



Complaints Procedure

(including procedure for dealing with vexatious complaints)

Mugginton Church of England Primary School

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Complaints Procedure for External Complaints about the actions of School Staff

This policy has been written in accordance with the Christian ethos of our school, our recognition of British values, an awareness of our position in the Global community and taking account of all current Safeguarding and Child Protection guidance.

1. Introduction

From 1 September 2003 Governing Bodies of all maintained schools and maintained nursery schools in England are required, under Section 29 of the Education Act 2002 to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. This policy is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with unreasonable complaints.

It is the responsibility of a school's Governing Body to resolve a complaint received by a school and it is, therefore, important to have a procedure for doing so which is available, and clear, to Governors, employees, parents, carers and members of the public.

Schools will have procedures for complaints or appeals about the curriculum, special educational needs provision, exclusions and admissions. Disciplinary action, child protection or criminal investigations are also dealt with through separate specific procedures. This document provides advice and guidance on how schools should respond when an external complaint has been made about the actions of school staff.

It is important to note that anonymous complaints cannot be dealt with under this procedure.

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

In most cases complaints are successfully resolved informally through discussions with the member of staff concerned or Headteacher. In others the Headteacher is responsible for investigating the complaint, reporting back to the complainant and informing Governors of the outcome of the investigation.

In the event the complaint is about the way in which the school has dealt with a complaint or the complaint is about the Headteacher, it may be appropriate for the matter to be referred to the Governing Body or a Complaints Panel set up by the Governing Body. The remit for the Complaints Panel is included in **Section 3 - Procedure** of this document.

Except in exceptional circumstances, previous stages of the procedure should be exhausted before a complaint is referred to a subsequent stage.

The timescales indicated in the Complaints Procedure are those which are expected in normal circumstances. Where the complaint is detailed and/or requires an extensive investigation the timescales may be increased. The complainant should be informed in writing of any variations to the timescales indicated and given a revised timetable for resolving their complaint.

Where complainants or members of staff are invited to a planned meeting either as part of the investigation or of The Complaints Panel any request to be accompanied by a friend or representative should be accommodated.

Governing Bodies may want to monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of their procedure and make changes where necessary. Information about complaints presented to the Governing Body for monitoring purposes should not name individuals.

The monitoring and review of complaints by the school and the GB can be a useful tool in evaluating a school's performance and contribute to school improvement. As well as addressing an individual's complaints, the process of listening to and resolving complaints may identify underlying issues that need to be addressed and ensure more effective school management and routines.

2. Managing Complaints

2.1. Principles

An effective Complaints Procedure will:

- Encourage **informal** resolution wherever possible and practicable.
- Be easily **accessible** and **publicised**.
- Be **simple** to understand and use.
- Be **impartial**.
- Be **non-confrontational**.
- Allow **swift** handling with established **time-limits** for action and keeping people informed of progress.
- Ensure a full and **fair** investigation.
- Respect and ensure **confidentiality**.
- Address all the issues and provide an **effective** response and **appropriate** redress where necessary.
- Provide **information** to the school's senior management team so that services can be improved.

2.2. Investigating Complaints

At each stage the person investigating the complaint should make 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 clarification or further information is needed.
- Ascertain what the complainant feels would put things right.
- Interview the person who is the subject of the complaint and any other people involved. They should be allowed to be accompanied if they wish.

- Conduct interviews with an open mind to find out facts not judgements and be prepared to persist in the questioning.
- Keep notes of all interviews.

2.3. Resolving Complaints

It is important to be aware from the outset of the ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part and an admission that the school could have handled the situation better is not the same as an admission of negligence. 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 is useful to encourage complainants to indicate what actions they feel might resolve the problem. In this respect it should be noted that complainants' views on this may be unreasonable and they should be made aware of what are reasonable and appropriate outcomes in relation to the specific nature of their complaint.

Identify areas of agreement and clarifying any issues can also create a positive atmosphere in which to discuss any outstanding issues.

2.4. 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 at each stage. In circumstances where further investigations are necessary new time limits can be set and the complainant should be sent details of, and reasons for, the new timescale.

