

**CITY OF ROCHESTER SCHOOL  
COMPLAINTS PROCEDURE FOR PARENTS**

*This policy, which applies to the whole school, and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office. This policy is also publically available on the school website*

**Monitoring and Review:** This procedure is subject to continuous monitoring, refinement and audit by the Headteacher to ensure that all complaints are handled properly. The Trustees will undertake a full annual review of this procedure, inclusive of its implementation and the efficiency with which the related duties have been discharged. Any deficiencies or weaknesses will be remedied immediately and without delay.

Signed:

Date Reviewed: January 2022  
Date of Next Review: January 2023  
Version No. 3  
Policy No 10:001



Alicja Emmett  
Headteacher



Claire Cooper  
Chair of Trustees and Safeguarding Trustee

This policy will be reviewed no later than January 2023, or earlier if changes in legislation, regulatory requirements or best practice guidelines so require.

**Introduction:** The City of Rochester School defines a complaint as any matter about which a parent of a pupil is unhappy and seeks action by the school. A complaint is likely to arise when there are issues of physical or emotional wellbeing and security at stake, or when the school's stated aims or values are being ignored. A breach of the law will always constitute a complaint.

City of Rochester School aims to be a listening and responsive school. We encourage pupils, parents and staff to inform us of their concerns while they are still minor ones which can more easily be resolved. City of Rochester School takes seriously complaints and concerns as they arise. City of Rochester School gives careful consideration to all complaints and will deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed and then resolved. Throughout the process, City of Rochester School will be willing to: listen, learn, admit mistakes, apologise if appropriate, address any issues raised and change practices and procedures if appropriate.

**How Should I Complain and to Whom?** Parents can email, write, telephone or talk directly to a member of staff. Please be as clear as possible about what is troubling you. Any member of staff will be happy to help. It is usually best to start with the person most closely concerned with the issue as they are likely to be able to sort things out quickly. However, parents may prefer to take the matter to Alicja Emmett the Headteacher. The Headteacher will determine who is best positioned to handle the complaint and will redirect the complaint if necessary.

**Timescales:** All complaints will be handled seriously and sensitively. The complaint will normally be resolved within twenty eight (28) days of the lodging of the complaint to its resolution whenever possible. Allowable exceptions to this rule are for instances when persons involved in the complaint are unavailable during holiday periods. In this case the parents will be kept informed. However, as far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially if the parents will already have been engaged over a longer period in attempts to put things right.

**Statement on Dealing with Complaints**

- If parents have a complaint they can expect it to be treated by the school in accordance with this procedure.
- We believe that all complaints which we receive should be treated seriously and investigated fully and fairly. The School will always try to resolve complaints informally and in an amicable fashion where possible. The School's Complaints Procedure is divided into Informal, Formal and Appeals Stages and it is expected that the majority of complaints will be resolved quickly at the Informal Stage.

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- Complaints will be dealt with on as confidential a basis as possible but it may be necessary for the person who first receives a complaint to discuss it with those who can resolve it, so anonymity and total confidentiality cannot be guaranteed. No one will receive adverse treatment as a result of having a complaint or because someone else has raised a complaint on their behalf.
- In situations concerning alleged abuse, the Child Protection Procedures take precedence over the complaints procedure. Separate procedures will also apply if the Headteacher excludes or requires the removal of a child from the School and the parents seek a review of that decision.

**Stage 1 – Informal Stage of Complaints Procedure** *(References to the number of working/school days refer to term-time only)*

