



Policy title	Supporting Students with Medical Conditions
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The Hayfield School
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Supporting Students with Medical Conditions

The Hayfield School is a fully inclusive Academy and welcomes and supports students with medical conditions. The Hayfield School is fully committed to providing students with medical conditions the same opportunities as others at the School in line with statutory guidance “Supporting pupils with medical conditions” December 2015 and the “Children and Families Act” 2014.

Every student with a medical condition who attends The Hayfield School will be supported to fully access education, educational trips and physical education enabling them to play a full and active role in school life and remain healthy. The Hayfield School listens to parents and students and this is reflected when considering organising structured and unstructured activities, extended school activities and residential trips to ensure everyone is involved and included. Should the medical condition lead to prolonged absence from school, the school will work with the family and partnership agencies to arrange alternative provision to minimise the impact of the absence on the student’s education.

We will help to ensure they can:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic wellbeing once they have left The Hayfield School

We will ensure this by educating all staff about the medical conditions that affect students at the school and ensuring that staff receive the appropriate training. Also, some students with medical conditions will have Individual Health Care Plans which will be devised with parents, students, healthcare professionals and the Special Educational Needs Co-ordinator (SENCO) at The Hayfield School.

Under the Health and Safety at Work Act 1974 the employer is responsible for making sure that The Hayfield School has a Health and Safety Policy. This should include procedures for supporting students with medical needs, including managing and administering prescribed medication.

The Control of Substances Hazardous to Health (COSHH) Regulations require that no person is placed at risk from the use of any hazardous substances. A medicine is a hazardous substance to those administering it and to those who may inadvertently be exposed to it.

The Children’s Act 1989 authorises people who have care of a child (other than parental responsibility), subject to the provisions of the Act, to do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child’s welfare.

The Disability Discrimination Act (DDA) 1995 requires that The Hayfield School must not discriminate against a Disabled Person. Any students with medical needs who are also disabled will be protected under this Act.

Most students may need to take medication at some time whilst they are attending The Hayfield School. This policy gives clear guidance and will be enhanced by an effective staff management system, which will support individual students with medical needs.

The Hayfield School will ensure that this policy and procedures are in place, so that no person is placed at risk from the storage, administration and/or disposal of medication.

The Hayfield School has a legal duty to make arrangements to ensure that students with medical needs are able to attend the school with as little disruption as possible. A policy which has appropriate procedures will be better placed to enable students attending the school who require medication, to continue their education with as little disruption as possible.

Unless so directed by the terms of their employment contract, no member of staff should feel compelled to be responsible for the management and administration of prescribed medication, to a student.

AIM

This policy aims to ensure that:

All parties are aware of their roles and responsibilities and are clear about the services that are expected of them when dealing with students with regards to managing and administering prescribed medications.

Students who have short or long term medical needs or who require assistance with managing and administering prescribed medications will have the appropriate assistance, where required, when they are attending The Hayfield School.

The approach is flexible, responsive and supportive to the medical needs of students, to ensure that they return to their educational studies as soon as possible following an illness or course of medication.

There is a good working partnership with students, parents/carers, staff and health professionals to ensure a duty of care.

The National Curriculum Inclusion Statement 2000 emphasises the importance of providing effective learning opportunities for all students and offers three key principles for Inclusion.

RESPONSIBILITIES

The Board of Governors of The Hayfield School

The Board of Governors will ensure that the school has developed its policy to assist students with medical needs and that staff involved with administration of medication have had the appropriate training.

The Board of Governors must review the arrangements for staff training on essential medical issues within school such as:

- Allergies
- Asthma
- Diabetes
- Epilepsy

The Board of Governors recognise that there is a duty of care to all students and will do all that is reasonably practicable to safeguard and promote their welfare.

The Headteacher

The Headteacher is responsible for implementing the policy and procedures in the school and should ensure that all parents/carers and staff are aware of the policy.

Where members of staff volunteer to assist, the Headteacher must ensure that they receive suitable and sufficient information, instruction and training to be able to undertake this function in a safe and effective manner. This also applies to members of staff who volunteer to be reserves to cover absences.

