



# Sidlesham Primary School

## Complaints Policy and Procedures

Date Agreed	May 2024
Prepared by	Sophia Koiston - Headteacher
Type	West Sussex Model Policy
Review Date	May 2026

## **1.1 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 Sidlesham 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.

## **1.2 The difference between a concern and a complaint**

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Sidlesham Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Sophia Koiston - Heateacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Sidlesham Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **1.3 How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher, a member of staff or the headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

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.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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.

## **1.4 Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## **1.5 Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## **1.6 Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## **1.7 Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by Sidlesham Primary School, other than complaints that are dealt with under other statutory 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 reorganisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school reorganisation proposals should be raised with the appropriate team within West Sussex County Council</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):</p> <p>The LADOs for West Sussex County Council are:</p> <p>Donna Tomlinson</p> <p>Tel: 0330 222 7381</p> <p>Email: <a href="mailto:donna.tomlinson@westsussex.gov.uk">donna.tomlinson@westsussex.gov.uk</a></p> <p>Miriam Williams</p> <p>Tel: 0330 222 8663</p> <p>Email: <a href="mailto:miriam.williams@westsussex.gov.uk">miriam.williams@westsussex.gov.uk</a></p> <p>Integrated Front Door – formerly MASH</p> <p>01403 229 900</p> <p><a href="mailto:WSChildrenservices@westsussex.gov.uk">WSChildrenservices@westsussex.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 exclusion can be found at:  <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>

<ul style="list-style-type: none"> <li>Whistleblowing/Confidential Reporting</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 directly 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 directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<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>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.</p>
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></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 a complainant commences legal action against Sidlesham Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## 1.8 Resolving complaints

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

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

## 1.9 Withdrawal of a Complaint

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

## 2 Stage 1

**2.1** Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

**2.2** The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

**2.3** Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

**2.4** 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
- keep a written record of any meetings/interviews in relation to their investigation.

**2.5** At the conclusion of their investigation, the headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

**2.6** If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

**2.7** 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 Sidlesham Primary School will take to resolve the complaint.

**2.8** The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

**2.9** 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.

**2.10** Complaints about the chair, vice chair or member of the governing body must be made to the Clerk, via the school office.

**2.11** 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. At the conclusion of their investigation, the independent investigator will provide a formal written response.

### **3 Stage 2**

**3.1** If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

**3.2** A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 20 school days of receipt of the Stage 1 response.

**3.3** The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

**3.5** The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

**3.6** 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.

**3.7** The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Sidlesham Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

**3.8** 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.

**3.9** If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

**3.10** For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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

**3.11** Representatives from the media are not permitted to attend.

**3.12** At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 2 school days before the meeting.

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

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



**3.15** The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

**3.16** 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.

**3.17** 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.

**3.18** The Chair of the Committee will provide the complainant and Sidlesham Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

**3.19** The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the school.

**3.20** 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.

**3.21** 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 Sidlesham Primary School will take to resolve the complaint.

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

## **4 Next Steps**

**4.1** If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

**4.2** The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Sidlesham Primary School. They will consider whether Sidlesham Primary School has adhered to education legislation and any statutory policies connected with the complaint.

**4.3** The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester

M1 2WD

## **5. Habitual and Vexatious Complaints**

The policy should only be invoked following careful consideration of all the issues by the Headteacher and the Chair of Governors after an attempt has been made to reason with the complainant and it has been explained to them what it will mean if the habitual and vexatious policy is invoked.

This policy applies to all complainants, it identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be “habitual or vexatious” and ways of responding to these situations. In this policy the term habitual means “done constantly or as a habit”. The term vexatious is recognised in law and means “donating an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant”. These terms are used in this policy to clarify that we are attempting to deal with persons who seek to be disruptive or whose requests impose a disproportionate and repeated burden on the school staff and governors by pursuing an unreasonable course of conduct.