- It is hoped that most complaints and concerns will be resolved quickly and informally if parents feel able to voice them as soon as they arise. In most cases, discussion, explanation, further information or an apology, if appropriate, will resolve any issues. Every effort will be made to allay concerns at this stage and with the least possible formality achieving through open dialogue a satisfactory resolution.
- If a parent wishes to make a complaint, they should usually contact the member of staff concerned, such as the teacher, therapist or administrator (if it is an administrative or procedural matter), in the first instance. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction.
- The member of staff will make a written or electronic record of the complaint, the date on which it was received and any action taken as a result.
- If a meeting or telephone call with the relevant member of staff does not result in a solution then the complaint may be taken directly to the Deputy Headteacher or the Headteacher. The Deputy/Headteacher may then refer back to the relevant member of staff unless the Deputy/Headteacher deems it appropriate for them to deal with the matter personally.
- The parent(s) will hear back from the Deputy/Headteacher within five (5) working school days.
- Not all written concerns or complaints are intended by parents to be formal and so invoke the formal process. Hence, the person to whom the concern or complaint is addressed will check with the parents whether or not they wish to invoke the formal process at that point. If not, then the written communication will be dealt with informally within the scope of a Stage 1 Complaint.
- Should a parent have a complaint about the Headteacher, the parent should contact the Headteacher informally to discuss the matter.
- In the event that a satisfactory resolution is not reached, or the matter not resolved within seven (7) working school days, then the parent(s) will be advised to proceed with his/her complaint in accordance with stage 2 of this procedure.

**Stage 2 – Formal Stage of Complaints Procedure** *(References to the number of working/school days refer to term-time only)*

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Headteacher who will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headteacher will speak to the parents concerned, normally on the day of receiving the complaint, so as to discuss the matter. If possible, a resolution will be reached at this stage.
- The Headteacher will:
  - establish what has happened so far and who has been involved; clarify the nature of the complaint and what remains unresolved;
  - meet with the parent(s) or contact them clarifying what they feel would resolve the issue;
  - interview those involved, allowing them to be accompanied if they wish and
  - conduct each interview with an open mind and be prepared to persist in questioning and keep notes of each interview.
- Within five (5) school days of receiving the complaint, the Headteacher will complete the investigation and contact the complainant to arrange a meeting. At any point in the process the Headteacher may decide or agree to commission a further investigation. If this occurs, the timescale may be extended by a further five (5) school days and the complainant will be informed in writing of the extension and the reason for it.
- When the investigation is complete, the Headteacher will meet the complainant to try to resolve the complaint. Any of the following may be appropriate at this point:
  - an acknowledgement that the complaint is valid in whole or in part; an apology; an explanation; clarification of any misunderstanding; an admission that the situation could have been handled better or differently;
  - an assurance that the event complained of will not recur; an explanation of the steps that have been taken to ensure it will not be repeated and
  - an undertaking to review school policies in light of the complaint.
- Once the Headteacher is satisfied that, so far as is practicable, that all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will give reasons for the decision. A written record will also be kept of when a final outcome was reached.
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint.
- Should parents have a complaint about the Headteacher it must be put in writing to the Headteacher who investigates in the same way as with any other complaint.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

### **Stage 3 – Complaints Panel Procedure** (*References to the number of working/school days refer to term-time only*)

- If parents seek to invoke stage 3 (following a failure to reach an early resolution of this procedure) they will be referred to the Panel Convenor who has been appointed by the Trustees to call hearings of the Complaints Panel. Parents will be asked to provide the specifics of the complaint in writing, which should include the nature of the complaint and how the school has handled it so far.
- The contact details for the Panel Convenor: Mrs Sheila Humphrey, Clerk to the Trustees, City of Rochester School, Bradbury House, View Road, Cliffe Woods, ME3 8UJ.
- The Panel will consist of at least three people appointed by the Chair of Trustees not directly involved in matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The Panel may therefore include at least two members of the Board of Trustees. The Department for Education has given the following guidance on the identity of an independent panel member: *“Our general view is that people who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”* Each of the Panel members shall be appointed by the Chair of Trustees.
- The Panel Convenor, on behalf of the Panel, should agree with all parties the date of the Appeal Meeting within five (5) school days of receipt of the written referral of the complaint. The meeting itself should be held within twenty (20) school days of the receipt of the referral. If the complainant or Headteacher wishes to submit information in writing to the Panel this should be sent to the Panel Convenor at least seven (7) days before the date of the hearing.
- Complainants are free to make their complaint in writing rather than attend the meeting of the panel personally.
- If the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five (5) days prior to the hearing.
- The complainant(s) may be accompanied to the hearing. This may be a relative or friend.
- If possible, the Complaints Panel will resolve the parent’s complaint immediately without the need for further investigation.
- Where further investigation is required, the Complaints Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Complaints Panel will reach a decision and may make findings and recommendations, which it shall complete normally within five (5) days of the Hearing.
- A copy of the Panel’s decision, findings and any recommendation and the reasons for them will be:
  - Sent by electronic mail or otherwise given to the complainant and, where relevant, the person or persons complained about; and
  - Available for inspection on the school premises by the Chair of Trustees and the Headteacher.
- As far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible and so a panel hearing may need to take place during the school holiday period.
- The Complaints Panel’s findings, and, if any recommendations and the reasons for them, will be sent by electronic mail or in writing to the parents and, where relevant, the person complained about. These findings and recommendations will be available for inspection on the school premises and kept by the Trustees and the Headteacher for at least three (3) years. The decision of the panel will be final.
- City of Rochester School will take the Complaints Panel findings seriously and will make appropriate changes to policies, procedures and practices as a result

