



Lawn Primary and Nursery School

Complaints Policy

Policy Owner
Chair of Governors

Policy History

February 2018	Increased scope to cover Nursery and Primary, clarified escalation procedure stage 2-3 and review frequency to be determined in Policy Tracker.
February 2019	Policy modified in line with the DfE Model Complaints Policy.
November 2019	Policy modified in line with recommendations made from Governors Complaints Panel
January 2021	Policy Reviewed. Linked Policy – Promoting Positive Communication has been updated.
January 2022	Policy Reviewed, email contact for Headteacher Updated.
April 2024	Policy reviewed: Contents page added. Stage 3 added to the Complaints procedure Additions: Interviewing witnesses / Managing serial and unreasonable complaints / Complaints campaigns / Barring from the premises / Role of the DfE
October 2024	Appendix 1 – complaints form, extra row added to form to include staff name where relevant.
February 2026	Additional section added (8) Recording a Complaint. More detail added to sections 3, 4, 5 and 6. Sub bullet points added where necessary.

Contents

- 1.** Statement of Intent
- 2.** Complaints not covered by this procedure
- 3.** Definitions
- 4.** Roles and Responsibilities
- 5.** Making a Complaint
- 6.** Complaints procedure
- 7.** Interviewing Witnesses
- 8.** Recording a Complaint
- 9.** Resolving complaints
- 10.** Withdrawal of a complaint
- 11.** Managing serial and unreasonable complaints
- 12.** Complaints campaigns
- 13.** Barring from the premises
- 14.** Role of the DfE

Appendix 1 Complaint Form

Appendix 2 Summary of complaints process

1. Statement of Intent

Lawn Primary and Nursery School aims to resolve all complaints at the earliest possible stage and where possible, informally, and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

This policy has been created to deal with any complaint against a member of staff or the school, relating to any aspects of the school provision of facilities or services. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers effective response and appropriate redress.

Any person, including a member of the public, can make a complaint about the provision of facilities or services that the school provides. This policy outlines the procedure that the complainant and school must follow. Once a complaint has been made it can be resolved or withdrawn at any stage.

The Headteacher will be the first point of contact when following the complaints procedure.

2. Complaints not covered by this procedure

This policy covers all complaints relating to any aspects of the school provision of facilities or services, other than complaints that are dealt with under other statutory policies, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Swindon Borough Council.
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). MASH /LADO - Tel: 01793 466903
<ul style="list-style-type: none"> Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none"> Whistleblowing 	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their

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

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

If a complainant commences legal action against Lawn Primary and Nursery 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.

3. Definitions

For the purpose of this policy:

A **"Complaint"** may be generally recognised as an expression or statement of dissatisfaction about actions taken or a lack of action'.

A **"Concern"** may be treated as an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

The school will class concerns as complaints and follow the same procedures for both, as outlined within this policy.

Complaints can be resolved formally, through this procedure, or informally dependent on the complainant's choice. Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.

If an individual has difficulty discussing a concern with a particular staff member, the school will respect the views of this individual. In these cases, the person managing the complaint will refer the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

The school understands, however, that there will be occasions where people would prefer to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

A **"grievance"** is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school's Grievance Policy.

The definition of **"unreasonable complaints"** is outlined in the Managing serious and unreasonable complaints section of this policy.

For the purpose of this policy **"duplicate complaints"** are identical complaints received from a complainant's spouse, partner, grandparent or child. These complaints will not be addressed again, the individual making the second complaint will be informed that the complaint has been dealt with on a local level and if they are dissatisfied with the result, they can appeal to the DfE.

Any new details provided by a complainant's spouse, partner, grandparent, or child will be investigated and dealt with in line with the complaint's procedure.

4. Roles and Responsibilities

4.1. The complainant will:

- Cooperate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

4.2. The complaint investigator will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, UK GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school's ICT system and retained in line with the school's Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, clerk to governors and chair of governors.

- Provide a comprehensive, open, transparent and fair consideration of the complaint through sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
- Liaising with the complainant as appropriate to clarify what the complainant feels would remedy the situation
- Conduct interviews with an open mind and be prepared to persist in questioning.
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- Provide a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next formal stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regard to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and be aware of any issues concerning this.

4.3. The headteacher, or where the complaint is against the headteacher, a suitably skilled member of the governing board will be responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaint investigator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

4.4. The panel chair will:

- Ensure that both parties are asked, via the Clerk, to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- Ensure that minutes of the meetings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial while still setting the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.

- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

4.5. All panel members will be aware that:

- The review panel meeting is independent and impartial and should be seen to be so.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved where practicable.
- Reconciliation between the school and complainant is not always achievable, and it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
 - Dismiss or uphold the complaint, in whole or in part.
 - Decide on appropriate action to be taken.
 - Recommend changes that the school can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.

Panel members will also be aware that when a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally. It will be considered in advance if any support is needed to help them present their complaint. Where the child/ young person's parent is the complainant, the committee will give the parent the opportunity to say which parts of the meeting, if any, the child needs to attend. The parent, however, will be advised that agreement might not always be possible if the parent wishes the child to attend a part of the meeting that the panel considers is not in the child's best interests.

