

## Complaints Policy

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<b>Lead Governor Responsible:</b>	Mark Powell
<b>Reviewers:</b>	Mark Powell
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<b>Signed by Headteacher:</b>	
<b>Signed by Chair of Governors:</b>	

### Aims

Hook Junior School values the relationship between the school and its stakeholders and wishes to promote good communications at all times. The purpose of this policy is to provide a supportive framework, where stakeholders can raise concerns with the school and be confident they will be discussed and resolved in a speedy, fair and equitable manner.

This policy is based on the principle that, where at all possible, issues and complaints will be dealt with informally, and stakeholders will be encouraged to raise these with a member of staff at the earliest opportunity. On the rare occasion where this approach is unsuccessful in resolving a complaint, the formal procedures outlined will provide the complainant a process that ensures the matter is appropriately dealt with.

This policy includes the complaint procedures for Hook Junior School and is one of the statutory policies listed by the Department for Education (DfE) and Education Act 2002 (section 29), that is required to be published on its' website.

# Complaints Policy

## 1. Introduction

Hook Junior School is dedicated to providing the best possible education and support for its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that our school provides, unless separate statutory procedures apply.

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters related to Child Protection
- Suspension and permanent exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities
- Content of the National Curriculum

In these cases, there are other separate and statutory procedures.

The school will not respond to anonymous complaints under this policy, however, the Headteacher and / or Chair of Governors will consider whether the issue and fear of identification are genuine, or the issue is one of child protection.

For more information on the school's provision for protecting its pupils, please refer to our **child protection** policy and our **allegations of abuse against staff** policy (contained within our staff discipline conduct and grievance policy), both of which are available on the school website.

Any concern or complaint should be brought to the attention of the school at the earliest opportunity; any matter raised more than three months after the event will only be considered in exceptional circumstances. For this purpose, we will consider complaints made outside of term time to have been received on the first school day after the holiday period during which the complaint was raised.

All conversations and correspondence will be treated in confidence; however, it is important that all parties involved should be aware that some information may have to be shared with others as part of the handling of the complaint in accordance with this procedure.

If we cannot meet the timescales set out in our policy, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

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 Hook Junior 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.

## **2. When an issue or concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. A concern may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. You may wish to approach your child's class teacher first as they will be best placed to help you directly or by letting you know which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding. We will take your concerns seriously and 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 will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

We understand that there are occasions when people would like to raise their concerns as formal complaints. In this case, Hook Junior School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure if the concern cannot be resolved 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 of the formal procedure.

The Chair of Governors reserves the right to refer complaints that are taken straight to them back to the appropriate member of staff if it does not warrant the governing body's involvement at that point.

If your complaint is about the Headteacher you should contact the Chair of Governors via the school. If made in writing please mark as Private and Confidential.

If your complaint is about the Chair of Governors, any member of or the whole governing body you should contact the Clerk to the governing body via the school. If made in writing please mark as Private and Confidential.

For ease of use a template Complaint Form is included in Appendix A of this policy. 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.

### **2.1 Informal Resolution Meeting**

When a concern has been received, you may receive either a telephone call from the member of staff or Headteacher or you may be invited to attend a meeting with a member of staff or the Headteacher to discuss your concerns.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent along for support. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the Headteacher.

Staff have a responsibility to ensure that you understand any future points of action that are agreed and will make a record of what has been discussed, including any outcomes and a plan of action.

There is no prescribed timescale for resolution at this stage given the importance of dialogue and informal discussion, although we expect to resolve most issues within 10 school days.

## **2.2 Resolving Complaints**

At each stage in the procedure, Hook Junior School aims to resolve the complaint. Where we think it is appropriate, we will provide an acknowledgement should a complaint be upheld (in whole or in part) and, in addition, we may offer the complainant 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.

## **2.3 Withdrawal of a Complaint**

A complainant may withdraw a complaint at any time. If they wish to do so, we will ask them to confirm this in writing.

# **3. Formal Complaints**

In order to ensure complaints are dealt with efficiently and effectively, Hook Junior School deals with formal complaints in two stages.

## **3.1 Stage 1 – Complaint heard by the Headteacher**

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the Headteacher. You will need to make your formal complaint in writing and a proforma is provided for you to complete. This can be found in the appendix to this policy. You may approach the Headteacher person or by telephone before submitting this if you wish.

The Headteacher will acknowledge your complaint in writing (either by letter or by email) and provide indication of next steps. This may include the provision of a response within 5 school days of receiving the written complaint, or should further investigation be necessary, advise you of the timescales for providing a full response.

The Headteacher may invite you to attend a meeting to discuss your complaint, the possible solutions, or explain what has happened or will happen as a result of your complaint. The Headteacher may delegate the investigation of your complaint to another member of the school's senior leadership team. They (Headteacher or investigator) will maintain record of all interactions with you and other staff, meetings and decisions made in reference to your complaint. Any decisions arising from the investigation will always be made by the Headteacher.

