



# **DOWNSVIEW PRIMARY SCHOOL**

## **CONCERNS and COMPLAINTS POLICY**

Originator: Meghan Pugh  
Approved by: July 2025  
Revision Date: July 2026

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Signed on behalf of the Governing Body: Chair of Governors: \_\_\_\_\_

Date: July 2024

## 1. INTRODUCTION

**1.1** At Downsview School we strive to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are concerns or complaints by parents or carers. The following Policy sets out the procedures that the school follows in such cases.

**1.2** If any parents are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately. We take concerns and complaints seriously and, as a result, very few develop into formal complaints but it is important the school is given the chance to resolve any issues informally.

**1.3** Incidents that occur in school are investigated and are dealt with using appropriate policies. Therefore, depending on the nature of the complaint the incident may have already been investigated by the school.

**1.4** Parents should be assured that making a complaint or expressing a concern will not adversely affect their child.

**1.5** This Policy is available from the School Office and is published on our school website.

## 2. AIMS

Our school aims to be fair, open and honest when dealing with any form of concern or complaint. We give careful consideration to all and deal with them as swiftly as possible. We aim to resolve any concern or complaint through dialogue and mutual understanding. Our formal complaints procedure is accessible and simple to use and understand. It aims to be non-adversarial. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any formal complaint to be fully discussed with the intention of resolution within an established time frame.

## 3. WHO CAN MAKE A FORMAL COMPLAINT?

The school's formal complaints procedure is not limited to parents or carers of children who are registered at the school. Any person, including members of the public, may make a formal complaint to Downsview about any provision of facilities or services that we provide. Unless a particular formal complaint is dealt with under a separate statutory procedure (such as appeals relating to exclusions or admissions), the school will follow the formal complaints procedure outlined in this policy.

## 4. DEFINITIONS

### 4.1

<b>Concern</b>	A <b>concern</b> may be defined as 'an expression of worry or doubt over an issue considered to be important, for which reassurances are sought'.
<b>Complaint</b>	A <b>complaint</b> may be defined as an expression dissatisfaction however made, about actions taken or a lack of action. <b>Informal Complaint:</b> When the complaint can be resolved without using formal procedures. Complaints or concerns will be dealt with informally where the school is given the opportunity to resolve the issue raised- <b>see section 8.</b> <b>Formal complaint:</b> When a formal procedure is followed to deal with a complaint. Once the complainant has followed our informal process they can then follow the schools formal complaints procedure- <b>see section 9.</b>

**4.2.** Downsview takes concerns seriously and will make every effort to resolve the matter, as quickly as possible. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage

**4.3** If you have difficulty discussing a concern or complaint with a particular member of staff, we will respect your views. In these cases, a member of the SLT will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the SLT will refer you to another staff member. The member of staff may be more senior but this is not always the case. The ability to consider the concern/ complaint objectively and impartially is more important.

## 5. TIME SCALES

You must raise the concern or complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame, if exceptional circumstances apply.

## 6. CONCERNS OR COMPLAINTS RECEIVED OUTSIDE OF TERM TIME

We will consider concerns or complaints made outside of term time to have been received on the first school day after the holiday period.

## 7. SCOPE OF THIS PROCEDURE

This procedure covers all concerns and complaints about any provision of community facilities or services by Downsview, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
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 the London Borough of Croydon.
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 Single Point of Contact (SPOC). LADO: Steve Hall or Jane Parr Email: lado@croydon.gov.uk Tel: 0208 255 2889 MASH (Multi-Agency Safeguarding Hub): Email MASH referrals to: childreferrals@croydon.gov.uk MASH Professionals Consultation Line Tel: 0208 726 6464  For urgent child protection matters requiring immediate attention: Tel: 0208 255 2888. For Urgent Action out of Hours call 0208 726 6400.

Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> . *complaints about the application of the Behaviour Policy can be made through the school's complaints procedure. <a href="http://www.downsview.croydon.sch.uk/School-Policies">http://www.downsview.croydon.sch.uk/School-Policies</a>
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 employer. Referrals can be made at: MASH Professionals Consultation Line Tel: 0208 726 6464. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. 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.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about their service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Downsview 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.