An up-to-date record is to be kept of all training.

The Headteacher should ensure that a written Individual Health Care Plan for each student with specific medical needs is drawn up in conjunction with the parent/carer and/or General Practitioner (GP).

Where there is a concern that the student's needs may not be met by the school or the parent/carer's expectations appear unreasonable, the Headteacher should seek further advice from the student's GP and other health professionals. Where there are attendance concerns due to health or medical conditions, the Headteacher will also seek support and advice from health professionals.

Where a Headteacher deems it necessary to share information with other staff within the school, they should first seek permission from the student or their parent/carer. Parents/Carers' culture and religious views should be respected at all times.

The Parents/Carers

The prime responsibility for a student's health rests with the parent/carer; they are responsible for making sure the student is well enough to attend school.

Parents/Carers are asked to complete a Student Medical Information Form when a student starts at the school. This form identifies any medical needs that a student currently has, or health needs they have previously had which may affect them. With current medical conditions, a parent/carer should provide the school with sufficient information about the student's medical needs. This should be undertaken in conjunction with the student's GP or paediatrician, as appropriate. Medical documentation/letters should be copied and sent into school to support the

process. Any medical appointments during school time should be followed with an appointment card or letter so the school can provide the correct response to support the student.

Where a student has acquired an injury outside of school hours, this must be dealt with by parents/carers. The school is not in a position to diagnose nor does it have the equipment to be able to make decisions on breaks, fractures or any internal complaints or injuries.

If a student suffers a fracture or is incapacitated in any way eg requires a sling or crutches, parents/carers must first bring their child into school so that a Risk Assessment can be performed to assess if they are fit and able to attend school (including their ability to evacuate themselves from the building in an emergency), either with a full timetable or whether an adjustment needs to be made temporarily.

If a student is dealing with any social, emotional or mental health issues, the school is to be kept up to date with treatment so that they can act accordingly and support other agencies and health professionals involved.

If a student becomes seriously ill during the school day, they should be collected by a parent/carer as soon as possible. It is vital that the school has relevant home and emergency contact numbers held on file; it is the parent/carer's responsibility to provide the school with updated contact details as necessary.

The School Staff

A teacher or other member of staff at the school, who look after students in place of the parent (in loco parentis), must treat and take care of the student as a "careful parent" would. If a request is made in relation to a student's medical needs, then consideration should be given to whether or not the request is what would be expected of a reasonable parent in the same circumstances.

Each request should be considered on its individual merits and school staff have the right to refuse to be involved. It is important that school staff who agree to administer medication understand the basic principles and legal liabilities involved and have confidence in dealing with any emergency situations that may arise. Regular training relating to emergency medication and the relevant medical conditions should be undertaken.

A member of staff who has a student with medical needs in his/her class should understand the nature of the condition and when and where that student may require additional attention. For students with unique or unusual conditions, training will be in small groups of staff who are there regularly to support that individual.

Training Logs (see above) are to be kept for both insurance and audit purposes.

ADMINISTERING MEDICINES

It is the school's policy that staff DO NOT administer medication to students (except in certain specified circumstances) but that they can supervise students taking their own medication.

If parents/carers prefer to administer medicines themselves to their children during school hours, they must first discuss and arrange this with the medical support assistant in advance, in writing.

No child under school leaving age should be given medicines containing aspirin or ibuprofen unless it has been prescribed by a doctor and a written consent has been signed by their parent/carer.

Consent enabling a member of school staff to administer medication to a child must be completed by a parent/carer in all cases. No medication will be given under any circumstances without this written, signed consent.

The school will keep an individual student register of drugs for all medicines brought into the school by a parent/carer for administration to a student during the school day. The register will be signed by the medical support assistant and also the student. When medication has been administered and in the case of controlled drugs, two staff signatures will be required.

Non-prescription Medication

School staff will provide medication to students which have not been prescribed by a Doctor, Dentist or Nurse Practitioner provided that a written request for the school to administer the medication has been signed by the parent/carer and received by the school.

