

Last review: April 2026

Review date: March 2027

Signed By: PN

Approval Committee: Governing Body



COMPLAINTS POLICY

Gillingham School

Hardings Lane, Gillingham

Dorset, SP8 4QP

Who can make a complaint?

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

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 defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Gillingham School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you 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.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Gillingham School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, if they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal 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 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Guy Lowton (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Pam Henderson (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the 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.

Complaints received outside of term time

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

Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none">• 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 Dorset Council
<ul style="list-style-type: none">• 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 Multi-Agency Safeguarding Hub (MASH).
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure – Behaviour Policy on school website</i></p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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: www.education.gov.uk/contactus.</p> <p>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.</p>
<ul style="list-style-type: none"> Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> 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 service. Please contact them direct.
<ul style="list-style-type: none"> National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Gillingham 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.

Resolving complaints

At each stage in the procedure, Gillingham School wants 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.

Withdrawal of a Complaint

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

Stage 1

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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 **five school days**.

Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

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

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within **fifteen 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.

The response will detail any actions taken to investigate 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 Gillingham School will take 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 complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

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 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within ten school days of receipt of the Stage 1 response.

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

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **twenty school days** of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three 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.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Gillingham School available, 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 2. The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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.

Representatives from the media are not permitted to attend.

At least **ten 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
- request copies of any further written material to be submitted to the committee at least five school days before the meeting.

Any written material will be circulated to all parties at least **five school days** before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee 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. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own 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.

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

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

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
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Gillingham School with a full explanation of their decision and the reason(s) for it, in writing, within **five school days**.

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 Gillingham School.

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 heard by a committee of independent governors.

The response will detail any actions taken to investigate 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 Gillingham School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

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.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Gillingham School. They will consider whether Gillingham 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: www.education.gov.uk/contactus, by telephone 0370 000 2288 or by writing to:

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

Complaint Form

Please complete and return to the Headteacher, Chair of Governors or Clerk to the Governors who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

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

Signature:
Date:
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

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

Investigator

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
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator 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 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 committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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.

Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the 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 General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are 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 it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- 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 or 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
- they liaise with the Clerk (and complaints co-ordinator, if the school has 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.

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 1 – Flow Chart of Formal Process

Stage 1

Record enquiry and outcome

Appendix 2 – Timescales (Formal Procedure)

Stage 1

Record enquiry and outcome

Is the Complainant satisfied with the response?

Record enquiry and outcome

Yes

Complainant
satisfied?

No

Is the
complainant
satisfied with the
response?

Appendix 3 - Checklists

Investigation Checklist

The person investigating at each stage of the complaint will need to: -

- Establish what has happened so far, and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the Complainant or contact them – see ***Meeting with the Complainant*** below.
- Establish the outcomes that the Complainant is seeking and whether these are achievable through the complaints process.
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Conduct interviews with an open mind and be prepared to persist in the questioning.
- Keep notes of interviews.

Meeting with Complainant

The investigator will need to: -

- Allow the Complainant to explain how they feel and express any strong emotions – they need to feel that the school has accepted their complaint.
- Clarify the complaint and all its individual parts and produce a written record.
- Ask what the Complainant is seeking regarding solution or outcomes.
- Check whether the Complainant needs support of any kind, in order to understand the discussion properly.
- Determine whether they need support during the process i.e. an advocate or any accessibility needs such as signer, hearing loop etc.
- Read the background to the complaint and the relevant legal and administrative policies and procedures.
- Consider whether the complaint could be resolved without further investigation.
- Assess whether the complaints procedure is the most appropriate way of handling this complaint.

Interviewing

Children/young people

- Children/young people will be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers.
- Care needs to be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people will be told what the interview is about and that they can have someone with them.

Staff

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.

- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the Complaints Co-ordinator/ Headteacher/ Chair of Governors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if he has anything to add, and to sign the record as accurate.

