable agency which can help them, e.g. Area Education Officer (AEO) Teams, Partnership with Parents, Race Equality and Minority Achievement Team.

The investigation of a complaint will not deal with staff disciplinary matters. If, however, during the course of considering a complaint, it is concluded that disciplinary procedures should be initiated, the Board of Governors will consider this as a separate action. Decisions regarding staff disciplinary matters and/or the disciplining of governors are for the Board of Governors to make, and fall outside of the scope of this procedure.

Confidentiality will be maintained at all times by all concerned, and all documents associated with any complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them. All conversations and correspondence must be treated with discretion. However, you will need to accept that some sharing of information within the school will be inevitable if the complaint is to be investigated fully and fairly. This will be done with sensitivity and will take into account confidentiality. You should feel confident that a complaint will not disadvantage your child.

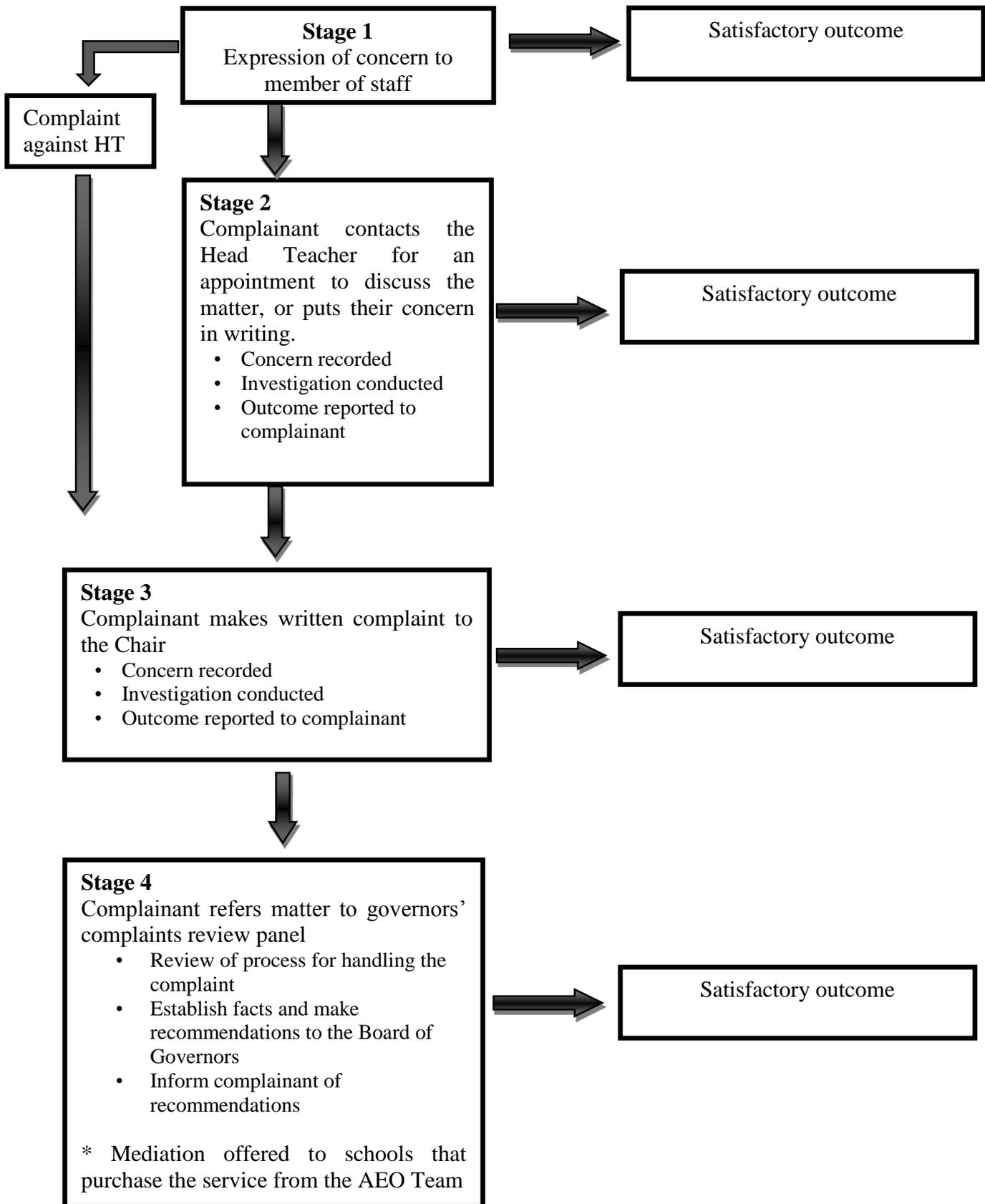
The School is mindful of the Data Protection Act and is not allowed to disclose personal information relating to third parties, i.e. other students, other parents, staff etc.

