



# COMPLAINTS PROCEDURES

Member of staff responsible: Lorraine Shaw  
Ratified by Governors: May 2020  
Next review date: May 2022  
Review cycle: Two years

## **Addendum - Handling complaints during the coronavirus (COVID-19 outbreak)**

The DfE has updated its website with regards to complaints on Thursday 9 April 2020, in light of the COVID-19 emergency, to make clear that they do not expect schools to deal with new or existing complaints whilst schools are closed.

In line with government guidance the school is not expected to handle new or existing complaints while we are closed. The school will still engage with parents and pupils where we can, however complaints can be considered once the government confirms schools can safely reopen.

As requested by the DfE, please Contact your local council or call the police on 101 if you suspect or are told a child is at risk.

Complainants can contact DfE for more information about school complaints if they wish.

### **Purpose of the Complaints Procedure**

The Bush Hill Park Primary School's Governing Body has the lawful duty to produce and publicise the procedure within this Complaint policy which the school acts in line with. This procedure aims to deliver the following results:

- Enable parents and others with an interest in the school to provide feedback about their experience
- Ensure that complaints are handled consistently, appropriately and effectively
- Resolve concerns at the first point of contact, where possible
- Ensure that complaints are addressed and responded to in a timely manner
- Remedy failures appropriately and proportionately
- Learn from complaints and make improvement to services
- Monitor the effectiveness of the complaint process

#### **1. Scope of the Procedure**

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 Bush Hill Park 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.

- 1.1 A concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible.
- 1.2 A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action". The school intends to resolve complaints informally where possible, at the earliest possible stage.

1.3 There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

1.4 This procedure deals with all complaints about any provision of community facilities or services of Bush Hill Park Primary School, other than complaints dealt with under other statutory or legal procedures, including those listed below:

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with the London Borough of Enfield.</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<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). The Children’s Reviewing Officer and LADO can be contacted on 020 8379 4392 and MASH by email at <a href="mailto:TheMASHteam@enfield.gov.uk">TheMASHteam@enfield.gov.uk</a></p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about fixed or permanent exclusions from school can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a></p> <p>*Complaints about the application of our Bush Hill Park Primary School Behaviour for Learning Policy, found at this web address <a href="http://go.aws/2WbCPaf">go.aws/2WbCPaf</a> can be made through the school’s complaints procedure.</p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p> <p>Volunteer staff who have concerns about our school should complain through the school’s complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above),</p>

	depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complaints relating to specific employment procedures e.g. allegations of professional misconduct, criminal offences or those that are potentially staff disciplinary issues, will be dealt with under internal school procedures, if appropriate. The outcome will be confidential to the employee and employer.</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>

Other exceptions also include:

- Matters that would be more appropriately considered by an insurer
- Cases in court proceedings or investigations by other appropriate bodies (e.g. Police)
- Matters upon which a Court, Tribunal or Appeal body has already ruled

1.5 Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

1.6 Complainants may be anyone with an interest in the work of the school e.g. parents, carers, grandparents or neighbours of the school. However, it is expected that it will be mainly parents or carers who will make use of this procedure. The term 'parent' is therefore used throughout the procedure as a generic term but the procedure also applies in relation to any other type of complainant.

## 2. General

- 2.1 Records of all conversations and meetings with parents to resolve complaints will be kept. Copies of correspondence and notes will be kept on file in the school's records, separately from individual student records.
- 2.2 If at any stage in the procedure it becomes apparent that for any reason the complaint falls outside of this general complaints procedure, parents will be informed.
- 2.3 There may be rare occasions when, despite all the stages of the procedure having been followed, a parent remains dissatisfied. If the parent seeks to re-open the same issue, the school reserves the right to inform him/her in writing that the procedure has been exhausted and the matter is closed.
- 2.4 Complaints need to be considered, and resolved, as quickly and efficiently as possible. The time limits set within this procedure will be adhered to wherever possible, however where further investigations are necessary, new time limits can be set and the complainant sent details of the extended deadline, with an explanation of the reasons for extending.
- 2.5 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.
- 2.6 If a parent commences legal action against the 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.
- 2.7 If a parent has difficulty in writing their complaint, for example where English is not their first language or they have a disability which prevents them from submitting a complaint in writing, assistance will be provided.
- 2.8 It is far easier to find out what happened and to put things right if complaints are received at the time. As time passes it becomes more difficult to investigate events fairly and fully – people's memories fade, staff who were closely involved may have left the school, or records may no longer be available. For these reasons, the school will normally only accept complaints made within **three months** of the incident or circumstances that led to it. However, if there are exceptional circumstances provided by the parent for the delay in submitting the complaint, the school may make a discretionary decision to consider the matter. If the school receives a complaint and decides not to accept it because it is out of time we will advise the parent and explain why.
- 2.9 Where a complaint is made concerning a student who has left the school, the school will consider those complaints by the means of a management review.