Complaints Panel Checklist

The panel will try to ensure that: -

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the Complainant is invited to explain their complaint, outline their desired outcome and be followed by their witnesses.
- The Headteacher may question the Complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions, their views on the desired outcomes and be followed by the school's witnesses.
- The Complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The Complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the Complaint.
- The Chair explains that both parties will hear from the panel within 15 school days.
- Both parties leave together while the panel decide on the issues.

Appendix 4 Policy for Unreasonable Complainants

The Headteacher and staff at Gillingham School deal with specific complaints as part of their day-to-day management of the school in accordance with its Complaints Procedure. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

Gillingham 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, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing their concerns and the school does not expect their staff to tolerate

unacceptable behaviour. The school will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

In these circumstances the school may take action in accordance with this policy.

Aims of the policy

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that characterises all communication between the school and persons who wish to express a concern or pursue a complaint;
- support the well-being of students, staff and everyone else who has legitimate interest in the work of the school, including governors and parents;
- deal fairly, honestly and properly with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

Definition of Unreasonable Complainant

Gillingham 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'*.

A complaint can be regarded as unreasonable when the person making the complaint: -

- 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 raising large numbers of detailed but unimportant questions and insisting they are fully answered often immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced;
- Changes the basis of the complaint as the investigation proceeds;
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- Refuses to accept the findings of the investigation into that complaint where the school's complaint process has been fully and properly implemented and exhausted including referral to the DfE.
- Seeks an unrealistic outcome;
- Has a history of making unreasonable complaints;
- Makes 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 whilst the complaint is being dealt with;

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

A complaint will also be considered unreasonable if the person making the complaint does so either face to face, by telephone or in writing or electronically: -

- Maliciously.
- Aggressively.
- Using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- Acts in a persistent way by: -
 - Sending numerous letters;
 - Making multiple phone calls;
 - Sending multiple e-mails;
 - Leaving multiple voicemails;
 - Sending multiple text messages;
- Publishing unacceptable information in a variety of media such as social media websites and newspapers.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Gillingham School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Gillingham School (see below).

Managing serial and persistent complaints

Gillingham School are committed to helping people who have a complaint or request for information. However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If the same complainant tries to re-open the same issue, the school can inform them that the procedure has been completed and that the matter is now closed.

If the complainant makes further contact on the same issue, and the original complaints procedure has been applied, the correspondence may then be viewed as 'serial' or 'persistent' and the school may choose not to respond.

A complainant will not be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

Managing vexatious complaints

Complaints may be received which could be considered vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing complaints without merit and/or unrealistic outcomes beyond all reason
- insistence upon pursuing complaints without merit in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

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

However as per the policy for unreasonable complaints, for complainants who excessively contact Gillingham School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Barring from school premises

If a parent or complainant's behaviour is cause for concern, they may be asked to leave the school premises as we need to act to ensure that the school remains a safe place for its pupils, staff and other members of the community. In serious cases, the school may write to parents/complainants to advise that their implied licence to be on school premises has been temporarily revoked subject to any representations the parent/complainant may wish to make. Any decision may be appealed by contacting the Headteacher or Chair of Governors. If the decision is upheld, the complainant will be notified in writing and advised of the length of time the bar will be in place.

Any complaint about barring will be considered through the school's complaints procedure but cannot be escalated to the Department for Education in the usual way. Once the school's own complaints procedure has been exhausted, the next steps would be through the courts.

Action to be taken by the school

Whenever possible, the Headteacher or Chair of Governors will discuss the concerns with the Complainant informally before invoking the procedure. This will be confirmed in writing.

If the behaviour continues the Headteacher will write to the Complainant explaining that their behaviour is unacceptable and is being considered under this policy. The letter will specify what behaviour is unreasonable and asking them to change it. The Headteacher may also specify methods

of communication and times in a communication plan. This action may or may not include barring from the school premises as detailed above.