2.5. Recording Complaints

The Headteacher should arrange for a **confidential** record to be kept in a complaints file of the nature and progress of all complaints, when they were made, and their final outcome. The record should include notes of all meetings and what was discussed and agreed. Notes of telephone calls and conversations should be kept along with a copy of any verbal or written response included in the record.

The purpose of the Record is for monitoring purposes only and not as a source of information for future references or other issues.

2.6. Vexatious Complaints

A good complaints procedure which has been properly followed will limit the number of protracted complaints. There will, however, be occasions when the complainant remains dissatisfied even though all stages of the Complaints Procedure have been completed. If the complainant continues to raise the same issue it is reasonable for the Chair of Governors to inform them in writing that the procedure has been exhausted and that the matter is now closed.

3. Procedure

3.1. Informal Stage

In most cases complaints are successfully resolved informally by teachers, senior managers and Headteachers. Complaints should, therefore, initially be directed to the Headteacher.

The Headteacher will:

Either

1. Encourage the complainant and member of staff to discuss the complaint and resolve it informally.

Or

2. If the complainant has already discussed their complaint with the member of staff, or that would be inappropriate, discuss the complaint with the complainant and resolve it informally.

And

3. Where appropriate inform the Chair of Governors without discussing the nature of the complaint at this stage.

If a School Governor is directly approached by a complainant it is important that the Governor emphasises that they can only give general advice about how their complaint might be dealt with. The Governor should encourage the complainant to talk to the Headteacher who will attempt to resolve their complaint informally in the first instance. The Governor should also inform the head teacher about the complaint as soon as possible.

It is important to note that when a Governor becomes involved in this way they cannot take part in any of the formal procedures which may follow. It may, however, be appropriate for them to accompany the complainant to a **planned** meeting with a member of staff or the Headteacher at this stage or any other subsequent formal meetings. This would normally only be necessary if the complainant appears uncomfortable about attending a meeting with the member of staff or Headteacher or any other subsequent formal meetings on their own.

3.2. Formal Stage 1

If a complaint cannot be resolved in an informal way and/or the complainant still remains unhappy the Headteacher should deal with the complaint formally. The Headteacher should ask the complainant to put their complaint in writing, stating that they wish to make a formal complaint.

The letter should include:

- Their name.
- The nature of their complaint.
- How they can be contacted.

The head teacher should:

- Acknowledge this letter within two working days.
- Investigate the complaint and then decide how best to resolve it within a further five working days.
- Provide a written response outlining how the investigation was conducted and the outcome of the complaint, as well as offering the complainant the opportunity to discuss the outcome if appropriate. This should be within two working days of completing the investigation.
- Advise the complainant that if they are dissatisfied with the outcome their complaint will be considered by the Chair of Governors at Formal Stage 2.
- Inform the Chair of Governors that a Formal Complaint has been received and what action will be taken to provide a response without discussing the nature of the complaint at this stage.

If the Headteacher is not able to resolve the complaint and/or the complainant still remains unhappy the complaint should be dealt with at Formal Stage 2.

3.3. Formal Stage 2

The complainant should be informed that their complaint has been passed to, and how to contact, the Chair of Governors. The complainant should write to the Chair of Governors and that letter should include:

- Their name.
- The nature of their complaint.
- Where appropriate the reasons why they were unhappy with the head teacher's decision.
- How they can be contacted.

At this stage it is important that only the Chair of Governors is involved, as other Governors may have to listen to any subsequent hearings which may result from an investigation of the complaint

The Chair of Governors should:

- Acknowledge the letter within two working days.
- Conduct an investigation and speak to everyone involved as soon as practicable. This will usually be within ten working days.
- Provide a written response outlining how the investigation was conducted and the outcome of the complaint, as well as offering the complainant the opportunity to discuss the outcome if appropriate. This should be within two working days of completing the investigation.
- Advise the complainant that if they are dissatisfied with the outcome their complaint will be considered by the Complaints Panel of the Governing Body at Formal Stage 3.

If the Chair of Governors is not able to resolve the complaint and/or the complainant still remains unhappy the complaint should be dealt with at Formal Stage 3.

3.4. Formal Stage 3 -Governors' Complaints Panel

If the complainant is dissatisfied with the outcome of the Chair of Governor's investigation they should write to the Chair of Governors stating why and request that their complaint be referred to the Complaints Panel of the Governing Body.

