

BISHOP'S HATFIELD GIRLS' SCHOOL

COMPLAINTS' POLICY AND PROCEDURE

Date of last review: Summer Term 2023

Date of next review: Spring Term 2025

School based policy

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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 Bishop's Hatfield Girls' 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 follow the process set out in this document.

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 everybody's interest that concerns and complaints are resolved as swiftly as possible. Many issues can be resolved informally, without needing to escalate to the formal stages of the complaints process. Bishop's Hatfield Girls' School takes concerns seriously and we will make every effort to resolve matters as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In such cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with your concerns, you will be referred 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 the most important factor.

Bishop's Hatfield Girls' School understands however, that there are some occasions when people only wish to raise their concerns formally. In such instances, the School will attempt to resolve the issue(s) internally, through the stages outlined within this complaints policy and 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, provided that the third party is able to demonstrate to the school that they have the appropriate consent to do so.

Concerns or complaints should be raised initially with the member of staff involved and if the matter is not resolved then this may be escalated to the line manager or member of SLT by email, letter or telephone. At this point the complaint will be handled under the **informal** stages of our policy, and most issues can be resolved in this way. However, if the issue remains unresolved, the next step is to complete the Complaint Form and send it to the school for the attention of the Headteacher who will continue to resolve your issue informally before proceeding with the **formal** stages of the complaint process.

Formal complaints that directly 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.

Formal 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.

When requested by the school, the template Complaint Form which is included at the end of this policy, should be used to enable the school to investigate the complaint fully. At the informal stage this is not usually required. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice Bureau 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 process. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

If a complainant is unable to submit their complaint in writing, the school will ensure that the issues being complained about and the outcomes being requested are documented in writing. The school may do this in either of the following ways:

- Invite the complainant to a meeting with the Headteacher or Chair of Governors (depending on what stage the complaint has reached) and a Notetaker. The Notetaker will document the issues being complained about and the complainant's desired outcomes, as discussed and agreed during the course of the meeting. At the end of the meeting, the complainant will be given a copy of the notes of the meeting containing this information and the School will retain the original copy for the purpose of investigating the complaint(s).
- Signpost the complainant to independent support, including Advocacy. Advocates provide qualified, independent support for people that have difficulty understanding information and advice or who would like support in communicating their views. Advocates can help complainants to formulate their complaint and then submit it on their behalf and support them through the complaints process. POhWER was founded in Hertfordshire in 1996. They deliver services in Hertfordshire as part of the HertsHelp service, in partnership with a wide range of voluntary sector organisations, including Advocacy. It is a free and impartial service. Their contact details are as follows:

POhWER

Telephone: 0300 456 2370

Text: send the word 'pohwer' with your name and number to 81025

Email: pohwer@pohwer.net

Skype: pohwer.advocacy

Post: PO Box 14043, Birmingham, B6 9BL

Anonymous complaints

Bishop's Hatfield Girls' School will not normally investigate anonymous complaints. In such instances, the Headteacher and/or the Chair of Governors will determine whether the complaint warrants an investigation.

Timescales

All formal complaints must be raised within three months of an incident or event. Where a series of associated incidents have occurred, the complaint must be raised within three months of the last of these incidents. Bishop's Hatfield Girls' School will consider exercising the discretion to consider matters raised outside of this timeframe, only if the school deems that exceptional circumstances apply. To enable the School to make this decision, the complainant will be asked to explain their reasons as to why they have taken longer than three months to raise their complaint. If the complainant does not provide any explanation or the School deems that the explanation given is not compelling or exceptional enough to warrant the issue(s) being investigated as a late complaint, the School will confirm this in writing and take no further action.

Complaints received outside of term time

The school will consider any complaints made outside of term time to have been received on the first school day after the holiday period. The school will send the complainant an acknowledgement of their complaint, confirming the date of receipt, what will happen next and the timescale that applies. This will differ depending on what stage of the complaints process has been reached.

