



Walkwood

Church of England  Middle School

Complaints Policy

Governing Body Committee responsible:	Full Board		
Approval granted:	22 March 2021	Review date:	Summer 2023

“If one of my followers sins against you, go and point out what was wrong. But do it in private, just between the two of you. If that person listens, you have won back a follower. But if that one refuses to listen, take along one or two others. The Scriptures teach that every complaint must be proven true by two or more witnesses.”

Matthew 18: 15-16

“The vision, in line with the Church of England’s role as the established Church, is for the common good of the whole human community and its environment, whether national, regional or local. It is hospitable to diversity, respects freedom of religion and belief, and encourages others to contribute from the depths of their own traditions and understandings.”

Deeply Christian, Serving the Common Good, 2016

“The core purpose of any Church school is to maximise the learning potential of every pupil within the love of God.”

SIAMS (Statutory Inspection of Anglican and Methodist Schools) 2012



Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) and from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

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

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

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the office manager (office@walkwoodms.worcs.sch.uk) will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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



Who can make a complaint?

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

How to raise a concern or make a complaint

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

Complaints against school staff (except the head teacher) should be made in the first instance, to the Principal via the [school office](#). Please mark them as Private and Confidential.

Complaints that involve or are about the Principal should be addressed to the Chair of Governors via the [school office](#). Please mark them as Private and Confidential.

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

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

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

It is not appropriate for a complaint to be directed through a Governor. Any Governor receiving a complaint will give advice that there is an established procedure, and refer the complainant to the appropriate person. (This is because a Governor acting unilaterally could prejudice the involvement of Governors at a later stage).

Anonymous complaints

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



Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- set new time limits with the complainant;
- send the complainant details of the new deadline and explain the delay.

Scope of arrangements

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

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process operated by Worcestershire Children First.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Family Front Door of Worcestershire Children First.
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the Living and Learning Together Policy can be made through the school's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to Worcestershire Children First or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's Grievance and Harassment Policy.



Staff conduct

Complaints about staff will be dealt with under the school's Disciplinary Policy and associated procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform the complainant of a proposed new timescale.

If a complainant commences legal action against our school in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, our school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that we will try to ensure the event complained of will not recur;
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- an undertaking to review school policies in light of the complaint;
- an apology.

Withdrawal of a complaint

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

Stage 1 – Informal complaints

Many complaints or potential complaints can best be resolved in discussion with the staff of the school or in other informal discussion. This is where the process should start and unless there are exceptional circumstances there should be full discussion at the informal stage as a first step.

The vast majority of concerns and complaints can be resolved informally, often straight away. The school aims to ensure that complainants feel able to raise concerns with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate or helpful for someone to accompany or act on behalf of a complainant.



Complainants may not be clear at first that they are making a complaint. They may wish to ask a question or express an opinion. A preliminary discussion with school staff will usually clarify the issue and help complainants to decide whether they wish to take the matter further.

Where any member of staff becomes aware of a voiced concern, they should deal with it themselves if it is appropriate, and they feel comfortable in doing so. Many concerns can be resolved by simple clarification or the provision of information. It is anticipated that most concerns can be readily resolved at this informal stage. Where the person approached feels uncomfortable with dealing with the matter directly, they should involve, for example, their line manager.

Investigations will aim to clarify what has happened, who has been involved and what the complainant feels would put things right.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 10 school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the Principal (unless they are about the Principal), via the [school office](#). This may be done in person or in writing (preferably on the Complaint Form). The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

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

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

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

At the conclusion of their investigation, the Principal will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions our school will take to resolve the complaint.

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

If the complaint is about the Principal, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2. Complaints about the Principal or member of the governing body must be made to the Clerk, via the [school office](#). If the complaint is:

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

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

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

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

then Stage 3 will be heard by a committee of independent, co-opted governors.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to



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

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible;
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint;
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and our school with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by our school.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions our school will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Principal.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

Information about how ESFA handles complaints about academies [is published online](#).

