



The Piggott School

Procedures and Guidance

General Complaints

| List of Contents | Page No |
|---|----------------|
| 1. Complaint Procedures | 3 |
| • Stage 1 (Headteacher) | 4 |
| • Stage 2 (Chair of Governors) | 5 |
| • Stage 3 (Governing Body) | 5 |
| 2. Right of Appeal | 7 |
| 3. Recording of Complaints | 8 |
| 4. Support | 8 |
| 5. Anonymous Complaints | 8 |
| 6. Serial and/or unreasonable Complaints | 8 |
| 7. Complaints against School Staff | 8 |
| 8. School contact details | 9 |
| 9. Other complaints | 9 |
| 10. Procedures for serial and/or unreasonable complainants | 9 |

1. Complaint Procedures

Any problem or concern that a parent/carer has should be raised promptly with the class teacher/form tutor or member of staff responsible for the area or action causing the concern via telephone or in writing. A concern can also be made by a third party so long as they have the appropriate consent to do so. If a concern is more serious parents may prefer to make an appointment to discuss it with a more senior member of staff in the leadership structure / Headteacher. All staff will make every effort to resolve a problem promptly at this informal stage. The Piggott School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however that there are occasions when people would like to raise their concerns formally. In this case we will attempt to resolve the issue internally through the stages outlined within these complaint procedures.

This complaints procedure is not limited to parents/carers of children that are registered at the school. Any person, including members of the public, may make a complaint about any provision of facilities or services we provide. Unless complaints are dealt with under separate procedures such as appeals relating to admissions or exclusions we will use these complaint procedures.

Complaints should be made within three months from the date of the first incident giving rise to the complaint. Complaints will not be considered if they are made more than 3 months after the incident unless there are extenuating circumstances justifying the complaint to be made out of time. The decision to consider a complaint out of time lies with the Headteacher, or if the complaint is against the Headteacher, the Chair of Governors.

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

If other bodies are investigating aspects of the complaint, for example the Police, the Local Authority, Tribunals etc, 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.

At each stage The Piggott School wants to resolve the complaint. If appropriate, we will acknowledge whether 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 changes will be made
- An undertaking to review school policies in light of the complaint
- An apology

The person(s) who are the subject matter of the complaint will be forwarded a copy of the complaint and have an opportunity to respond unless there are compelling reasons as determined by the person investigating the complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

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

Most concerns and potential complaints are best resolved through informal discussion with the Team Leader, Headteacher or relevant member of staff. If this is not the case the following stages will take place:

1.1 Stage 1 (Headteacher)

Complaints against school staff (except the Headteacher) should be made in the first instance to Mr Derren Gray, Headteacher, via Mrs C Preston PrestonC@piggottschool.org (The Headteacher's PA). Please mark them as private and confidential.

A complaint may be made via telephone or in writing. A third party may make a complaint on another's behalf so long as they have appropriate consent to do so.

The time limit for proceeding to Stage 1 is 15 school days after the matter has been considered informally. The Headteacher reserves the right not to consider any complaint made more than 15 school days after the matter has been considered at the informal stage unless there are extenuating circumstances justifying a delay in the complaint being made. That decision will be made by the Headteacher.

The letter should be made clear if the matter is to be dealt with as a complaint. The Headteacher will investigate the complaint further and provide a written response. This will normally be within 10 school days of receipt of the written complaint, but parents are kept informed if, for example, more time is needed to complete the investigation. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reasons for it. Where appropriate it will include details of actions taken to resolve the complaint. The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of stage 1.

If the original concern was about an action by the Headteacher personally, and it has already been discussed at the informal stage, then a parent should put the complaint in writing to the Chair of Governors (**Stage 2**).

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to [Mrs Rebecca Marr](#) (the Clerk to the Governing Body) via the school office (Stage 2). Please mark them as Private and Confidential.

1.2 Stage 2 (Chair of Governors)

If dissatisfied with the Headteacher's response, a parent may contact the Chair of Governors whose name and contact details are published on the school's website and are also available from the school office.

The time limit for proceeding to Stage 2 is 15 school days after receipt of the Headteacher's response under stage 1 of the complaint procedures, or where the complaint is made against the Headteacher 3 months after the incident giving rise to the complaint first took place. The Chair of Governors reserves the right not to consider any complaint made outside the time limits unless there are extenuating circumstances justifying a delay in the complaint being made. That decision will be made by the Chair of Governors.

The Chair of Governors will investigate the complaint and, in most cases, seek to resolve the matter through discussion with the parent and the Headteacher. At the end of this stage a written response will be sent to the parent, normally within 10 school days of receipt of the complaint, but the parents will be kept informed if more time is needed.