The Complaints Panel will comprise three Governors who have not previously been involved in the complaint and/or do not have a personal or pecuniary interest. It may also be inappropriate for the Complaints Panel to include teacher or staff Governors.

A meeting of the Complaints Panel will be convened within 10 working days of the request.

At least five working days before the meeting members of the Complaints Panel should receive papers about the complaint which should include as appropriate:

- A copy of the original complaint.
- An outline of any investigation carried out by the Headteacher at Formal Stage 1.
- A copy of the letter sent to the complainant about the outcome at Formal Stage 1.
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage 1.
- A copy of the letter to the Chair of Governors requesting an investigation at Formal Stage 2.
- An outline of any investigation carried out by the Chair of Governors at Formal Stage 2.
- A copy of the letter sent to the complainant about the outcome at Formal Stage 2.
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage 2.
- A copy of the letter requesting that the complaint is heard by the Complaints Committee.

The complainant should be invited to attend the meeting to state their case and should be offered the opportunity to be accompanied by a friend or other adult if they wish. Normally children should not attend. If the Complaints Panel thinks that it would be helpful for a child to be present, the Governors should seek the permission of the parents. The complainant does not have to attend the meeting in which case the Complaints Panel will consider the documentary evidence provided by the complainant.

The Headteacher and/or Chair of Governors should be invited to attend the meeting to state their case. They do not have to attend the meeting in which case the Complaints Panel will consider the documentary evidence relating to any investigation(s) the Headteacher or Chair of Governors carried out.

The Complaints Panel may invite the Director's representative to provide advice and guidance. That person will not have any role in deciding the outcome but will advise on whether the procedure has been followed appropriately and on the reasonableness of the Complaints Panel's decision.

[Attendance by the Director's representative will be part of the LA's traded Comprehensive Personnel Package or on a consultancy basis].

The Complaints Panel will consider 2 questions only:

- 1 Whether the investigation(s) were conducted properly and reasonably within this procedure.
- 2 Whether the outcome was reasonable and appropriate

If the Complaints Panel decides the answer to the second question is no it should decide a different outcome to the complaint.

The Panel will have an opportunity to question the complainant, Headteacher and/or Chair of Governors when they have stated their cases. When the Complaints Panel is satisfied that it has all the information it needs it will consider all the evidence and decide an outcome. In the event that further information is needed, and it is not available at the time, the meeting may be adjourned and reconvened at a mutually convenient time. This should be as quickly as possible and wherever practicable within five working days.

When the Complaints Panel has all the information it needs the complainant, Headteacher and/or Chair of Governors will leave the meeting. The Complaints Panel will then reach its decision in private. It will decide:

- Whether the earlier investigation(s) were conducted appropriately and reasonably.
- Whether the decision of the Headteacher and/or Chair of Governors was reasonable and appropriate.
- Where appropriate an alternative outcome to the complaint.

The complainant should be informed of the Complaints Panel's decisions in writing within two working days.

The decision of the Complaints Panel is Final.

3.5. Remit of The Complaints Panel

Governors sitting on the Complaints Panel need to be aware, and have a copy, of the Complaints Procedure.

The Complaints Panel should:

- Consider the complaint in an independent and impartial way and must be seen to do so.
- Consider the complaint in private and confidentially.
- Resolve the complaint and achieve reconciliation between the school and the complainant.
- Recognise the complainant might not be satisfied with the outcome if it does not find in their favour.
- Establish the facts and make recommendations which will satisfy the complainant that the complaint has been taken seriously.
- Acknowledge that a complainant may feel nervous and inhibited in a formal setting. Also, that parents often feel emotional when discussing an issue that affects their child.
- Ensure that the proceedings are as welcoming as possible and that the layout of the room will ensure the setting is informal and not adversarial.
- Take extra care when the complainant is a child, so the child does not feel intimidated.
- Give the views of children equal consideration to those of adults.
- Give the parent(s) of a child the opportunity to say which parts of the hearing, if any, their child needs to attend.

The Complaints 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.

4. The Role of the LA

4.1. LA has no Statutory Role

The LA has no statutory role in resolving external complaints about the actions of school staff.