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Walkwood Church of England Middle School. They will consider whether our school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at:

www.education.gov.uk/contactus,

or using the online [enquiry form](#) and tick the box that says complaint.

by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- tell the new complainant that we have already investigated and responded to this issue, and the local process is complete;
- direct them to the Education and Skills Funding Agency if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.



Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- publishing a single response on the school website;
- sending a template response to all of the complainants.

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Managing Unacceptable Actions by Complainants

There are relatively few complainants whose actions our school considers unacceptable. However, if the school's ability to operate smoothly and provide a service to others is adversely affected, the complainant's contact with our school may need to be controlled in order to manage the situation safely. Our school may, for example, restrict contact either in person, by telephone, by letter or electronically or any combination of these.

Our school will aim to do this in a way, wherever possible, that allows a complaint to progress to completion through our complaints process.

The threat or use of physical violence, verbal abuse or threatening behaviour towards school staff is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police and this will always be the case if physical violence is used or threatened.

Our school will not deal with correspondence (letter or electronic) that is abusive to employees. When this happens, our school will tell complainants that their language is considered to be offensive, unnecessary and unhelpful. The school will ask them to stop using such language and state that there will be no response to their correspondence unless they do so. We may require future contact to be through a third party.

School staff, including senior staff, will end telephone calls if the caller is considered aggressive, abusive or offensive. The member of staff taking the call has the right to make this decision, to advise callers that their approach is unacceptable and to end the call if the conduct does not improve.

Where a complainant repeatedly contacts our school, sends irrelevant documents, raises issues that have already been answered, or continues to engage in unacceptable conduct (in writing, in person or through email/letters) the school may decide to:

- only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one employee to deal with calls or
- correspondence from the complainant in the future;
- require the complainant to make an appointment to see a named employee before visiting the school or that the complainant contacts the school in writing only;
- return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;



- restrict contact further;
- take other action that we consider appropriate. The school will, however, always tell the complainant what action is being taken and why.

Serial and unreasonable complaints

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to our school.

Our school does not view behaviour as unacceptable just because complainant is forceful or determined. However, the actions of complainants who are angry, demanding or unreasonably persistent may result in unacceptable demands or behaviour towards school employees. It is these actions that our school considers unacceptable and aims to manage under this policy.

Unreasonable behaviour is defined as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduces trivial or irrelevant information which they expect to be taken into account and commented on;
- 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 school'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 and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- uses threats to intimidate;
- uses abusive, offensive or discriminatory language or violence;
- knowingly provides falsified information;
- publishes unacceptable information on social media or other public forums.

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



Aggressive or Abusive Behaviour

All staff should be treated courteously and with respect. Violence or abuse towards staff is unacceptable. Quite often complainants are angered by decisions made by the school. However, it is not acceptable when anger escalates into aggression (verbal or physical) directed towards School staff.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel intimidated, threatened or abused.

Examples of aggressive or abusive behaviour include: threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can constitute abusive behaviour, whether made in writing (email, letter or social media) or during visits or meetings.

Please note: where physical violence has been used or threatened towards staff or their families, or derogatory and abusive language has been used directly to, or about, members of staff, this will, in itself, cause personal contact to be discontinued immediately. Access to the school may also be restricted or withdrawn.

All incidents of verbal or physical intimidation or violence will be documented and reported using the School's Incident Policy. Incidents will, where appropriate, be notified to the police. On-going and future contact with the school will be determined by Sections 4-6 of this Policy.

The leadership team will support staff, as of right to be accompanied to meetings where they believe the complainant is being vexatious.

Unreasonable Demands

Complainants may make what we consider unreasonable demands on the school for example through:

- the amount of information they seek;
- the nature and scale of service they expect;
- the number of approaches they make.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant. A complainant could see help with this from an advice agency.

Examples of actions grouped under this heading include:

- demanding responses or meetings within an unreasonable time-scale;
- continually making phone calls or sending letters or emails;
- insisting on meeting staff when an appointment has not been made;
- insisting on meetings with particular members of staff present;
- refusing to leave the School premises when asked;
- repeatedly changing the substance of the complaint;
- raising unrelated concerns.



These demands can have a significantly negative impact on the work of the School, such as taking up an excessive amount of staff time, affecting the smooth running of the school and having an adverse effect on the well-being of staff.