## 8. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

*Also- please refer to DPVS- Communication with parents document on our website*

We take all concerns and complaints seriously and aim to address matters informally. All complaints or concerns should be raised, in the first instance, with the Class Teacher either in person, in writing using ClassDojo or email, or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. Our aim is to respond to any concern by email or telephone call or in person within at least 2 school days.

Concerns or complaints regarding school staff (except the Headteacher) should be made, in the first instance, to Ms Pugh (the Headteacher) via the School Office who will then respond accordingly.

Complaints that are about the Headteacher should be addressed to the Chair of Governors, via the School Office.

Complainants should not approach individual governors to raise concerns or any level of complaints. The Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

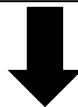
Complaints about the Chair of Governors, any individual governor or the whole Governing Board should be addressed to the Clerk to the Governing Board via the School Office.

In accordance with equality law, we will consider making reasonable adjustments, if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Flowchart when expressing a concern or a complaint:**

If you have a concern about your child's attainment and progress or social, emotional well-being, which would include friendship issues OR if you have a complaint whereby you are dissatisfied about actions taken or a lack of action you should follow these steps below.

In the first instance, you should always speak to your **class teacher**. This can be through Class Dojo, on the playground at the end of the day or an email to [sec1@downsview.croydon.sch.uk](mailto:sec1@downsview.croydon.sch.uk). Depending on the situation, the classteacher may need to arrange a meeting at a mutually convenient time. Through this discussion, a plan of action will be put into place. There should be continued a line of communication between classteacher and those who brought forth the concern or complaint. This could be just a quick chat at the end of the day.



If you have spoken to the classteacher and you still feel your concern has not been addressed then you can email [teachingandlearning@downsview.croydon.sch.uk](mailto:teachingandlearning@downsview.croydon.sch.uk) to arrange a meeting with a member of the leadership or senior leadership team. In this email, please outline your on-going concerns in order for the school to ensure the correct member of the Senior Leadership Team contacts you in order to resolve the concerns or complaint.



Once you have followed the above and you still feel your concern has not been addressed then you can email [sec1@downsview.croydon.sch.uk](mailto:sec1@downsview.croydon.sch.uk) to request a meeting with the **Head teacher**. In this email, please outline your on-going concerns and the steps you have taken to address them.

If at this point in the process, the issue remains unresolved, the next step is to make a formal complaint.

## **9. THE FORMAL COMPLAINTS PROCESS**

**Stage 1.**

	<b>Actions at stage 1</b>
<p><b>Complainant</b> must address their complaint to the Headteacher (unless they are about the Headteacher- see below), via the School Office. This may be done in person, in writing (preferably on the Formal Complaint Form in Appendix 2) or by email.</p>	<p>The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days. Within this response, the Headteacher may ask the complainant to fill in the Formal Complaint Form in Appendix 1 in an attempt to seek clarification of the nature of the complaint.</p> <p>Note: The Headteacher may delegate the investigation to another member of the school's Senior Leadership Team but the final outcome of the complaint will rest with the Headteacher.</p> <p>Stage 1 actions: <u>During the investigation, the Headteacher (or investigator) will:</u> If necessary, interview those involved in the matter (including children, if appropriate) and/or those against whom a complaint has been made, allowing them to be accompanied if they wish by a member of the school team. The investigator will ensure they keep a written record of any meetings/interviews in relation to the investigation.</p> <p>At the conclusion of their investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.</p>
<p><b>IF</b> the complaint is about the <b>Headteacher or a member of the Governing Board:</b> The Complainant must put their complaint, in writing (preferably on the Formal Complaint Form in Appendix 1) as detailed below.</p> <p>Complaints about the <b>Headteacher</b> should be addressed to the Chair of Governors, via the School Office.</p> <p>Complaints about the <b>Chair of Governors, any individual governor or the whole Governing Board</b> should be addressed to the Clerk to the Governing Board</p>	<p>Any such complaints should be marked as <b>Private and Confidential</b>.</p> <p>The school office will record the date the complaint is received and immediately forward the complaint to the Clerk. The Clerk will respond to the Complainant, in writing within 3 school days either by letter or email.</p> <p>An appointed member of the Governing Board will then contact the complainant via letter or email to introduce themselves, acknowledge the complaint and clarify the next steps of the procedure. Within this response, the member of the Board will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Board member will consider whether a face-to-face meeting is the most appropriate way of doing this.</p> <p>Stage 1 actions: During the investigation, the member of the Board will: If necessary, interview those involved in the matter (including children, if appropriate) and/or those against whom a complaint has been made, allowing them to be accompanied if they wish by a member of the school team. The investigating Governor will ensure they keep a written record of any meetings/interviews in relation to the investigation.</p> <p>At the conclusion of their investigation, the member of the Board will provide a formal written response within 20 school days of their introduction letter to the complainant. If the member of the Board is unable to meet this deadline, they will provide the complainant with an update and revised response date.</p>