Scope of this Complaints Policy and Procedure

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

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <insert LADO/MASH details>.</p>
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure</i></p>
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: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly 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>

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 this happens, we will inform you of a proposed new timescale.

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

Resolving complaints

At each stage in the procedure, Bishop's Hatfield Girls' 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 wishes to withdraw their complaint, they must inform Bishop's Hatfield Girls' School in writing. Once a complaint has been dismissed the school will not accept any further complaint relating to the same matter.

Serial, unreasonable and vexatious complaints

Complaints which are considered by the school to be serial, unreasonable and vexatious will be dealt with as outlined in Appendix 2.

Informal complaints

It is to be hoped that most concerns or complaints can be expressed and resolved on an informal basis through the relevant member of staff initially and then to a more senior person and finally to a member of the Senior Leadership Team.

Concerns should be raised with the relevant member of staff depending on the nature of the issue:

- education issues – if the matter relates to the classroom, the curriculum or special educational needs, you should speak to the teacher concerned and then the Subject Leader or Head of Faculty, as appropriate
- pastoral care – for concerns relating to matters outside the classroom you should contact the Form Tutor initially and then the Head of Year, as appropriate
- disciplinary matters – a problem over any disciplinary action taken or a sanction imposed should be raised with the member of staff who imposed it in the first instance. If not resolved you should speak to the relevant Head of Faculty and then the Head of Year
- financial and administrative matters – concerns relating to fees, extras or other administrative matters should be raised with the Finance Office or Business Leader
- an issue with a specific member of staff – often, the best way to resolve an issue with a specific member of staff is to raise it with that member of staff directly, so that they are given the opportunity to address and resolve the concern or difficulty. If you feel uncomfortable doing this the issue should be raised with the appropriate Head of Faculty or Head of Year
- an issue with a member of the Senior Leadership Team other than the Headteacher should be raised with the Headteacher

If the matter is not resolved satisfactorily then the matter can be escalated to the appropriate line manager or member of the Senior Leadership Team. At this stage the school will request that the complainant completes the Complaint Form although the school will continue to endeavour to resolve the complaint informally.

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 or 3 of the formal procedure.

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

If the issue remains unresolved, the next step is to request to take the complaint to formal complaint stage 1.

Formal Complaint: Stage 1

Formal complaints must be made to the Headteacher in the first instance (unless the complaint is about the Headteacher) via the school office using the Complaint form (see Appendix). If you are unable to submit your complaint in writing by email or letter or by using the formal complaint form,

the School will follow the steps set out on pages 3 and 4 of this policy and procedure, by offering to meet you and/or signposting you to a free and impartial Advocacy and Support Service.

The Headteacher or designated member of the School Leadership Team (SLT) will record the date the complaint was received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Within this response, where this is not clear in the complaint form, the Headteacher or designated member of SLT will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome(s) the complainant would like to see. The school will consider whether a face to face meeting is the most appropriate way of doing this. The Headteacher can delegate the investigation of the complaint to another member of the school's Senior Leadership Team, but not the decision(s) to be taken. The person carrying out the investigation will be known as the Investigator for the purposes of this Policy.

During the investigation, the Headteacher (or Investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. The decision in terms of who should be interviewed and how is up to the Headteacher (or Investigator).
- Keep a written record of any meetings or interviews in relation to their investigation.

Once the investigation has been concluded, the Headteacher will provide a formal written response within 15 school days from the date of receipt of the complaint. If the Headteacher is unable to meet this deadline for whatever reason, they will provide the complainant with an update and a revised response date.

The response will detail the actions taken to investigate the complaint and will provide a full explanation of the decision(s) made and the reasoning behind them.

Where appropriate and possible, the response will include details of actions the School will take to hopefully resolve the complaint.

The Headteacher will advise the complainant how they may 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 (including the Chair or Vice-Chair of Governors), a suitably skilled Governor will be appointed to complete all of the required actions at Stage 1 as set out above.