- 2.10 Complaints made against the Headteacher should be directed to the Chair of Governors. Where a complaint is against the Chair of Governors or any member of the governing body, it should be made in writing to the Clerk to the governing body in the first instance.
- 2.11 There are three stages available to parents seeking to address concerns:
- 1) In most cases the parent should approach the staff member concerned or other appropriate staff member, to discuss the matter informally
  - 2) If the matter remains unresolved, the parent should then bring it to the attention of the Headteacher or the Chair of Governors (if concerning the Headteacher)
  - 3) If the parent remains dissatisfied, s/he should write to the Chair of Governors (if not previously involved) or Clerk to the governing body to ask for a panel of governors to hear the complaint
- 2.12 Complaints or concerns should not be raised with individual governors. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.
- 2.13 Should this full procedure fail to lead to a resolution of the issues in the parent's view, s/he can write to the Secretary of State for Education at the DfE. The only situation where the DfE is likely to become involved however is where the governing body is judged to have acted unreasonably or has failed to fulfil its statutory responsibilities. Internal school matters are not in the Secretary of State's remit.
- 2.14 The Local Authority has no statutory power to intervene in such issues beyond giving advice or making recommendations. There is no right of appeal to the Director of Children's Services or to Members of the Council. A final recourse for a parent might be to apply to the High Court for judicial review.

### **3. Persistent and Serial Complaints**

- 3.1 Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.
- 3.2 If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:
- The school has taken every reasonable step to address the complainant's needs, and
  - The complainant has been given a clear statement of the school's position and their options (if any), and

- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

3.3 The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

3.4 Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

3.5 Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

3.6 The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

#### **4. Unreasonable Complaints**

4.1 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 the 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, violent, offensive or threatening to their person or actions like slamming doors, banging on desks, barging, offensive hand gestures, rudeness, shouting or refusing to calm down.

4.2 The 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'.

4.3 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 cooperate 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.

- 4.4 A complaint may also be considered unreasonable if the person making the complaint and at any stage of the complaint during meetings or any conversations, 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 and untrue;
  - using falsified information;
  - publishing unacceptable information in a variety of media such as in social media websites and newspapers.
- 4.5 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.
- 4.6 Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 4.7 If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

4.8 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.

## 5. Complaint Procedure – Resolving complaints

5.1 At each stage in the procedure the school wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

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

## 6. Complaint Procedure – Withdrawal of a complaint

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

## 7. Complaint Procedure – Stage 1: Informal Stage

7.1 A parent may informally raise a complaint directly with school staff verbally or in writing. If the staff member is unable to immediately resolve the complaint, s/he will contact the parent **within three school days of receipt** to offer them a further appointment to address matters. If the staff member needs to investigate the issue before responding, s/he will inform the parent of this along with a timescale of when investigations are expected to be completed.

7.2 Our priority is to achieve early resolution at the Stage 1 informal stage, however where this cannot be achieved, the parent can request that the matter is considered formally as a complaint at Stage 2 of this procedure. This request should be made **within ten school days of receipt of the response provided at the informal stage.**

7.3 The Stage 2 complaint request should be made in writing to the Headteacher and should explain why the parent is unhappy with matters and what they would like to happen.

## 8. Complaint Procedure - Stage 2: Formal Investigation and response

8.1 The Headteacher will acknowledge the formal Stage 2 complaint **within five school days of receipt.** Within this acknowledgement, the Headteacher will seek to clarify

the nature of the complaint, ask what remains unresolved and what outcome the parent would like to see if this is not already clear. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this. If the Headteacher dealt with matters at the Stage 1 informal stage, then Stage 2 will then be carried out by the Chair of Governors.

