Motcombe School

Flying high together

Motcombe School
Complaints Policy and Procedures

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Motcombe School Contact Details:

	Name	Contact Details
School Office	Email: office@motcombe.e-sussex.sch.uk / Telephone: 01323 728901	
Headteacher	Tracy Robinson	Please contact via the school office
Chair of Governors	Jamie Atherton	Please contact via the Clerk to the Governing Body
Clerk to the Governing Board	Martin Hughes	Email: govsclerk@motcombe.e-sussex.sch.uk

Introduction

The central objective of Motcombe School is to create and maintain a safe, happy and healthy learning environment where every pupil can achieve their full potential. The staff and governing board work in a spirit of co-operation with parents, carers and other interested parties. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

In line with the requirements of section 29 of the Education Act 2002, Motcombe School:

- has a complaints procedure that is easily accessible, simple to use and easy to understand.
- encourages resolution of concerns by informal means wherever possible.
- addresses all points at issue and provides an effective response and appropriate redress where necessary.
- resolves issues swiftly to established timescales, impartially and in a spirit of co-operation.
- provides a fair investigation by an independent person where necessary.
- respects, as appropriate, confidentiality.
- ensures that the Governing Board regularly monitors complaints received by the school.
- acts in accordance with the requirements of the General Data Protection Regulations (GDPR) and Data Protection Act 2018.

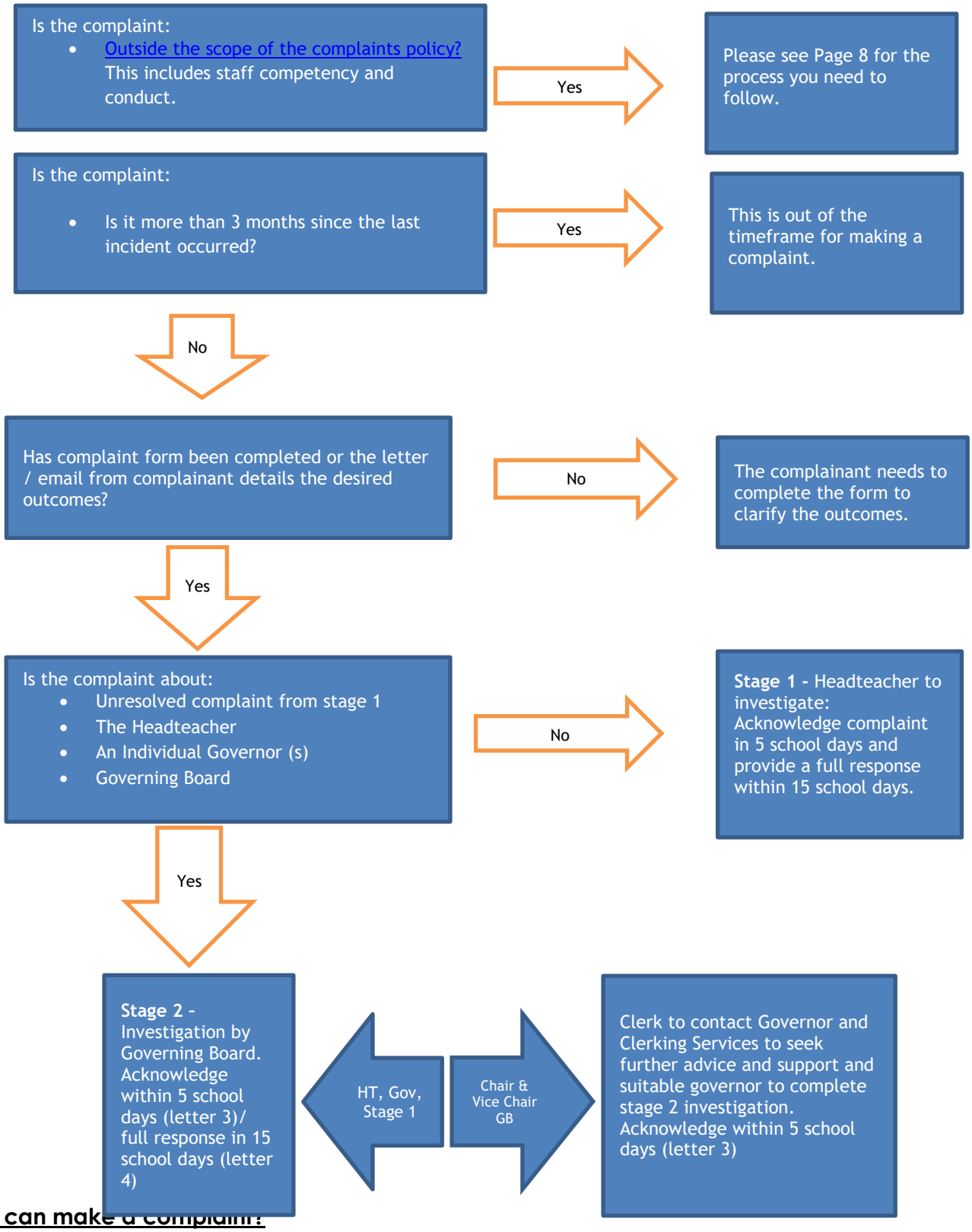
Motcombe School prides itself on the quality of the teaching and the pastoral care we provide for our pupils. If parents, carers or members of the public have concerns, they can expect the issues they raise to be treated seriously by the school and in accordance with this policy document.