Complaints about the Headteacher should be made to the Chair of Governors, and complaints about a member of the Governing Body must be made to the Clerk. The complaints should be sent via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair of Governors,
- the majority of the Governing Body or
- the entire Governing Body,

Stage 1 will be considered by an Independent Investigator appointed by the Clerk to the Governing Body. This person could be a Governor from another School. At the conclusion of their

investigation, the Independent Investigator will provide a formal written response to the complainant.

If the complainant is dissatisfied with the Stage 1 response to their complaint, they have 10 school days in which to request escalation to Stage 2 of the complaints process.

Escalation requests made outside of this timeframe do not have to be automatically accepted.

Formal Complaint - Stage 2

Should the complainant be dissatisfied with the Headteacher's investigation and wish to take the complaint further, they can escalate the complaint to Stage 2 - where the complaint is heard by the Chair, Vice-Chair of Governors or other nominated Governor. Formal complaints directly about the Headteacher will be considered under stage 2. The Chair will acknowledge receipt of the escalated complaint within 3 school days. The Chair or other nominated Governor will review the outcome of the investigation already carried out and conduct further enquiries if needed. They may invite the complainant to discuss the case in a meeting or telephone call as part of their investigation. At this stage the complainant should be asked to explain why they are dissatisfied with the outcome of the complaint so far and what they hope to achieve at this stage.

The complainant and the Headteacher will be informed of the outcome in writing within 20 school days of the Chair of Governors receiving the complaint. The complainant will be advised of any escalation options and will be provided with details of this process.

If the complainant is not satisfied with the manner in which the process has been followed, considers the decision to be perverse, or believes that the Chair or Vice-chair has acted unreasonably, they may request that the governing body reviews the complaint under Stage 3.

Formal Complaint - Stage 3

Complaint Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – where the complaint is heard by a Panel. The Panel will comprise of at least three people who were not directly involved in the matters detailed in the complaint: one panel member who is independent of the management and running of the school and two impartial Governors. Current school staff including school governors are not eligible to sit on the complaints panel. This is the final stage of the complaints process.

A request to escalate to Stage 3 must be made by the complainant to the Clerk of the Governing Body via the school office, within 10 school days of the Stage 2 response being issued.

The Clerk to the Governors will record the date the Stage 3 escalation request is received and acknowledge receipt of the request in writing (either by letter or email) within 3 school days.

Requests received outside of this timeframe will only be considered if the school deems that exceptional circumstances apply. Stage 3 will only consider complaints that have already been lodged and investigated at Stage 2. It is not an opportunity to raise new complaints. Any complainant wishing to do so must first complete Stage 1 of the school's complaints process.

The Clerk to the Governors will write to the complainant to inform them of the date of the Stage 3 Complaints Panel Hearing. They will aim to convene a Panel within 20 school days of receipt of the Stage 3 request. If this is not possible, they 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 to the Governors will decide when the Panel Hearing will be. It is permitted to proceed in the complainant's absence on the basis that the Panel will consider all written submissions from both parties.

If the complaint is:

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

Stage 3 will be heard by a completely independent panel.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the hearing as it is not a legal 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 a Union and/or legal representative.

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

Representatives from the media are not permitted to attend.

Ideally, 14 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 panel at least 10 school days before the meeting. This written statement should include all the points the complainant wishes to raise about the matter for the panel's consideration and any other documentary evidence.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and/or without the informed consent of all parties being recorded.

At the hearing, the Complaints Panel will not review any new evidence or new complaints at this stage or consider evidence unrelated to the initial complaint that may have been included. Any new complaints must be dealt with at Stage 1 of the complaints process first.

The Stage 3 Complaints Panel Hearing will be held in private. Electronic recording of the Hearing is not normally permitted unless a complainant's own disability or special needs require a reasonable adjustment to be made. Complainants cannot insist on a Hearing being recorded without good

reason. Prior knowledge and consent of all parties attending must be sought and obtained before recording of the Hearing can take place. Any request to audio or video record the meeting and whether this was consented to or not by all parties present should be documented in the Clerk's detailed notes of the Hearing. The final decision as to what reasonable adjustments will be made, if any, rests with the school.