However, in the case of non-prescription pain relief medication, this will only be administered in line with the advice on the packaging to ensure maximum dosages are not exceeded and students will be asked to confirm when the previous dose, if out of school, was taken.

The school reserves the right to refuse to administer non-prescription pain relief medication if there are grounds to doubt whether maximum dosages have been, or are likely to be exceeded. In these circumstances, parents will be informed. Students are not permitted to carry non-prescription pain relief medication around the building.

Short-term Medical Needs

Medicines should only be brought into school when essential ie where it would be detrimental to a student's health if the medicine was not taken during the school day. It is recognised that it may be necessary at times for a student to take medication to minimise absence. Where this happens it is advised that the parent/carer request that the prescription is such that the student does not need to take any medication whilst in school eg a dose frequency of three times per day rather than four times per day (as per the Medicines Standard of the National Service Framework for Children).

Where medicines must be taken during school hours they must be provided in an original container (as dispensed by the pharmacist) and include the prescriber's instructions for administration. Prescribers should be encouraged to provide two prescriptions for a student's medication where appropriate and practicable; one for home use and one for use in school (again, as per the Medicines Standard of the National Service Framework for Children).

Self-administration

It is the school's policy that staff **DO NOT** administer medication to students (except in certain specified circumstances) but that they can supervise students taking their own medication.

Students are encouraged to take responsibility for their own medication from an early age. A good example of this is children keeping their own asthma reliever. The ages that students are able to take control of their medicines varies enormously. It should however be considered that in some circumstances a student might not ever be mature enough to take medical responsibility for themselves whilst in school. If it is not appropriate for a student to self-manage, the relevant staff should help to administer medicines and manage the procedure for them. If a student refuses to take medicine or carry out a necessary procedure, staff should not force them to do so, but follow the procedure agreed in the Individual Health Care Plan. Parents/Carers should be informed IMMEDIATELY so that alternative options can be considered.

As students grow, mature and develop they should be encouraged to participate in decisions about their medication and to take responsibility. Where students are prescribed controlled drugs staff will need to be aware that these are to be kept in safe custody. Students should be able to access these, when required, for self-medication, if it is agreed that this is appropriate. Self-medication does not mean that a student carries their medication with them (except in exceptional and pre-agreed circumstances). Self-medication means that a student can take the medication without adult support (given via a spoon or injected); furthermore the medication will continue to be taken in the presence of the medical support assistant.

Long term medical needs and Individual Health Care Plans

Parents/Carers of children with long term medical conditions are often concerned that their child's health will deteriorate when they attend secondary school. This is because students with long term and/or complex medical conditions may require ongoing support, medicines and care whilst at school to help them manage their condition and keep them well. Others may require monitoring and interventions in emergency circumstances. It is also the case that a student's health needs may change over time, in ways that cannot always be predicted, sometimes resulting in extended absences. It is therefore important that parents/carers communicate with school so that effective support can be put in place. This will require establishing relationships with local health professionals to help them.

The school recognises that there are also social and emotional implications associated with medical conditions. Children may be self-conscious about their condition and some may think they could be bullied or develop emotional disorders such as anxiety or depression around their medical condition. With long-term absences due to health problems, attainment may be affected. Re-integration back into school should be properly supported so that students with medical conditions fully engage with learning and do not fall behind when they are unable to attend. There are support mechanisms in school such as Student Support Services to help students re-integrate back into a full-time education. Short-term and frequent absences, including those for appointments connected with a student's medical condition (which can often

be lengthy), also need to be effectively managed and appropriate support put in place to limit the impact on the student's educational attainment and emotional and general wellbeing.

Some students with medical conditions may be considered to be disabled under the definition set out in the Equality Act 2010. Where this is the case the school must comply with their duties under that Act. Some may also have Special Educational Needs (SEN) and may have a Statement or Education, Health and Care Plan (EHCP) which brings together health and social care needs, as well as their special educational provision.

Where a student does have ongoing and complex medical needs and an Individual Health Care Plan is essential to manage their needs, the Health Care Plan should be completed by parents/carers, designated school staff who have volunteered (or been specifically recruited) and health professionals as well as other appropriate external agencies involved in the care of the student.