The LA does have a responsibility to ensure that an appropriate procedure has been followed when schools deal with complaints, particularly if a complainant remains unhappy with the outcome. If a complainant contacts the LA it will only investigate procedure and will not consider the complaint itself. Also, it will only do so if all stages of the procedure have been exhausted; if not the complainant will be referred back to the school.

If all stages of the school's procedure have been exhausted the complainant will be asked to write to the Director's representative, and will be informed that their letter should include:

- The reasons why they remain unhappy with the outcome.
- Any letters or documentary evidence sent or provided by them or the school at all stages of the school's Complaints Procedure.
- Any other evidence that shows that the school did not follow its Complaints Procedure correctly.
- How they can be contacted.

The Director's representative will:

- Acknowledge the letter within two working days.
- Contact the school and ask for details of the way in which the complaint was dealt with.
- Provide a written response stating whether or not the school investigated the complaint appropriately and according to its Complaints Procedure. This should be within five working days of receiving all the relevant documentation from the school.

4.2. Director's Representative

The Director's representative may be asked to provide advice and guidance to the Governing Body, Headteacher, Chair of Governors or the Complaints Panel.

The advice and guidance will only be about:

- Procedural matters.
- The reasonableness of decisions.

Attendance by the Director's representative will be part of the LA's traded Comprehensive Personnel Package or on a consultancy basis.

4.3. Director's Representative to Investigate

If the complaint is particularly complex and requires extensive investigation or in other appropriate circumstances the Director's representative may be asked to investigate the complaint. Any request will be made in writing by the Chair of Governors. The Chair of Governors letter should include:

- The request to carry out the investigation.
- A copy or details of the complaint.
- A statement as to why the Director's representative is being asked to investigate the complaint.
- At what stage of the School's Complaints Procedure the investigation will be conducted. This will normally be Formal Stage 1 or 2.
- Details of any actions the school has already taken in response to the complaint.

- A copy of the School's Complaints Procedure.

The Director's representative will conduct the investigation on behalf of the Headteacher (Formal Stage 1) or the Chair of Governors (Formal Stage 2) and not as a representative of the LA.

The Headteacher or Chair of Governors will be responsible for communicating the outcome of the complaint to the complainant.

Investigation by the Director's representative will be part of the LA's traded Comprehensive Personnel Package or on a consultancy basis.

Any investigation conducted by the Director's representative as part of the School's Complaints Procedure does not prevent a different Director's representative considering procedural issues once all stages of the School's Complaints Procedure have been exhausted.

Appendix – Unreasonable Complaints

Procedure for dealing with Unreasonably Persistent Complainants and Unreasonable Complainant Behaviour

1. Introduction

The school is committed to dealing with all complaints fairly and impartially and to providing a high-quality response to complainants. Having a procedure on unreasonably persistent complainants and unreasonable complainant behaviour helps the school to deal with complainants in ways which are consistent and fair.

2. Definitions

The school has adopted the definition of 'unreasonable' and 'unreasonably persistent' complainants as those who, because of the frequency or nature of their contacts with the school, hinder the school's consideration of their, or other people's, complaints.

Unreasonably Persistent Complainant Behaviour

Examples of unreasonably persistent complainant behaviour include:

- Introduction of trivial or irrelevant new information and expecting it to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
- Adoption of a 'scattergun' approach - pursuing a complaint with the school and, at the same time, with the local authority and/or with other parties e.g. MPs, Councillors, Police, solicitors, etc.
- Making excessive demands on the time and resources of staff whilst the complaint is being investigated e.g. excessive telephoning or sending e-mails to staff, writing lengthy complex letters every few days and expecting immediate responses.
- Submission of repeat complaints, after the complaints process has been completed, essentially about the same issue but with additions/variations which the complainant insists make these 'new' complaints which he/she wants to be put through the full complaints procedure.
- Refusal to accept the decision reached on the complaint, repeatedly arguing the point and complaining about the decision.

This list is not exhaustive and unreasonably persistent complainant behaviour is not limited to one, or a combination of any, of the above.