The Stage 3 Complaints Panel will consider the complaint and all of the evidence presented by both parties. The Panel can:

- Uphold the complaint in full or in part.
- Dismiss the complaint in full or in part.
- Make a finding of No Judgement if there is insufficient evidence to reach a definitive conclusion.

If the complaint is upheld in full or in part, the Stage 3 Complaints Panel will:

- Decide on the appropriate action to be taken to try and resolve the complaint.
- Where appropriate, recommend changes to the School's systems or procedures to prevent the same or similar issues happening in the future.

The Chair of the Panel will provide the complainant and the respondent on behalf of the School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the Hearing.

The outcome letter to the complainant (and copied to the respondent on behalf of the School) will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Bishop's Hatfield Girls' School.

If the complaint is:

- jointly about the Chair and the Vice Chair of the Governing Body or
- the majority of the Governing Body or
- the entire Governing Body,

Stage 3 will be heard by a Panel of Independent Governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision(s) made and the reason(s) for them. Where appropriate, it will include details of actions Bishop's Hatfield Girls' School will take to try and resolve the complaint and to prevent the same issues from recurring.

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

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Next Steps

Once Formal Stage 3 has been completed, the school will not accept a further complaint relating to the same matter(s).

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

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Bishop's Hatfield Girls' School. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

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

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

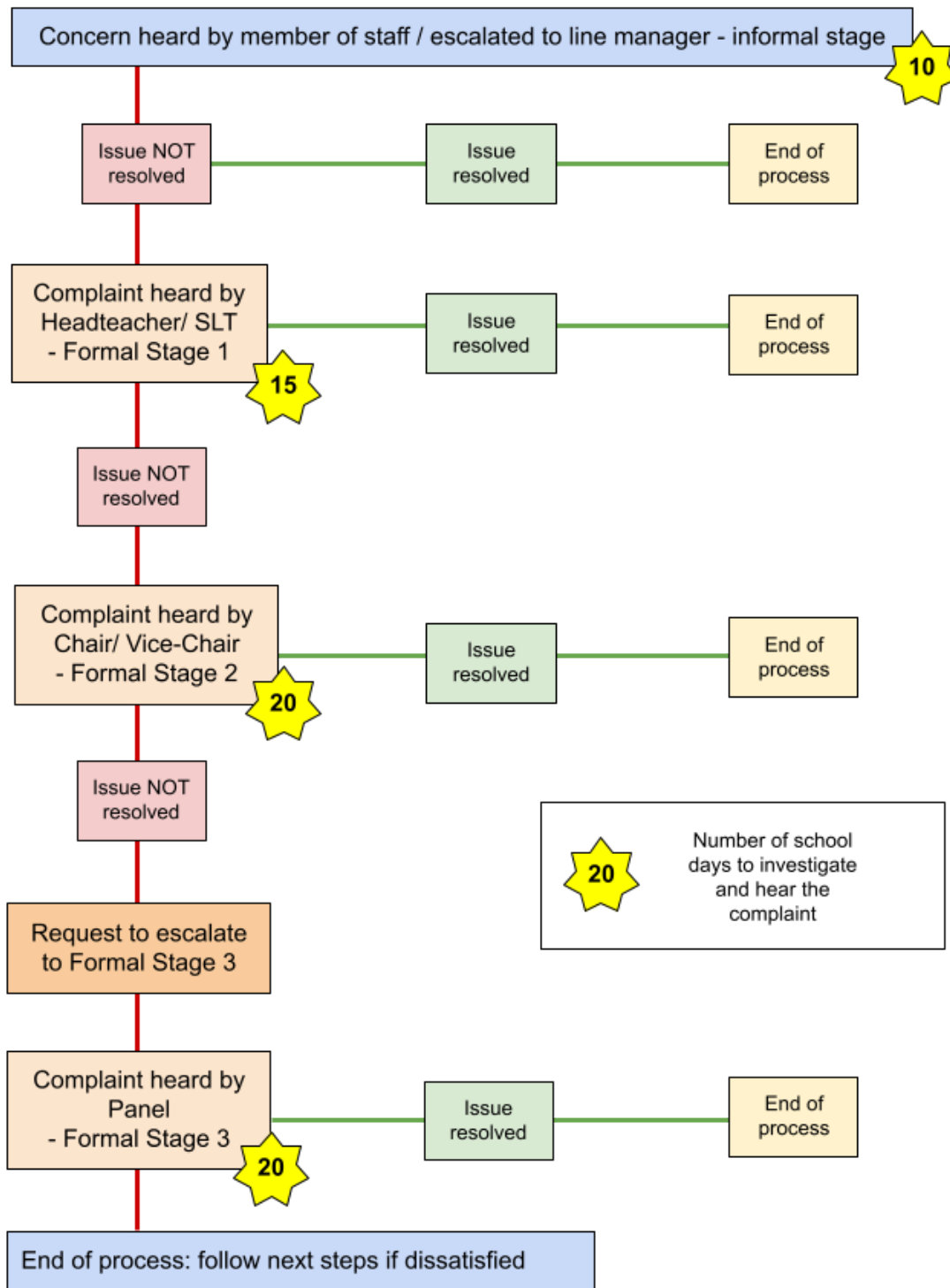
Number of complaints dealt with under formal process during the academic year 2022-23

