

# Godwin Primary School



## Complaints Procedure

September 2025



## Complaints Procedure

Date	Review date	Responsible Person
September 2025	September 2027	Headteacher

### INTRODUCTION:

This policy has been reviewed with reference to the Department for Education's "Best Practice advice for school's Complaints Procedure", 2019 and model complaints procedure released in March 2019.

### 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. Godwin Primary School takes concerns seriously and will make every effort to genuinely seek 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, Godwin Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### WHO CAN MAKE A COMPLAINT?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Godwin Primary 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.

Complainants are reminded to comply by our Parents, Carers and Visitors Code of Conduct:

*If parents have any concerns about their child in relation to the school they should:*

- *Initially talk to the class teacher*
- *If the concern remains they should arrange to see the relevant Assistant Headteacher. The next step after this would be the Headteacher or Deputy.*
- *If still unresolved, the next step is to contact the school's Chair of Governors through the complaints procedure*

## **HOW TO RAISE A CONCERN OR MAKE A COMPLAINT**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. All complaints must use the template complaint form, included in this document, and complete it in full. 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.

Concerns should be raised with either the class teacher or another staff member. If the issue remains unresolved, the next step is to make a formal complaint (Stage 2).

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.

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, using the Complaints Form within this document.

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 and use the Complaints Form within this document.

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 and use the Complaints Form within this document.

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 investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### Broadly anonymous complaints

We will not investigate complaints where names or contact details of the complainant are fictitious or not fully given. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### Group complaints

We will not investigate complaints made by groups or by persons purporting to represent groups. 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 Godwin Primary 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 School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with The London Borough of Barking and Dagenham
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). <a href="mailto:mike.cullern@lbbd.gov.uk">Mike Cullen, mike.cullern@lbbd.gov.uk</a> .
Exclusion of children from school	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> .  <i>Complaints about the application of the behaviour policy can be made through the school's complaints procedure which can be found on the Godwin Primary School website</i>

Whistleblowing	<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 whistle-blowers 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>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
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>
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 Godwin 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.

## RESOLVING COMPLAINTS AT EACH STAGE

We would hope that the complainant will have met with the member of staff or another member of staff or representative of the school and tried to find a resolution in accordance with our school values. At each stage in the procedure, Godwin Primary School wants to resolve the complaint.

If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation

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

## WITHDRAWAL OF A COMPLAINT

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

### STAGE 1

In the vast majority of cases, a problem can and should be resolved by speaking directly to the staff involved or to another member of staff directly in an effort to resolve the problem or concern.

The initial communication may be by letter, email, telephone conversation, in person or by appointment. Where this action does not lead to a resolution then the complaint should be dealt with through the formal stage of this procedure.

Timescale for response: ***Within 5 working school days of making the initial contact, unless there is good reason not to do so.***

### STAGE 2 (FORMAL)

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This should be done in writing using the Complaint Form (within this document). If it is done in person or by telephone, the complainant will be asked the questions within the Complaint Form to support the process. The Complaint Form must be completed in full. This form is available at the office or through your child's class teacher. If there are any difficulties in making a written record, appropriate support will be provided to enable them to clarify the precise details of the complaint.

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

The Headteacher can consider whether a face to face meeting is necessary to seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The Headteacher will then commence an investigation. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

During the investigation, the investigator will:

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

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

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 Godwin Primary School will take to resolve the complaint.

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

Timescale for response: ***Within 10 working days of the complaint escalation, unless there is good reason not to do so.***

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.

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

If the complaint is:

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

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

The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

### **STAGE 3 (FORMAL) CHAIR OF GOVERNORS**

If the complainant is not satisfied with the response of the Head Teacher, the Chair of Governors will be informed using the school's Parent Complaint Form. The Chair of Governors may investigate the complaint further. The outcome at this stage will be:

- 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 that problems of a similar nature do not recur;
- apply any of the schools' responses to unreasonably persistent, harassing or abusive complaints.

