



Twineham CofE School

Nurture Togetherness Resilience Creativity



COMPLAINTS POLICY

Reviewed: Autumn 2021

Introduction

In accordance with Section 29 of the Education Act 2002, (Appendix A), Governing Bodies of all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

The Governing Body must publicise this procedure.

To fulfil our obligations under the 2002 Act we set below our procedure to deal with complaints at Twineham CofE School.

It should be noted that there are certain types of complaint, which do not come under the scope of this procedure. These exceptions include: Admissions to schools; Statutory assessments of Special Educational Needs and Disability (SEND); School re-organisation proposals; Matters likely to require a Child Protection Investigation and complaints about services provided by other providers, for which there are separate (statutory) procedures. For full details see Appendix B.

Complaints on religious education and collective worship are dealt with in a different manner, if they progress to the formal stage. A formal complaint, if not resolved by the Governing Body, would be heard by the Statutory Advisory Council on Religious Education (SACRE) or the relevant Church. Full details are set out in Appendix C.

The procedure for Special Educational Needs and Disability (SEND) complaints and any support, is set out in the school's current Special Educational Needs and Disability policy. If an informal approach remains unresolved or is inappropriate, any formal complaint should be made and dealt with in accordance with the school complaints policy.

At Twineham CofE School, our aim is for the majority of complaints to be resolved informally at the earliest stage. It should be noted that a complaint can be withdrawn at any time during the complaints process, if it has been satisfactorily resolved. Equally, a

dissatisfied complainant must always be given the opportunity to complete the complaints procedure in full.

COMPLAINTS PROCEDURE – TWINEHAM CofE SCHOOL

In accordance with the above, the following details the Complaints Procedure operated at Twineham CofE School.

1.1 Who Can Make a Complaint?

Any person, including members of the general public or a third party, acting with consent, on behalf of the complainant.

1.2 Grounds for a Complaint

A complaint can be made about any provision of facilities or services that the school provides, unless separate statutory procedures apply.

A complaint can be made on the grounds that a pupil or a parent of a pupil has sustained injustice in consequence of an act or omission of the Governing Body of the school or an exercise of, or failure to exercise a prescribed function of the Headteacher of the school.

An act is to be treated as an act of the Governing Body of the school where a person acts on behalf of the Governing Body, or is a person to whom the Governing Body has delegated any functions. An act is also to be treated as an act of the Governing Body if the Governing Body exercises a function by arrangement with another person, and the act is done by or on behalf of the other person carrying out the arrangement.

1.3 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.

1.4 Complaints received outside of term time

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

1.5 Aim

The school and Governing Body aim to deal with all concerns or complaints openly, fairly, confidentially, promptly and without prejudice.

1.6 Responsibility of the Complainant

To state what school actions they feel might resolve their problem, at each stage of the process.

1.7 How to raise a Concern or make a Complaint and the Recording of Details

To comply with the Equality Act 2010, a concern or a complaint can be made in person, in writing or by telephone.

They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher, a member of staff or the Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

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

Complaints that involve or are about the Headteacher should be addressed to 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.

Notes will be made, and records will be kept of meetings or verbal communications. These notes will be typed and stored on a secure network at school. If appropriate, where there are communication preferences due to disability or learning difficulties, recording devices may be used where all parties give their consent.

In general we would recommend that a complaint should be made using the school's complaint form at Appendix D. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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

1.8 Anonymous complaints

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

1.9 Definitions – School Complaints and Concerns

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.’

A flowchart summarising the process is included at Appendix E.

1.10 Resolving complaints

At each stage in the procedure, Twineham CofE 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.

1.11 Withdrawal of a Complaint

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

1.12 Stage 1 [Informal] – Concern heard by staff member

It is important that any concerns you have are raised with a member of staff as soon as possible, by making an appointment with the appropriate member of staff. If either party feels too compromised to discuss the concern the Headteacher can appoint another member of staff, who can be objective and impartial, to discuss the concern.

At this stage concerns are informal, and will involve a discussion with a staff member, in order to aim to resolve the issue at the earliest opportunity. The complainant will be asked what they think will resolve the issue.

A written record will be made of the meeting. A response to your concern should be provided to you within five school working days, after you raised the initial concern, unless otherwise agreed. All parties should be clear about any actions that have been agreed as a result.

If you feel that your concern has not been resolved to your satisfaction, you may wish to make a formal complaint to the Headteacher under Stage 2 of the procedure, if the Headteacher was not the member of staff the concern was initially discussed with.

2 Stage 2 [Formal] – Complaint heard by Head teacher, or by Chair of Governors if the complaint is about the Headteacher

If your concern remains unresolved and you become dissatisfied you may feel like you have no option but to make a formal complaint.

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

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

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

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

2.4 During the investigation, the Headteacher (or investigator) will:

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

2.5 At the conclusion of their investigation, the Headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

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

2.7 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 Twineham CofE School will take to resolve the complaint.

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

2.9 If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

2.10 Complaints about the chair, vice chair or member of the governing body must be made to the Clerk, via the school office.