Unreasonable Complainant Behaviour

Unreasonable complainant behaviour can come about when the situation between the School and a complainant escalates and the complainant's behaviour becomes unacceptable e.g. abusive, offensive, or threatening. Examples of unreasonable complainant behaviour include:

- Refusal by complainant to specify the grounds of a complaint, despite offers of assistance from the Headteacher.
- Refusal by complainant to co-operate with the complaints process, yet still wanting his/her complaint to be resolved.
- Refusal to accept that issues raised are not within the remit of the complaints procedure.
- Insistence that the complaint be dealt with in ways which are incompatible with the School's adopted complaints procedure.
- Making apparently groundless complaints about staff/governor dealing with the complaint and seeking to have those staff removed/replaced.
- Changing the basis of the complaint as the investigation proceeds and/or denying statements he/she made at an earlier stage.

- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.

This list is not exhaustive and unreasonable complainant behaviour is not limited to one, or a combination of any, of the above.

3. Aim

The aim of the procedure for dealing with unreasonably persistent complainants and unreasonable complainant behaviour, is to deal fairly and honestly with the complainant whilst ensuring that other service users and staff/governors do not suffer any detriment from people making repeated and persistent, unreasonable complaints.

4. Dealing with Unreasonably Persistent Complainants

The decision to designate someone as unreasonably persistent can only be made by the Chair of Governors in consultation with the Headteacher. As appropriate, staff and governors should be informed that contact with a named complainant is being restricted and why, and who will have access to that information on request.

5. Assessing whether the action is proportionate and necessary

Consideration of the following points, together with any other relevant factual information, will be necessary to assess whether the proposed action is proportionate and necessary:

- Is the complaint being investigated properly and in accordance with the School's procedure for investigating complaints?
- Is there another, more specific, path for the complainant to follow?
- Are the correct timescales being adhered to?
- Has the complainant been advised of any delays that may have occurred?
- Are the considerations/decisions reached, as part of the investigation, being reached correctly?
- Have communications with the complainant been adequate, clear and co-ordinated?
- Has consideration been given to the possibility of mental health problems, learning disabilities, or personality disorders?
- Is the complainant now providing any significant new information that might affect the School's view of his/her complaint?

6. Assessing whether further action is necessary before designating the complainant 'unreasonably persistent'

If satisfied on these points, consideration should be given to whether further action is necessary prior to making the decision to designate the complainant as unreasonably persistent, for example:

Have any meetings taken place between the complainant and the Headteacher and Chair of Governors? If not, unless there is a known risk about such a meeting, would this be likely to help the situation? The complainant may be accompanied by an advocate, if he/she wishes, if it is considered that a meeting may help the situation.

7. Applying restrictions

Before applying any restrictions, the complainant should be given a warning in writing that if his/her actions continue, the school may decide to treat him/her as an unreasonably persistent complainant and explain why.

8. Options for action

The precise nature of the action the School decides to take should be appropriate and proportionate to the nature and frequency of the complainant's contacts with the School at that time. It is important, however, to ensure that the Complaints Procedure has been followed.

The following is a list of some possible actions for managing a complainant's involvement with the School:

- Placing time limits on telephone conversations and personal contacts.
- Restricting the number of telephone calls that will be taken e.g. one call on one specified day of any week.
- Limiting the complainant to one contact medium e.g. telephone, letter, e-mail and/or requiring the complainant to communicate with one named member of staff.
- Requiring personal contacts to take place in the presence of a witness.
- Refusing to register/process further complaints about the same matter.

The list is not exhaustive and local case by case factors may be relevant in deciding appropriate action.

9. Completed complaints

Where the complaint has gone through Stage 3 of the School's corporate complaints procedure then there is no further avenue through which to pursue the matter with the school. Should correspondence from the complainant continue, the Chair of the Governing Body will write to the complainant to inform him/her that the matter is at an end and the School will not enter into further correspondence about the complaint, and any further letters on the same subject will be read and placed on file, but will receive no acknowledgement or response.

10. Dealing with Unreasonable Complainant Behaviour

The School has a duty to ensure the health, safety and welfare of its staff and it does not expect staff to tolerate language or behaviour by complainants which is abusive, offensive, or threatening.