Unreasonably Persistent

We recognise that some complainants will not or cannot accept that our school is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.

Examples of actions grouped under this heading include:

- persistent refusal to accept a decision made in relation to a complaint;
- persistent refusal to accept explanations relating to what our school can or cannot do;
- continuing to pursue a complaint without presenting any new information;

The way in which these complainants approach the School may be entirely reasonable, but it is the persistent behaviour in continuing to do so that is not.

The actions of persistent complainants will be deemed to be unacceptable when they take up what our school regards as being a disproportionate amount of time and resources.

Overall

The examples given within this section may not cover every situation with which the School is faced. It is for senior staff, including the Principal, to determine whether a Complainant's conduct falls within the remit of this Policy.

Unreasonable behaviour: Deciding to Restrict Complainant Contact

This may be invoked in one or more of the following ways:

- Once senior staff have determined that conduct falls within the remit of this Policy the individual/s, may be informed in writing, that they are at risk of being classified as vexatious, unreasonably persistent or engaging in unacceptable conduct. A copy of this policy should be sent to them and they should be advised to take account of the criteria in any future dealings with the School and its staff.
- It may be useful to hold a meeting with the complainant to find if there is a more effective way for the correspondence to be dealt with. This may bring to light an underlying, common cause for the various complaints or for the conduct displayed. However, it will be made clear that this meeting must be conducted in line with the expectations of this Policy;
- In some situations, a preliminary letter or meeting may not be appropriate and the school may implement immediate restrictions.

When a complainant has been deemed vexatious, unreasonably persistent or unacceptable in his/her conduct towards the school, the complainant will be notified in writing outlining:

- the reason/s why the decision to apply this policy was taken;
- what it means for his or her contact with the School;
- how long any restrictions will last; and



- what the complainant can do to have the decision reviewed.

This notification will be copied promptly for the information of others such as the Chair of the Governing Body. Records must be kept on file, for future reference, detailing the reasons why the decision has been made to classify individuals as vexatious, unreasonably persistent, or unacceptable in terms of conduct, and of what action has been taken.

The school will retain hard copies of documentation for up to 3 years only from the date of this policy being invoked. At the end of the 3 year period, the School will review the relevant case to consider whether it is necessary to retain information specifically relating to an individual classified as vexatious, unreasonably persistent or unacceptable in their conduct towards the School.

Withdrawing Restrictions

Senior staff will already have used careful judgement in recommending or confirming vexatious, unreasonably persistent, or unacceptable conduct status. Similar judgement and discussion will be necessary when recommending that such status should be withdrawn.

Any restrictions which are put in place are time-limited, but if a more reasonable approach is subsequently demonstrated and sustained by the complainant, then restrictions could be lifted at an earlier point. Complainants will be advised in writing if this is the case.



Appendix A Complaints Form

Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Please give details of your complaint. (continue on a separate page if necessary)	



What action, if any, have you already taken to try and resolve your complaint.
(e.g. Who did you speak to and what was the response?)