Stage 1 = 2

Stage 2 = 1

Flow chart

Bishop's Hatfield Girls' School - Complaints Flow Chart



Appendix 1: Complaint Form

Name:		
Address:		
Postcode:		
Email address:		
Telephone No:	Day:	
	Evening:	
	Mobile:	
<p>What is the nature of your complaint? (Please use additional sheets if needed)</p> <p>In order to investigate complaints it is important to present evidence clearly and succinctly. The following should be included as far as possible when raising a concern:</p> <ul style="list-style-type: none"> • Dates of incident(s) • Names of people involved, including any witnesses • Copies of communication relating to the complaint • Where relevant, specific school policies or procedures relating to the complaint <p>Please note that hearsay, or any reference to what other people may think or feel about the matter being raised cannot form part of the investigation. Complainants can only speak for themselves and not for others.</p>		

What has happened since you first raised your concern to the school? eg who have you had contact with and what responses have you received?

What are your desired outcomes? Please explain why you are not happy with the response(s) received so far. What action would you like to see to resolve this matter?

Signed:

Date:

Please return your completed complaint form to the School Office either by email at admin@bishophatfield.herts.sch.uk or in hard copy format and it will be passed to the Headteacher or Chair of Governors, depending on what stage the complaint is at and what it is regarding.

Appendix 2: Serial, unreasonable and vexatious complaints

This section should be read in conjunction with our Dealing with Abusive Parents Policy.

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

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

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to cooperate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate (including threatening to go to the press/media, police, Ofsted or other authorities in an attempt to force the school to agree with the complaint)
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

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

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

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

The decision of the Headteacher or Chair of Governors to invoke this policy and procedure (and any communications restrictions imposed as a result) is final and cannot be challenged or overturned through the school's complaints process. This is because this will be reviewed after six months. If the complainant/parent/carer's behaviour has remained the same or worsened, the Headteacher or Chair of Governors reserves the right to extend the restrictions for a further six months each time they review the situation. If the complainant/parent/carer's behaviour has improved to a level that the school deems acceptable, then communication restrictions will be lifted on the proviso that should matters regress, the school reserves the right to reinstate the communication restrictions that previously applied.