- 8.2 The Chair of Governors or Headteacher will investigate the complaint and a written response will normally be made **within ten school days of receipt of the complaint**. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date. **For complex cases, the ten-day timeframe mentioned may be extended for up to a further 10 school days.**
- 8.3 The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.
- 8.4 Where further information is required from the parent, we will put on hold the response timeframe until such information has been received. In the absence of such information, the school may decide to close the complaint records.
- 8.5 In most cases, a written response will be provided to the parent and this will include full reasons for the conclusions reached by the Headteacher or Chair of Governors and what action, if any, the school proposes to take to resolve the matter. However, in some cases, it may be more appropriate to first respond verbally (via telephone or face-to-face), followed by a written confirmation of the conversation and outcome.
- 8.6 The response will also advise that if the parent remains unhappy with the outcome or the way the complaint has been handled, they can request a review at Stage 3 by writing to the Clerk to the Governing Body **within ten school days of receipt of the Stage 2 response**. In their Stage 3 request, the parent should provide details of why they remain dissatisfied and what further outcome they are seeking.
- 8.7 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.
- 8.8 If the complaint is about the governing body as a whole or both the Chair and Vice Chair should be sent to the Clerk, who should determine the most appropriate course of action. The course of action taken will depend on the nature of the complaint, and may involve sourcing an independent investigator to complete Stage 1 and co-opted governors from other schools to hear the complaint at Stage 2.
- 8.9 Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office.
- 8.10 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 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.

## 9. Complaint procedure - Stage 3: Review by the Governors' Complaints Panel

- 9.1 The Clerk will acknowledge the formal Stage 3 complaint **within five school days of receipt** and liaise with the parent to agree mutually convenient times for a Governors' Complaints Panel (GCP) to consider the complaint.
- 9.2 The GCP should consist of three members of the Governing Body, one of whom should act as Chair of the GCP. No member of the GCP should have had prior involvement or detailed knowledge of the complaint. If there are fewer than three governors from the 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 3.
- 9.3 The GCP 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.
- 9.4 If the parent is invited to attend a meeting, a Clerk will also attend the meeting to take minutes and advise the GCP on the process.
- 9.5 The Clerk will inform the parent that the complaint will be heard as soon as possible by the GCP, and ideally **within twenty school days of receiving the complaint**. The parent will also be informed of the right to submit any written information they wish, and that this must be made available to the Clerk to the GCP **no later than seven 7 school days before the date of the GCP meeting**. The right to call witnesses to the meeting, subject to the approval of the Chair of the GCP, and the right of the parent to be accompanied by a companion of her/his choice, will also be explained in the Clerk's letter.
- 9.6 The Clerk to the GCP will send a copy of the Stage 3 letter of complaint to the Headteacher and/or Chair of Governors and request a written response **no later than seven school days before the date of the GCP meeting**. The right to call witnesses, subject to the approval of the Chair, will also be explained.
- 9.7 The Clerk to the GCP will convene a GCP meeting at an appropriate venue, having consulted with all parties on convenient times. The date, time and venue for the meeting will be confirmed to all parties at least **10 school days in advance of the meeting**.

9.8 The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the Chair of the GCP to:

- The parent;
- The Chair of Governors and/or Headteacher;
- Each panel member.

This will be provided as soon as possible and, in any event, **at least five school days prior to the meeting.**

9.9 The meeting will be held following the procedures for hearing a complaint detailed in Appendix 1.

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

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

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

9.12 If the complaint is upheld in whole or in part, the GCP 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.

9.13 A written decision will be sent to the parent, the Chair of Governors and the Headteacher by the Chair of the GCP **within ten school days of the meeting.**

9.14 The decision of the GCP represents the end of the school's complaint procedure and in the decision letter parents will be informed of what options remain open to them should they remain dissatisfied.

## **10. Further options following Stage 3**

10.1 If following Stage 3 a parent feels that the GCP has acted unreasonably, they can consider complaining to the Secretary of State for Education, and in some circumstances, Ofsted may consider a complaint about a school.

10.2 For the vast majority of complaints there is no right of further complaint or appeal to the Local Authority beyond the school's Governing Body. Parents may contact the Local Authority for further advice but there is no right of a further stage of formal investigation by the Local Authority. The exception to this is where a parent has raised a complaint with the school about the way a school is providing for a child's Special Educational Needs.

