

Persistent Complaints Procedure

Heathcote School and Science College



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| Approved by: | Governors | Date: 9 th December 2019 |
| Last reviewed on: | New Policy | |
| Next review due by: | Autumn 2022 | |

Other Documentation

This procedure should be used in reference with the following documents;

- The Complaints Policy
- Model letters barring individuals from the school site

<https://schoolleaders.thekeysupport.com/pupils-and-parents/engaging-parents-and-carers/resolving-issues/banning-parents-from-school-model-letters/?marker=content-body>

- banning individuals from the premises

<https://schoolleaders.thekeysupport.com/policy-bank/leadership-governance/banning-individuals-from-the-school-premises-policies/?marker=content-body>

- Model letters to aggressive parents

<https://schoolleaders.thekeysupport.com/pupils-and-parents/engaging-parents-and-carers/communication/model-letters-to-aggressive-parents/?marker=content-body>

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Heathcote School Vision and Values

Encourage - We encourage our pupils to take pride in their learning and community – to work hard, pursue continual improvement and achieve to the best of their abilities. Pupils seek and embrace feedback and show understanding and mutual respect to each other.

Challenge - We challenge our pupils to take responsibility for their learning, to be resilient to failure and to self-regulate their behaviour. All our staff and governors are determined that all pupils confidently strive for success and expect them to be present and punctual.

Succeed - We succeed when all pupils reach their academic potential and are thoughtful, caring and honest citizens; leaving Heathcote fully prepared for the next stage of their life – whether that be in education, training or employment. We succeed by letting them do so in a comfortable and safe environment where they take a proactive role and develop socially.

At Heathcote school, we aim to ensure that every pupil is well educated, is able to attend university or access ambitious work choices and lead a happy and fulfilled life. We believe in order to achieve this, pupils have to work hard and act with integrity at all times. Our Behaviour Policy aims to help pupils to change any behaviours that do not lead to success so that positive behaviours become good habits which in time, become part of their character.

School Improvement Priorities 2019-21

- Pupils are proud of Heathcote and self-regulate their behaviour both in and out of school creating a calm and orderly environment. These high standards are supported by robust structures, staff and pupil leadership and increased parental support to ensure exceptional behaviour, high levels of understanding and respect for all and highly positive attitudes
- High quality CPD and line management enables Middle Leaders to be highly visible, develop a coherent vision and challenge and support staff to meet the highest possible standards in all areas
- The broad and balanced curriculum is reviewed and developed to ensure we have the right intent, impact and implementation for our Heathcote learners at all levels; it is understood by all and ambitiously delivered to ensure all pupils achieve highly
- Both in and out of class, tutoring, learning and teaching, work-related learning and other opportunities - including the pupil passport - are exciting, engaging and allow unique opportunities for all learners ensuring Heathcote provides extensive cultural capital
- Robust monitoring and leadership of attendance enable pupils and their families to take responsibility for school attendance leading to attendance levels above the national average for all groups of pupils.
- The financial deficit is reduced in line with robust targets by ensuring the best deployment of physical and human resources

Aims

A key part of our School Improvement Plan 2019-21 is to increase parental support and build on the many positive relationships we already have with parents and carers. We aim to communicate effectively and ensure any problems or issues are addressed at the time. We always reflect on the ways we deal with such issues to ensure we are always improving the experiences and understand that, despite this, sometimes parents/carers or others feel they need to pursue a complaint. Our school aims to meet its statutory obligations when responding to complaints from parents/carers 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
- Learn from the experience

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.

Follow School Complaints Procedures

When dealing with complaints from parents you should always follow the Complaints Policy, as these provide both the school and the parents with a clear framework for how complaints will be handled.

Even though complaints procedures should include the opportunity for complaints to be resolved informally, the formal part of the complaints procedure should be invoked where a complainant remains dissatisfied.

The DfE advice says that where schools have followed all stages of the procedure in response to a complaint, the chair of governors can inform the complainant that the matter is closed.

If the school follows its complaints procedure fully, it should remove the opportunity for parents to raise the same complaint repeatedly, as both the school and the parent are aware that there is a clear path of escalation where a parent feels their complaint remains unresolved.

Managing Serial and Unreasonable Complaints

Heathcote School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Heathcote School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 complaint procedure has been fully and properly implemented and completed including referral to the Department for Education

- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated 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 try to limit their communication with the school that relates to their complaint, while the 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 ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school and again we seek advice from the Local Authority in these circumstances.

Handling Critical Parents

When responding to parents who express criticism of the school to other parents and pupils, but not to the school itself, the DfE suggest ways to encourage parents to engage with the school constructively, and address individual areas of concern when they arise.

It is important to have clear lines of communication with parents. Parental criticism can often stem from something happening in school that parents were not previously aware of, or from feeling that the school has not considered the impact of a particular policy or action on them.