Members of staff who feel threatened or intimidated by the language or behaviour of complainants should report their concerns to their Headteacher, copied to Chair of Governors:

Whether to write to the complainant, requiring him/her not to repeat the behaviour and, if necessary, setting conditions and restrictions for further contact with staff.

Whether to report the incident to the Police.

This procedure sits alongside existing policies as a means of addressing the full spectrum of behaviours which the School may need to address.

10.1. Telephone contact

During a telephone conversation, if staff consider that the caller is becoming aggressive and/or offensive, they will inform the caller that they will terminate the conversation unless such behaviour ceases. If the aggression continues, the member of staff will terminate the call and a note will be placed on file explaining why the call was terminated.

Repeated calls of this nature are considered to be unacceptable and should be reported to the Headteacher to determine appropriate action.

10.2. Personal contact

Visitors to School premises may show aggressive behaviour when they do not achieve the aim of their visit. Triggers for unreasonable behaviour can include:

- Not being able to see the person he/she holds responsible for his/her current situation or discontentment.
- Not being allowed instant access to the Headteacher.
- Not being able to resolve his/her complaint during his/her visit.

Examples of aggressive and unreasonable behaviour can include:

- Shouting loudly and making demands to see the staff member he/she holds responsible.
- Making threats to members of staff who are trying to help.
- Using abusive and upsetting language to members of staff.

- Refusing to leave until the problem is resolved.
- His/her continued presence causes disruption/distress to other visitors.

Difficult situations such as this can sometimes be resolved by being patient, remaining calm, listening and identifying the exact nature of the problem.

If it is not possible to resolve the situation actions may include:

- Ensure another member of staff is present. If this is not practicable, assess the situation and decide what action you should take e.g. leave the room to seek assistance.
- Telephone to ask for further assistance if necessary and possible.
- If applicable, try to remain behind a desk/table/counter – this acts as a barrier and maintains a distance, thus reducing the risk of violent behaviour.
- If the complainant refuses to calm down, raise the alarm to ask for assistance.
- Explain clearly that you are unable to help any further but that you will pass on the details of his/her complaint to the relevant person, then, if necessary, ask the complainant to leave the premises.
- As soon as possible after the incident, write up a clear account of what has happened, listing those present at the time. Sign and date the document and forward to the Headteacher.

This list is not exhaustive and unreasonable complainant behaviour is not limited to one, or a combination of any, of the above.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the School's staff, other options will be considered e.g. reporting the matter to the Police or taking legal action. In such cases, the complainant may not be given prior warning of that action.

11. Application of the Procedure

If the decision is made to apply the procedure, the Chair of Governors will write to the complainant to:

- Inform him/her that the decision has been taken to invoke the procedure.
- Explain what it means for his/her contacts with the School.
- Explain how long any restrictions will last.
- Explain what the complainant can do to have the decision reviewed.
- Enclose a copy of the procedure with the letter.

12. Records

Adequate records must be kept of all contacts with unreasonably persistent complainants and complainants behaving unreasonably. The information should be treated as confidential and only shared with those who may be affected by the decision.

Key information to be recorded includes:

- When a decision is taken to apply, or not to apply, the procedure following a request to do so by a member of staff.
- When a decision is taken to make an exception to the procedure after it has been applied, e.g. if extenuating circumstances subsequently come to light.
- When a decision is taken, and the reason, not to put a further complaint from the same complainant through the complaints procedure.
- When a decision is taken not to respond to further correspondence, having made sure that any further letters, faxes, e-mails, etc. from the complainant do not have any significant new information.

13. Future Complaints by the same Complainant

When/if the complainant makes a complaint about a new issue this should be treated on its merits and a decision will need to be taken on whether any restrictions which have been applied before are still appropriate/necessary.

14. Reviews of Decisions

Reviews of decisions to restrict a complainant's contacts, or the School's responses to those contacts, should be carried out in accordance with agreed timescales or at least every six months by the Headteacher and Chair. If no further contact has been received from the complainant over a period of six months, consideration may be given to cancelling the restrictions. However, urgent assessment will be necessary to re-introduce them if behaviour which led to the original decision recommences.

The Complainant may request that the Governing Body review the decision of the Chair and Headteacher by submitting their reasons in writing. The Governing Body will consider the decision at their next meeting.