There is no further internal stage for any complaint should a parent remain dissatisfied with the outcome. In such a case any aggrieved parent may wish to make a complaint to Ofsted whose contact details are: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD Telephone: 03001231231 Web: [www.ofsted.gov.uk](http://www.ofsted.gov.uk) Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

#### **The role of the Panel Convenor is to:**

- confirm to all parties in writing the date, time and venue of the hearing; to receive and distribute any documentation to be read before the hearing; to meet and welcome all parties as they arrive at the hearing;
- make a fair summary record of the proceedings, noting any specific details requested by the complainant or panel and
- notify all parties of the Panel’s decision. The wording of any letters will be agreed with the Chair of the Panel.

#### **The role of the Chair of the Panel is to ensure that:**

- appropriate procedure to allow a full and fair hearing is properly followed;
- the procedure for the hearing of the complaint is explained to all parties and that they have the opportunity to put their case without undue interruption;
- the issues are addressed; all parties are put at ease, especially those who are unfamiliar with such a hearing;
- proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy and
- the Panel operates in an open-minded and independent way and time is given for all parties to consider ‘new’ evidence.

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**The Panel may decide upon one or more of the following actions:**

- uphold the complaint in whole or in part;
- dismiss the complaint in whole or in part;
- decide on an appropriate action to be taken to resolve the complaint or recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not re-occur.

After the Panel has come to a decision, the Chair of the Panel agrees with the panel convenor the wording of the letter to be sent to both parties. The Panel Convenor will: provide the written record of the meeting for the Chair of the Panel: ensure that the letter of decision is sent out in accordance with the agreed time scales and procedures as stated above; and ensure that any consequent recommendations to change school policies or procedures is put on the agenda for the next meeting of the Board of Trustees. A summary record of the concern or complaint, its resolution and any action taken as a result will be made.

**Confidentiality, records and other matters:** Parents are assured that all concerns and complaints will be treated seriously and confidentially. Such correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them; or where any other legal obligation prevails.

A written record of all complaints whether they are resolved at the informal stage or following a formal procedure, or proceeding to a panel hearing, is kept by the Headteacher for a minimum of three years. The record regardless of the outcome of the complaint includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint (regardless of whether they are upheld). The written record will include the date when a final outcome was reached. The Headteacher will examine this written record on a termly basis and the Trustees on an annual basis. The school will provide, on request to OFSTED or to any other inspectorate carrying out an inspection on behalf of the Secretary of State for Education, a written record of all complaints made during a specified period and the action that was taken as a result of each complaint.

The number of formal complaints, received in an academic year, is made available to parents. The number of complaints registered under the formal procedure during the last school year (2019-2020) has been 0.

Any concern or complaint which involves a potential child protection or safeguarding issue must be made in accordance with the school's Safeguarding Policy immediately to the Designated Safeguarding Lead who is the Headteacher. Any appeal against the exclusion of a pupil may be made to the Chair of the Board of Trustees with reference to the school's Behaviour Management Policy.