Anonymous complaints, whilst difficult to manage and resolve, will be recorded and referred to the Head Teacher or Chair of Governors in the same way as other complaints. The fact that a complaint is from an anonymous source should not in itself justify a decision not to investigate the matter, nor should it rule out referral to other procedures as appropriate, e.g. child protection.

The school may, if it feels it would be beneficial, suggest mediation if stage 3 of the procedure has been completed without a satisfactory resolution.

Section 5 of this policy deals with the circumstances where a complaint relates to the conduct of a governor.

3. MODEL PROCEDURE FOR DEALING WITH GENERAL COMPLAINTS



3.1 Stage One - Discuss concern with a member of school staff

Complainant to discuss concern with member of school staff

5 school days



Member of staff to respond to complainant



Satisfactory Outcome or proceed to the Second Stage

3.1.1 Guidelines

- The vast majority of concerns and complaints can be resolved informally, often straight away by the form tutor or appropriate senior leader, e.g. Deputy Head or Head of Year.
- If you raise a concern at this stage with a governor, the governor should refer you to the most appropriate member of staff and inform the Head Teacher. Governors should not be involved in the early stages of complaints.
- You must feel able to raise concerns with school staff without any formality, either in person, by telephone or in writing. On occasion it may be appropriate for someone to act on behalf of a complainant and schools should be sensitive to the needs of individuals. At first it may be unclear whether you are asking a question or expressing an opinion rather than making a complaint, therefore, you may wish to have a preliminary discussion about an issue to help decide whether or not you wish to take it further. Concerns should be raised in private, at an appropriate time and not when other parents, students or staff can overhear, otherwise it is difficult for the school to observe confidentiality.
- Schools will act to ensure that school remains a safe place for students, staff and members of the community. Abusive, threatening or violent behaviour will not be tolerated and people behaving in this way will be removed from the site, and risk prosecution.
- Complaints should be raised as soon as possible after an incident arises to enable an effective investigation and resolution to be effected.

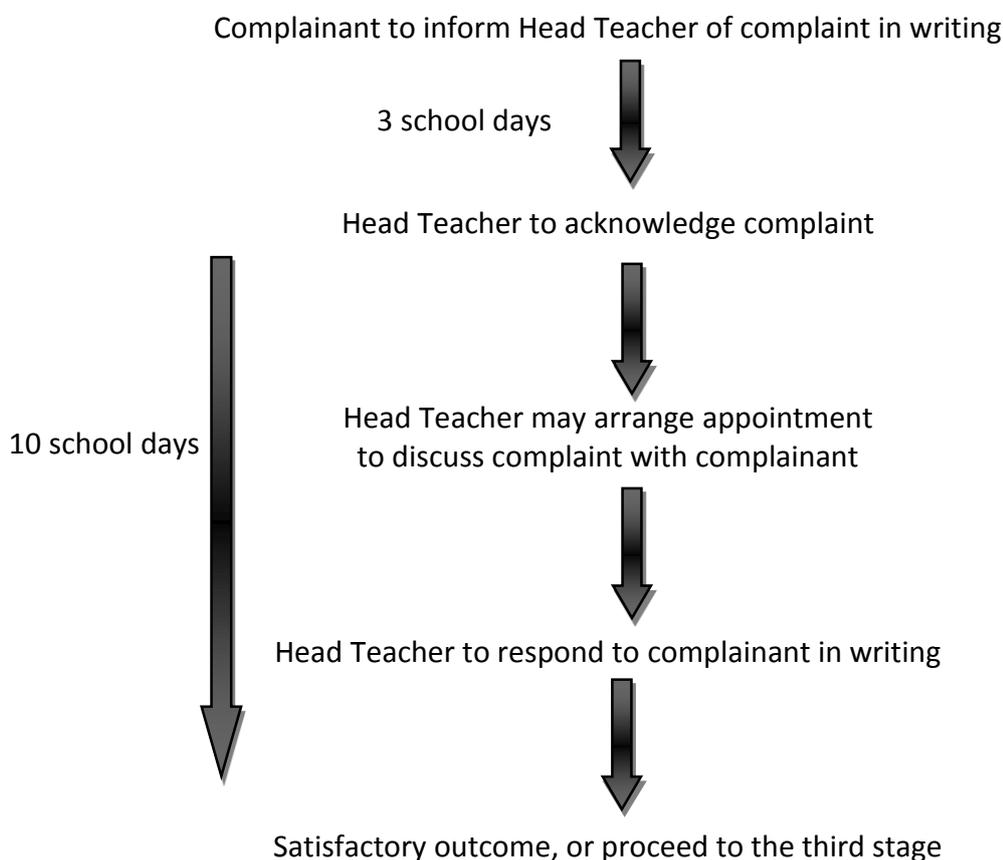
3.1.2 Procedure

- You will be given an opportunity to discuss your concerns privately with the appropriate member of staff who can clarify the nature of your concern. The staff member should reassure you that the school wants to try and resolve the matter. It may also be helpful at this point to identify the outcome you are seeking.
- In many cases this will lead to immediate resolution of the issue but in some circumstances the staff member will need to have some time to investigate your concerns and get back to you.
- The member of staff will ensure that appropriate action is taken to deal with the matter speedily - usually within five school working days. If the issue meets

the guidance for a complaint, staff will also notify the Head Teacher that a complaint has been raised.

