

COMPLAINTS POLICY

Board of Trustees Approved: February 2021

Date of next review: February 2022

Reviewed by: The Principal and the Leadership, Management and Communications Committee

This policy will be reviewed every year and at every review the policy will be shared with the full Board of Trustees.

General definitions

Throughout this policy, *Wynstones* means Wynstones school and will be used interchangeably with *school* and *the school*; *parents* includes guardians, carers and those with parental responsibility for children entering the school; *students* will be used throughout.

Regulatory and publication context

Independent schools are not required to have a website, but are required to make policies and information available to parents upon request, in line with the [Education \(Independent School Standards\) Regulations 2014](#).

Wynstones systematically chooses to publish its policies online, in order to enable ease of access for parents, and to participate in the wider social discourse on appropriate, effective and fair educational provision.

Policy Contents

1	Introduction	2
2	Who can make a complaint?	2
3	What is a complaint	3
4	How to make a complaint	3
5	Anonymous complaints	3
6	Timescales	3
7	Complaints received outside of term time	4
8	Scope of this Complaints Procedure	4
9	Resolving Complaints	5
10	Withdrawal of a Complaint	5
11	Stage 1 Informal complaint procedure	5
12	Stage 2 Formal complaint procedure	5
13	Stage 3 Review Panel Hearing	6
14	Record Keeping	8
15	Next Steps	8
16	Roles and Responsibilities	8
17	Habitual or Vexatious Complaints Policy and Strategy	11
	Complaint Form W011a	15

1 Introduction

The complaints procedure has three stages

- **Stage 1** an initial informal stage. It is hoped that most complaints & concerns can be dealt with at this level.
- **Stage 2** formal stage that is used when the complainant is not satisfied with the outcome of the informal procedure or where the matter is seen as being so serious that a formal complaint is required.
- **Stage 3** a Review panel hearing that is used when the complainant is not satisfied with the formal process at stage 2

2 Who can make a complaint?

This complaints procedure applies to complaints from parents of students - including, for this purpose, a person who has parental responsibility or who has care of a student – which is to say, persons for whom education is being provided at the school. Therefore, the process does not cover complaints, among other things, from parents of students who have left the school voluntarily or as a result of being excluded (except in cases wherein the complaints process was started when the student was still being educated at the school). Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

3 What is a complaint

A complaint may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*, or *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

4 How to make a complaint

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

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

Complainants should not approach individual Trustees to raise concerns or complaints.

Informal complaints can be made to the class teacher or the Vice Principal (or other member of the management team).

Formal complaints against school staff (except the Principal) should be made in writing, to the Principal via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Principal should be addressed to the Chair of Trustees, via the school office. If in writing please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual trustee or the whole trustee body, should be addressed to the Clerk to the Trustees via the school office. These should always be in writing. 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.

5 Anonymous complaints

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

6 Timescales

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.

N. B. Any allegations or concerns covered by the safeguarding policy are not time bounded and should be raised directly with the Vice Principal and Designated Safeguarding Lead (DSL) as per the safeguarding policy.

7 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.

8 Scope of this Complaints Procedure

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

Exceptions	Who to contact
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), 01452 42699, who has local responsibility for safeguarding, or Gloucestershire Safeguarding Children Executive .
Exclusion of children from school*	Further information relating to raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
Whistleblowing	Wynstones publishes a Whistleblowing Policy on the school website. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus .
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

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 Wynstones 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.

9 Resolving Complaints

At each stage in the procedure, Wynstones 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.

10 Withdrawal of a Complaint

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

11 Stage 1 Informal complaint procedure

It is hoped that most complaints and concerns will be dealt with at this stage.

The staff member who was initially approached or contacted will meet the complainant within three working days to discuss the complaint and expectations. They may also advise the complainant of an alternative process better suited to resolve the issue

The member of staff will facilitate the resolution of the informal complaint, this may involve a further meeting.

The member of staff will write to the complainant within seven working days of the first meeting informing them of the outcome of their investigation and the resolution.

12 Stage 2 Formal complaint procedure

Formal complaints must be made to the Principal (unless they are about the Principal), via the school office. This should be in writing (preferably on the Complaint Form).

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

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

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

During the investigation, the Principal (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 Principal will provide a formal written response within ten school days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, he or she 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 Wynstones will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Principal, or a member of the Trustee body (including the Chair or Vice-Chair), a suitably skilled Trustee will be appointed to complete all the actions at Stage 1.

Complaints about the Principal or member of the Trustee 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 Trustee body or
- the majority of the Trustee body

Stage 2 will be considered by an independent investigator appointed by the Trustee body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

13 Stage 3 Review Panel Hearing

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 3 – a “Review Panel Hearing”, as a meeting with members of a Complaints Committee specifically designated for this purpose. This is the final stage of the Complaints Procedure.