Any serious incident of aggression or violence the concerns and action will be put in writing immediately and the Police informed.

Any legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Unreasonable Complaints.

Review

The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.

Appendix 5: Policy for complaints campaigns or duplicate complaints

Complaint campaigns

Should Gillingham School become the focus of a campaign and receive large volumes of complaints all based on the same subject, from complainants unconnected with the school, the following actions will be taken:

- The school will send out a template response to all complainants
- A single response will be published on the school website.

Complainants who are dissatisfied will be signposted to the Department for Education [Contact the Department for Education \(DfE\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Duplicate complaints

After closing a complaint at the end of the complaints procedure, if duplicate complaints are made by other associated individuals such as a spouse, partner, grandparent or child the following actions will be taken:

- Consideration will be given to check for any new aspects to the complaint that may not have been previously considered. These will be investigated and dealt with to the full extent of the complaints procedure.
- If the complaint is about the same subject, the new complainant will be informed that the school has already considered that the complaint and the local process is complete.
- The new complainant will be advised to contact the Department for Education if they are dissatisfied with the school's handling of the original complaint

Appendix 6: When Gillingham School should stop responding to a complaint

The decision to stop responding to a complaint will never be taken lightly. Gillingham School may stop responding if:

- We have taken every reasonable step to address the complainant's concerns
- the complainant has been given a clear statement of the school's position and their options
- the complainant contacts the school repeatedly, making substantially the same points each time

In particular, the case to stop responding is stronger one or more of the following circumstances:

- the complainants' letters, emails, or telephone calls are often or always abusive or aggressive
- the complainants make insulting personal comments about or threats towards staff

- the school has reason to believe the individual is contacting you with the intention of causing disruption or inconvenience

Appendix 7: Dealing with abusive behaviour by a visitor

Rationale

Gillingham School aims to work in partnership with all stakeholders to support all students in achieving their potential. Most visitors to the school are keen to work with us and are supportive of our work. We know that students benefit from positive relationships between home and school. The school has a duty of care for both staff and students to ensure their safety and well-being. This policy applies for all staff which includes our site team and office staff. As the first point of call in school, office staff deal with all visitors on a daily basis, and intercept large numbers of telephone calls and emails. We will not tolerate aggressive, abusive, insulting or intimidating behaviour or language from a visitor that presents a risk to staff or students.

What is abuse?

Unacceptable behaviour is such that makes a member of staff feel threatened. This can be through face-to-face contact, on the telephone or in written communication.

Abuse is:

- Any kind of insult as an attempt to demean, embarrass or undermine
- Any kind of threat
- Raising of voice to be intimidating
- Physical intimidation e.g. by standing very close to or the use of aggressive hand gestures
- Use of foul or abusive language
- Any form of communication (email, letter, phone call) which is unwarranted, unreasonably persistent or affecting staff well-being

Our responsibility:

As adults we model for students the behaviour we teach and expect. Before replying to or calling a parent/carer check SIMS where there may be a message about who to or not to contact. If you are in any doubt, contact the relevant Pastoral Manager, Year Head or DSL.

It is the responsibility of the member of staff to report any incident in line with school procedures as outlined below, including filling in the abusive incident spreadsheet located in the appropriate file on the HOY team. The school will investigate all valid concerns, and any decisions will be fully communicated to all parties (*see section III*).

I. Dealing with abuse

In person

Advice:

- Meetings should be by arrangement only (see below for office staff protocol for dealing with visitors demanding a meeting)
- Recommend where possible meetings happen at the start of the day/during the day rather than end of day
- Audio recordings of meetings are not permitted. A meeting proforma will be filled in where appropriate with key action points shared with parents/carers

- If a student is present, the teacher can request that they sit outside the meeting for the initial discussion
- Always have someone with you if you feel there may be an issue and in a central location in school
- Aim to remain calm
- If you are feeling threatened or if you are intimidated issue a warning: "If you continue to speak to me in this manner, I will stop the meeting and ask you to leave."
- If the warning is not heeded: "I am unable to continue with this meeting at this time. I am requesting that you leave the premises."
- Leave the meeting and call a member of SLT or site team

Write down what was said. Inform your line manager. Complete abusive incidents spreadsheet. Line manager to provide support for member of staff and to respond.