CONTROLLED DRUGS

When Controlled Drugs (primarily "Ritalin" prescribed for Attention Deficit Syndrome) are kept on school premises, a written stock record is required. This should detail the quantities kept and administered, taken and returned on any educational visit, and returned to the parent/carer eg at the end of each term. These drugs must be kept in a locked cabinet within a room with restricted access.

Student Privacy

Where invasive or intimate treatments are required then the person carrying out such a treatment should be of the same gender as the student receiving the treatment, unless agreed otherwise and with written and signed parent/carer consent. One additional adult should be present whilst the treatment is carried out unless intimate care procedures indicate otherwise.

Those staff members who volunteer (or have been appointed specifically) to provide intimate or invasive treatments must be suitably trained. Where invasive or intimate treatments are required but no member of staff volunteers to provide it, the Headteacher and parents/carers must respect the staff member's wishes not to do so.

Refusing Medicines

When a student refuses their medication, the parent/carer should be informed IMMEDIATELY and this should be recorded on the register of medicines. School staff members cannot force a child to take any medication.

STORAGE OF MEDICINES

Student Medications (whether prescription or otherwise) kept in school are stored in the First Aid Room unless:

- otherwise stated on a student's Health Care Plan

- a student self-manages their medication such as diabetes, allergy relief such as epi-pens, or asthma

The First Aid Room is monitored at all times during the school day and is frequently occupied by the medical support assistant and receptionist. All medication is stored securely and labelled appropriately.

DISPOSAL OF MEDICINES

Parents/Carers are responsible for ensuring that date-expired medicines are returned to a pharmacy for safe disposal. Medicines should be collected from school at the end of each term. Liquid medication will only be stored on site for six months from the date of prescription or the date of first opening (if opened in the school).

DISPOSAL OF SHARPS

Sharps boxes/buckets provided must always be used for the disposal of sharps. The sharps boxes/buckets will be collected when required under the waste disposal contract, currently operated by SRCL Ltd.

SCHOOL TRIPS AND SPORTING ACTIVITIES

Students with medical needs should be encouraged to participate in school extracurricular activities and trips as long as the safety of the student, other students and/or staff is not placed at significant risk. The Hayfield School may take additional measures for outside visits for students with medical needs. This may include:

- additional staff supervision
- adaptations for bus or coach seats and entrances
- provision of secure cool-bags to store medicines
- provision of properly-labelled single-dose sets
- copies of student Health Care Plans in the event of an emergency referral
- enhanced risk assessments based on the needs of the student

When planning trips and extra-curricular activities which will include a student with medical needs, all staff supervising the trip should be made aware of any additional requirements that the student may need and any emergency procedures that may be required (unless the parent/carer does not give their prior consent in writing to do this).

This must be covered in the event/trip Risk Assessment and can also be in a person-specific Risk Assessment where necessary. The location to be visited should be made aware that student(s) with medical needs are included in the party, if this is practicable and if the parents/carers have consented in writing. If a student's medical condition could be aggravated by the location being visited or the planned activities at that location, they should not be permitted to go. If there is any doubt regarding the activity, the school must make the parent/carer aware and also, if necessary, seek advice from health professionals.

Some students will need to take precautionary measures prior to and/or during exercise and may need immediate access to medication afterwards. Any members of staff supervising students involved in physical education and sporting activities must be aware of the relevant medical conditions and emergency procedures for any student with a medical condition who is participating in the lesson or activity. For extracurricular activity or after-hours physical education lessons, where a student with a medical condition or need is participating, the level of supervision should be assessed and where necessary, increased.

It is important to note that it is the parent/carer's responsibility to ensure that their child has the relevant medication for a trip. If a student does not have the correct medication, they will be refused to attend. Student medication, except in specific and agreed circumstances, must be handed to the teacher/trip leader and NOT carried by the student themselves.

EXAMS

Asthma inhalers can be taken into an exam but they must have no writing on them – any labels need to be checked by an invigilator on entry to the exam room.