The complaints committee will consist of at least three members with no prior involvement or knowledge of the complaint. In all cases, at least one member of the complaints committee shall be independent of the management and running of the school. Specifically, this means that the independent member should not only be outside the school’s workforce, and not a member of the Trustee body, but also should not be otherwise involved with the management of the school. As necessary, the Clerk will source any additional, independent members in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

A request to escalate to Stage 3, that is, for a Review Panel Hearing, must be made to the Clerk, via the school office, within fourteen calendar 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 three 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 Review Panel Hearing. They will aim to convene a hearing within ten 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 Review Panel Hearing. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

Prior to the meeting, the members of the complaints committee will decide amongst themselves who will act as the Chair.

The committee will decide whether to deal with the complaint by inviting parties to a physical 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 a physical 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 Review Panel Hearing. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a Review Panel Hearing, 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 five school days before the Review Panel Hearing, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the Hearing, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible, and
- request copies of any further written material to be submitted to the committee at least two school days before the Hearing.

Any written material will be circulated to all parties at least two school days before the date of the Review Panel Hearing. 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 Review Panel Hearing 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, Wynstones and, where appropriate, the person about whom the complaint was raised, with a full written explanation of the decision and the reason(s) for it within ten 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 Wynstones.

If the complaint is:

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

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 Wynstones will take to resolve the complaint.

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

14 Record Keeping

Wynstones will keep such Stage 3 responses available for inspection on the school premises by the Trustees and the Principal. Further, Wynstones will maintain a written record to be kept of all formal complaints that are made in accordance with this Policy, including: 1) whether any such complaint was resolved following a formal procedure, or proceeded to a panel hearing; and 2) the action taken by the school as a result of such complaint (regardless of whether such complaint is upheld). Wynstones shall keep confidential all correspondence, statements and records relating to individual complaints, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to such information.

15 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 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Wynstones. They will consider whether Wynstones 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 on: 0370 000 2288 or by writing to:

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

16 Roles and Responsibilities

16.1 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.

16.2 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 Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Principal 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.

16.3 Complaints Co-ordinator (to wit, the Principal or other staff member designated to provide administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Principal, Chair of Trustees, 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.

16.4 Clerk to the Trustee 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.

16.5 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).

16.6 Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so;
- no Trustee 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.

17 Habitual or Vexatious Complaints Policy and Strategy

17.1 Introduction.

This policy applies to all complainants and applies to situations where a complainant, either individually or as part of a group is considered to be acting as an 'habitual or vexatious' complainant.

In this policy the term 'habitual' means 'done constantly or as a habit' and 'vexatious' is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. In this policy we are making provision to deal with people who seek to be disruptive or cause disproportionate work by pursuing an unreasonable course of conduct.

The term complainant in this policy includes requests made under the Data Protection Act 1998, and the Environmental Information Regulations 2004 and reference to the complaints procedure may include the making of requests under those Acts.

Habitual and/or vexatious complainants can be a problem for school staff and Trustees. The difficulty in handling such complaints can place a strain on time and resources. The school endeavours to respond with positivity, patience and sympathy to the needs of all complainants. There are times when there is nothing further that can reasonably be done to assist or to rectify a real or perceived problem.

17.2 Scope of Policy

This policy should only be used in exceptional circumstances after all reasonable measures have been taken to try to resolve complaints under the school's complaints procedure. However it is not necessary for a complaint to have reached the review panel stage before this policy can be invoked. Judgement and discretion are essential in applying the criteria to identify potential habitual or vexatious complainants and in deciding on the appropriate action to be taken.

The policy should only be invoked following careful consideration of all the issues by the Principal or his/her designee and where authorisation has been provided by the Chair of Trustees. If the complaint is principally or to a reasonable degree against the Chair of Trustees then authorisation will be from a three person panel as for a review panel hearing as defined in Stage 2.

An individual involved in the issues of the complaint shall not authorise for a complaint to be handled under this policy.

17.3 Definition of Habitual or Vexatious Complainant.

Each case will be considered individually and decided on its merits. However, a complainant (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious if previous or current contact with them shows that they may meet any or all of the following criteria to a significant degree.