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

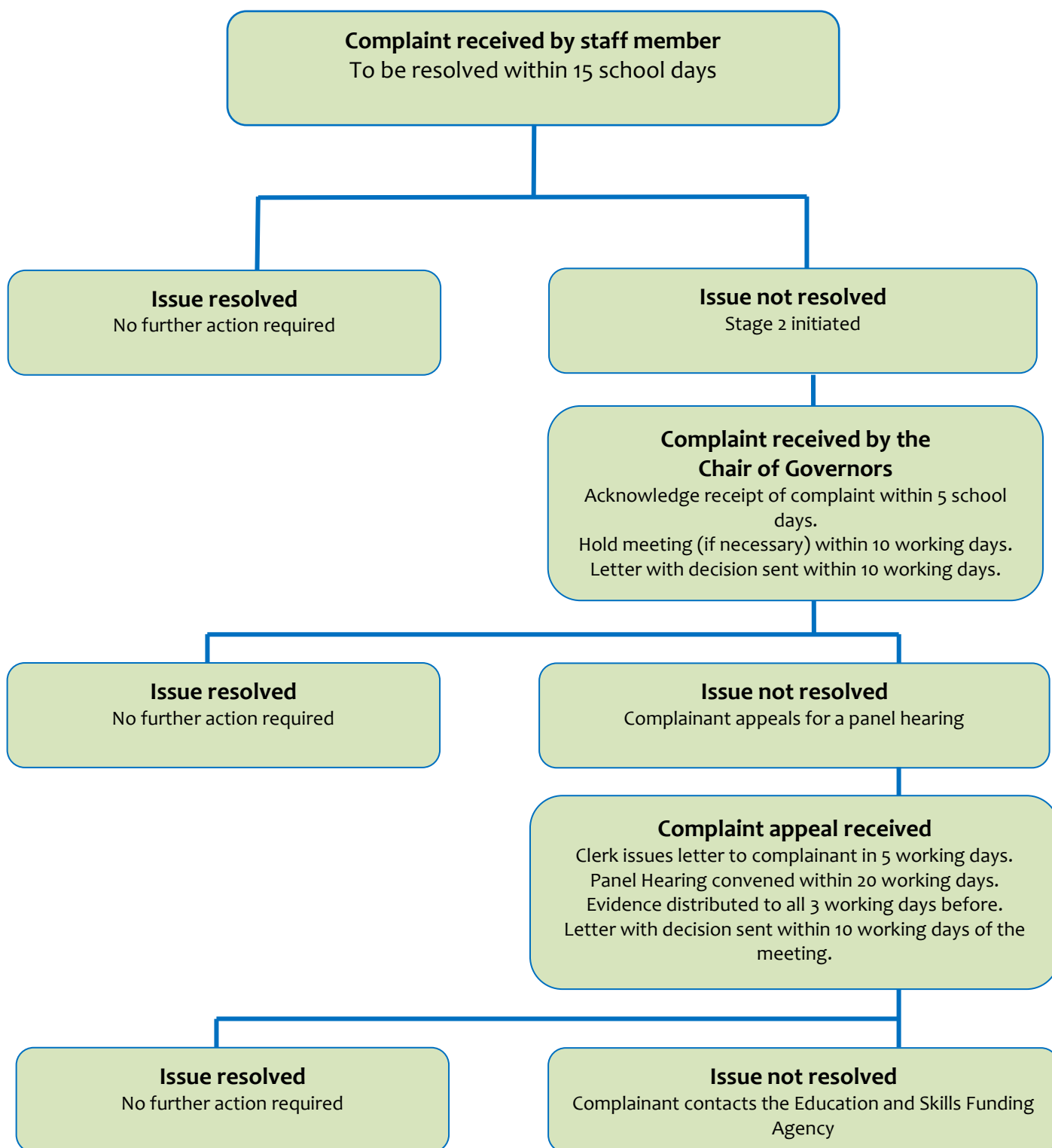
By whom:

Complaint referred to:

Date:



Appendix B Complaints Process



Appendix C

Roles and Responsibilities within formal complaints

Complainant

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

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

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Principal or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

The complaints co-ordinator should:

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



Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR. If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make



recommendations.

- many complainants will feel nervous and inhibited in a formal setting
Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.



Appendix D

Model Procedure for the Conduct of a Stage 3 Governors Panel Hearing

The Panel can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on appropriate action to be taken to resolve the complaint.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Panel should consider:-

- The evidence (written and oral) from the school representatives and the complainant.
- The relevant school policies and procedures (e.g. anti-bullying, race equality, dress code, and discipline). The extent to which the school's action is consistent with the appropriate school policy (i.e. have the school managed the issue in the manner defined in their documentation?).
- The response of the Panel to the parents/carers complaint, having considered the information made available to them, providing reasons for their decision.
- Areas of agreement identified between the parties.
- Misunderstandings identified, which can be remedied.

An agenda will be shared with all parties at least five working days prior to the Governors' Panel Meeting.

The panel should make a decision or judgement on:-

- the validity of the complaint; appropriate action to be taken by the school and/or complainant;
- and where appropriate,
- recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.

The decision or judgement will be confirmed in writing within 10 days.