**Summary of Complaints Procedures**

- **Concern:** Please do raise these with the school so that they can be resolved as quickly as possible.
- **Informal Complaint:** Any significant or persistent concerns should be discussed with those involved. It is hoped that most problems can be dealt with in this way.
- **Formal Complaint:** A formal complaint is one made in writing and addressed directly to the Headteacher.
- **Appeals:** Where the complainant is not satisfied with the response to their written complaint, the Trustees will make provision for a hearing before a panel of at least three people who are not directly involved in the matters detailed in the complaint.

**Procedure for Unreasonable Complainants**

Our school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The 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'*.

Examples: A complaint may 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;

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- introduces unrelated information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- attempts to undermine and/or discredit member(s) of staff who are trying to deal with issues and/or attempts 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 procedure has been fully and properly implemented and completed
- seeks an unrealistic outcome;

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 while the complaint is being dealt with.

A complaint may 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;
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

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

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

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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

### **Barring from the School Premises**

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

If an adult's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher, or the local authority, can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

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

### **Vexatious Complaints**

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Trustees is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Habitual and/or vexatious complainants can be a problem for School staff and Trustees. The handling of such complaints can place a strain on time and resources. Whilst the School endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done.

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

On the occasion where complainants:

- Persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted (e.g. where several responses have been provided);
- Change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response.

Care must be taken not to discard new issues which are significantly different from the original complaints. These may need to be addressed as separate complaints.

- Are unwilling to accept proper and reasonably documented evidence of action.
- Are unwilling to accept that the Governing body has reached a final decision on a chosen course of action.
- Deny receiving an adequate response in spite of correspondence specifically answering their questions.
- Persist in pursuing a matter when they have already exhausted other statutory 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 identified are not within the remit of the Governing body to investigate
- Focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that in determining what is a 'trivial' matter can be subjective and careful judgments must be used in applying this criterion.
- Have, in the course of addressing a complaint, had an excessive number of contacts with the School placing unreasonable demands on staff time. A contact may be in person or by telephone, letter or e-mail.
- Discretion must be used in determining the precise number of 'excessive contacts' applicable under this section, using judgment based on the specific circumstances of each individual case.
- 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.
- Have harassed or been either personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff recognise however, that complainants may sometimes act out of character in times of stress, anxiety or distress. They will document all instances of harassment, abusive or verbally aggressive behaviour.
- Are known to have recorded meetings or face-to-face / telephone conversations without the prior knowledge and consent of other parties involved.
- Make unreasonable demands on the complaint procedure and fail to accept that these may be unreasonable (e.g. insist on responses to complaints or enquiries being provided more urgently than is reasonable within the complaints procedure or normal recognised practice)

### **Strategy for Dealing with Habitual or Vexatious Complainants**

Where complainants have been identified as habitual or vexatious under this policy, taking account of the above criteria, the Head and Chair will determine what action to take. In all cases the Area Education Officer will be notified and the course of action will be discussed in consultation with them. The complainant will be notified in writing of the reasons why he or she has been classified as habitual or vexatious, what action will be taken and of the review procedure detailed in the next section.

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

It may be decided that complainants will be dealt with in one or more of the following ways:

- Withdraw contact with the complainant either in person, by telephone, by email, by letter or any combination of these, provided that at least one form of contact is maintained. If staff are to withdraw from a telephone conversation with a complainant there will be an agreed statement available for them to use at such times.
- To restrict contact to liaison through a designated officer (and alternative arrangements in that officer's absence)
- Notify the complainant in writing that the Governing body has responded fully to the points raised and has 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, for a period to be specified to the complainant, all contact with the complainant, provided that the Governing body shall not, withdraw or fail to provide any services which the complainant or his / her family are entitled to receive.

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- In extreme circumstances inform the complainant that unreasonable or vexatious behaviour may result in legal action against them.

### **Review Decisions and Withdrawing ‘Habitual or Vexatious’ Status**

Once a complainant has been determined as habitual or vexatious, such status shall be reviewed regularly (as provided below) and if/when appropriate, withdrawn. 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.