2.11 If the complaint is:

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

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

3 Stage 3 [Formal] – Complaint heard by Governing Body’s Complaints Committee.

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

3.2 A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 20 school days of receipt of the Stage 2 response.

3.3 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.

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

3.5 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

3.6 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.

3.7 The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Twineham CofE School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

3.8 The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

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

3.10 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.

3.11 Representatives from the media are not permitted to attend.

3.12 At least 5 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 2 school days before the meeting.

3.13 Any written material will be circulated to all parties at least 5 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.

3.14 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.

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

3.16 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.

3.17 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.

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

3.19 The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Twineham CofE School.

3.20 If the complaint is:

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

Stage 3 will be heard by a committee of independent governors.

3.21 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 Twineham CofE School will take to resolve the complaint.

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

This is the final stage in the school complaints procedure and there is no right of appeal against the Governing Body's Complaints Committee's decision.

4 Next Steps

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

4.2 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Twineham CofE School. They will consider whether Twineham CofE School has adhered to education legislation and any statutory policies connected with the complaint.

4.3 The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester

M1 2WD.

For roles and responsibilities at Stage 3 see Appendix F.

4.4 Serial and Persistent Complaints

There will be occasions when, despite all stages of the school's complaints procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the process by writing to the Chair of Governors, or any member of school staff, with the same complaint, the Chair of Governors may respond to them in writing that all stages of the school's complaints procedure have been exhausted and that the matter is now closed.

5 Policy for Managing Serial and Unreasonable Complainants

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

5.2 Twineham CofE School defines unreasonable behaviour 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.

5.3 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.

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

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

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

6 Summary

The Headteacher, governors and staff at Twineham CofE School aim to provide the best environment for the children. We welcome feedback and would hope that any concerns can be discussed at the outset in this regard. We endeavour to work in partnership with parents and the wider community, and aim to resolve any issue at the earliest opportunity.

Reviewed: Summer 2019

Approved by the Governing Body: Autumn 2019

References

This procedure is based upon the Department for Education 'Best Practice guidance for School Complaints Procedures 2019,' (March), the Department for Education "Model policy for managing serial and unreasonable complaints" (March 2019,) West Sussex County Council "Model Complaints procedure" (April 2019) and the West Sussex County Council 'Model Policy' (May 2016.)

APPENDIX A

Governing Legislation

Section 29 of the Education Act 2002 requires that:

- (1) The Governing Body of a maintained school shall:—
 - a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
 - b) publicise the procedures so established.
- (2) In establishing or publicising procedures under subsection (1), the Governing Body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

‘maintained school’ means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school’.

APPENDIX B

Scope of this Complaints Procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs• School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the appropriate team within West Sussex County Council
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH):</p> <p>The LADOs for West Sussex County Council are:</p> <p>Donna Tomlinson Tel: 0330 222 7381 Email: donna.tomlinson@westsussex.gov.uk</p> <p>and</p> <p>Miriam Williams Tel: 0330 222 8663 Email: miriam.williams@westsussex.gov.uk</p> <p>Integrated Front Door – formerly MASH 01403 229 900 WSChildrenservices@westsussex.gov.uk</p>

<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p> <p>The school's Positive Behaviour Policy is available at https://twineham.eschools.co.uk/website/policies/25256</p>
<ul style="list-style-type: none"> Whistleblowing/Confidential Reporting 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

APPENDIX C

Complaints on Religious Education and Collective Worship

Background

A complaints procedure was set up in 1990 for religious education and collective worship that set up arrangements for consideration and disposal of any complaint which is to the effect that the authority or the Governing Body of any community school:

- has acted or are proposing to act unreasonably with respect to the exercise of any power in relation to:
 - any provision of religious education or collective worship
 - any enactment relating to religious education in the curriculum or religious worship in maintained schools.
- or have failed to discharge any such duty.

Categories of Complaints

- (i) the provision of religious education and worship which meets the general requirements set out in acts of parliament.
- (ii) The establishment of a Standing Advisory Council on Religious Education (SACRE) and the review of the agreed syllabus.

Stages of Complaint

Informal Stages

Concerns expressed by parents and others should be dealt with, as far as possible by informal discussions with teachers and Headteachers. At this stage the LA could be involved in trying to resolve the issue informally. It is not the intention that expressions of concern should be considered as complaints.

Formal Stages

1. If the concern is not resolved at the informal stage then it becomes a complaint and is considered by the Governing Body of the school or a panel thereof.

2. If the concern is not resolved by the Governing Body then the complaint is considered by a panel of the Standing Advisory Council on Religious Education or the relevant Church.

Complaints heard by SACRE

Any panel of SACRE set up to hear a complaint shall consist of the chairman or vice-chairman of SACRE together with two other members at least one of whom shall be a member of the county council.

Complaints in Controlled Schools

Complaints relating to religious education in controlled schools will be heard by a panel of SACRE.

Complaints relating to collective worship will be heard by a panel set up by the appropriate church authority.

