



## **Complaints Policy**

**Approved by Governing Body – September 2024**

**To be reviewed September 2026**

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## **Introduction**

Governors of Thorne King Edward Primary School have adopted the following policy to deal with formal complaints from members of the school community or general public. This policy will be used unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions).

### **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. Thorne King Edward Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

### **Dealing with concerns at the earliest opportunity**

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 on a complainant, as long as they have appropriate consent to do so.

If parents, pupils or members of the public have concerns they should:

1. Discuss their concerns with the member of staff most directly involved and, if not satisfied;
2. Discuss their concerns with a senior member of staff.

**We expect the majority of concerns will be resolved in this way (and not recorded as a formal complaint).**

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 2 of the procedure.

**If a concern is not resolved informally, then the following formal procedure will be followed:**

The complainant should discuss their concerns with the Headteacher. This is Stage 1 of the formal process.

**DFE Guidance draws a distinction between Informal and Formal Stages. Points 1 and 2 are informal and Point 3 is the first formal stage.**

Where a complaint involves or is about the headteacher this should be addressed to Dr Sarah Louise Caldwell (the Chair of Governors), via the school office. Please mark this 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 it as Private and Confidential.

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

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

### **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.

## **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 period if exceptional circumstances apply.

## **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.

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

- an appropriate 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;
- a commitment 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. Equally, an effective procedure will identify areas of agreement between the parties. It is also of importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

**Only where all these avenues have been tried and found unsatisfactory should the complainant take a complaint to the Chair of Governors or Clerk to the Governing Body.**

## Scope of this Complaints Procedure

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

Exceptions	Who to contact
<p>Admissions to schools</p> <p>Statutory assessments of Special Educational Needs</p> <p>School re-organisation proposals</p>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Doncaster Local Authority</p>
<p>Matters likely to require a Child Protection Investigation</p>	<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>Exclusion of children from school*</p>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</p>
<p>Whistleblowing</p>	<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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</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>
<p>Staff grievances</p>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>

Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.  Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 Thorne King Edward Primary 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.

### **Principles informing our complaints procedure**

This procedure is designed to:

- be well publicised and easily accessible
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time limits for action and keeping people informed of the progress
- allow a mediation process if agreed by the complainant
- allow for a hearing of a panel of Governors, where appropriate
- respect people's desire for confidentiality, wherever possible
- address all points of issue, provide an effective response and appropriate redress where necessary
- provide information to the school's Senior Management Team so that services can be improved.

### **Withdrawal of a Complaint**

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

## **Making a Complaint to the Governing Body - Stage 2**

**This is the second formal stage in the DFE model.**

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should write to the Chair of Governors or Clerk to the Governing Body at the school address. The envelope should be marked 'FOR IMMEDIATE ACTION' 'PRIVATE AND CONFIDENTIAL' and staff in the school office must ensure that the letter is forwarded without delay.

The complainant will be asked to complete a complaint form (Annex 1) if they have not already done so. The Chair of Governors or Clerk will offer to help an individual to complete the form if appropriate

On receipt of the complaint form the Chair of Governors (or other governor) will:

- 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.

At this point the chair of governors will decide whether the complaint should go straight to the governors' complaints panel or whether a mediation stage should be offered. Mediation can only proceed if the complainant and the Headteacher are willing for it to be tried. If mediation is not successful, the complaint will be considered by the governors' complaints panel.

### **Mediation**

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and the Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help the Headteacher and complainant identify and build on areas of agreement
- It gives the Headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and the Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a governors' panel, the issues to be considered are likely to be much clearer following the mediation.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part.
- an appropriate 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 acceptance that the complaint needs go no further
- a commitment to review school policies in light of the complaint.

See Appendix 3 for Mediation facilitator options

### **Governors' Complaints Panel**

Where the complainant is still not satisfied that their complaint has been dealt with fully and properly, they may choose to take it to a panel of Governors

#### **Establishing a complaints panel**

The governing body should agree the composition of the complaints panel at the first meeting of the governing body each year.

As governors may not be available at all times governing bodies are advised to agree the names of 4 or 5 possible governors from whom a panel of three may be drawn. The decision about the membership of a particular panel will depend on factors such as availability, whether any governors have prior knowledge or have a conflict etc. and the decision will be made by the chair of governors.