The Head and Chair (or panel) 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 be reviewed by the Board of Trustees which will appoint an appeal panel. The Panel will consist of at least three people appointed by the Chair of Trustees not directly involved in matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The Panel may therefore include at least two members of the Board of Trustees to review the decision. 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 panel on review may either confirm or withdraw the categorisation of a person as habitual or vexatious or amend the strategy being applied to that person.

If the panel considers it appropriate to withdraw the status of a 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 supplied to the person or persons forthwith.

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

### **Repetitive communications**

If an individual is so persistent and vexatious against the school (e.g. with repetitive communications) they should be invited to make a complaint in respect of any issue they are raising to bring them within the complaints policy.

If communication is so substantial that it becomes unreasonable, all communication may be directed to a Member of the Senior Leadership Team and Board of Trustees who will review all communication to decide how the school should respond

### **Legal Status**

This procedure, which applies to the entire school, incorporates the manner in which complaints are to be managed, in accordance with:

- Part 7, paragraph 33 (a) to (k) inclusive of The Education (Independent School Standards) (England) Regulations currently in force along with
- Part 6 Paragraph 32 (3) (f) of the Regulatory Requirements, regarding the provision of information being made available.

## Appendix 1

### City of Rochester School Complaints Form

Please complete and return to the Headteacher or Deputy Head who will acknowledge receipt and explain what action will be taken.

Your name and relationship to the pupil	
Pupil name	
Address and postcode	
Day time and evening telephone numbers	
Detail of your complaint What actions, if any, have you taken to try and resolve your complaint?	
What actions do you feel might resolve the problem?	
Details of any paperwork you are attaching	
Signature	
Date	
<b>For office use only</b> Date acknowledgement sent: By Whom:  Complaint referred to:  Date:	



## City of Rochester School – Code of Conduct

**This Code of Conduct is an unsigned agreement between the Parent/Carer, Visitor and City of Rochester School.**

At City of Rochester School we are very proud and fortunate to have a very dedicated and supportive school community. At our school the staff, trustees, parents and carers all recognise that the education of our children is a partnership between us.

We expect our school community to respect our school ethos, keep our school tidy, set a good example of their own behaviour both on school premises and when accompanying classes on school visits.

In addition, we also expect our parents, carers and visitors to keep our children safe by adhering to the school's request to park safely during morning and afternoon collections and ensure that adequate social distancing is adhered to as per the COVID Guidelines issued to parents/carers.

As a partnership we are all aware of the importance of good working relationships and all recognise the importance of these relationships to equip our children with the necessary skills for their education. For these reasons we will continue to welcome and encourage parents and carers to participate fully in the life of our school.

The purpose of this code of conduct is to provide the expectations around the conduct of all parents, carers and visitors connected to our school.

We are committed to resolving difficulties in a constructive manner, through an open and positive dialogue. However we understand that everyday misunderstandings can cause frustrations and have a negative impact on our relationships. Where issues arise or misconceptions take place, please contact your child's teacher or the Headteacher, who will be available to meet with you and go through the issue and hopefully resolve it. Where issues remain unresolved, please follow the school's complaints procedure. This is available on the school website or a copy can be requested from the school office.

This code aims to clarify the types of behaviour that will not be tolerated and seeks parental agreement to these expectations.

The code of conduct also sets out the actions the school can take should this code be ignored or where breaches occur.

### **Behaviour that will not be tolerated:**

- Disruptive behaviour which interferes or threatens to interfere with any of the school's normal operation or activities anywhere on the school premises.
- Any inappropriate behaviour on the school premises.
- Using loud or offensive language or displaying temper.
- Threatening in any way, a member of staff, visitor, fellow parent/carers or child.
- Damaging or destroying school property.
- Sending abusive or threatening emails or text/voicemail/phone messages or other written communications (including social media) to anyone within the school community.

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- Defamatory, offensive or derogatory comments regarding the school or any of the pupils/parents/staff/governors at the school on Facebook or other sites
- The use of physical, verbal or written aggression towards another adult or child. This includes physical punishment of your own child on school premises.
- Approaching someone else's child in order to discuss or chastise them because of the actions of this child towards their own child. (Such an approach to a child may be seen to be an assault on that child and may have legal consequences)
- Smoking, taking illegal drugs or the consumption of alcohol on school premises.
- Dogs being brought on to the school premises. (other than guide dogs)

Should **any** of the above occur on school premises or in connection with school the school may feel it is necessary to take action by contacting the appropriate authorities or consider banning the offending adult from entering the school premises.