The Headteacher will respond to you in writing, within 20 school days of receiving your complaint, outlining their full response to your concern, and any action that has or will be taken. If the Headteacher has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the Headteacher's response.

Dependant on the complexity of the matter raised, the timeframe for delivering a full response may take longer than 20 days. The Headteacher will provide the complainant with an update and revised response date.

If your complaint is about a member of staff, the Headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff.

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 (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, in writing via the school office. Correspondence should be marked Private and Confidential.

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing body and they will provide a formal written response after completing their investigation.

### **3.2 Stage 2 – Complaint heard by Governing Body complaints panel**

If you are dissatisfied with the outcome of your complaint, you should write to the Clerk to Governors within 10 school days of the outcome of receiving your stage 1 letter. Your letter should provide the basis of your concern and the rationale for taking this course of action. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk to Governors will record the date the complaint is received and acknowledge receipt of your request in writing (by letter or email) within 5 school days. The complaints panel will usually be convened within 20 school days of receiving the request for your complaint to be heard by the governing body's complaints panel. Where it is not possible to find a mutually convenient date within that timescale, all reasonable steps will be taken to agree a time and date mutually convenient to all parties.

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 main function of the complaints panel will be to:

- a) ensure the complaint has been properly handled by the 1st Stage Process
- b) ensure that a sufficient comprehensive investigation was carried out
- c) ensure that the correct procedure / policies were followed.
- d) ensure all parties acted reasonably in seeking to resolve the matter

The Clerk to Governors will arrange and facilitate the meeting of the complaints panel. You are entitled to an independent panel to hear your complaint and the complaints panel will consist of three governors who have no former knowledge or involvement in the matter being considered. The Chair of the panel will be nominated from within the group of panel members prior to the meeting. If there are fewer than three governors from Hook Junior 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 2.

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.

All panel members will have access to, and will be familiar with, this complaints policy. The Clerk to Governors will confirm to all parties in writing, the date, time and venue for the meeting at least 10 school days in advance.

The Clerk to Governors will request that you supply any paperwork you feel the panel will require to consider your complaint fully. The Headteacher will also be requested to supply copies of their correspondence in managing this matter, and any further paperwork they consider the panel will require to consider the complaint fully. Copies of all paperwork will be distributed to all parties by the Clerk to Governors at least 3 school days in advance of the meeting.

You are welcome to bring a friend or partner for support to the meeting and the Chair of the panel will ensure the meeting is conducted within a relaxed atmosphere whilst, keeping to the formal agenda. The Headteacher is also invited to bring a representative or member of staff for support.

Representatives from the media are not permitted to attend.

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. However, please note, complaints about staff conduct will not generally be handled under this stage of the complaints procedure - as at Stage 1, 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.

No previously undisclosed evidence relating to the complaint should be introduced during the meeting. In addition, the committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of this procedure.

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 Clerk will inform you, the Headteacher and Chair of Governors in writing of the panel's decision within 5 school days of the meeting. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome. The panel may also suggest you meet with the Headteacher and / or Chair of Governors to agree a way forward.

The letter may set out recommendations which will be made to the governing body.

The panel's decision is the final stage in the complaints procedure and will consider the matter closed.

The decision letter will include the following details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Hook Junior School:

“If you feel the school has acted unreasonably or has not followed the correct procedures in relation to your complaint, you may write to the Secretary of State using the following contact details: Department for Education, 2<sup>nd</sup> Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD or by telephone on: 0370 000 2288 or you may use the online [form](#).”

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.

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 Hook Junior School will take to resolve the complaint.

As above, the response will also advise the complainant of how to escalate their complaint 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,

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

## **4. Serial, Unreasonable and Duplicate Complaints**

Hook Junior School is committed to dealing with all complaints fairly and impartially, and to providing a quality service to those who raise concerns. We will not normally limit the contact complainants have with the school. Operating from a position of mutual respect, 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.

### **4.1 Unreasonable Complaints**

Hook Junior School defines unreasonable complaints 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 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 school’s 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 comments 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 a 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, 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

Complainants should limit the number 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.

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

If the unreasonable behaviour continues, the Headteacher will write to the complainant explaining the issues that are a concern and a request for them to change their behaviours.

In situations where complainants excessively contact Hook Junior School causing a significant level of disruption, the Headteacher may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months. This communication plan may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding: We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 Hook Junior School.



## 4.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow the complaints procedure set out in this document again.

## 4.3 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## 5. Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally at school, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act 2018, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## 6. Governing body review and monitoring of complaints

The Headteacher will report annually to the governing body on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complainant, or any member of staff will be published.

The governing body will review and evaluate all complaints no matter how far they are taken or the outcome. This is to ensure any similar problems are avoided in the future or to see if they could have been managed more efficiently.

## 7. Staff Complaints

Staff who have a concern about a colleague or volunteer in school should refer to the **Whistleblowing** policy which is available on the school website.

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's **Staff Discipline, Conduct and Grievance** policies which are available on the school website.