When the clerk of governors receives a copy of the complaint form he/she will inform the governing body that a complaint has been received and that it has been passed to the panel to deal with. **No further information about the complaint should be shared with other governors.**

#### **There are several points which any governor sitting on a complaints panel needs to remember:**

- a) 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.
- b) 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
- c) The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is not intimidating and not adversarial

The Chair of the Panel will be nominated by the Chair of Governors and is responsible for ensuring that both complainant and Headteacher are given a fair hearing and that the panel arrives at its judgment without fear or favour.

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.

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.



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 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.

**Remit of the panel: the complaints panel can:**

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

**It may:**

- Consider and, if appropriate, criticise the way in which an operational decision was communicated—but cannot overturn the decision itself
- Consider the thoroughness with which the Headteacher investigated a complaint about a member of staff—but cannot expect the Headteacher to provide details about confidential discussions with that staff member.
- Consider the manner in which a complaint about any decision was addressed ask for the decision to be reviewed—but cannot expect the Headteacher to have changed the decision
- Consider and, if appropriate, identify limitations in a policy or procedures—but cannot make changes to the policy. (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy)
- Consider whether it should recommend that the governing body offer appropriate redress

**Format of a Panel Hearing**

1. Complainant and Headteacher will enter the room where the hearing is taking place together.
2. The chair will introduce the panel members and the clerk and outline the process.
3. The complainant is invited to explain the complaint,
4. The Headteacher may question the complainant

5. The panel will question the complainant
6. The Headteacher is then invited to explain the school's actions
7. The complainant may question the Headteacher
8. The panel will question the Headteacher
9. The complainant is then invited to sum up their complaint.
10. The Headteacher is then invited to sum up the school's actions and response to the complaint.
11. The chair explains that both parties will hear from the panel within five working days.
12. Both parties leave together while the panel decides on the issues.
13. The clerk will remain with the panel to clarify any issues

### **Notes**

The hearing should be made as unthreatening as possible to all parties.

The panel may ask questions at any point. Panel members must find ways to ask probing questions while maintaining impartiality.

The Headteacher must have no contact with members of the governors' complaints panel except when the complainant is present to preserve the principle of neutrality. This means that Headteacher and complainant enter and leave the room where the hearing is held together.

The chair of the panel should discourage the introduction of fresh documentary evidence at the hearing —there should be every encouragement to produce the evidence in advance so that both sides have time to study it. However, if new and relevant evidence is accepted by the chair, the chair will adjourn the hearing for a few minutes to allow everyone to read the document. Both parties must leave the hearing room during the adjournment.

### **Some notes on exceptional circumstances**

For the sake of clarity, the description above does not cover exceptional circumstances which might include:

#### **1. The chair of governors may not be able to find three governors who have no prior knowledge of the case**

If a case has become a major talking point around the community, the chair can nominate three governors with minimal prior knowledge

If there are still insufficient governors able to sit on a panel, the governing body in consultation with the Local Authority will put in place an alternative fair process.

A complaint to the governors' complaints panel will never be against a junior member of staff (it may be against the way the Headteacher handled a complaint against a junior member of staff) but it is conceivable that a senior manager will appropriately stand in for the Headteacher. That would need

to be considered very carefully but if agreed the senior manager would be 'the Headteacher' for the purpose of the panel.

There may be exceptional circumstances in which the complaint is against the chair of governors — e.g. for refusing to deal with a complaint. In those circumstances the procedure above would be adapted and every reference to 'Headteacher' would be read as 'chair of governors'.

### **Writing the decision letter**

The clerk should ensure that s/he has clear wording stating the panel decision about each of the issues that the panel considered before the panel is allowed to finish. The clerk will use that wording to draft the decision letter. This should be sent to all members of the panel for checking. Once approved by all three panel members, it should be sent to the complainant with a copy to the Headteacher.

The letter should clearly express how seriously the panel considered the complaint.

The clerk should be careful that the letter sticks to the facts and gives no hint of partiality.

The clerk should ensure that the letter reaches the complainant and the Headteacher by the deadline stated in your policy and/or in a statement by the chair at the end of the hearing —usually five working days.

### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

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

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://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.

## **Monitoring Complaints**

As well as addressing an individual's complaint, the process of listening to and resolving complaints would contribute to school improvements. When individual complaints are heard, schools may identify issues that need to be addressed. The monitoring and review of complaints by the school and Governing Body can be useful to evaluating the school's performance. Any discussion of complaints by the Governing Body or others in the school community should not name or be able to identify individuals.