via the School Office.	
<p><b>If the complaint is:</b></p> <ul style="list-style-type: none"> <li>• <b>jointly about the Chair and Vice Chair or</b></li> <li>• <b>the entire Governing Board or</b></li> <li>• <b>the majority of the Governing Board</b></li> </ul> <p>The Complainant must put their complaint, in writing (preferably on the Formal Complaint Form in Appendix 1) to the Clerk, via the School Office.</p>	<p>The school office will record the date the complaint is received and immediately contact the Clerk. The Clerk will respond to the complainant, in writing within 3 school days either by letter or email.</p> <p>An independent investigator will be appointed by the Governing Board.</p> <p>The independent investigator will contact the complainant via letter or email to introduce themselves, acknowledge the complaint and clarify the next steps of the procedure. Within this response, the independent investigator will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The investigator can consider whether a face-to-face meeting is the most appropriate way of doing this.</p> <p>Stage 1 actions: During the investigation, the investigator will: If necessary, interview those involved in the and/or those against whom a complaint has been made, allowing them to be accompanied if they wish by a member of the school team. The independent investigator will ensure they keep a written record of any meetings/interviews in relation to the investigation.</p> <p>At the conclusion of their investigation, the investigator will provide a formal written response within 20 school days of their introduction letter to the complainant. If the investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date.</p>
<p><i>The formal written response will detail any actions taken to address 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 Downsvie will take to resolve the complaint. The Complainant will be advised on how to escalate their complaint, should they remain dissatisfied with the outcome of Stage 1.</i></p>	

## Stage 2. Governing Board.

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. This will be considered by a Complaints Panel and consist of at least three governors, with no prior involvement or knowledge of the complaint. This is the final stage of the complaints procedure.

<b>Actions at stage 2 once the complaint has been made:</b>	
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.	<p>If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend and the person will be expected to sign a confidentiality statement (Appendix 2). Generally, we do not encourage either party to bring legal representatives to the Complaints Meeting. However, there may be occasions when legal representation is appropriate.</p> <p>If the complainant wishes to be accompanied by anyone, as stated above, then they are required to notify the school in advance of the meeting, giving at least 24 hours' notice, stating who will be attending and in what capacity. Any persons accompanying the complainant to a meeting will be required to provide identification documents (ID). Also, the complainant or a companion must obtain prior consent if they or a companion wish to take notes during a meeting.</p>