10.3 In the case of complaints about Special Education Needs provision in school for their child, parents can complain further to Enfield Council. The Complaints and Access to

Information team will then progress matters in line with the Council's own corporate complaint procedure.

- 10.4 There will be occasions when, despite all stages of the school's procedures have been followed, the parent remains dissatisfied. If the parent tries to reopen the same issue, the Chair of Governors can inform them in writing that the procedure has been exhausted and that the matter is now closed.
- 10.5 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint being made to the school. As a school we do not view behaviour as unacceptable just because a parent is forceful or determined, however the actions of parents who are angry, demanding or persistent may result in unreasonable demands on the school and unacceptable behaviour towards the school's staff.
- 10.6 In such exceptional circumstances, the school has the right to specify how the individual complaint will be handled and how future contact from the parent will be permitted.
- 10.7 Even though complainants should be given the opportunity to complete the complaints procedure in full, in exceptional circumstances, progress may stall or stop before a complaint has reached Stage 3 of the procedures described in this document. This can apply when the school possesses clear evidence that the complaint meets the persistent and serial complaint criteria in 3.0.
- 10.8 If the relationship between the school and complainant has deteriorated to such an extent that a satisfactory resolution is unlikely, the Chair of Governors may decide that after every reasonable action has been undertaken to resolve the complaint, that a review panel at Bush Hill Park Primary School, would not help to move things forward. In these very exceptional circumstances, the chair can offer the complainant a panel hearing with independent governors from another school if possible.

## **11. Record-keeping**

- 11.1 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.
- 11.2 This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.
- 11.3 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 under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

- 11.4 Records of complaints will be kept for at least three years and, where it is concerning a pupil, for at least one year after the pupil leaves the school.
- 11.5 The details of the complaint, including the names of individuals involved, will not be shared with the whole governing body in case a GCP needs to be organised at a later point.
- 11.6 Where the governing body 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.
- 11.7 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The governors will consider the request but ultimately the decision is made by the governors.

## **Appendix 1**

### **Governors' Complaints Panel Procedures for hearing the complaint**

#### **Introduction**

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the parent.

The Chair of the Governors' Complaints Panel (GCP) will ensure that the meeting is properly minuted.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a parent'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.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

#### **Order of the meeting**

1. The Chair welcomes the parent and his/her companion and the Headteacher and/or the Chair of Governors (where the complaint has been addressed by the Chair of Governors at stage 2) and introduces the GCP.
2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
3. The parent/companion explains the complaint, calling in witnesses if appropriate.
4. The GCP may question the parent/companion and witnesses.
5. The Headteacher/Chair of Governors present a response to the complaint, including action taken to address the complaint at stages 1 and 2 of the procedure and calling witnesses, if appropriate.
6. The GCP may question the Headteacher/Chair of Governors and witnesses.
7. The Headteacher, together with the Chair of Governors, where applicable, is invited make a final statement.

8. The parent/companion is invited to make a final statement.
9. The parent/companion, Headteacher, Chair of Governors and any witnesses leave the meeting.
10. The GCP considers the complaint and reaches a unanimous or majority decision. The GCP also decides what action (if any) to take to resolve the complaint and any organisational learning for the school.
11. The outcomes are confirmed in writing to both parties in accordance with the Complaints Procedure.
12. The records of the GCP meeting including a copy of the decision letter are retained in school along with all other records of the complaint.

## Appendix 2

### Complaint Form

Please complete and return to Mrs Karen Wood (Complaints Coordinator)/Ms Lorraine Shaw/Mrs Anna Theodosiou 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>

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

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

<p><b>Are you attaching any paperwork? If so, please give details.</b></p>
<p><b>Signature:</b></p>
<p><b>Date:</b></p>
<p><b>Official use</b></p>
<p><b>Date acknowledgement sent:</b></p>
<p><b>By who:</b></p>
<p><b>Complaint referred to:</b></p>
<p><b>Date:</b></p>

**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 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 coordinator 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 Coordinator**

The complaints coordinator should:

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

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

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

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

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

### **Committee Chair**

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk and complaints coordinator.

### **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.