- Where the concern relates to the specific actions of a member of staff, you should initially meet with the Head Teacher to discuss the problem (see Stage Two). In the rare circumstances where the complaint is against the Head Teacher and is of a serious nature, then you should contact the Chair of Governors via the school and proceed to Stage Three of the process.
- In most cases the member of staff who is dealing with the complaint will respond to you verbally. This stage of the process seeks to resolve your complaint as informally as possible. A written response will only be provided if this seems to be the best way of making the process or the outcome clear.
- Where a response (verbal or written) has been received but is considered to be unsatisfactory, then you should inform the Head Teacher within ten school working days that you wish your complaint to be considered further (Stage Two).

3.2 Stage Two- Consideration by the Head Teacher



3.2.1 Guidelines

- It should by now have become clear that the concern is a definite complaint. In some cases the Head Teacher will already have been involved in trying to resolve the matter informally or it may be his/her first involvement. In either case, it will be important for both you and the Head Teacher (or member of staff designated by the Head Teacher to investigate the complaint) to adhere to these guidelines and general principles to ensure the school deals consistently

with all complaints and to make sure that nothing happens at this stage that could make it difficult for the later stages to proceed smoothly.

- Head Teachers have responsibility for the day-to-day running of their schools. They also have responsibility for the implementation of the complaints procedure, including decisions about their own involvement at the various stages. This has the benefit of allowing different points of view to be considered and alternative approaches or solutions to be taken into consideration by the Head Teacher.
- It should be possible even at Stage 2 to reach an agreed solution to the problem. It needs to be considered that the aim is to progress the matter for the benefit of the student, their parents/carers, the whole school and the local community. Prolonging a complaint is unhelpful and may inhibit the resolution at a later stage.
- If your complaint is about the conduct of the Head Teacher then you must contact the Chair of Governors who will initiate Stage 3 of the complaints procedure.