	<p>For instance, if a school employee is called as a witness in a Complaint Meeting, they may wish to be supported by their union and/or legal representation.</p> <p>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.</p> <p>Representatives from the media are not permitted to attend complaint meetings.</p> <p>At least 5 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. The Clerk will also request copies of any further written material to be submitted. The expectation is that the complainant is responsible for providing their documentation in an organised, usable and manageable format ready for presentation to the Panel of the Committee.</p> <p>Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The Committee will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.</p> <p>The Committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with under Stage 1 of the formal complaints procedure.</p> <p>The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own registered 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.</p> <p>The Committee will consider the complaint and all the evidence presented. The Committee can either: uphold the complaint in whole or in part or dismiss the complaint in whole or in part.</p> <p>If the complaint is upheld in whole or in part, the Committee will: decide on the appropriate action to be taken to resolve the complaint and may recommend changes to the school's systems or procedures to prevent similar issues in the future, where appropriate.</p> <p>The Chair of the Committee will provide the complainant and Downsview with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days of the Complaint Meeting. 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 Downsview.</p>
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<p><b>Next steps</b></p>	<p>If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2 of the school's formal complaints procedure.</p> <p>The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Downsview. They will consider whether Downsview has adhered to education legislation and any statutory policies connected with the complaint.</p> <p>The complainant can refer their complaint to the Department for Education online at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>, by telephone on: 0370 000 2288 or by writing to:</p>
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	Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD
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Should any parents have a complaint about the Head teacher, they should first make an informal approach to the Chair of Governors, who is obliged to address it. The Chair will do all they can to resolve the issue through a dialogue with the school, but if parents are unhappy with the outcome, they can make a formal complaint, as outlined above.

**9.2** In the case of a vexatious complaint where, despite all stages of this Policy being followed, the complainant remains dissatisfied they are not entitled to re-open the same issue. In such cases the Chair of Governors is able to inform them in writing that the process has been exhausted and that the matter is now closed.

**9.3** An anonymous complaint will not be addressed under this procedure, unless there are exceptional circumstances. These would include serious concerns, such as child protection issues or bullying allegations, where the school might consider it appropriate to involve outside agencies.

## 10. ROLES AND RESPONSIBILITIES

### Complainant

**The complainant will receive a more effective response to a concern or complaint at all levels if they:**

- explain the concern or complaint in full, as early as possible
- co-operate with the school in seeking a solution to the concern or complaint
- respond promptly to requests for information or meetings or in agreeing the details of the concern or complaint
- ask for assistance as needed
- treat all those involved in the concern or complaint with respect
- refrain from publicising the details of their concern or complaint on all forms of media, including social media and respect confidentiality.

### Investigator

**The investigator's role is to establish the facts relevant to the concerns or complaint raised at all levels by:**

- providing a comprehensive, open, transparent unbiased and fair consideration of the concern or complaint through sensitive investigation and through interviewing the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the concern or complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints coordinator, as appropriate, to clarify what the complainant feels would put things right.

**The investigator should:**

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the Stage 2 Complaints Meeting
- ensure that any papers produced during the investigation are kept securely, pending any appeal
- be mindful of the timescales in which to respond
- prepare a comprehensive report for the Headteacher or Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve issues. The Headteacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### Clerk to the Governing Board

The Clerk is the contact point for the complainant and the Complaints Committee and should:

- 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 General Data Protection Regulations (GDPR)
- set the date, time and venue of the Complaint Meeting, ensuring that the date is convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send the papers to the parties involved in advance of the Complaints Meeting, within an agreed timescale
- record the proceedings by taking minutes
- circulate the minutes of the meeting
- notify all parties of the Committee's decision.

### **Committee Chair**

The Committee's Chair, who is nominated in advance of the complaint meeting, should 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
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend
- everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 and the UK GDPR. #if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the Committee is open-minded and acts independently
- no member of the Committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- the Committee liaise with the Clerk (and Complaints Coordinator, if the school has appointed one).

### **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- no governor may sit on the Committee if they have had a prior involvement in the complaint or in the circumstances surrounding it. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
- parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- the Committee should respect the views of the child/young person and give them equal consideration to those of adults.
- if the child/young person is the complainant, the Committee should ask 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 should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

- the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.

## 11. RESOLVING FORMAL COMPLAINTS

**11.1** At each stage in the process, the school and complainant will want to keep in mind ways in which a formal complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology.
- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that steps have been put in place so that either the event, that was the basis of the complaint, will not recur or the likelihood is reduced considerably.
- An explanation of the steps that have been taken to reduce the likelihood of reoccurrence. Details of any disciplinary procedures that have taken place as a result of the complaint are not released.
- An undertaking to review school policy or procedure in light of the complaint.
- An explanation that there is insufficient evidence and thus the complaint cannot be upheld.
- An explanation that, following investigation, the concern is not substantiated by the evidence.