## 8. Complaints Policy Review

The governing body of Hook Junior School review this policy every 2 years, or earlier in the event of legislative changes. The governing body of Hook Junior School will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.

## Appendices

Appendix A: Complaints Form

Appendix B: Guidance notes for Complainants ~~Complain~~

Appendix C: How to listen to Complaints

Appendix D: Roles and Responsibilities

## Appendix A: Complaints Form (page 1 of 2)

<b>Name of complainant:</b>	
<b>Contact details:</b>	<b>Address:</b>
	<b>Telephone:</b>
	<b>Email:</b>
<b>Outline of your complaint and how it has affected you (the complainant) / pupil:</b>	
<b>Have you discussed the matter already with a member of staff, if so, who? What was the outcome?</b>	
<b>What would you like to happen as a result of your complaint?</b>	
<b>Signature:</b>	
<b>Date:</b>	

## Appendix A: Complaints Form (page 2 of 2)

For school use:

<b>Date received:</b>	
<b>Date acknowledged and by whom:</b>	
<b>Summary of action taken:</b>	

## **Appendix B: Guidance Notes for Complainants**

### **If you have a concern or complaint**

We would like you to tell us about it. We welcome your suggestions for improving our work in the school. Rest assured, no matter what your concern, our support and respect for you and your child will not be affected in any way. If you have an issue to discuss, please raise it as soon as possible, as it is difficult for us to properly investigate an incident or problem that may have happened some time ago.

### **What to do first**

Most concerns and complaints can be sorted out quickly by speaking with an appropriate member of staff. We would encourage parents and carers to initially raise their concerns informally with the appropriate member of staff.

Where you have a complaint that you believe should be looked at by the Headteacher, in the first instance you can contact them by ringing the school office. It is usually best to discuss the problem. Initially this may be via phone or a meeting, and an appointment might be organised to do this. In discussion with the Headteacher and where appropriate, they may recommend instigation of the informal complaints process to resolve the matter.

All staff will make every effort to resolve your problem informally. They will make sure they understand what you feel went wrong, and they will explain their own actions to you. They might ask what you would like the school to do to put things right, or what a good outcome would look like. In seeking a resolution, it may identify different points of view to consider and in this circumstance, help both you and the school to understand alternative sides of the problem. It may also help to prevent a similar problem arising again.

### **What to do next**

If you have attempted to resolve an issue informally with the appropriate member of staff and remain dissatisfied with the outcome, you can make a complaint to the Headteacher in writing. At this point the matter is now considered confidential and should only be discussed with relevant persons. If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors. You can contact the Chair via the School Office. You may also find it helpful at this stage to have a copy of the Complaints Policy as this explains what procedures are followed. This is available from the school office or on the school's website.

On raising a written complaint, the Headteacher may ask to meet you to discuss the problem. You may bring an appropriate person or representative with you if you wish. The Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

### **The Final stage**

If you are not happy with the response that you receive from the Headteacher, you may write to the Clerk to Governors within 10 school days of receiving your outcome letter, stating your concerns and reason for further review. The Clerk to Governors will arrange and facilitate the meeting of the complaints panel which will consist of three governors who have no former knowledge or involvement in the matter being considered. You will be invited to attend and speak to the panel at a meeting and may be accompanied by a friend or partner for support. The Headteacher will also attend and may bring a representative or staff member for support.

**Further action**

Complaints about school problems are almost always settled within schools but in exceptional cases it may be possible to refer the problem to an outside body such as the Local Education Authority or the Secretary of State for Education and Skills.

## Appendix C: How to Listen to Complaints

### Guidance Notes for Staff and Governors

As soon as you realise that you are listening to a complaint, please remember these points:

<b>Don't pass the buck</b>	Try not to keep transferring an angry person from one place to another. Make sure you know the contact person for anything you cannot deal with yourself
<b>Don't be flippant</b>	First impressions count; you and the school may be judged on your immediate reaction
<b>Treat all complaints seriously</b>	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain
<b>Treat every complaint individually</b>	Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say
<b>Be courteous and patient</b>	Be sympathetic and helpful, but do not blame other colleagues
<b>Say who you are</b>	If you are unknown to the person, introduce yourself
<b>Ask for their name and use it</b>	Anonymous complaints are acceptable only where there are special circumstances
<b>Take time to find out exactly what the problem is</b>	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed
<b>Don't take the complaint personally</b>	To an angry or upset person, YOU are the school, and the only one they can put their feelings to right now
<b>Stay cool and calm</b>	Do not argue with the person - be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong
<b>Check you are being understood</b>	Make sure that the person understands what you are saying. Don't use jargon - it can cause confusion and annoyance to someone "not in the know"
<b>Don't rush</b>	Take your time. Let people have their say and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step
<b>Afterwards</b>	Make your own written notes.

## Appendix D: Roles and Responsibilities

### Complainant

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

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

### Investigator

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

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

The investigator should:

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

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

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

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:



- sharing third party information
- additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

### **Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (UK 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
- create a formal record of the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision

### **Committee Chair**

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.  
If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so  
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.