If the complaint is:

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

Stage 2 will be considered by an independent investigator appointed by the governing body or by the Oxford Diocesan Board of Education. At the conclusion of their investigation, the independent investigator will provide a formal written response.

1.3 Stage 3 (Complaints Panel)

If dissatisfied with the response at the end of Stage 2, the complaint can be referred to the Complaints Panel ('Panel') by writing to the Clerk to the Governing Body.

The Clerk will record the date that the complaint is received and acknowledge receipt of the complaint in writing (by email or letter) within 3 school days.

The time limit for proceeding to Stage 3 is 15 school days after receipt of the letter sent under Stage 2 of the complaint procedures. The Panel reserves the right not to consider any complaint made outside the time limit unless there are extenuating circumstances justifying a delay in the complaint being made. That decision will be made by the Chair of the Panel convened to hear the complaint.

The Clerk to the Governing Body will convene a Panel. The Panel will be made up of two members of the Governing Body and an Independent Person. The Panel will select a panel chair from amongst themselves.

It is a matter for The Piggott School to identify a suitable independent person. The independent person may not be in the employment or involved in the governance of The Piggott School. The

independent person may be for example a Headteacher (serving or retired), a person experienced in governance such as a serving Trustee or Governor or an employee of the Oxford Diocese.

No member of the Panel may be directly or indirectly involved in the complaint.

All parties shall be entitled to attend the hearing and be accompanied by a friend or representative.

The Complainant will be informed in writing of the Panel hearing time, date and location. They will also be informed of the arrangements for the Complainant to call witnesses if they wish. If a school employee is called as a witness in a complaint hearing, they may wish to be supported by their union.

The complainant will have reasonable notice of the date of the panel hearing; however, the Panel reserves the right to convene at their convenience rather than that of the Complainant. If the Complainant rejects the offer of 3 proposed dates without good reason, the Clerk will set a date.

All written statements submitted to the Panel will be sent to the parties at least 5 school days before the date of the hearing. The Panel will attempt to conciliate between the parties with a view to reaching an amicable settlement.

The Complaints Panel will investigate the complaint. This will normally be arranged within fifteen school days of the complaint being received, depending on the availability of all concerned.

The Panel will call for and consider any information it deems necessary. Where appropriate, the subject of complaint must be invited to respond in writing unless a statement has already been included in the school's submission.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted. 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.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The Panel, the Complainant and the School Representative(s) will be given the chance to ask and reply to questions. Once the Complainant and School Representative(s) have presented their cases, they will be asked to leave and evidence will then be considered. The Panel will then put together its findings and recommendations from the case.

The Panel will not accept, as evidence, recordings of conversations or video that were obtained covertly and without the informed consent of all parties being recorded.

The Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

In coming to a decision the panel may take advice from such bodies as it thinks fit. In particular, it must take into account, in appropriate cases, the professional judgment inherent in the school decision(s) and be aware of the facts available at the time those decisions were made. Where new facts emerge at the hearing the panel will adjourn at the request of either party.

The Panel can:

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

If the complaint is upheld, the committee will:

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

The Clerk to the Governors will notify the complainant in writing of the decision, normally within 10 school days, giving details of any action taken or proposed. No action is to be taken to implement the decision until all the parties are notified simultaneously. For most complaints the decision of the Governors is the last step in the procedure.

A letter outlining the Panel findings and recommendations will be also be sent to the Headteacher and/or other appropriate parties; this includes the Chair of the Governing Body.

A complaint may be withdrawn in writing at any stage.

Where the complaint is:

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

and the complainant remains dissatisfied with the decision of the independent investigator and/or the Oxford Diocesan Board of Education the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

2. Right of Appeal

Where parents of students and students themselves have complained to the Piggott School and where such complaints have been considered in accordance with this complaints procedure but this has failed to resolve the matter, the complainant can contact the Education Funding Agency (EFA), through the Department for education's website:

<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/efafundingfinance/a00215271/academy-admissions-complaints>

<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>

The EFA will not usually investigate complaints more than twelve months after the decision or action was taken by the academy. The EFA also reserves the right not to investigate complaints considered to be vexatious or malicious or where they are satisfied with the action that the Academy has already taken or proposes to take to resolve the complaint.

3. Recording of complaints

A written record of all complaints is kept by the school with details of whether they were resolved at Stage 1 or Stage 2. Correspondence, statements and records relating to individual complaints will be confidential except where the Secretary of State or a body conducting an inspection requests access to them.

4. Support

At any stage of this procedure, parents/carers are welcome to bring with them a supportive friend who is not involved in the matter. It is not appropriate for staff of the school to engage in meetings to which parents and carers bring legal representatives or advisors and staff will not generally enter into any correspondence with solicitors or others in place of direct communication with parents.

