ROKESLY INFANTS SCHOOL

Complaints Policy

Ratified: September 2023

Review Date: September 2024

Introduction

Governing Bodies of maintained schools are required by law to have a procedure in place to deal with complaints relating to aspects of the school or the provision of any facilities or services at the school. The law requires that this procedure must be publicised. Our procedure is based on Section 29 of the 2002 Education Act, guidelines provided by the Schools Complaints Toolkit published by the DfE in August 2014 and modified in light of their August 2015 update and guidance issued by the DfE in October 2020

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 Rokesly infant and Nursery 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.

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. Rokesly Infant and Nursery 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 Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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, Rokesly Infant and Nursery School will attempt to resolve the issue internally, through the stages outlined in the complaints procedure detailed below.

For the purposes of this procedure, persons bringing either a concern or a complaint are referred to as the 'Complainant'

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.

Concerns should be raised with either the class teacher or 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. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to Grant Bright (the Headteacher) in writing via the school office or by email at admin@rokesly-inf.haringey.sch.uk Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors in writing via the school office or by email at admin@rokesly-inf.haringey.sch.uk Please mark them as Private and Confidential.

Complaints about the Chair of Governors, individual Governors or the whole Governing Body should be addressed to Helen Boundy (the Clerk to the Governing Body) in writing via the school office or by email at admin@rokesly-inf.haringey.sch.uk Please mark them as Private and Confidential.

A template complaint form is included at the end of this procedure. It is recommended that the form is used to provide details of the complaint ant the desired outcome. If help is required to complete 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 time frame 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.

Scope of this Complaints Procedure

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

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Haringey Council

• School re-organisation proposals	
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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).020 8489 2968/1186 lado@haringey.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*
• 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 whistleblowers 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 the LA 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 internal grievance procedures.
• 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 directly to make a complaint. However, if your concern relates to child safety or welfare you can also raise this with Haringey Children's Services: 020 8489 4470 (Mon – Thurs, 8.45 – 5.00pm or Fri 8.45 – 4.45pm
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Rokesly Infant and Nursery 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.

Resolving complaints

At each stage in the procedure, the 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.

The Complaints Resolution Process

There are 4 stages to this process. The aim at all times is to resolve the problem and to reconcile the parties.
Informal Stage: the informal stage aims to resolve any concern through informal contact at the appropriate level in school.
Stage 1: the first formal stage at which written complaints are considered by the Headteacher or, if the complaint is about the Headteacher, by a Governor.
Stage 2: the appeal stage which involves a Complaints Appeal Panel of Governors
Stage 3: appeal to the Department for Education

A flow diagram of the full process can be found on page 11 of this policy

At all stages of a complaint, complainants should try to limit their communication with the school 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

Informal Stage: Informal resolution of a concern

As a matter of daily routine, schools receive numerous queries from parents and other interested parties. Most of these are resolved simply by providing information or through the arrangement of an informal meeting.

The initial approach should normally be made to the individual member of staff who is likely

to be able to provide the necessary information, or if in doubt, to the School Admin Officer. In the case of more serious concerns or concerns regarding broader school policies and procedures, it may be more appropriate to address them directly to the Headteacher or to the Chair of Governors if the concern is about the Headteacher.

Where the concern relates to issues outside the classroom, such as school meals and lunchtime supervision, or general issues affecting the school, such as heating, the Complainant should be directed to the School Admin Officer in the first instance.

Where the concern is about teaching, pupil behaviour or other issues in the classroom the Complainant should be directed to the class teacher who will try to resolve the issues. The class teacher should discuss the desired outcome with the Complainant. This often helps to defuse potential anger and frustration and will ensure the complaints system is more effective for both parties, who can then work together towards achieving the desired outcome.

If the concern is about a class teacher, the Complainant has the option of raising it either with the teacher concerned or directly with the Headteacher. It is understandable that in certain situations the Complainant may feel that the issue is too sensitive, or may feel compromised in raising it initially with the class teacher, and in these instances the Headteacher should be approached instead.

The Headteacher may be involved at any appropriate point in Stage 1 in order to attempt to resolve the problem informally but, depending on the nature of the complaint, may consider using the formal stages of this procedure.

Where the concern is about the Headteacher and the Complainant feels unable to raise it with the Headteacher, or about a member of the governing body, the Complainant should raise it with the Chair of Governors, who may attempt to resolve it informally.