On the phone

Advice:

- Aim to remain calm
- If you are feeling threatened or if you are intimidated issue the warning: "If you continue to speak to me in this manner, I will finish the call."
- If the warning is not heeded: "I am unable to continue with this call at this time. I am now putting the phone down."

Inform the school reception not to put through further calls from this individual. Write down what was said. Inform your line manager. Complete the abusive incidents spreadsheet. Line manager to provide support for member of staff and to respond (see section III).

By email or in a letter

Email policy: Avoid sending/replying to emails between the hours of 6:00pm and 7:00am or at weekends. Staff are not expected to check emails if off sick or on leave, nor are they expected to deal with emails outside of normal working hours. Emails should be checked daily during the working week and responses given within two working days – this can be a 'holding response' with a date provided for a full response.

Advice:

- Aim to remain calm.
- Do not respond immediately.
- Keep responses to the point
- If you are feeling threatened or if you are intimidated: Copy the email or letter and pass to your line manager. Complete an abusive incidents form.
- Unwarranted, unreasonably persistent emails where there is no progress in resolving the issue should be escalated to SLT (*also see Appendix 4: dealing with unreasonable, serial, persistent and vexatious complaints and Appendix 6: When to stop responding to complaints*)

Line manager to provide support for member of staff and to respond. Line manager to send an email response or letter response within 48 hours. "Thank you for your letter/email. Due to the nature of the letter/email the matter has been referred to me...." Depending on the outcome, further steps may be taken to resolve the issue (*see section III*).

II. Support for the member of staff who has experienced abuse from a visitor

Any necessary support should be provided immediately. Abusive incident spreadsheet to be completed.

Abusive Incident Spreadsheet

Filed in HOY team

III. Procedures following an incident

The school has a range of strategies to employ with any parent or visitor who persists in unacceptable conduct. Whilst these sanctions are set out in the policy by way of a sequential process, they can be initiated at any stage if, in the judgement of the Headteacher, the severity of the behaviour warrants such a level of intervention.

1. Verbal warning/mediation meeting

A parent/carer or visitor who displays any of the behaviour as described above will be contacted and given the opportunity to discuss the matter in person with a senior leader on the first occasion. They may be asked to desist from contacting a member of staff for a period of time and provided with another point of contact.

2. Formal Written Warning

A formal written letter may be sent to the parent where they continue to act unacceptably. This is signed by the Headteacher (or designated Deputy) and circulated to relevant internal parties to ensure that an informed and consistent approach can be adopted.

This letter is kept on the file of any student (including siblings in school) for a period of twelve months.

3. Barring from the school premises

See Appendix 4

4. Legal Sanctions

If a parent/carer or visitor breaches the expected standard of behaviour as set out in this Policy despite formal written warnings, then the school may consider the following legal sanctions – these will only be used in extreme circumstances if the individual continues to exhibit conduct in breach of this policy.

5. Office staff protocol

As the first point of call in dealing with visitors, office staff can be subjected to abusive behaviour. All the above steps should be followed by office staff.

In addition, if a visitor arrives in school and demands to see a member of staff for an unscheduled meeting in an unreasonable or abusive manner, the following advice should be followed:

- Explain to the visitor that staff are not available immediately, due to teaching commitments and that appointments need to be made

- Ask for contact details, and possible dates when they would be available to meet before or after school which will be emailed to the member of staff with flagged on high importance
- If the visitor continues to be unreasonable, state 'If you continue to speak to me in this manner, I will have to ask you to leave.'
- Call SLT or the site team
- Do not allow anyone through the entrance if the visitor poses a risk of entry