The difference between a concern and a complaint

A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

A complaint may be generally defined as '*an expression of dissatisfaction, however made, about actions taken or a lack of action*'.
It is in everyone's interest to resolve concerns and complaints at the earliest stage. Many issues can be resolved informally, without the need for formal procedures. Motcombe School takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible.

However, there are occasions when complainants would like to raise their concerns formally. In those cases, Motcombe School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.



Who can make a complaint?

Anyone can make a complaint about any facilities or services that Motcombe School provides, unless separate statutory procedures apply (such as exclusions or admissions), this includes:

- Parents or carers of children currently at the school.
- Parents or carers of children no longer at the school.
- Members of the public.
- A third party acting on behalf of the complainant. In these cases, written consent will be required from the complainant before any information is disclosed.

Anonymous complaints will not normally be investigated. However, the headteacher, Tracy Robinson, or chair of governors Jamie Atherton will determine as appropriate whether the complaint warrants an investigation.

How to raise a concern or make a complaint

The majority of concerns or complaints received will be from parents or carers regarding issues relating to an individual child or children. However, there may be occasions where concerns or complaints are received about the school's management of wider issues.

In nearly all cases, communicating face to face, between the appropriate member of staff and parent/carer is the most effective way to address concerns or complaints. A good discussion, when all parties are listening to each other and seeking resolutions, will frequently be the most effective and quickest way of resolving issues.

- A concern or complaint can be made in person, by letter or email, or by telephone.
- Complaints concerning the school staff (except the headteacher) should be made in the first instance to Tracy Robinson, headteacher via the school office. Please mark the complaint as 'Private and Confidential'.
- Complaints that involve or are about the headteacher should be addressed to Jamie Atherton, the chair of governors, via the Clerk to the governing board. Please mark the complaint as 'Private and Confidential'.
- Complaints about the chair of governors, any individual governor or the whole governing board should be addressed to the Clerk to the governing board. Please mark the complaint as 'Private and Confidential'.
- Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at stage 3 of the procedure.

Some complaints fall outside the school's complaints procedure, for example, staff grievances or staff conduct and/or competency (see: Complaints outside the Scope). In these cases, if such an issue is brought to the headteacher's or chair of governor's attention, the school will follow its own internal personnel processes. The complainant will be informed that an issue is to be considered as part of the school's personnel processes, but the complainant will not be informed of the outcome of any such considerations.

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

Concerns or complaints raised on social media will not receive a response unless raised through these procedures. Recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded will not be accepted as evidence in the complaints process.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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 or enabling a satisfactory record of any meetings to be made.

Resolving complaints

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

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

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

Withdrawal of a complaint

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

Timescales

The school expects that complaints will be made as soon as possible after an incident arises and no later than three months afterwards. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident. We will consider complaints raised outside this timeframe if exceptional circumstances apply and the complaint can still be investigated in a fair manner for all involved.

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

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant.
- Send the complainant details of the new deadline and explain the delay.