Contacts

- In relation to complaints regarding religious education or collective worship in C of E Aided schools or collective worship in C of E Controlled schools:

Diocesan Director of Education

Church House, 211 New church Road, Hove, East Sussex, BN3 4ED

- In relation to complaints regarding religious education or collective worship in Roman Catholic Aided and Special Agreement schools:

Director of Education

Diocese of Arundel & Brighton Christian Education Centre (DABCEC), 4 Southgate Drive, Crawley, West Sussex RH10 6RP

APPENDIX D:

Twineham CofE School Complaint Form

Please complete and return to the school office marked 'Private & Confidential' to the Headteacher, who will acknowledge receipt and explain what action will be taken.

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.

What action, if any, have you already taken to try and 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?

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

Signature:

Date:

Official use only

Date acknowledgement sent:

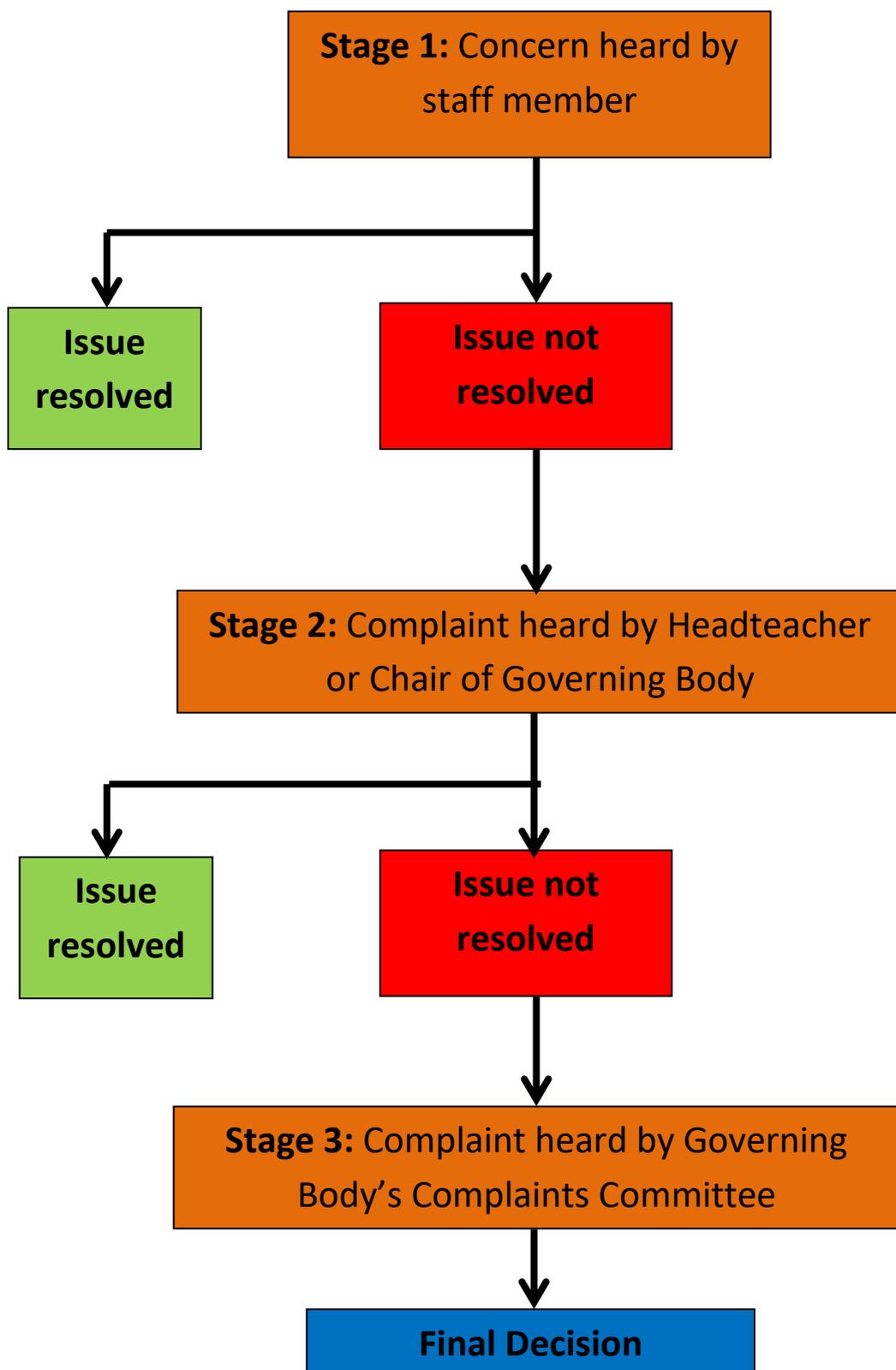
By whom:

Complaint referred to:

Date:

Appendix E

Flowchart: Summary of Complaint Process



APPENDIX F

1 Roles and Responsibilities

1.1 Complainant

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

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

1.2 Investigator

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

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

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve

problems.

The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

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

The complaints co-ordinator should:

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

1.4 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 2 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.

1.5 Committee Chair

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

1.6 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.