5. Complaint campaigns

In cases where we receive large volumes of complaints:

- all based on the same subject and/or
- from complainants unconnected with the school

We will either send a template response to all complainants and/or publish a single response on our school's website.

6. Anonymous complaints

This policy encourages complainants to put their name to any allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the school. In exercising its discretion the factors to be taken into account would include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources.

7. Serial and/or unreasonable complaints (see procedure detailed on page 8)

There may be occasions when the complainant is deemed to be vexatious. This could be because it is clear that the complainant has insufficient grounds for complaint and is seeking to annoy, or that the complaint has been investigated and is found not to be justified, but the complainant persistently engages in making further accusations relating to the same issue. Any such case will be dealt with on an individual basis but the Headteacher and/or the Chair of Governors reserves the right to close the complaint if the complainant is deemed to be vexatious and to determine that the matter is concluded.

8. Complaints against school staff

If a complaint amounts to or includes an allegation against a member of staff, this may need to be considered under the School's staff disciplinary procedure. Parents will be advised if these procedures are to be used in dealing with a complaint.

9. School Contact details

The Headteacher, Chair of Governors and Company Secretary can all be contacted as detailed below

The Piggott School, Twyford Road, Wargrave, RG10 8DS. Telephone 0118 940 2357

Email office@piggott.wokingham.sch.uk or the Clerk to the Governors: MarrR@piggottschool.org

10. Other Complaints

There are separate statutory procedures for complaints relating to curriculum, sex education, admissions, exclusions and SEN. Staff grievance, capability and discipline proceedings, and Child Protection investigations are also outside the scope of the procedures.

Complaints about staff conduct 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 our school premises and facilities should use the providers' complaint procedures.

10. Procedure for serial and/or unreasonable complainants:

Definition:

1. Persons seeking to be disruptive by pursuing an unreasonable course of conduct and/or
2. Persons whose requests cause disproportionate and repeated demands on staff and governors

This behaviour can include repeated and unreasonable requests made under the Freedom of Information Act 2000.

Examples:

1. A parent who persists after Stage 3 has been reached and a resolution agreed.
2. A parent who changes the substance of the complaint and continually raises new issues
3. A parent who focuses on a trivial matter out of proportion to its significance
4. A parent who makes an excessive number of contacts with the school
5. A parent who makes threats of violence towards school staff
6. A parent who is abusive, offensive, verbally aggressive or uses discriminatory language
7. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
8. Refuses to co-operate with the complaints investigations process
9. Refuses to accept certain issues are not within the scope of the complaints process

10. Insists on the complaint being dealt with in ways that are incompatible with the complaints procedure or with good practice
11. Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
12. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
13. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
14. Seeks an unrealistic outcome
15. Make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice
16. Are known to have recorded meetings or telephone conversations or circulated such records to third parties without the prior knowledge and consent of the parties involved
17. Knowingly provides falsified information
18. Publishes unacceptable information on social media or other public forums

When and who should invoke?

- It will be invoked usually after Stage 3 of the complaints procedures have been exhausted, though it may be invoked prior to that stage.
- It can be invoked by either the Headteacher or the Chair of Governors
- No Governor involved with the decision regarding a previous complaint can be involved

Procedure:

1. Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking
2. The Clerk will contact the parent in writing, notifying them of the reasons for the classification (as habitual or vexatious) and what action will be taken
3. The Clerk will also give details of the review procedure
4. Others involved will be copied into this notification
5. In response to any serious incident of aggression or violence we will inform the Police and communicate our actions in writing. This may include barring an individual from school.
6. Copies of all decisions relating to the marking of a person as 'unreasonable' will be sent to the Clerk who will hold and maintain a central register of such decisions.
7. Statistical information will be presented annually to the Governing Body with details of complainants who are classified as serial, persistent or unreasonable.

Strategies:

1. **Withdraw contact:** one form of contact will be maintained for the purposes of parent to school contact in relation to the complainant's child(ren) at school, but other forms of contact (e.g. email, telephone, in person or mail) to be withdrawn.
2. **Restricted contact:** contact limited to a single member of staff
3. All further contact will be acknowledged but further contact on this or related issues will not be answered. The parent will be informed of these strategies.
4. **Suspended contact:** all contact may be withdrawn for a specified period (but not permanently).

Review period:

- Once the above has been invoked it will be reviewed after 6 months by a panel of 3 governors
- At that stage it may be withdrawn or amended
- If the panel considers it appropriate to withdraw the marking of 'unreasonable' normal contact with the complainant and application of the school's complaints process will be resumed. The complainant will be given notice of this decision.
- The complainant will be notified and a record kept of this decision