Complaints outside the scope

Some complaints will be outside the scope of this procedure as there are separate statutory procedures to deal with such issues. These include:

Complaints outside the scope	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Need & Disability (SEND) • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs & Disability, or school re-organisation proposals should be raised with East Sussex County Council.
• 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.
• Exclusion of children from school	Further information about raising concerns about exclusions is available in the School discipline and exclusion guidance. Complaints about the application of the behaviour policy can be made through the school's complaints procedure.
• 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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. 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	These matters will be addressed under the school's internal grievance procedures.
• Staff Conduct and/or Competency Complaints	Complaints about staff will be dealt with under the school's internal personnel procedures, if appropriate. Complainants will not be informed of any outcomes of the complaint or action taken in relation to 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.	Schools should direct complainants to follow the external provider's own complaints procedure.

Complaints outside the scope	Who to contact
• Complaints about the curriculum	Please contact the Department for Education at www.education.gov.uk/contactus
• Complaints about collective worship	Complaints about the content of the daily act of collective worship (DACW) should be addressed to: • the local Standing Advisory Council on Religious Education • other relevant body, e.g. the appropriate Diocese: o Diocese of Chichester o Diocese of Arundel and Brighton o Methodist Schools
• Withdrawal from the curriculum	Parents and carers can withdraw their child from any aspect of Religious Education (RE), including the DACW. They do not have to explain why. If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, schools should advise them to follow their complaints procedure. The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship. Should parents wish to withdraw their child from sex and relationship education they should refer to the schools Sex and Relationship Education policy.

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 Motcombe School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaint campaigns

If Motcombe School receives a large volume of complaints which are all based on the same subject and/or from complainants unconnected with the school, the school will send a template response to all complainants and publish a single response on the school's website.

Duplicate complaints

After closing a complaint, at the end of the complaints procedure, if a duplicate complaint is received about the same matter from a connected party, the duplicate complainant will be informed that the school has already considered the complaint and the local process is now complete. They will be sent a summary of the outcome of the original complaint, with all

confidential information redacted. The new complainant will be advised to contact the DfE if there is dissatisfaction with the original handling of the complaint.

Use of Social Media

Motcombe School considers that the promotion and continuance of a positive, healthy and safe school community ethos depends upon all members of the school community contributing to and being responsible for maintaining this. The school therefore actively encourages any individual with a concern or complaint to raise it as soon as possible within the process described.

For the same reason, the Motcombe School strongly discourages the use of social media in this respect, and asks parents and carers and others of the school community not to post on social media any issues which should more appropriately be dealt with within the school processes for concerns and complaints.

The Complaints Procedure

This stage does not apply to complaints against the Headteacher, a Governor or the Governing Board.

Informal

As referred to earlier in this policy, the intention of Motcombe School is to create and maintain a safe, happy and healthy learning environment and the staff and governing board seek to establish a spirit of cooperation with parents, carers and other interested parties to ensure that a positive school community ethos is established to achieve and maintain this.

It is in everyone's interest to resolve concerns at the earliest stage and the school's experience is that many issues can be resolved by proactive and timely discussion between the appropriate people. The school therefore takes informal concerns extremely seriously and will make every effort to resolve the matter quickly and effectively.

In order to assist this, the concern should be raised as soon as possible with the relevant member of staff or the headteacher as appropriate, either in person or by letter, telephone or email. If the person with the concern is unclear who to contact or the process involved the school office will be able to assist.

If the person with the concern has a difficulty discussing it with a particular member of staff, we will respect your views. In these cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

If, however, a resolution is not reached and/or the person with the concern is dissatisfied with the outcome then they may wish to escalate the complaint to Stage 1 of the complaints procedure.

Stage 1 – Review by Headteacher

This stage does not apply to complaints against the Headteacher, a Governor or the Governing Board.

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

The complaint must be made to Tracy Robinson (headteacher) via the school office. This may be done in person, by letter (preferably on the complaint form), by email or telephone. The headteacher will record the date the complaint is received and will acknowledge receipt in writing, by letter or email, within 5 school days. Within this response, Tracy Robinson (headteacher) if needed will seek to clarify the nature of the complaint, what remains unresolved and what outcome the complainant would like to see. The headteacher will indicate if a face-to-face meeting is the most appropriate way to secure clarification or whether the complainant should respond by letter or email.

At the conclusion of the investigation, Tracy Robinson (headteacher) will provide a formal written response within 15 school days of the receipt of the complaint. If Tracy Robinson (headteacher) is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will refer to actions taken to investigate the complaint and an explanation of the outcome and the reason(s) for it. Where appropriate, it will include details of actions Motcombe School will take to resolve the complaint and any other actions the school will take to improve policy and practice.