For students with diabetes, they should take a blood-testing kit with them, a bottle of water, insulin and either dextrose tablets or Lucozade, etc. All should have their labels removed and be placed on the desk they are working on (some students prefer it to be left on the front desk). Students should be allowed toilet breaks (under exam conditions). Medication can have a label on but needs to be checked by an exam invigilator on entry to the exam room.

Epi-pens should be taken into the exam room by the student and left on the desk. Any labels are to be checked by the exam invigilator on entry to the exam.

APPENDICES

1. Automated External Defibrillators

An AED is a machine used to give an electric shock when a person is in cardiac arrest ie when the heart stops beating normally. Cardiac arrest can affect people of any age and without warning. If this happens, swift action in the form of early cardiopulmonary resuscitation (CPR) and prompt defibrillation can help save a person's life.

HOWEVER, IT IS IMPORTANT THAT STAFF ARE AWARE THAT THE USE OF A DEFIBRILLATOR ON SOME PEOPLE CAN DO MORE HARM THAN GOOD. It is essential that those administering AEDs in school are aware of any such condition in the student concerned, via their Individual Health Care Plan.

AEDs are located in Main Reception Foyer and the Community Sports Building Reception.

2. Complaints

It is possible that a parent/carer is unhappy with the manner in which the school is supporting their child or believes that the school is not adhering to this policy in some other way. The provision exists within statutory guidance for a parent/carer to raise their concern (or complaint) with the school via the Complaints Policy, which is posted on the school website. What follows is a summary of complaints procedures - please refer to main document for more details.

STAGE 1 - The complainant raises a concern. (Refer to Parts 1-3 of Complaints Policy)

- the concern may be raised by telephone, email, letter, in person.
- the recipient of the concern directs the concern to the most appropriate person e.g. form tutor for behaviour, safety, wellbeing concerns or subject tutor for academic concerns.
- the school will usually acknowledge receipt of the concern within 24 hours by email, telephone or letter unless there are exceptional circumstances. (If the complaint is made in person e.g. to main reception it is not always possible to speak to the right person due to teaching/management commitments.)
- the school will aim to resolve the concern by telephone or face-to-face meeting within 48 hours (this might not be possible due to school holidays or other circumstances).
- the recipient of the concern will decide whether they are the correct person to resolve the complaint or it should be escalated to a more senior member of staff or the safeguarding team e.g. Subject Leader, Head of Year, Senior Leader

IF NOT RESOLVED

Stage 2 - The complainant makes a formal complaint (Refer to parts 1-3, appendices 2 and 3 of the Complaints Policy)

- the complainant completes the Complaints Form, Appendix 3.
- the school acknowledges the complaint in writing within 3 school days.
- the school carries out an investigation of the complaint.
- the school provides written response within 15 school days of any meeting or within 15 days of receiving the written complaint.

IF THE FORMAL COMPLAINT IS NOT RESOLVED

Stage 3 - The complainant makes an appeal in relation to the complaint (Refer to parts 5 - 8 of the Complaints Policy)

- the complainant completes the Appeal Form, Appendix 4 and sends it to the Clerk to the Governing Body.
- the Clerk acknowledges the Appeal within 3 school days.
- the Panel carries out an investigation of the complaint.
- the hearing will take place within 10 days of the Appeal.
- the Panel provides a written response within 10 school days or within 10 school days of any meeting.

Important note:

A concern or complaint will not be accepted if the parent/carer sends it on company/organisational headed paper or through a company/organisation email address unless that complaint is from that company/organisation. The perception might be a

conflict of interest. Where this happens the school reserves the right to contact the organisation and make them aware.

Procedures for dealing with complaints

At The Hayfield School we undertake to provide a friendly and safe environment in which students will be helped to achieve their potential, both academically and socially. We recognise, however, that sometimes things can go wrong and parents, carers and members of the public may need to make a complaint or raise concerns they have with the school. This policy tells you what to do if this happens.

This policy sets out the guidelines and procedures to ensure a complaint is dealt with in the most effective and efficient manner and ensures there are clear systems in place for any stakeholder to make the school aware of any concerns (this includes dealing with concerns and complaints from people who are not parents of attending pupils).