4.6. The clerk to the governing board will:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the UK GDPR
- Continuously liaise with the complaint investigator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Greet all parties as they arrive at the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

5. Making a Complaint

The school is aware that any member of the public, including the parents of past and present pupils, can make a complaint about the provision of facilities or services that a school provides.

The school will consider all complaints, providing they are not anonymous, and ensure that the complaints procedure is:

- Easily accessible and publicised on its website.
- Simple to understand and put into practice.
- Impartial, non-adversarial and fair to all parties involved.
- Respectful of confidentiality duties.
- Fairly investigated, by an independent person where necessary.
- Continuously under improvement, using information gathered during the procedure to inform the school's SLT.
- Used to address all issues to provide appropriate and effective redress where necessary.

Complaints are expected to be made as soon as possible after an incident arises to amend the issue in an appropriate timescale. Complaints must be raised within one-month of the incident or, where a series of associated incidents have occurred within one month of the last of these incidents. Complaints made outside this time frame will not be automatically refused and exceptions will be considered. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

Any complains made outside of term time will be deemed to have been received on the first school day after the holiday period.

Complaints should be made using the appropriate channels of communication. All complaints will be considered, whether they are made in person, by telephone, in writing, electronically via email, or via a third party (such as the Citizen's Advice Bureau), providing they are not anonymous.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints in accordance with the policy.

All complainants will be given the opportunity to fully complete the complaints procedure and a complaint can progress to the next stage of the procedure even if it is not viewed as "justified".

5.1. Complaints about staff

Any complaint made against a member of staff will be initially dealt with by the headteacher, and then by a committee of the governing board if not resolved.

Any complaint made against the headteacher should be addressed to the chair of governors via the clerk to the governing board. Such complaints must be marked as private and confidential.

5.2. Complaints about governors

Complaints may be made against:

- The chair of governors.
- The vice chair of governors.
- Any other member of the governing board
- The governing board as a whole.

These complaints should be made to the clerk to the governing board, who will then arrange for the complaint to be heard.

For complaints about the entire governing board, or the chair or vice chair of governors, the clerk to governors will determine the most appropriate course of action, depending on the nature of the complaint. This action may involve sourcing an independent investigator to initially deal with the complaint and then getting the complaint to be heard by co-opted governors from another school.

Under some circumstances, it may be necessary to deviate from the complaint's procedure. Any deviation will be documented, along with the reasons for this.

Information about a complaint will not be disclosed to a third party without written consent from the complainant.

6. Complaints procedure

6.1. Stage 1

A complaint may be made in person, by telephone or in writing.

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing, documenting the full details of the complaint that has been raised (either by letter or email) within 2 school days.

Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

Where the situation is recognised as complex, and is deemed to be resolved within this timescale, the headteacher or clerk to governors will contact the complainant to inform them of the revised target date via written notification.

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

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, the complainant will initially need to write, in confidence, to the clerk to governors. The clerk to governors will then pass the complaint to the chair of governors, who will seek to begin the formal complaints procedure.

Where the headteacher or chair of governors has made reasonable attempts to accommodate the complainant with dates for a complaint meeting and they refuse or are unable to attend, the meeting will be convened in their absence, and a conclusion will be reached in the interests of drawing the complaint to a close.

To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept, and a copy of any written response added to the record. Provided that the complaint is not against a member of staff or the headteacher, these notes will be kept securely on the school's ICT system. Where complaints are against a member of staff or the headteacher, notes will be kept by the clerk to governors on a secure computer not accessible via the school's ICT system.

In terms of a complaint being made against a member of staff, the headteacher will discuss the issue with the staff member in question. Where necessary, the headteacher will conduct interviews with any relevant parties, including witnesses and pupils, and take statements from those involved.

All discussions will be recorded by the headteacher or the clerk to governors, and findings and resolutions communicated to the complainant either verbally or in writing.

Once all facts are established, the headteacher will contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation and provided with details of this process. The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

If the complaint is about the headteacher or member or a member of the governing body a suitably skilled governor will be appointed to complete all the actions at Stage 1.

If the complaint is jointly about the chair and vice chair or the entire governing board or the majority of the governing board, this stage will be considered by an independent investigator appointed by the governing board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Any further action the school plans to take to resolve the issue will be explained to the complainant in writing. If the complainant is not satisfied with the outcome suggested, the procedure will progress to the next stage.

6.2. Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints panel, which will be formed of the first three impartial governors available. This is the final stage of the complaint's procedure.

If the Clerk is unable to appoint Lawn Primary and Nursery School governors, the board may nominate independent co-opted governors from another school to ensure we meet all criteria of impartiality and availability.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

The complainant is required to accept/reject a meeting date within 2 school days of being notified of the meeting date.

If the 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.

The complaints panel will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel. If there are fewer than three governors from Lawn Primary and Nursery School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 2.