Tracy Robinson (headteacher) will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1. Should the complainant wish to escalate their complaint to Stage 2, they must do so within 10 school days of the date of the formal written response setting out the outcome of the Stage 1 process.

Stage 2 – Investigation by Governing Board

Complaints at this stage are in one of three categories:

1. The complainant is not satisfied with the outcome at stage 1.

2. The complaint is about the headteacher, or a member of the governing board (including the Chair **or** Vice-Chair).

3. The complaint is about:
   - The Chair **and** Vice Chair or
   - The majority of the governing board or
   - The entire governing board

For all 3 categories above the complainant must write to or email (preferably on the complaint form with the desired outcomes clearly stated) the clerk to the governing board to request that their complaint is considered at Stage 2. They should set out the details of the complaint and include appropriate evidence. It is critical that the complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently if this applies.

The clerk will record the date the complaint is received and will acknowledge receipt in writing, by letter or email, within 5 school days.

Complaints in categories 1 and 2 above will be investigated by Jamie Atherton chair of governors or a suitably skilled governor. For complaints received in category 3, the clerk will seek advice from the local authority as to how the complaint should be dealt with and the complainant will be advised accordingly. The local authority may recommend an independent governor to investigate the complaint. An independent governor is a suitably skilled governor from outside the governing board, with no prior exposure to the complaint that is currently under investigation.

The chair of governors/nominated governor will investigate the complaint and contact the complainant if they feel a face-to-face meeting, a phone call or a virtual meeting would be helpful.

At the conclusion of the investigation, the chair of governors/nominated governor will provide a formal written response within 15 school days of the receipt of the complaint. If they are unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will refer to actions taken to investigate the complaint and an explanation of the outcome and the reason(s) for it. Where appropriate, it will include details of actions Motcombe School will take to resolve the complaint and any other actions the school will take to improve policy and practice.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The chair of governors/investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2. Should the complainant wish to escalate their complaint to Stage 3, they must do so within 10 school days of the date of the formal written response setting out the outcome of the Stage 2 process. The complainant should outline why they are not happy with the outcomes from stage 2 and/or if their outcomes have changed from the original complaint. The clerk may request that the complaint be more specific about these details to ensure that a panel is the correct course of action.

Stage 3 – Governing Board Stage 3 Panel

This is the final stage of Motcombe School complaints procedure.

The complainant must write to or email (preferably on the complaint form) to the Clerk of the governing board within 10 school days of the date of the formal written response setting out the outcome of the Stage 2 process. For category 1 complaints, requests outside of this timeframe will only be considered if the chair of governors considers exceptional circumstances apply. For requests outside this timeframe for category 2 and 3 complaints, the clerk will seek advice from the local authority as to how this matter should be dealt with. The local authority may recommend an independent panel should be convened, made up of suitably skilled governors from outside the board. An independent governor is a suitably skilled governor from outside the governing board, with no prior exposure to the complaint that is currently under investigation.

The complainant should set out the details of their complaint and include appropriate evidence. They should also specify what they feel would resolve the complaint, and how they feel the previous stages of the procedure have not addressed their complaint sufficiently.

The complainant must have reasonable notice of the date of the Stage 3 panel; however, the Stage 3 panel reserves the right to convene at their convenience rather than that of the complainant and reach a conclusion in the interests of drawing the complaint to a close. If the complainant rejects the offer of 3 proposed dates, the Clerk will set a date. The hearing will go ahead using written submissions from both parties.

Stage 3: Timeline

1.	Within 5 school days of receipt of the new complaint form from the complainant, with the desired outcomes from the panel hearing clearly stated, the clerk will arrange a governing board review panel.
2.	The panel sets a date to meet as soon as reasonably practical but no longer than 15 school days from the date of the acknowledgement of the letter of complaint. However, where further investigations are necessary, new time