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

The school reserves the right to use and adapt this policy and procedures whenever it deems it appropriate to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Appendix 3: 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.
- Cooperate 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 if 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 their questioning.
- Keep notes of interviews or arrange for an impartial note-taker to document the meeting.
- Ensure that any papers produced during the investigation are kept securely on the pending any appeal.
- Be mindful of the timescales to respond.
- Prepare a comprehensive report for the Headteacher or Complaints Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

Complaints Coordinator

(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, head teacher, Chair of Governors or the Clerk and to ensure the smooth running of the complaints procedure
- Be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

Clerk to the Governing Body / Trust Board

The Clerk is the contact point for the Complainant and the Panel and should:

- Ensure that all people involved in the complaints process are aware of their 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.
- Document the proceedings.
- Provide copies of the notes of the hearing if requested.
- Notify all parties of the Panel's findings.

Panel Chair

The Panel'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 wherever possible
- The panel is open-minded and acts impartially
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the process
- The meeting is minuted by the Clerk
- They liaise with the Clerk (and complaints coordinator, if the school has one).

Panel Member

Panel members should be aware that:

- The Panel must be independent and impartial and should be 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.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant if possible.

- The complainant might not be satisfied with the outcome if the Panel does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Some complainants may feel nervous and inhibited in such a 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 (if present) does not feel intimidated.
- The Panel 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 Panel 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 Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person wishes 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 at all times.

For school staff only: please refer to the Complaints Procedure Toolkit for detailed instructions and template letters



Appendix 4: Format of Hearing

Stage A	Introductions of everyone present and clarification of the complaint lodged and conduct of the hearing. Panel Chair checks that everyone has a copy of this Format of Hearing on the table.
Stage B	Complainant presents summary of complaint highlighting points made in their written complaint and other documentation. No new evidence or complaints are to be raised. The presentation should be limited to 10 minutes as the panel will already have received all relevant written material. Panel questions the complainant to clarify the points they make.
Stage C	Headteacher/respondent presents the facts as s/he perceives them - highlighting points made in the written response and other documentation. This should be limited to 10 minutes as the panel will already have received all relevant written material. Panel questions Headteacher/respondent to clarify the points s/he has made.
Stage D	Witnesses are called as and when required and will be questioned by the panel (only). Witnesses can only be called by the panel and not by the complainant or headteacher
Stage E	Complainant summarises their case highlighting evidence including anything that has emerged in the questioning. This should take no more than 5-10 minutes as all relevant evidence has already been presented
Stage F	Headteacher/respondent summarises the case for the school highlighting evidence. This should include the school's response and actions in relation to the complaint before the hearing and anything that has emerged in the questioning.
Close	Panel Chair thanks Parents and Headteacher for attending and gives an indication of when they can expect to hear the outcome. Parents and Headteacher leave the room together. Panel considers all the evidence and comes to its conclusion.
NB. Complainants and Headteacher /school respondent are not invited to question each other or any witnesses called.	

Process Timeline

Elapsed time shown relates to school (term-time) days

Complaints timeline		School days	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80
Informal process																		
A	School receives complaint	0																
B	Member of staff investigates and provides written response	10																
C	Complainant escalates to more senior staff	10																
D	Member of staff investigates and provides written response	10																
F	Complainant decides to escalate to formal complaint	10																
Formal process																		
G	Headteacher acknowledges receipt	F + 3																
H	Formal investigation and formal written response	F + 15																
I	Complainant decides to escalate to next stage	H + 10																
J	Chair acknowledges receipt of request to escalate complaint	I + 3																
K	Chair or Governor investigation and formal written response	I + 20																
L	Complainant decides to escalate / appeal the formal complaint	K + 10																
M	Clerk to Governors acknowledges receipt of request to escalate	L + 3																
N	Clerk to Governors convenes an independent Panel	L + 5																
O	Clerk to Governors requests complainant and witness attendance	L + 5																
P	Complainant confirms attendance and provides written evidence	R - 10																
Q	Clerk to Governors circulates all papers and confirms attendees	R - 5																
R	Panel hearing held	Q + 5																
S	Clerk to Governors send outcome letter to complainant	R + 5																

[Linked files for school use only:  Complaints policy process flow  Complaints timeline]