The panel will decide whether to deal with the complaint by inviting other parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

The complainant may bring someone along to the meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. The Complainant must inform the Clerk prior to the meeting who will be attending the meeting with them. The Clerk will confirm to the Complainant, all attendees for the meeting.

If a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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

Representatives from the media are not permitted to attend.

At least 7 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- circulate the agenda for the meeting including all attendees.
- request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.

All parties must supply the clerk with any written material they wish to be considered during the meeting at least 7 school days before the meeting.

Any written material will be collated into a pack and circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The panel will not accept any written material in the meeting that is not part of the pack. The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the policy.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

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

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant and Lawn Primary & Nursery School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Lawn Primary and Nursery School.

If the complaint is:

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

Stage 2 will be heard by a panel of independent, co-opted governors.

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

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

6.3. Stage 3

If the complainant is not satisfied, the complaint will be referred to a panel of three headteachers from within the Swindon Maintained & Academy Schools Collaborative, who will ensure that the school's policy and procedures have been followed correctly.

6.4. Final Stage: Appeal

If the complaint has completed the school's process and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State using their online form or in writing to:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing board has acted unlawfully or unreasonably and where it is expedient or practical to do so. In this case, the word "unreasonably" is used in a strict sense and means acting in a way that no reasonable school or governing board could act in the circumstances.

7. Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g. where the possibility of criminal investigation exists, in the presence of their parents.

The school will ensure that the conduction of interviews does not prejudice a police or LA designated officer's (LADO) investigation.

The school will understand the importance of ensuring a friendly and relaxed area which is free from intimidation. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them. Staff are allowed a colleague and/or trade union representative to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

The interviewer will not express opinions in words or attitude, so as to not influence the interviewee.

The interviewee will sign a copy of the transcription of the interview.

8. Recording a complaint

A written record will be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

Recording devices will not be used to review discussions of complaints at a later date. Where there are communication difficulties or disabilities, recording devices may be used for the purposes of reasonable adjustments. The school will consult with the LA before using recording devices.

The school will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of all parties being recorded.

The school will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests to access them.

As data controllers, the schools will ensure in all cases that they comply with their obligations and responsibilities as outlined in the Freedom of Information Act 2000, the Data Protection Act 2018 and the UK GDPR.

9. Resolving complaints

At each stage in the procedure, Lawn Primary and Nursery School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

10. Withdrawal of a Complaint

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

11. Managing serial and unreasonable complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants have with it; however, the school will not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Makes duplicate or similar complaints to the school and the Governing Board
- Refuses to accept that certain issues are not within the scope of a complaint's procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.

- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the school's complaints procedure has been fully and properly implemented and completed including referral to the DfE.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy, complicated, and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- Uses threats to intimidate.
- Uses abusive, offensive, or discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

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

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns.
- The complainant has been given a clear statement of the school's position and their options.
- The complainant contacts the school repeatedly, making substantially the same points each time.

If the above criteria are met, in making a decision to stop responding the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about staff or threats towards them, and if the school believes their intent is to disrupt or inconvenience the school.

12. Complaints campaigns

For the purposes of this policy, "complaints campaigns" are where the school receives large volumes of complaints that are all based on the same subject.

Where the school becomes the subject of a complaints campaign from complainants who are not connected with the school, a standard, single response will be published on the school's website. If the school receives a large number of complaints about the same subject from complainants who are connected to the school, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with the school's response, they will be directed to the DfE.

13. Barring from the premises

The school premises is private property and therefore any individual may be barred from entering the premises.

If an individual's behaviour is cause for concern, the headteacher or chair of governors will ask the individual to leave the premises.

The headteacher will notify the parties involved in writing, explaining that their implied licence for access to the premises has been temporarily revoked and why, subject to any representations that the individual may wish to make.

The individual involved will be given the opportunity to formally express their views regarding the decision to bar them. This decision to bar will be reviewed by the chair of governors or a committee of the governing board, taking into account any discussions following the incident. If the decision is made to continue the bar, the individual will be contacted in writing, informing them of how long the bar will be in place, and when the decision will be reviewed.

Anyone wishing to make a complaint regarding a barring order can do so in writing, including email, to the headteacher or The Clerk of governors.

Once the school's complaints procedure is completed, the only remaining avenue of appeal is through the Court.

14. Role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State.

If a complainant wishes to escalate a complaint of bias, the DfE will require evidence to be submitted with the complaint. The Secretary of State will only intervene when they believe that the governing board has acted unlawfully or unreasonably.

They will not overturn a school's decision about a complaint except in exceptional circumstances, such as the school acting unlawfully.

When making a final decision about a complaint, the school reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

Appendix 1

COMPLAINTS FORM

Please complete and return to either the headteacher / Clerk of the Governing Body who will acknowledge receipt and explain what action will be taken.

admin@lawn-pri.swindon.sch.uk

clerkofgovernors@lawn-pri.swindon.sch.uk

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
If your complaint is about a member of staff, please provide their name (if relevant).
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

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

--

Signature:

Date:

--

Official use

Date acknowledgement sent:

--

By who:
Complaint referred to:
Date:

Appendix 2