	limits may be set. The complainant will be sent details of the new date and an explanation for the delay.
3.	Any evidence and documentation that the complainant and school wish to submit in relation to their complaint must be sent to the clerk to the governing board at least 5 school days before the meeting. Complainants are responsible for submitting any papers that they wish the panel to consider. The clerk is not responsible for pulling the papers together on behalf of the complainant. All relevant papers* will be circulated to the complainant and the school representatives attending the meeting, as well as the governing board Stage 3 panel. Recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded will not be accepted as evidence within this procedure.
4.	If the complainant or school wishes to call witnesses, the names of these witnesses must be advised to the clerk at least 5 school days before the meeting. The complainant and the school are responsible for advising the clerk of their own witness and neither party should assume a witness has been called unless they have requested it. The complainant and school are responsible for ensuring that the witnesses are aware of the time, date and location of the meeting. If the complainant wishes to be accompanied by a suitable companion, this should not be legal representation as the Governing Board Stage 3 Panel is not a form of legal proceedings, the name of the suitable companion must be advised to the clerk 5 school days before the meeting.
5.	If the Governing Board Stage 3 Panel cannot meet because the end of term is less than 15 days from the date of acknowledgement of the letter of complaint, it must meet within 10 days of the start of the new term.
6.	The Governing Board Stage 3 Panel will communicate their findings to the complainants and all relevant school parties within 10 school days of their meeting.

** Some papers maybe withheld or redacted due to the confidential nature of the content and in accordance with data protection guidance and GDPR.*

Stage 3: Panel Membership

The panel consists of 3 governors, with no prior involvement or knowledge of the complaint. One of the governors will act as the Panel Chair. If there are fewer than 3 governors from Motcombe School available, the clerk will source any additional, independent governors through another local school or through the East Sussex Governor and Clerking Service, in order to make up the panel. In some cases, it may not be suitable for governors who are parents to sit on the panel. The clerk to the governors will seek advice from the local authority in those instances, which will then be communicated back to all relevant parties.

Stage 3: Hearing Process

The Governing Board Stage 3 Panel will consider all stages of the complaint. This is to make sure that decisions are not taken in isolation and there is a mechanism by which decisions are considered independently. If a new issue arises the panel will use its discretion to decide if it is

appropriate to consider and comment upon it; this may require a short adjournment of the meeting. However, the panel may decide it is not appropriate to review any new complaints at this stage or for any evidence unrelated to the initial complaint to be included. In these circumstances, new complaints must be dealt with from the informal stage of the procedure.

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations that will satisfy the complainant that his or her complaint has been taken seriously.

At the panel hearing, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written submissions prior to the meeting. Any written material provided by the complainant or the school/headteacher will be seen by everyone on the panel and attending the hearing. Any confidential information will be redacted from the papers, so as not to breach data protection regulations and to ensure there are no subsequent safeguarding issues.

- The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish; this should not be legal representation as the Governing Board Stage 3 Panel is not a form of legal proceedings. However, if a school employee is called as a witness in a complaint meeting, they may be entitled to ask to be supported by their union.

- Representatives from the media are not permitted to attend.

- Both the complainant and the school will have the opportunity of putting their case within a reasonable specified time limit without undue interruption so that the issues are addressed and key findings of fact established.

- At the meeting, the complainant and the school will have the opportunity to give statements and present their evidence. Witnesses will also be called as appropriate to present their evidence.

- The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the panel considers they have all the information required the complainant, school representatives and witnesses will be asked to leave and evidence will then be considered.

- The Clerk will be present at the hearing and will take notes which are designed to serve as an aide memoir for the panel. The panel chair can decide whether to circulate the notes as output of the meeting. They are not a verbatim record of the meeting and should not be referred to as 'minutes'.

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

- Uphold the complaint in whole or in part.
- Dismiss the complaint.

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

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

If the panel recommend an apology, they should be clear as to why previous apologies (if they have been made) were insufficient. Schools should endeavour to send apologies promptly or give them in person at an appropriate time.

Panels cannot determine the timelines for schools to enact their recommendations although they may suggest certain issues are more pressing than others.

The Chair of the Panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing within 10 school days. The letter will include details of how to contact the Department for Education (DfE), which investigates complaints relating to maintained schools on behalf of the secretary of state.

Please see section on Further Recourse.

Further Recourse

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 3 of the process.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Motcombe School. They will consider whether Motcombe School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: Complain about a school: State schools - GOV.UK, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

We will include this information in the outcome letter to complainants.