Concern or Complaint?

It is important to distinguish between concerns and complaints.

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

Dealing effectively with informal concerns at an early stage will reduce the numbers that develop into formal complaints and minimise the impact on pupils, parents and staff.

Complaints outside the scope of the Complaints Policy

The complaints policy covers all complaints about any provision of facilities or services that a school provides. It does not cover incidents which occur outside the school environment, or the following areas for which there are separate statutory procedures:

- School Admissions
- Assessments of Special Educational Needs (SEN)
- School Reorganisation Proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of Children from School
- Whistleblowing
- Staff Grievances and Disciplinary Procedures
- Complaints about other providers using school premises or facilities

Principles

- Informal concerns relating to the school or the provision of facilities or services will be treated seriously at the earliest stage.

- Concerns will be handled by the most appropriate person. In all circumstances we would expect parents or carers to initially contact the relevant member of support staff, Class Teacher or Tutor. Staff will escalate to Heads of Department, Heads of Year or a member of the Leadership Team to contact the complainant where they are unable to resolve the issue themselves, or if the seriousness of the issue warrants it.
- We will endeavour to deal with concerns straight away, where this is practical, by telephone, email or face to face, but parents and carers should be aware that prior notice will be required in most cases due to teaching and management commitments. In all instances, a record of the complaint and the outcome of the contact made should be kept.
- If a concern needs further investigation, collection of information or referral to another member of staff, then a record of the concern and action taken so far should be passed to that member of staff. Full details of the investigation, including any contact made with the complainant, must be kept and filed once the matter has been resolved.
- Where a parent or carer's concern cannot be resolved informally and they wish to make a formal complaint, then they must complete a complaint form (appendix 3)
- The Headteacher must be kept informed of any complaints against staff at all stages.

Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes sure that they:

- 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 (if unsure or further information is necessary);
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

- At each stage of the procedure, the person dealing with the complaint should keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - an apology;
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that the event complained of will not recur;
 - an explanation of the steps that have been taken to ensure that it will not happen again;
 - an undertaking to review school policies in light of the complaint.

- Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.
- An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.
- Every effort will be made to resolve the problem to the satisfaction of the complainant at this informal stage. Possible outcomes include:
 - complaint resolved to the satisfaction of the complainant;
 - complaint not resolved to the satisfaction of the complainant;
 - complaint dealt with under another procedure.

Formal Complaints

- When concerns have been discussed with but not resolved, then a complaint may be made formally provided it falls under the scope of the Complaints policy. This should be in writing using the complaint form (appendix 3), addressed to the Clerk to the Governing Body.

He/she must set out the facts and state what it is that the complainant considers should have been done or where the academy has not met reasonable expectations.

- The Headteacher will acknowledge the complaint within 3 school days and ensure that any complaint is fully investigated. The Headteacher may delegate responsibility for investigating the complaint to another member of staff. The investigator will put his/her findings in writing and will indicate what, if any, future steps should be taken to resolve the matter.
- Once an investigation is completed, the Headteacher will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to the complainant's satisfaction. The investigation may include the offer of a meeting with the complainant, whenever reasonably possible. A written response to the complainant including key findings and what, if any, steps should be taken will be sent within 15 school days of any meeting; if no meeting is arranged it will be sent within 15 school days of the written complaint being received.
- For complaints about ***members of staff*** -

The Headteacher may decide to conduct an investigation under the Disciplinary Procedure. In this event, the complainant will be informed of this decision. However, the school's disciplinary procedures require that all details of proceedings remain confidential, and consequently the complainant will not be informed of the outcome.

- The Headteacher will inform the Chair of Governors if any complaint cannot be resolved following an investigation. Details of the investigation and a report of action taken will be kept in writing.
- ***Where the complaint concerns the Headteacher***, the complainant should address their concerns, in writing, to the Chair of Governors. An independent representative from

either another academy or LA will be appointed to undertake the investigation with support from the Leadership Team. The findings from the complaint will be reviewed by the Governing Body Complaints Panel.