Thank you for abiding by this code in our school. Together we create a positive and uplifting environment not only for the children but also all who work and visit our school.

It is important for parents and carers to make sure any persons collecting their children are aware of this policy.

### **What happens if someone ignores or breaks the code?**

In the event of any parent/carer or visitor of the school breaking, this code then proportionate actions will be taken as follows:

In cases where the unacceptable behaviour is considered to be a serious and potentially criminal matter, the concerns will in the first instance be referred to the Police. This will include any or all cases of threats or violence and actual violence to any child, staff or trustee in the school, This will also include anything that could be seen as a sign of harassment of any member of the school community, such as any form of insulting social media post or any form of social media cyber bullying. In cases where evidence suggests that behaviour would be tantamount to libel or slander, then the school will refer the matter to the appropriate authority for further action. In cases where the code of conduct has been broken but the breach was not libellous, slanderous or criminal matter, then the school will send out a formal letter to the parent/carer with an invite to a meeting.

If the parent/carer refuses to attend the meeting then the school will write to the parent/carer and ask them to stop the behaviour causing the concern and warn that if they do not they may be banned from the school premises. If after this behaviour continues, the parent/carer will again be written to and informed that a ban is now in place.

### **Note:**

(1) a ban from the school can be introduced without having to go through all the steps offered above in more serious cases.

(2) Site bans will normally be limited in the first instance.

## **Issues of conduct with the use of Social Media:**

Most people take part in online activities and social media. It's fun, interesting and keeps us connected.

Within these spaces however we ask that you use common sense when discussing school life online.

**'Think before you post'** We ask that social media, whether public or private, should not be used to fuel campaigns and voice complaints against the school, school staff, trustees, parents/carers or children.

We take very seriously inappropriate use of social media by a parent to publicly humiliate or criticise another parent, member of staff or child.

If parents have any concerns about their child in relation to the school as outlined above they should:

1. Initially contact the class teacher
2. If the concern remains they should contact the Headteacher
3. If still unresolved, the school trustees through the City of Rochester School Complaints Procedure

They should not use social media as a medium to air any concerns or grievances.

## **Online activity which we consider inappropriate:**

- Identifying or posting images/videos of children
- Abusive or personal comments about staff, governors, children or other parents
- Bringing the school in disrepute
- Posting defamatory or libellous comments
- Emails circulated or sent directly with abusive or personal comments about staff or children
- Using social media to publicly challenge school policies or discuss issues about individual children or members of staff
- Threatening behaviour, such as verbally intimidating staff, or using bad language
- Breaching school security procedures

I would also bring to your attention the following legislation that exists to protect our whole school community:

## **The Health and Safety at Work Act 1974:**

Employers have a legal duty under the HSW Act to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees. This duty extends to risks arising from violence at work, or the risk of work related stress.

### **Communication Act 2003:**

Section 127 cover the improper use of public electronic communications network, including:

A person is guilty of an offence if he/she:

- A: sends by any means of a public electronic communications network, a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or
- B: causes any such message or matter to be sent

### **The Protection from Harassment Act 1997:**

Makes it a criminal offence for a person to pursue a course of conduct which may cause harassment, alarm or distress to another person

### **Malicious Communications Act 1988:**

Sets out offences relating to sending indecent, offensive or threatening letters, electronic communications or articles with the intention of causing distress or anxiety to those receiving them

### **Equality Act 2010:**

Defines specific protected characteristics and details a wider expansion of the aforementioned acts to encompass specifically:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation

### **Keeping Children Safe in Education 2020:**

Parents/carers have a responsibility to ensure they respond to the basic emotional needs and ensure their child does not deliberately miss education.

I thank you in advance of your ongoing support of the school.

Alicja Emmett  
Headteacher

January 2022