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person fits one or more of these descriptors:

- Has made the same complaint before, and it's already been through the school's complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information.
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure.
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out.
- Changes the basis of the complaint as the investigation goes on.
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints

procedure as normal (as outlined above) wherever possible.

It the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact, such as a fixed number per term.
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice.
- Put any other strategy in place as necessary.

Stopping responding

We may stop responding to the complainant when all of the following factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options.
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience and / or he or she is making substantially the same points each time.

If we take the decision to stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. Advice will be sought from the local authority in order to ensure that complainants are still provided with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

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 our school site.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Provide a summary of the outcome of the original complaint, with all confidential information redacted
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

Unreasonable Complaints

Motcombe School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. 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.

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

- 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.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Publishes unacceptable information on social media or other public forums.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before making a judgement that their complaint is unreasonable.

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 Motcombe 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 usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Motcombe School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Motcombe School will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, Motcombe School can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked, subject to any representations that the parent may wish to make.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or chair of governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Appendix A: Roles and Responsibilities

Complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures.
- Co-operate with the school throughout the process, respond to deadlines and communications promptly.
- Treat all those involved with respect.
- Explain the complaint in full, as early as possible.
- Co-operate with the school in seeking a solution to the complaint.
- Ask for assistance as needed.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigating Governor

An impartial governor, with no prior knowledge of the complaint, will be appointed to investigate the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes.
- Consider school policies, records and any written evidence, and keep these securely.
- Prepare a comprehensive report to the headteacher or complaints panel which includes the facts and potential solutions.

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
    - Interviewing staff and children/young people and other people relevant to the complaint.
    - Considering records and other relevant information.
    - Analysing information.
- Liaising with the complainant and relevant school parties 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 notes from the meeting.
- Ensure that any papers produced during the investigation are kept securely, pending any appeal.
- Be mindful of the timescales to respond.
- Prepare a comprehensive report for the headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints panel 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 Body

The Clerk will:

- Be the contact point for the complainant and the governing board panel, including circulating the relevant papers and evidence before complaints panel meetings.
- Arrange the complaints hearing, including sending invitations to virtual meetings as appropriate.
- Take notes during the panel hearing, as an aide memoir to the panel. All parties should note that the clerk does not take verbatim minutes during the panel meeting.
- Provide advisory support to the panel as they draft an outcome letter from the complaints hearing.
- Maintain a full record of the complaint at all stages.
- Notify all parties of the panel's decision by distributing the hearing outcome letter and notes.

Panel Chair

The panel chair will:

- Chair the meeting, ensuring that everyone is treated with respect and courtesy throughout.
- Make sure all parties see the relevant information, understand the purpose of the panel, and can present their case.
- Ensure the meeting is conducted in an appropriate manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy. If this is not the case the chair can stop the meeting; either party may also request that the chair stops the meeting if they feel the meeting is adversarial.
- Seek to put 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.
- Ensure the remit of the panel is explained to the complainant.
- Ensure written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under Data Protection Policies and GDPR.
- If a new issue arises the panel chair must call a short adjournment of the meeting to discuss the appropriateness of this issue with the other panel members. Due consideration should be given to either parties ability to answer questions on any new issues which they may not have been prepared for. If either party requires more time to prepare, the new issues must not be considered during the meeting and may require additional follow up e.g. a further meeting or new written statements. This may delay the outcome of the panel and all parties should be made aware of revised deadlines.
- Ensure 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.
- Enable the issues to be addressed and key findings of fact are made if appropriate.
- Ensure the committee is open-minded and acts independently.
- Check 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.
- Liaise with the clerk prior to the meeting and after the meeting to ensure that the procedure is being adhered to.

Panel Member

Panel 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 panel 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.
- 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 panel 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 panel 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 panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, 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.

Appendix B: Complaint Form (this should be available as a separate document that can be sent to a complainant)

Your desired outcome(s)	
What are you hoping to achieve?	**What benefits / impact would this have on the wider school environment**
Key points of your complaint	
Please summarise the key issues for you	**What has been the impact on you / child / other?** ***Please provide evidence where possible***
1.	
2.	
3.	
4.	
5.	

Timeline - *please* ***summarise*** *the sequence of events – in date/time order*			
Please give clear references and indications of documents, records, policies and recorded communications that help us understand your point of view and your case.			
Date	Who	What Action (including documents / records / evidence)	Outcome / Response?