The Governing Body Complaints Panel will comprise of at least 3 people who have not had any direct involvement in the matters detailed in the complaint. One or more panel members will be independent of the management and running of the school, such as from another academy trust or the local authority, for example. The panel will review all evidence and decide on any possible outcomes. Individual complaints will not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

- Possible outcomes from a complaint include:
 - complaint withdrawn;
 - complaint dismissed;
 - complaint upheld or partially upheld;
 - complaint dealt with under another procedure;
 - if appropriate, make recommendations to change the school's systems or procedures to ensure that problems of a similar nature do not recur.
- Every attempt will be made to resolve the complaint so that it promotes closure in the matter and enables parents/carers and teaching staff to move forward constructively. However, it may also be the case that, at any stage of the procedure, there is insufficient evidence to reach a conclusion so that the complaint cannot be upheld.
- Where the complainant remains dissatisfied he/she may request an appeal by completing an appeal complaint form (appendix 4). Any such request must explain why the complainant remains dissatisfied, what remedies are being sought and be lodged within 10 school days of the complainant receiving the findings in writing. The request must be addressed to the Chair of Governors and forwarded to the Clerk to the Governing Body.

Remit of the Governors' Complaints Appeal Panel

The Governors' Complaints Appeal Panel will comprise of at least 3 people who have not had any direct involvement in the matters detailed in the complaint. One or more panel members will be independent of the management and running of the school, such as from another academy trust or the local authority, for example. The panel will review all evidence and decide on any possible outcomes.

There are several points which any Governor sitting on a Governors' Complaints Appeal Panel needs to remember:

- it is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, Governors need to try and ensure that it includes a cross-section of the categories of

Governor and that all panel members, including the independent member(s) referred-to above, are sensitive to the issues of race, gender and religious affiliation.

- the aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- an effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Panel Chair will ensure that the proceedings are as welcome as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- the Governors sitting on the Panel and the independent panel member(s) need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

It is recommended that any Panel or group of Governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible; the hearing will be arranged within 10 working days of receipt of the Appeal.
- Send an invitation to the complainant ensuring they are aware that they can be accompanied;
- Collate any written material and send it to the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the Panel's decision.

The Role of the Chair of Governors or the Nominated Governor

The nominated Governor role:

- Check that the correct procedure has been followed;
- If a hearing is appropriate, notify the Clerk to arrange the Panel.

The Role of the Chair of the Panel

The remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.

- The issues are addressed;
- Key findings of fact are made;

- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The Panel is open minded and acting independently;
- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;

Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The Chair of the Panel needs to ensure that the complainant is notified of the Panel's decision, in writing, within 10 school days, and the Clerk will notify all concerned. The Appeal Panel may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on any further action to be taken;
- if appropriate, make recommendations to change the school's systems or procedures to ensure that problems of a similar nature do not recur.

Attendance at a Complaints Appeal Panel Hearing

The Complaints Appeal Panel will only be arranged if the complainant can attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Appeal Panel will not proceed and the complainant will lose their right to the complaint being heard. Any further attempt to re-open the matter will be considered as falling under the serial or persistent complaint section.

Serial or Persistent Complaints

If there is an occasion when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied and tries to re-open the same or a closely related issue, the Chair of Governors may write to inform them that the procedure has been exhausted and that the matter is now closed. The school will not respond to any further correspondence on any issue or related issue once the complaints procedure has been exhausted.

Unreasonable Complainants

The Hayfield School is committed to dealing with all complainants fairly and impartially. We will not normally limit the contact complainants have with the school, but we will in instances where staff have been subject to unacceptable behaviour, including that which is abusive, offensive or threatening.

The Hayfield School defines unreasonable complainants as those who, because of the frequency or nature of their contacts with the school would cause significant disruption to the

safe and effective operation of the school, harass or threaten any member of staff, or engage in vexatious complaints by seeking to re-open matters that have already been the subject of a concluded complaints procedure.