If the Chair of Governors or Chair of a committee undertakes the investigation at Stage 3, they will be exempt from sitting on any complaints committee convened to hear a complaint escalated to Stage 4.

Timescale for response: ***Within 10 working days of the complaint escalation, unless there is good reason not to do so.***

## STAGE 4 (FORMAL) GOVERNING BODY COMPLAINTS APPEAL PANEL

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 4 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. A nominated governor, will convene a GB Complaints Appeal Panel.

This is the final stage of the complaints procedure.

A request to escalate to Stage 4 must be made to the Clerk, via the school office, within five school days of receipt of the Stage 3 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 five school days.

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within ten school days of receipt of the Stage 4 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 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 Godwin Primary 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 4.

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.

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.

At least ten 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 six school days before the meeting.

Any written material will be circulated to all parties at least five 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 2 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.

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

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

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

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

The Chair of the Committee will provide the complainant and Godwin Primary School with a full explanation of their decision and the reason(s) for it, in writing, within twenty-five school days.

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 Godwin Primary School.

If the complaint is:

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

Stage 4 will be heard by a committee of independent governors.

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 Godwin Primary School will take to resolve the complaint.

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

#### **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 4.

This should be a last resort and the complainant should highlight in the letter the steps that have already been taken to resolve the problem and enclose all previous correspondence relevant to the complaint.

The Department for Education (DfE) will not usually be able to investigate the complaint if the child no longer goes to the school where the incident took place.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Godwin Primary School. They will consider whether Godwin 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.

## PROCEDURE FOR HANDLING UNREASONABLY PERSISTENT, HARASSING OR ABUSIVE COMPLAINANTS

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

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

Complainants are reminded to comply by our Parents/Carers and Visitor Code of Conduct.

This school defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to give details so that the school can contact them to find ways to resolve the complaint in accordance with good practice;
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

- refuses to accept the findings of the investigation into that complaint where the 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

## **WHAT IS 'HARASSMENT'?**

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- It appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- It has a significant and disproportionate adverse effect on the school community.

## **WHAT DOES THE SCHOOL EXPECT OF ANY PERSON WISHING TO RAISE A CONCERN?**

The school expects anyone who wishes to raise concerns with the school to:

- Treat all members of the school community with courtesy and respect;
- Respect the needs of pupils and staff within the school;
- Avoid the use of violence, or threats, of violence, towards people or property;
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- Follow the school's complaints procedure.

Complainants should limit the numbers of communications with a school while a 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.

## **SCHOOLS' RESPONSES TO UNREASONABLY PERSISTENT COMPLAINTS OR HARASSMENT**

In cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate.

*Inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;*

*Require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;*

*Inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Local Authority.*

*Specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.*

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school.

## **BARRING FROM THE SCHOOL PREMISES**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent/carer's behaviour is a cause for concern, a school can ask them to leave the school premises.

In serious cases, the Board of Governors, Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Manor Junior School should always give the parent / carer the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education.

Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

## **SCHOOLS' RESPONSES TO UNREASONABLY PERSISTENT COMPLAINTS OR HARASSMENT**

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate.

*Inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;*

*Inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy;*

*Require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;*

*Inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Local Authority.*

## **PHYSICAL OR VERBAL AGGRESSION**

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

- Ban the individual from entering the school site, with immediate effect;
- Request an Anti-Social Behaviour Order (ASBO);
- Prosecute under Anti-Harassment legislation;
- Call the police to remove the individual from the premises, *under powers provided by the Education Act 1996.*

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to this policy.

Ratified by Governors at \_\_\_\_\_ meeting

Signed by: \_\_\_\_\_ (Chair of Governors)      Date: \_\_\_\_\_

## Complaint Form

Please complete this form if attempts to resolve your concerns or complaints with a member of staff have not been successful at Stage 1.

Please return it to the Head teacher or the Chair of Governors (in a sealed letter or email via the school office marked 'Private & Confidential'), who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>
<b>What actions do you feel might resolve the problem at this stage?</b>

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

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

## 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 school 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.

### 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 the school

## 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.