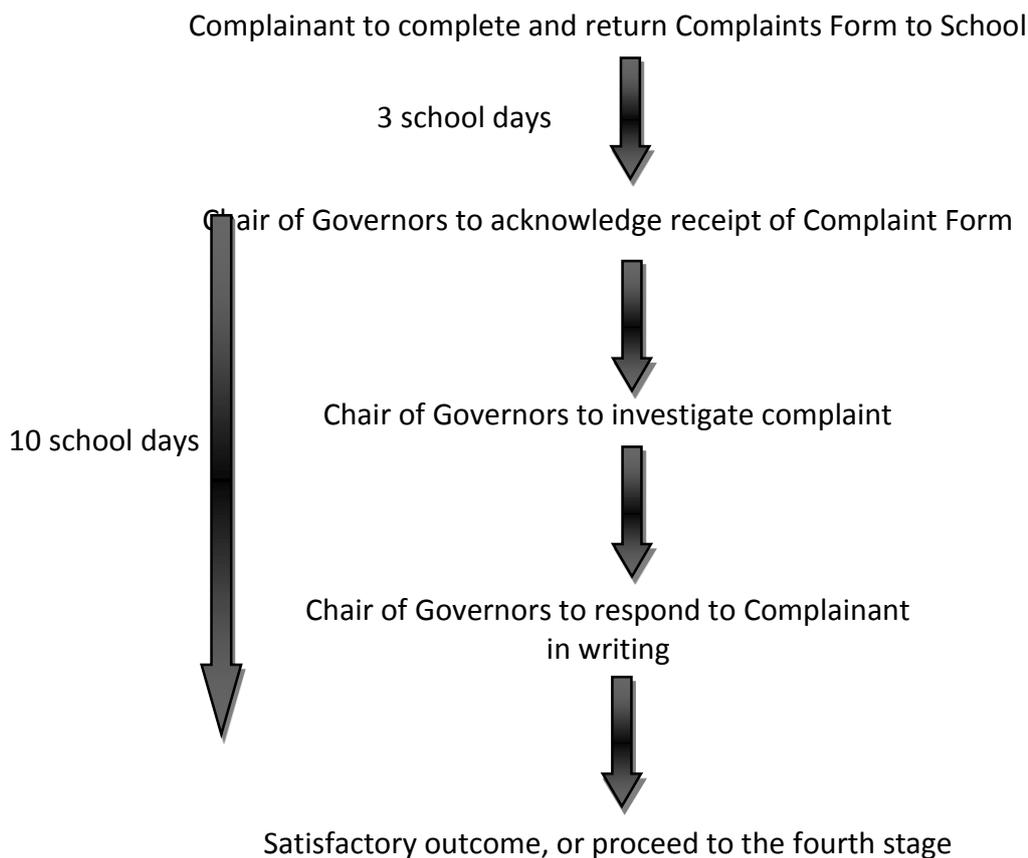
3.2.2 Procedures

- Stage 2 complaints should be in writing unless you are unable to express the complaint in writing. The complaint should set out clearly the actions taken or not taken by the school which are the subject of the complaint.
- Your letter should be acknowledged in writing within three school working days of receiving the complaint. The acknowledgement will include a copy of the school's complaints procedure and a target date for providing a response to your complaint. This will normally be within ten school working days. Where this is not possible, a letter will be sent explaining the reasons for the delay and giving a revised target date.
- The Head Teacher (or designated member of staff) will normally offer an opportunity for a parent of a student at the school to meet with him/her to discuss their complaint and supplement any of the information provided previously. This may not always be necessary for other complainants who have stated their concern in writing or by telephone or email. If you want a meeting with the Head Teacher you should request this.
- If you meet with the Head Teacher a note taker (not a governor) may be present to record the main points of the discussion; they will let you have a copy of the notes. You may, if you wish, be accompanied to this meeting by a friend, relative, representative or advocate who can speak on your behalf. You must, however, inform the school whom you intend to bring to the meeting. The school should facilitate interpreting facilities, if required, provided that you give notice of your requirements.
- Where required, the Head Teacher will investigate further. The Head Teacher's investigation notes are for the purpose of the investigation only and are covered by the Data Protection Act 1998 in so much as they are likely to contain personal information about other students or staff. They will therefore not be available to you.
- Once all relevant facts have been established, the Head Teacher will then write to you and may wish to meet you to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons

for it. Where appropriate, this will include what action the school will take to resolve your complaint.

- Where the Head Teacher considers that disciplinary action, for either a staff member or a student is required, you will be informed that appropriate action has been taken, but the specific sanction will remain confidential and cannot legally be disclosed to you for reasons of confidentiality and the rights of individuals.

3.3 Stage Three – Consideration by a nominated governor



3.3.1 Guidelines

- If a complaint is about the conduct or actions of the Head Teacher, or if the Head Teacher has been unable to resolve the issues to your satisfaction you should complete the Stage 3 Complaint Form available from the school office and/or school website. Assistance with this is available from the school. You should make clear what actions have or have not been taken by the School which have led to the complaint.
- It is in the interest of all parties concerned to try and resolve the complaint at this stage. It is helpful if you have a clear idea of the outcome that you hope for. This should be reasonable and proportionate to your complaint and should be stated at the outset of Stage 3. (N.B. Stage Four is a review process and the panel of governors will not be in a position to make a full re-investigation of the complaint.)

- The Chair of Governors will decide who will investigate your complaint at Stage 3 and may choose to delegate the management of the complaint to a nominated governor. The governor will investigate your concerns in detail and make recommendations to the school. This person will be precluded from reviewing the complaint at Stage 4. One of the reasons for having a nominated governor at this stage in the complaint procedure is to reassure you that an impartial person is carrying out the investigation.
- If a decision is later taken to move to Stage 4 the process moves from an investigation, and resolution process to a formal review of what the school has done to try and resolve your complaint.
- The nominated governor will be objective and impartial and you should trust them to do everything they can to resolve the complaint. It should be noted that governors are volunteers and not normally education experts. They have to fit in their governor duties around their own work and personal commitments. They will, however, have a good knowledge of the school and will be focussed on delivering good 'customer care'.
- The nominated governor should be in a position to prioritise the investigation at this stage to ensure its timely resolution. Governors have a responsibility for implementation of the school's complaints procedure and are acting on behalf of the Board of Governors in this regard.
- Governors know that this is a confidential process and will not share information with parties other than those directly involved with the complaint - this includes other governors who may have to be involved at a later stage. You should not attempt to involve other governors in your complaint as this may compromise their objectivity in taking part in any Stage 4 Review.
- Governors are mindful of the Data Protection Act and will not disclose personal information relating to third parties, e.g. other students, parents and staff.