Unreasonable Complaints Process

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;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- 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 academy's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- 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 person who makes the same complaint repeatedly (with minor differences).
- a person who seeks an unrealistic outcome and persists until it is reached; or
- a person with a history of making other unreasonably persistent complaints.

A complaint may also be considered unreasonable if the person making the complaint acts in a manner which is:

- malicious, aggressive, threatening, intimidating or violent;
- made using abusive, offensive or discriminatory language;
- made knowing the complaint to be false;
- made using falsified information;
- otherwise made using conduct which is intended to intimidate, harass or is otherwise similarly inappropriate.

Where a complainant acts in an unreasonable fashion, the Headteacher or Chair of Governors may at any time inform the complainant that the complaints procedure has been exhausted and has come to an end by reason of the conduct of the complainant.

Schools' responses to unreasonably persistent complaints, harassment or improper use of a formal procedure

Sometimes parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

The aim of this procedure is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

We will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty. However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to be unreasonable.
- deal with the behaviour using the Managing Violent and Abusive visitors to School policy.
- require all future meetings with a member of staff to be conducted with a second person present. In the interest of all parties notes may be taken.
- present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Governing Body.

Physical or verbal aggression

The governing body will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request police involvement and potentially criminal prosecution.
- Take action using civil processes under anti-harassment legislation.

Further details are provided in the Managing Violent and Abusive visitors to School policy.

Legitimate new complaints will always be considered, even if the person making them is (or has been) violent or abusive or has made unreasonable complaints. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

Record Keeping

A written record will be kept of all complaints resolved at the formal stage of the complaints procedure. The school reserves the right to record all meetings. Notes of all meetings held and of telephone conversations will be kept on record. All such records are subject to the Freedom of Information and Data Protection Acts. Content should be factual and objective. All stages of the process should be documented in a single file held centrally by the Clerk to the Governing Body.

Department for Education

We hope that we will be able to resolve any complaint using this complaints procedure. If you feel this is not the case, you can complain to the Education and Skills Funding Agency, which handles complaints about Academies and Free schools. The following link provides guidance on their procedure for dealing with complaints about academies and links to the EFA complaints form.

<http://www.gov.uk/complain-about-school>

Monitoring, Evaluation and Review

The Hayfield School will review this procedure within two years and assess its implementation and effectiveness.

Appendix 1

Guidance for Staff Investigating Complaints

It is suggested that at each stage, the person investigating the complaint, makes sure that they:

- establish what has happened so far, and who has been involved;
- make a note of the complaint;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

You should normally offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues. Complaints need to be considered, and resolved, as quickly and efficiently as possible (see procedure).

However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

At each stage in the procedure you will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review academy policies in light of the complaint.

It is useful if complainants are encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Appendix 2

Checklist for a Panel Hearing

The Panel needs to take the following points into account:

- 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, and be followed by their witnesses.
- the Headteacher may question both the complainant and the witnesses after each has spoken.
- the Panel may ask questions at any point.
- 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 responses to the complaint.
- both parties leave together while the panel decides on the issues.
- the Chair explains that both parties will hear from the Panel within a set time scale.

Appendix 3

Complaint Form; (please address to the Clerk to the Governing Body at The Hayfield School)

Parent/Carer's Details	
Parent/Carer's Name	
Student's Name and Form	
Relationship to the Student	
Address	
Telephone Number(s)	
The Complaint	Please give specific details of your complaint (attach additional sheets if necessary)

What Action have you already taken to try to resolve your complaint? (who did you speak to and what was the response?)

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

Signature of Parent _____ Date _____

School action:

Date Received:
Date acknowledgment sent:
By:

Appendix 4

Appeal Complaint Form – To the Chair of Governors (please forward to the Clerk to the Governing Body at The Hayfield School)

Parent/Carer's Details	
Parent/Carer's Name	
Student's Name and Form	
Relationship to the Student	
Address	
Telephone Number(s)	
The Appeal Complaint	Please give specific details of your appeal against the way your complaint was handled by the school (attach additional sheets if necessary)
What would you like the school to do to address your appeal complaint?	
Signature of Parent	Date
School action:	
Date Received:	
Date acknowledgment :	
By:	