Where complainants:

- persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted;
- change the substance of a complaint: continually raise new issues, or raise further concerns or questions upon receipt of a response. The school will take care not to discard new issues that are significantly different from the original complaint and which may need to be addressed as separate complaints;
- are unwilling to accept documented evidence of action;
- are unwilling to accept that the Trustees have reached a final decision on a chosen course of action;
- deny receiving an adequate response in spite of correspondence specifically dealing with the issues raised;
- persist in pursuing a matter when they have already exhausted all routes of appeal;
- do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns;
- continue to seek to pursue a complaint where the concerns are not within the control of the school or its governance team;
- focus on trivial matters to an extent which it is out of proportion to their significance and continue to press only those points (we recognise that what is a 'trivial' matter is a highly subjective judgement and will exercise care in applying these criteria);
- have in the course of addressing a complaint, had an excessive number of contacts with the school representatives placing unreasonable demands on staff time. A contact may be in person or by telephone, letter, e-mail or fax. (Discretion will be used in determining the precise number of "excessive contacts" applicable under this section, using judgement based on the specific circumstances of each individual case);
- make unreasonable demands on those dealing with a complaint, refusing 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;
- make repeated counter-complaints against those dealing with the issue, especially with the clear intention of influencing the outcome of the procedure;
- are known to have recorded meetings or face-to-face / telephone conversations without the prior knowledge and consent of other parties involved;
- have threatened or used physical violence towards staff at any time. This will, in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented. The school will consider any complainant who make threats or uses actual physical violence towards staff as a vexatious complainant. The school will inform the complainant of the action to be taken with regard to any further communication received and reserves the right to take legal action in such cases;
- have harassed or been personally abusive or verbally aggressive on one or more occasion towards staff dealing with the complaint. We recognise that complainants may be sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. However, the Trustees have a duty of care to their employees and reserve the right to take whatever action is deemed necessary to secure their reasonable safety. Any form of harassment, abusive behaviour or verbal aggression will be recorded and legal action may be taken.

17.4 Strategy for Dealing with Habitual or Vexatious Complainants.

Where complainants have been identified as habitual or vexatious under the scope of this policy, taking account of the above criteria, the Trustees will determine what action to take. The Principal or his/her designee will implement such action and will notify complainants, in writing, of the reasons why they have been classified as habitual or vexatious and what action will be taken. They will also be notified of the review procedure (See Section 5 below)

This notification may be copied for the information of others already involved in the complaint or with matters closely related to it. A record must be kept, for future reference of the reasons why a complainant has been classified as habitual or vexatious.

It may be decided to deal with habitual or vexatious complainants in one or more of the following ways.

- Withdraw contact with the complainant either in person, by telephone, by e-mail, by fax, by letter or any combination of these, provided that at least one form of contact is maintained. If staff are to withdraw from telephone contact with a complainant there will be an agreed statement available for them to use at such times.
- Restrict contact to liaison through a designated person.
- Notify the complainant in writing that the Trustees have responded fully to the points raised and have tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should be notified that any form of contact, either orally or in writing, in relation to their complaint, or any further complaints relative to the same period of time, or the same or similar issues as an earlier complaint, is at an end, and that further contact received will be acknowledged but not answered.
- Temporarily suspend, or permanently terminate, the contract between the individual and the school.
- In extreme circumstances inform the complainant that the school intends to take legal action.

17.5 Review Decisions and Withdrawing ‘Habitual or Vexatious’ Status

Once a complainant has been determined as habitual or vexatious such status will be regularly reviewed, and, where appropriate, withdrawn at a later date. Such action may be appropriate where a complainant subsequently demonstrates a more reasonable approach or submits a further complaint for which the normal complaints procedures would appear appropriate

Complainants also have an opportunity to have their habitual or vexatious status withdrawn (see 5.3)

The Trustees will review their decisions to categorise a complainant as habitual or vexatious at least every six months. In addition, they will review that decision on receipt of a request to do so from the person so categorised, provided such a request has not been received in the preceding six months.

If the person categorised as habitual or vexatious is not satisfied with the decision reached they may request that the decision is reviewed by the Trustees, which will appoint an appeal panel of three to review the decision (panel constituted as for review panel hearing). Such a request for a review may only be received once in any six-month period. Notice of that decision will be given, as far as is practical, within 15 working days of receipt of the request.

The review panel on review may either withdraw the categorisation of a person as habitual or vexatious or amend the strategy being applied to that person.

If the review panel considers it appropriate to withdraw the status of habitual or vexatious complainant, normal contact with the complainant and application of the school's complaints procedure will be resumed. Notice of that decision will be given within fifteen working days of such decision.

Copies of all decisions relating to the categorisation of a person as a habitual or vexatious complainant will be sent to the Chair of Trustees who will hold and maintain a central register of such decisions.

17.6 Monitoring Arrangements

Anonymised information will be presented annually to the Trustee body with details of complainants who are categorised as habitual and/or vexatious.

17.7 General

Nothing in this policy affects an individual's statutory rights.

If Trustees are approached by individuals identified as habitual/vexatious complainants they may, if they so wish, ask officers to write to those individuals, to explain that the Trustees will not be able to deal with the particular issue whilst they continue to be a vexatious/habitual complainant.

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 who:	
Complaint referred to:	
Date:	