The flowchart in Appendix 4 summarises the complaints process.

## Appendix 1: Complaint Form

### Notes

The form overleaf must be used by any person making a complaint about the operation of the school which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils/students or members of the public, e.g. school neighbours.

Anyone receiving this form should be advised verbally that help in completing it is available from the school. A member of school staff who is familiar with the process should be nominated to give help.

### Complaint Form

Please complete and return to Mr Matt Petch who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

## **Appendix 2: Sharing your concerns about your child's education. A Parents' Guide.**

Thorne King Edward Primary School recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education, you should contact Mr M Petch (Head Teacher) at the school.

The school's governing body has overall responsibility for the school and for ensuring the well-being of pupils and that all pupils receive an appropriate and high standard of education.

The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. So you should contact the school if you are concerned about an issue such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- bullying
- something that has happened in school;

### ***How do I complain to the school?***

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will be the class teacher (primary).

This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak to or write to the Headteacher who will look into your concern.

If you are unhappy with the Headteacher's response you should write with your complaint to the Chair of Governors/Clerk to the Governing Body at the school address. Mark your envelope 'FOR IMMEDIATE ATTENTION' – Private and Confidential.

This is how your complaint will be handled

Within 5 working days the chair of governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate

Within 5 working days of receiving the form the Chair will decide whether mediation should be offered to help you and the Headteacher explore possible resolution.

If mediation is agreed, the chair of governors will endeavour to set up the meeting within 10 working days. If that timescale is not possible you will be told the reason.



If mediation is not deemed appropriate or if it is not successful, the Chair of Governors or Clerk will set up a panel of governors to meet within 15 working days of receipt of complaint form to consider your complaint. The clerk will provide details of the hearing and will request any further information you may wish to provide.

The complaints panel will consist of three governors who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a clerk who will take notes during the hearing and will stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision based on the facts and the evidence they have been provided with.

Five working days before the hearing the clerk will send to you, the complainant, the Headteacher and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing (which must be submitted to the clerk seven days before the hearing).

At the hearing,

1. You and the Headteacher will be invited into the room where the panel is being held at the same time.
2. After introductions, you, the complainant will be invited to explain your complaint,
3. The Headteacher may question you
4. The panel will question you
5. The Headteacher will be invited to explain the school's actions
6. You, the complainant may question the Headteacher
7. The panel will question the Headteacher
8. The panel may ask questions at any point.
9. You, the complainant will then be invited to sum up your complaint.
10. The Headteacher will then be invited to sum up the school's actions and response to the complaint.
11. The chair will explain that you and the Headteacher will hear from the panel within five working days.
12. Both you and the Headteacher will leave together while the panel decides on the issues.
13. The clerk will remain with the panel.

**Can I take my complaint further?**

You cannot take your complaint to the local authority. The local authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint.

However, if you feel that the school has acted unreasonably or not followed the correct procedures, you can write to the Secretary of State for Education

<http://www.education.gov.uk/heip/contactus/dfe>

Further information can be found in the Department for Education Guidance, "Complaints to Ofsted about schools: guidance for parents and carers" which is available via this link

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/772871/Complaints\\_to\\_Ofsted\\_about\\_schools\\_guidance\\_for\\_parents\\_230119.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772871/Complaints_to_Ofsted_about_schools_guidance_for_parents_230119.pdf)

## **Appendix 3: Mediation**

### **The benefits of mediation**

Mediation can be a good way to resolve a complaint because:

- It gives both the complainant and the Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help the Headteacher and complainant explore and build on areas of agreement
- It gives the Headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and the Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a governors' panel, the issues to be considered should be much clearer.

### **Mediation may elicit one or more of the responses listed below from either party:**

- an acknowledgment that the complaint is valid in whole or in part.
- 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;
- a commitment to review school policies in light of the complaint.