**11.2** An admission that the school could have handled things better is not the same as an admission of negligence.

## 12. WITHDRAWAL OF A FORMAL COMPLAINT

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

## 13. MONITORING AND REVIEW

**13.1** The Governors monitor the complaints procedure, in order to ensure that all formal complaints are handled properly. The Headteacher logs all stage 1 formal complaints received by the school, and records how they were resolved. Governors examine this log on a termly basis.

**13.2** Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this Policy. This Policy is made available to all parents, so that they can be properly informed about the complaints process.

**13.3** All SLT members will be fully aware of procedures and trained accordingly and are involved in reviewing the Policy. All staff to be aware that a member of the SLT will handle all formal complaints. This Policy is reviewed every annually, or before if necessary.

## 14. PERSISTENT/UNREASONABLE COMPLAINTS AT ANY LEVEL

**14.1** Downsview 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that any such behaviour, including that which is abusive, offensive or threatening.

**14.2** Downsview School defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

**14.3** Behaviour can be categorised as persistent or unreliable or both. A complaint may be regarded as

unreasonable or persistent when the person making the complaint: -

- Acts in an obsessive, persistent, harassing, prolific, repetitious way.
- Engages in prolific correspondence or excessive e-mails or telephone contact about a concern or complaint.
- Insists upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes including a refusal 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.
- Insists upon pursuing meritorious complaints in an unreasonable manner for example making 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.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- 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 while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints 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.

For the purpose of this Policy, harassment is the unreasonable pursuit of such actions listed above if the person making the complaint does so either face-to-face, by telephone, in writing- including electronically or using social media or networking sites, including but not limited to petitions and all social coms apps, including WhatsApp groups which:

- Appear to be targeted over a significant period of time on one or more members of school staff;
- Cause on-going distress to individual member(s) of school staff;
- Have a significant adverse effect on the whole/parts of the school community.
- Are pursued maliciously and/or aggressively.
- Use threats, intimidation or violence.
- Use abusive, offensive or discriminatory language or tone;
- Are known to be false;
- Use falsified information;
- Publishing unacceptable information in a variety of media, such as the press including newspapers.

Actions or behaviour that fall into any of the categories described above, or any other harassing or persistently unreasonable behaviour, may render an individual liable to become subject to the school's Persistent Complaints and Harassment Policy.

**14.4** Complainants should limit the number 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.

**14.5** 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 Downsview School causing a significant level of disruption, we will apply the school's Persistent Complaints and Harassment Policy.

**Appendix 1****Formal Complaint Form**

In line with the school's policy on complaints, please complete the form and return to the Headteacher/Chair of Governors or the Clerk to the Governing Board via the School Office, who will acknowledge receipt and explain what action will be taken.

Date	Pupil's name
Name and relationship to the Pupil	Contact address
	Telephone
	E-mail

**Please give details of your complaint, including which member of the school staff you have spoken to and what was the outcome of those discussions.**

What action, if any, have you already taken to try and resolve your complaint, so that it did not reach the formal complaints procedure.

What actions do you feel may resolve the issue at this stage?

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

**Appendix 2**



**Visitor Confidentiality Statement**

I confirm that having attended a meeting at Downsview Primary and Nursery School:

- On arrival I will report to the Reception Desk and sign into the school's Visitor Entry System and that I will sign out when leaving.
- I will display my visitors badge at all times.
- I will treat all those involved respectfully.
- I will treat anything I hear or see in school as being in confidence and will not discuss anything that occurs in school, outside of school.
- I will not use my mobile telephone in the school buildings or school grounds.
- I understand that I may have access to confidential information when visiting the school or attending meetings and that it is my responsibility to maintain the integrity of this information and to keep it private.