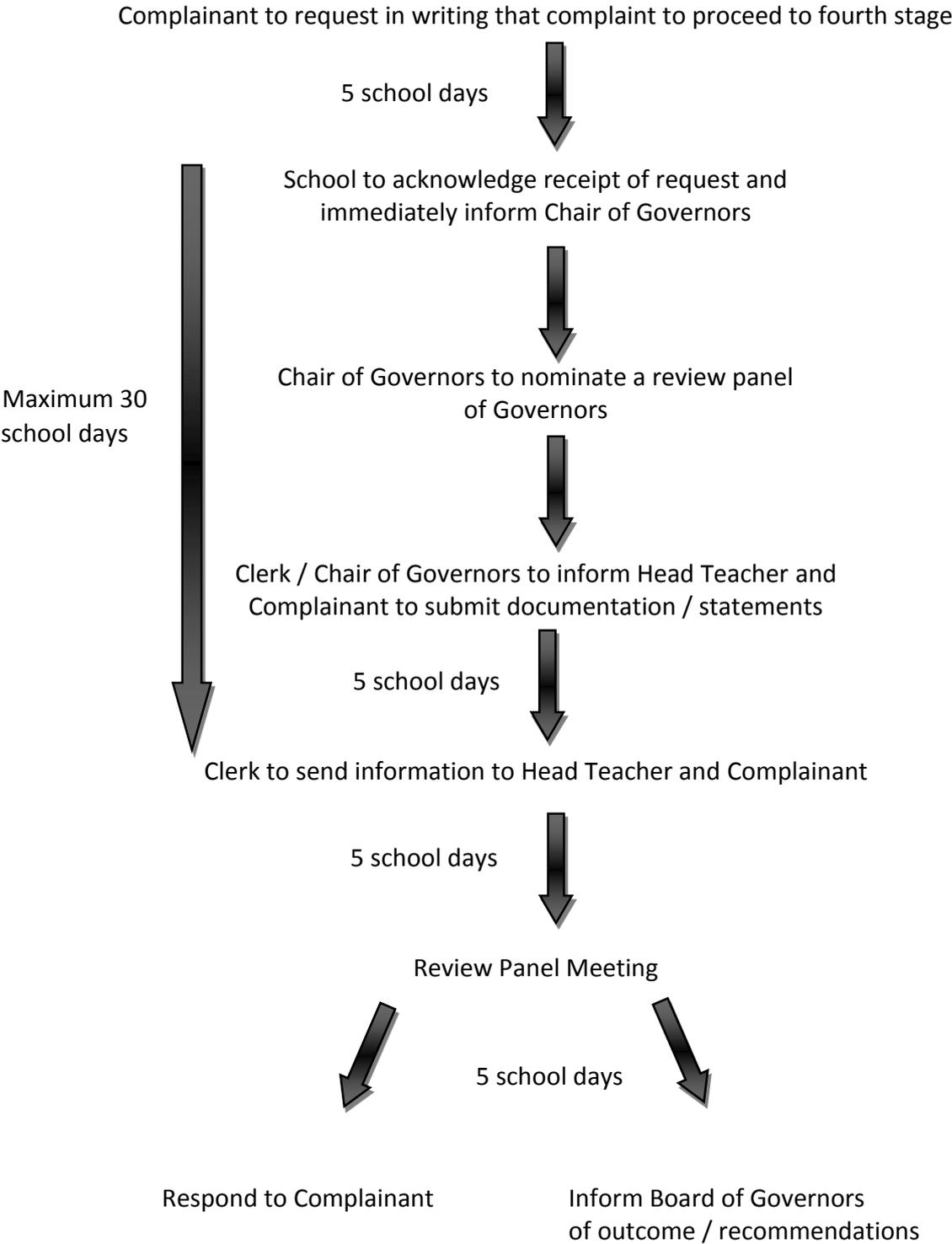
3.3.2 Procedure

- You must complete the school's Stage 3 Complaint Form (available from the school office) in order to clarify the individual aspects of the complaint and/or to highlight any outstanding issues unresolved at Stage 2. The form should be sent to the Chair of Governors who will either investigate your complaint personally or nominate another governor to do so.
- The investigating governor will acknowledge receipt of the form in writing to you within three school working days and give you a target date for providing a response (this will normally be within ten school working days of the acknowledgement). Where this is not possible a communication will be sent to you explaining the reasons for the delay and revising the target date.
- At this stage the investigating governor may offer to meet with you to clarify aspects of your concern and to seek further information if that is felt helpful to all parties.
- You may, if you wish, be accompanied to any such meeting by a friend, relative, representative or advocate. You must inform the school whom you intend to bring to the meeting. The school will facilitate interpreting or advocacy services if they are required. You should request assistance well in advance of the meeting.
- It is important for the investigating governor to remain as objective as possible whilst conducting the investigation. Any correspondence or written statements

from previous stages of the complaint will be made available to the governor. The governor should then discuss the issues with the Head Teacher and/or other members of staff or other parties involved with the matters covered by the complaint. On the basis of the written evidence and discussions the investigating governor may require the Head Teacher to obtain further evidence or statements. The Head Teacher's investigation notes may be covered by the Data Protection Act 1988 and may not be available to you.

- Once all the relevant facts have been established the investigating governor will produce a written response to the complainant. The governor may also wish to meet with you to discuss the findings and resolve the matter directly. A written response should include a full explanation of the decision and the reasons for it; where appropriate this will include the action the school will take or has taken to resolve your complaint. However, if a disciplinary outcome is indicated this information will not be shared with you. If disciplinary action is required, in order to protect the rights of the individual, the phrase "appropriate action has or will be taken" will be used. You will need to trust that the school has taken the appropriate action.