Brief notes should be made of any meetings, telephone calls and action taken. All parties concerned should be clear about what action (if any) or monitoring of the situation has been agreed. This provides a record about the nature of the concern and the attempts to resolve it which could be useful should it remain unresolved and continue to the next stage. Copies of any written communication should be filed centrally.

If the issue cannot be resolved immediately, our aim is to do so within 10 school days of the concern being raised and we will provide updates where possible.

The procedure is likely to stop at this stage if the issue has been resolved satisfactorily, or a shared understanding has been reached.

Where no satisfactory solution has been reached, complainants should be advised how to make a formal complaint in writing to the Headteacher or Chair of Governors if the complaint is about the Headteacher or a Governor should they wish to pursue the matter further. To assist in this process, they should be referred to this procedure and asked to complete a Complaint Form (Appendix 1).

At this point, the concern becomes a formal complaint and will be dealt with in the next four stages.

Stage 1 – Written Formal Complaint to the Headteacher

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),by email at admin@rokesly-inf.haringey.sch.uk or telephone. They should be marked as Private and Confidential.

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.

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. The person carrying out the investigation will be referred to as the Investigator.

During the investigation, the Investigator will:

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

At the conclusion of their investigation, the Headteacher will provide a formal written response within 15 school term days of the date of receipt of the complaint. The Headteacher or Investigator may wish to meet the complainant to discuss the matter before confirming the outcome in writing.

If the Headteacher 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 the School will take what action the school will take as a result of the complaint.

The Headteacher will advise the Complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher, or a member of the Governing Body other than the Chair of Governors, then the procedure set out above will be the same, other than for Headteacher read Chair of Governors, who may also delegate the investigation and decision to be made to another impartial Governor.

If the complaint is about the Chair of the Governing Body then the procedure set out above will be the same, other than for Headteacher read vice-Chair of Governors, who may also delegate the investigation and decision to be made to another Governor.

Stage 2

If the Complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – 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.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 school term days of receipt of the Stage 1 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 term days.

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

Procedure prior to the Complaints Committee meeting

The Committee will deal with the complaint by a meeting unless the Complainant indicates that they want to proceed through written representations.

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 term 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.

The Complaints Committee (which may include Governors from Rokesly Infant and Nursery School) will consist of at least three Governors with no prior involvement or knowledge of the complaint. Once appointed they will decide amongst themselves who will act as Chair of the Complaints Committee. If there are fewer than three Governors available, the Clerk will source 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 2.

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 heard by a committee of independent Governors.

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 4 school term days before the meeting.

Any written material will be circulated to all parties at least 4 school days before the date of the meeting. The committee will not ever accept, as evidence, recordings of conversations that were obtained without the informed written 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.

If either party wish to call witnesses, the agreement of the Chair of the Complaints Committee must be obtained in advance of the hearing. The Chair will need to know the names of the witnesses and which parts of the complaint they have been directly involved with to ensure they are only present at the appropriate parts of the hearing.

Late evidence or new witnesses will not normally be accepted unless there is an exceptional reason for the lateness. If either party wishes to introduce new evidence or witnesses, it is in the interest of natural justice to ensure that the other side has time to consider it and prepare a response, so the meeting may need to be adjourned.

Procedure at the Complaint Committee

The purpose of the Complaints Committee is to consider the complaint on the basis of the written evidence and direct discussion and resolve the problem, as far as is possible, to the satisfaction of all parties. The Complaints Committee should reconsider the issues raised in the original complaint and should not confine itself to consideration of procedural issues.

The Complainant may bring someone to the Complaint Committee meeting to provide support. This can be a relative or friend. Generally neither party is expected to bring legal representatives to the Committee meeting. However, there may be occasions when legal representation is appropriate. If this is proposed to occur the Chair of the Complaints Committee must be notified in advance in order to consider the request.

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 the Complainant.

Representatives from the media and other observers are **not** permitted to attend Complaint Committee meetings.

The meeting will be held in private and will be attended by the Clerk as well as the Complainant and the Investigator. 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 to such recordings must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The procedure at the hearing should allow for:

- the Complainant to express the desired outcome;
- the Complainant to explain the complaint followed by their witnesses, each (including the Complainant) to be questioned by the Investigator once they have spoken;

- the Investigator to explain the response followed by the school's witnesses, each to be questioned by the Complainant once they have spoken;
- the Committee to be able to put questions at any time;
- a final statement by the complainant and HT.