It is crucial to be consistent in both the way it communicates with parents and the way we respond to concerns or complaints. If a parent complains, be transparent about what you are going to do, or have done, in response.

Respond quickly, transparently, and consistently to feedback, parents will be able to speak about the positive experiences they have had when they have interacted with the school.

Ensure that parents have a voice, invite input from parents on its strategic plans. Encourage parents to voice their concerns or opinions, as well as to share how they feel about the current priorities of the school, and what they would change.

Insist on face-to-face meetings, it is important to speak to a parent who is persistently critical face-to-face, and to be clear that you want to reach a resolution. If the parent in question isn't willing to come and speak to the Head Teacher or another member of staff, the Head Teacher could suggest that they speak to a member of the Governing Body.

Resolving Complaints Informally

Where a parent is making persistent complaints about the school, the school can do a number of things to resolve the issue informally.

These include:

- Holding a meeting with the parents to discuss his/her concerns, with both the Headteacher and Chair of Governors present to demonstrate that the school is taking the issue seriously.
- Asking a member of staff who is familiar to, and liked by, the parent or their child to attend a meeting with the parent.
- Ensuring the meeting is held in somewhere with a more relaxed atmosphere, such as a classroom after school .
- Asking the Home School Worker, a parent governor or a member of the newly developing Parent Council to join the meeting or talk to the parents.
- Assign a suitable member of staff to work with the parent and be a point of contact. The member of staff chosen should be an advocate for the parent, but also encourage him/her to think about the real reasons behind his/her concerns or complaints, and work with the parent to resolve them.
- Ask the Head Teacher of another local school to mediate between the school and parent, or employ an external consultant to act as an unbiased mediator.
- Parents of pupils with EHC plans could use the annual EHC plan review meeting as a forum to discuss the parent's concerns. The members of other agencies, such as the local authority, who will also attend these meetings may be able to help the school explain aspects of provision to the parent. Parents may be more satisfied by what they are told at these meetings, as it has come from multiple sources (rather than just the school).

Instigating the Formal Procedure

Where the concerns persist, despite considerable efforts to resolve them, the school needs to implement the formal part of its complaints procedure. When instigating the formal complaints procedure, the school needs to keep a record of all correspondence, including notes of what is said at meetings.

It is important to draw a line where persistent complaints are concerned, as they can take up a lot of the Head Teacher's time and distract them from dealing with issues that affect other pupils.

Complainant Remains Dissatisfied

If a complainant tries to re-open the same issue, you can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts you again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and you may choose not to respond. However, you should not mark a complaint as 'serial' before the complainant has completed the procedure, unless your published serial complaint criteria apply.

Under no circumstances should a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

Schools should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Action Schools Can Take

Actions that may be taken against a persistent complainant, including:

- Verbally informing the complainant that his/her behaviour is becoming unreasonable/unacceptable
- Informing the complainant in writing that his/her behaviour is now considered to be unreasonable/unacceptable
- Informing the complainant that, except in emergencies, all communication with the school should be by letter only
- Taking advice from the Local Authority on pursuing a case under anti-harassment legislation

Aggressive Parents

Schools are legally permitted to remove parents from the school site if they are acting in an abusive or threatening manner. Employers have a duty of care towards their employees, this means that school staff should not be placed in an overtly stressful situation.

Parents behaving aggressively during meetings held to resolve a complaint they have raised could constitute an overtly stressful situation. Therefore, staff members should not be expected to continue to attend meetings where parents are behaving aggressively, or to arrange meetings if parents have behaved aggressively at such events in the past.

Instead, the school should make clear to parents its expectations of conduct during meetings, and that meetings will be terminated or cancelled if these expectations are breached.

Under section 547 of the Education Act 1996, it is a criminal offence to "cause or permit a nuisance or disturbance" on school premises. This means that schools are legally permitted to remove par-

ents from the school site if they are acting in an abusive or threatening manner. The school follows the advice of the Local Authority when making such decisions.

Writing a Letter to Critical Parents

When writing a letter to parents who have expressed negative views about the school and its staff, the school should consider whether a letter is the appropriate communication method.

Depending on the nature of the comments expressed, it may be more appropriate to meet with a parent face-to-face, and try to address the complaints or comments in a way that is less formal.

If you decide that a letter is appropriate, consideration should be given to:

- Think about who the letter should come from. Would it be best for the Head Teacher to write the letter, or perhaps the Chair of Governors?
- Keep the tone positive by focusing on how any issues can be resolved, and by making clear that the school wants to help the parent by addressing their concerns or criticisms.
- Refer to school policies and procedures, such as the Complaints Policy.
- Firmly address any abusive language directed at staff or pupils.