3.4 Stage Four –Consideration by a Review Panel of school governors



3.4.1 Guidelines

- Complaints rarely reach this stage, however it is important to understand that governing bodies are prepared to deal with them when necessary. All complaints that reach this stage will have done so because the complainant has not been satisfied by the Head Teacher’s response at Stage 2 or the investigation by the nominated governor at Stage 3. It is not possible to go

straight to Stage 4 in this procedure. Stages 1 to 3 must first have been completed in order to try and achieve a resolution.

- The purpose of Stage 4 is not to re-investigate the complaint but to review how the school has dealt with it. A panel of three will convene to review the matter in detail, one of whom will be completely independent of the school. The panel will normally invite you, the Head Teacher and the Stage 3 investigating governor (the Nominated Governor) to attend the meeting to explain their actions. If you choose to decline the invitation or fail to attend, the review will go ahead in private (without all invitees) using only the written evidence.
- If the governors' panel believes that the procedure has not been correctly followed, or that the evidence does not support the conclusion taken at Stage 3, or that the process is flawed in some way then it can direct the school to re-investigate the matter. The panel will not simply overturn the decision taken by the Head Teacher or the Investigating Governor because you do not agree with the outcome.
- A panel will provide reasons for its decision in writing. Stage 4 is the final stage of the Surrey County Council recommended school complaints procedure.
- This may be the last chance for a solution or compromise to be reached; every effort should be made to reach agreement, including through mediation or reconciliation if felt relevant, as part of the outcome.
- It is important that complainants understand that a governor review panel is both independent and impartial; they will aim to demonstrate this at the hearing. It will comprise of governors who have had no prior involvement in the complaint, and one member of the panel will be completely independent of the school. This is why it is important that complainants do not write or discuss their complaint with other members of the Board of Governors at earlier stages in the process.
- Governors and others taking part in Review Panels need to be able to consider the complaint in an objective manner. Legally speaking, prior knowledge of the complaint, or of the general situation leading up to the complaint, does not preclude a governor from taking part in a review. However, some complainants are less confident with the composition and objectivity of the panel if some, or all of its members have prior knowledge of the details. Ultimately the ability to remain objective is a matter for both the individual governor and the Board of Governors to decide. Please note, you have no right to dispute the composition of the panel. Where all available governors have been involved previously and are unable to demonstrate objectivity, the Board of Governors may approach up to two governors from another school to sit on the Review Panel.
- In the interests of equality and fairness complaint reviews should normally be held at a time and venue, which is mutually convenient for all parties to attend. This may be at the school, in which case sufficient time should be allocated and attention to comfort and confidentiality should be given. In some cases other public buildings may be used to hear complaints.
- All Stage 4 decisions will be communicated in written format after the hearing. If you require assistance in accessing the decision, the school will make sure you are given assistance and support, providing you let them know you will need this.

3.4.2 Procedure

- You should request in writing to the Chair of Governors that your complaint is reviewed by a panel of governors. Following your request the procedures outlined below will be followed:
 - The Clerk or Chair of Governors will write to you to acknowledge receipt of the written request within five school working days. The acknowledgement will inform the complainant that a panel of 2 governors and an independent party will review the complaint within 30 school working days of receiving your request, unless there are exceptional circumstances.
 - The communication will also explain that you, the Head Teacher and the Nominated Governor have the right to submit any further documents relevant to the complaint. All parties should send further documentation to the Clerk (or person nominated to act as clerk) at least ten school working days before the review meeting. All concerned, including you, should receive any relevant documents at least five school working days prior to the review meeting. Only in exceptional circumstances will new evidence be accepted after this time and this is at the discretion of the Chair of the Review Panel.
 - The date, time and venue should be at convenient time for all parties. Up to three possible dates should be offered to you but if these all fail to be suitable then the review will be conducted in private. This will involve detailed consideration of all the written evidence by the panel but will not require your attendance or that of the Stage 3 Nominated Governor and the Head Teacher. The Clerk will be in attendance to minute the proceedings.
 - You should be notified in writing of your right to be accompanied to the review meeting by a friend/advocate/interpreter. The communication should also explain how the meeting will be conducted by the guidance for the conduct of a review meeting.
 - The Clerk will convene the meeting for the Stage 4 review and will distribute all the paperwork. The panel will elect a Chair for the review hearing, which will normally be the Vice Chair of Governors unless they have had prior involvement with the complaint. This cannot be the Head Teacher or other member of staff who is a governor of the school; nor may it be the Chair of Governors or nominated governor if they have been involved at a previous stage of your complaint.
 - The panel may request that members of staff produce a written report, if appropriate. The panel will not interview children or invite students as witnesses to the review meeting.
 - It is the responsibility of the Chair of the panel to ensure that the Clerk properly minutes the meeting and that the minutes are distributed to all parties involved at Stage 4. Please note that the minutes are the property of the Board of Governors.

A model procedure for conduct of the meeting is included in this procedure.