The Committee will be able to amend any procedure as they consider appropriate.

At the end of the hearing, everyone, apart from the panel and Clerk, will leave. The panel will consider the complaint and all the evidence presented and try to reach a unanimous decision. If it is not unanimous then at least a majority, decision. An outcome letter will be sent to both parties within 10 school days.

After the meeting the Complaints Committee will in private 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, within 10 school term days, the Complainant and the school an outcome letter which should state whether the complaint has been upheld, in full or in part, the recommended redress, if any, and the reasons for the panel's decisions and if appropriate any recommendations for changes.

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 the School.

Stage 3: 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 the School. They will consider whether the 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, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester**,** M1 2WD.

Unreasonable, vexatious and serial complaints

At Rokesly Infant and Nursery School we are committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who complain. In line with guidance from the Department for Education (October 2020), complainants will normally be given the opportunity to complete the complaints procedure in full. However, where the school considers that a complaint is unreasonable or vexatious or that a Complainant is behaving unreasonably, the school may limit communication regarding a complaint, stop responding to a Complainant or close a complaint.

Rokesly Infant and Nursery School defines unreasonable behaviour as that which hinders our consideration or our resolution of complaints because of the frequency or nature of the Complainant's contact with the school or because of other aspects of the Complainant's behaviour. We do not expect our staff ever to tolerate unacceptable or unreasonable behaviour and will take action to protect them from such behaviour, including that which is abusive, offensive or threatening.

Rokesly Infant and Nursery School will regard a complaint or Complainant as vexatious or unreasonable if any of the following criteria are met:

1. the complaint or Complainant is obsessive, persistent, harassing, aggressive, insulting, abusive, prolific or repetitious

2. the Complainant insists upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason

3. the Complainant insists upon pursuing meritorious complaints in an inappropriate or uncooperative manner

4. the complaint is designed to cause disruption or annoyance

5. the complaint or Complainant demands redress that lacks any serious purpose or value

Examples of behaviour that satisfies one or more of the above criteria and therefore would be considered unreasonable would be 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 accept that certain issues are not within the scope of the Complaints Procedure

 refuses to co-operate with the complaints investigation process

 insists on the complaint being dealt with in ways which are incompatible with the Complaints Procedure or with good practice

 seeks or insists on 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 or by telephone while the complaint is being dealt with

 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, immediately or to their own timescales

 changes the basis of the complaint as the investigation proceeds

 makes unjustified complaints or allegations about those who are trying to deal with the issues, and seeks to have them replaced

 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

 attempts to influence the conduct or outcome of the complaints procedure by engaging in campaigning through social media or other public forms of communication before the complaints process is complete Note: This does not include a Complainant exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

 refuses to accept the findings of the investigation into the complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the Department for Education

 repeatedly makes the same complaint despite previous investigations or responses concluding that the complaint is groundless or has been addressed.

Management of unreasonable complaints and behaviour

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the Complainant informally before deeming that their behaviour has become unreasonable. If the behaviour continues or has already reached an unacceptable level, the Headteacher or Chair of Governors will write to the Complainant explaining that their behaviour is unreasonable and ask them to change it.

For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Where there is clear evidence that the Complainant's behaviour and/or the nature of the complaint meets one or more of the above criteria and would prevent any prospect of a satisfactory resolution of the complaint, the Chair of Governors has the discretion to close the complaint at any stage of the procedure.

In response to any serious incident of abuse, aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school site and immediate closure of the complaint.

If a Complainant persists in making representations on the same subject to the school, i.e. to any member of staff or to the governing body, or to the local authority, this can be extremely time consuming and can detract from our responsibility to look after the interests of all the children in our care. For this reason, the school is entitled to stop responding (including personal approaches, as well as letters, emails and telephone calls) on a complaint when we feel we have taken all reasonable steps to resolve it and have made our

position clear and explained their options to the Complainant. Unrelated complaints, however, will be treated in accordance with the normal Complaints Procedure.

Complaint Form

Please complete and return to Grant Bright (Head teacher) 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:

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

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.
- 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.