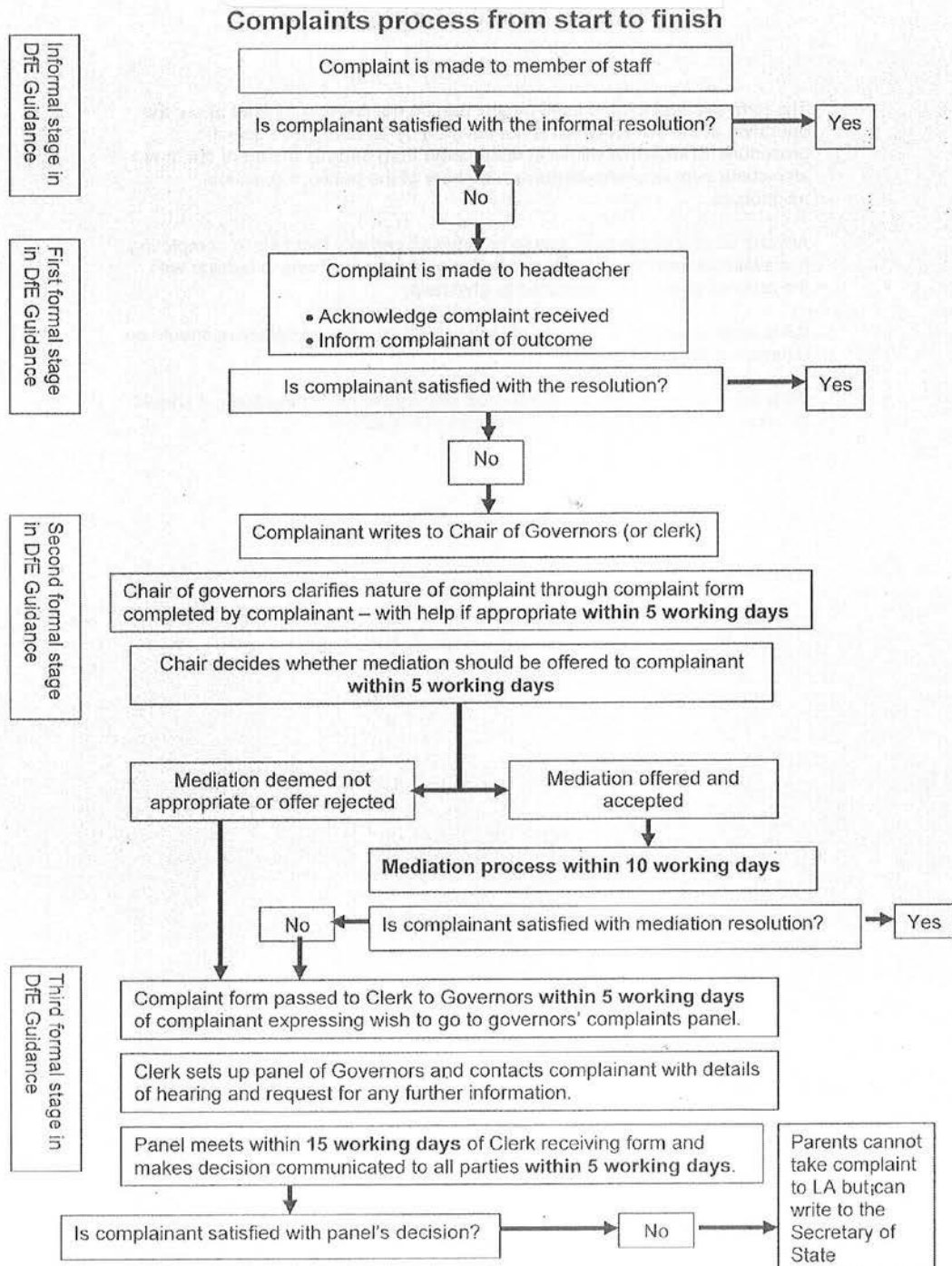
Recourse to mediation must be with the agreement of both parties and is intended to help arrive at a mutually agreeable solution —it is not possible to impose this on either party. Nor does it prevent a complainant having recourse to formal appeals procedures as detailed.

Many chairs of governors and other governors already have the skills —or can acquire the skills —to conduct a mediation process between their Headteacher and a complainant. The skills and attributes include:

- ability to listen impartially to both sides
- ability to control a dialogue so that both sides listen to each other
- ability to summarise the arguments and focus the dialogue

- ability to identify areas of agreement that might form a basis for resolving one or more of the issues relating to the complaint
- understanding that solutions cannot be imposed and that both parties need to be satisfied with whatever is resolved.
- understanding that mediation does not always work and there is a further step available to complainants.

## Appendix 4: Flow Chart of the Complaints Process



## **Appendix 5: Roles and Responsibilities**

### **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 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.

**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.

#### **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
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

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
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Parents/carers often feel emotional when discussing an issue that affects their child.

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.