- The aim of the meeting will be to review how the school has managed the complaint and, if possible, to achieve reconciliation between you and the

school. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations as to future action in order to satisfy you that your complaint has been taken seriously.

- At the conclusion of the meeting the Chair should explain that the panel would consider its decision and write to all parties with the outcome of the review within five school working days.
- A report and any recommendations will be made to the school's Board of Governors at the next full meeting.
- A written statement outlining the decision of the panel will be sent to you, the Head Teacher and the nominated governor. If any disciplinary action is to be taken against a member of staff or student then, to protect his/her rights, only the phrase "appropriate action has or will be taken" will be used.
- Guidance for the conduct of a Complaint Review at Stage 4
- The Chair of the Review Panel will invite everybody into the room at the same time. The Chair will then facilitate introductions, clarify roles and the conditions under which the meeting will proceed.
- The Chair will explain to all present that the purpose of the meeting is to review how the complaint has been managed, resolve any differences and, if possible, achieve reconciliation between the school and the complainant. However, it has been recognised that sometimes it may only be possible to establish the facts and make recommendations that demonstrate the complaint has been taken seriously.
- The Chair will then outline the proposed procedure for the meeting and should listen to any concerns about the procedure but has the final decision about the arrangements:
 - The Complainant, or their representative, will outline their complaint.
 - The Head Teacher and/or the nominated governor will be given the opportunity to seek clarification from the Complainant.
 - The Review Panel may seek clarification from the Complainant.
 - The Head Teacher and/or the nominated governor (Stage 3) will be given the opportunity to respond.
 - The Complainant will be given the opportunity to seek clarification from the Head Teacher and/or Nominated Governor.
 - The Review Panel may seek clarification from the Head Teacher and/or Nominated Governor.
 - The Head Teacher and/or Nominated Governor will be given the opportunity to summarise how they tried to resolve the complaint.
 - The Complainant will be given the opportunity to summarise why they feel the school has not properly addressed their complaint.
 - All parties will then leave the meeting. The panel will then deliberate.
- The panel will then arrive at its decision. This will cover:
 - Findings on the investigation of the complaint
 - Any recommended action to be taken by the school
 - Any recommended changes to the school's systems or procedures.
 - The decision will be notified to all parties, in writing, within five school days.

4. FURTHER ACTION

- Except in the circumstances outlined in the introduction to this guidance there is no further right of appeal for complainants.
- Current legislation states that unresolved complaints may be considered by the Secretary of State for Education. This provision is on the grounds that a Board of Governors is acting or proposing to act unreasonably, or that the Board of Governors has failed to discharge its duties under legislation. Complaints of this nature are rarely upheld, if all procedures have been followed correctly. The Secretary of State will not consider a complaint unless all local procedures have been exhausted. The Secretary of State may contact the Board of Governors.
- Ofsted may investigate complaints from parents of registered students relating to the work of a school as a whole but will not get involved in any matter that relates to individual students.
- The Local Government Ombudsman will not investigate internal school management matters under the present legislation.

5. RECOMMENDED PROTOCOL FOR MANAGING COMPLAINTS ABOUT SCHOOL GOVERNORS

5.1 Guidelines

- Complaints about individual governors are relatively rare. They generally relate to the conduct of a governor within school, or whilst on school business; they may include breaches of policy or confidentiality.
- Complaints about the conduct of governors outside of school, in a private capacity, do not fall within the remit of this policy.
- The same good practice principles, already set out in this guidance, apply to the management of complaints about individual governors. A two stage procedure is recommended and this should be managed by the Chair of Governors in person, or, in the event of the complaint being about the Chair, by the Vice Chair.
- The Chair of Governors must be impartial, objective and rigorous in their investigation of complaints about a fellow governor and demonstrate this to be the case. It is important that detailed notes are kept and timescales are adhered to.

5.2 Procedure

- You should present your complaint either verbally or in writing to the Chair of Governors. If you require assistance the school will facilitate this. You should set out specifically the actions that have or have not been taken by the School which form the subject of your complaint.
- The Chair of Governors will acknowledge receipt of the complaint in writing within three school working days and provide you with a target date for providing a response.
- The Chair of Governors should offer to meet with you to clarify aspects of your concern and to seek further information before embarking on their investigation, and meeting notes may be taken.
- The Chair of Governors will then begin their investigation of the key issues. Please note that students will not be interviewed by governors.
- The Chair will report their findings and any recommendations to you in writing (and verbally if they feel this is necessary), this will usually be within ten school working

days. The Chair will give reasons for the decision to uphold, partially uphold the complaint or overturn the complaint. If there is good reason for any delay the Chair will notify you, giving you a revised target date for the completion of their investigation.