Name: \_\_\_\_\_ (please print your full name)

Signed: \_\_\_\_\_

Date of visit: \_\_\_\_\_

Relation to the Complainant:  
\_\_\_\_\_

### Appendix 3: Summary of the Complaints procedure

#### Stage 1. Formal Complaint Procedure

	<b>Actions at stage 1</b>
<p><b>Complainant</b> must address their complaint to the Headteacher (unless they are about the Headteacher- see below), via the School Office. This may be done in person, in writing (preferably on the Formal Complaint Form in <b>Appendix 2</b>) or by email.</p>	<ol style="list-style-type: none"> <li>1. Headteacher will respond to the complainant within 3 school days either by letter or email. The Headteacher may need to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.</li> <li>2. The complaint will then be addressed.</li> <li>3. At the conclusion of the investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint. <i>If the Headteacher is unable to meet this deadline, they will provide the Complainant with an update and revised response date.</i></li> </ol>
<p>IF the complaint is about the Headteacher or a member of the Governing Board: The Complainant must put their complaint, in writing (preferably on the Formal Complaint Form in Appendix 2) to the School Office ensuring it is addressed appropriately.</p>	<ol style="list-style-type: none"> <li>1. Clerk will respond to complainant within 3 school days either by letter or email.</li> <li>2. An appointed member of the Governing Board will then contact the complainant via letter or email to introduce themselves, acknowledge the complaint and clarify the next steps of the procedure.</li> <li>3. The Board member will address the complaint.</li> <li>4. The Board member will provide a formal written response within 20 school days of the date of their introduction letter to the complainant.</li> </ol>
<p>If the complaint is:</p> <ul style="list-style-type: none"> <li>• jointly about the Chair and Vice Chair or</li> <li>• the entire Governing Board or</li> <li>• the majority of the Governing Board</li> </ul> <p>The Complainant must put their complaint, in writing (preferably on the Complaint Form) to the Clerk, via the School Office.</p>	<ol style="list-style-type: none"> <li>1. Clerk will respond to complainant within 3 school days either by letter or email.</li> <li>2. An independent investigator will be appointed by the Governing Board.</li> <li>3. The independent investigator will contact the complainant via letter or email to introduce themselves, acknowledge the complaint and clarify the next steps of the procedure.</li> <li>4. The independent investigator will address the complaint.</li> <li>5. The independent investigator will provide a formal written response within 20 school days of the date of introduction letter to the complainant.</li> </ol>
<p>The formal written response will detail any actions taken to address 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 Downsview will take to resolve the complaint. The Complainant will be advised on how to escalate their complaint, should they remain dissatisfied with the outcome of Stage 1.</p>	

**Stage 2: Governing Board**

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. This is the final stage of the complaints procedure.

<p>The Complainant requests to escalate to Stage 2 within 10 school days of receipt of the Stage 1 response.</p> <p>*The Complaints Committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint.*</p>	<ol style="list-style-type: none"> <li>1. The Clerk will write to the complainant within 5 days to arrange a Complaints Meeting which will be heard by a Complaints Committee</li> <li>2. The Clerk will aim to convene a meeting within 15 school days of receipt of the Stage 2 complaint. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. <i>*If the complainant rejects the offer of 3 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.</i></li> <li>3. At least 5 school days before the meeting, the Clerk will: confirm and notify the complainant of the date, time and venue of the meeting. Any supporting documentation must be supplied in an organised, usable and manageable format ready for presentation to the panel to the Complaints Committee.</li> <li>4. Any written material will be circulated to all parties at least 3 school days before the date of the meeting.</li> <li>5. The meeting will be held in private.</li> <li>6. The Chair of the Committee will provide the complainant and Downsview with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days of the Complaint Meeting.</li> </ol>
<p><b>Next steps after Stage 2</b></p>	<p>If the complainant believes the school did not handle their complaint <b>in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law</b>, they can contact the Department for Education after they have completed Stage 2 of the school's formal complaints procedure</p> <p>The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Downsview. They will consider whether Downsview has adhered to education legislation and any statutory policies connected with the complaint.</p> <p>The complainant can refer their complaint to the Department for Education online at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>, by telephone on: 0370 000 2288 or by writing to: Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD</p>