- If you are not satisfied with the Chair's response you should request a review of how the complaint has been managed within ten school working days of receipt of the response.
- The Clerk to the governors will write to you to acknowledge receipt of the written request within 5 school working days. The acknowledgement will inform you that a panel of three governors will review the complaint within 30 school working days of receiving the request, unless there are exceptional circumstances.
- The Clerk should convene a review panel of three governors who have not previously been involved in the complaint, which would normally be chaired by the Vice Chair. If there are insufficient governors at the school who are available and impartial then the school may arrange for up to two governors from another local school to sit on the panel with the chair of the panel being a governor from the host school.
- A governors' impartiality is a matter for the individual and/or the Board of Governors to decide. Prior knowledge of an issue does not automatically deem a person ineligible to sit on a review panel. Government advice is that a governor may still be able to apply objectivity to a situation despite knowing the circumstances and the individuals concerned. Surrey County Council has no remit to hear complaints against governors.
- A further communication will explain to you the right of all parties to submit documentation relevant to the complaint. Three possible dates should be offered to you, but if these are unsuitable then the review may be conducted in private by the panel. The Clerk should be present to advise on procedure, record the discussion and record the decision; the clerk will also produce the final letter to the complainant.
- If the Chair of Governors (at Stage 1) or the Review Panel (Stage 2) upholds the complaint, and feels that further action against a governor is required, this will be discussed with the Board of Governors as a confidential item (Part Two business) and appropriate sanctions will be implemented. This matter will be subject to the Data Protection Act and will not be reported in the public domain.

6. UNREASONABLY PERSISTENT COMPLAINANTS AND UNREASONABLE BEHAVIOUR

6.1 Guidelines

The majority of people with complaints or concerns about schools behave reasonably in pursuing their complaint. This means that they:

- Treat all school staff with courtesy and respect;
- Respect the needs of students and staff within the school;
- Avoid the use of violence (including threats of violence) towards people and property;
- Recognise the time constraints under which members of staff work and allow the school a reasonable time to respond to a complaint;
- Recognise that resolving a specific problem can sometimes take some time;
- Follow the school's complaints procedures.
- Maintain appropriate confidentiality

However, a small number of complainants may be deemed “unreasonably persistent complainants”.

Definitions:

For the purposes of this policy an “unreasonably persistent complainant” is defined by Surrey County Council as follows:

An unreasonably persistent complainant is a person who repeatedly complains about issues, either formally or informally, or frequently raises issues that he/she considers to be within the remit of the school and whose behaviour is unreasonable. Such behaviour may be characterised by:

- *Actions which are obsessive, persistent, harassing, prolific, repetitious; and/or*
- *Prolific correspondence or excessive email or telephone contact about a concern or complaint; and/or*
- *An insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes; and/or*
- *An insistence upon pursuing meritorious complaints in an unreasonable manner.*

For the purposes of this policy, “harassment” is defined as follows:

Harassment is the unreasonable pursuit of the actions listed above in such a way that they:

- *Appear to be targeted over a significant period of time on one or more members of school staff; and/or*
- *Cause ongoing distress to individual member(s) of school staff; and/or*
- *Have a significant adverse effect on the whole/parts of the school community; and/or*
- *Are pursued aggressively.*

6.2 Procedure

- Only the Head Teacher, with the agreement of the Chair of Governors, may deem a complainant ‘unreasonably persistent’.
- The Head Teacher will ensure that there is sufficient evidence available to justify the decision.
- The Chair of Governors will write to the complainant to explain the decision and the way that future complaints will be dealt with. Any restrictions imposed will be appropriate and proportionate.
- Some or all of the following actions may be taken, depending on the particular circumstances of the case:
 - Insisting that no member of staff should meet the complainant on his/her own;
 - Restricting responses to telephone calls and emails from the complainant to specified days and times, and/or to specified individuals;
 - Requiring that all future contacts with the school are in writing, except in emergencies; this includes contacts with members of the Board of Governors, who should only be contacted at the school address;
 - Merely acknowledging correspondence from the complainant that raises issues that have already been dealt with;

- Banning the complainant from the school premises where the complainant's behaviour constitutes a nuisance or disturbance, with any appointments with staff to be agreed in writing via the Head Teacher.
- All correspondence from the complainant will be considered and any new and substantive issues will be addressed and a reply sent to the complainant.
- New complaints from people who have been deemed unreasonably persistent complainants in the past will be treated on their merits.
- If a complainant is deemed to be unreasonably persistent this will not reflect on the school's treatment of his/her child.

7. TIMESCALE FOR MAKING A COMPLAINT ABOUT A SCHOOL

- It is in the interests of all parties that concerns are raised as soon as they occur. Schools will consider investigating and reviewing complaints up to six months after the event, but Head Teachers and governors are better able to undertake a thorough and fair investigation when the evidence trail is still fresh.
- If parents wait to make a complaint until after their child has left the school they should be aware that the child's student file will have been passed onto the next school, if they are still of statutory school age. The Head Teacher will therefore have a very limited amount of information available on which to pursue their investigation.
- Complainants are therefore urged to consider how they might best obtain the resolution they desire and if this is indeed possible after considerable time has elapsed.