The term complainant in this policy includes requests made under the Freedom of Information Act 2000, the Data Protection Act 2003 and the Environmental Information Regulations 2004 and reference to the complaints procedure is, where relevant, to be interpreted as meaning requests under those Acts. Habitual and/or vexatious complainants can be a problem for school staff, and Governors. The difficulty in handling such complaints can place a strain on time and resources. Whilst the school endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

### **5.1 Scope of Policy**

This policy should only be used in exceptional circumstances after all reasonable measures have been taken to try to resolve complaints under the school’s complaints procedures. Judgement and discretion must be used in applying the criteria to identify potential habitual or vexatious complainants and in deciding on the appropriate action to be taken in specific cases. Authorisation to invoke the policy must be made in consultation with and on the advice of a panel of three governors.

In an emergency the Chair of Governors or, if unavailable, the Vice Chair of Governors may give authorisation pending ratification by the panel of three Governors. The decision to invoke the policy must be reported to the full Governing Body.

## **5.2 Definition of Habitual or Vexatious Complainant**

Each case will be viewed individually and decided on its merits. However, a complainant (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious if previous or current contact with them shows that they may meet any or all of the following criteria, dependent upon degree. Where complainants:

- (a) Persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted (E.g. where several responses have been provided)
- (b) Change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response. Care must be taken not to discard new issues which are significantly different from the original complaints. These might need to be addressed as separate complaints.
- (c) Are unwilling to accept documented evidence of action.
- (d) Are unwilling to accept that the Governing Body has reached a final decision on a chosen course of action.
- (e) Deny receiving an adequate response in spite of correspondence specifically answering their questions.
- (f) Persist in pursuing a matter when they have already exhausted other statutory routes.
- (g) Do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns.
- (h) Continue to seek to pursue a complaint where the concerns identified are not within the remit of the Governing Body to investigate.
- (i) Focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a 'trivial' matter can be subjective and careful judgements must be used in applying this criteria
- (j) Have in the course of addressing a complaint, had an excessive number of contacts with the school placing unreasonable demands on staff time. A contact may be in person or by telephone, letter or email. Discretion must be used in determining the precise number of 'excessive contacts' applicable under this section, using judgement based on the specific circumstances of each individual case.
- (k) Have threatened or used physical violence towards staff at any time. This will in itself cause personal contact with the complainant and/or their representatives to be discontinued and the

complainant will thereafter, only be contacted through written communication. The school reserves the right to refer to the police if threatening behaviour/physical assault has taken place.

(l) Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff recognise however, that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. They will document all instances of harassment, abusive or verbally aggressive behaviour.

(m) Are known to have recorded meetings or telephone conversations and circulated such recordings to third parties without the prior knowledge and consent of other parties involved.

(n) Make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice.

### **5.3 Strategy for Dealing with Habitual or Vexatious Complainants**

Where complainants have been identified as habitual or vexatious under the scope of this policy, taking account of the above criteria, the Authorising Officers (Headteacher and Chair of Governors or if unavailable the Vice Chair of Governors) will determine what action to take. The Clerk will implement such action and will notify complainants, in writing, of the reasons why they have been classified as habitual or vexatious and what action will be taken. They will also be notified of the review procedure.

It may be decided to deal with complainants in one or more of the following ways:

(a) Withdraw contact with the complainant either in person, by telephone, by email, by fax, by letter or any combination of these, provided that at least one form of contact is maintained. If staff are to withdraw from a telephone conversation with a complainant there will be an agreed statement available for them to use at such times.

(b) To restrict contact to liaison through a designated member of staff.

(c) Notify the complainant in writing that the Governing Body has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should be notified that any form of contact, either orally or in writing, in relation to their complaint, or any further complaints relative to the same period of time, or the same or similar issues as an earlier complaint, is at an end, and that further contact received will be acknowledged but not answered.

(d) Temporarily suspend, for a period to be specified to the complainant, all contact with the complainant, provided that the Governing Body shall not withdraw or not provide any services to which the complainant or his/her family are entitled to receive.

(e) Ban the complainant from attending the school without prior written consent, seeking legal advice to ensure the appropriate procedures are used.

#### **5.4 Review Decisions and Withdrawing “Habitual or Vexatious” Status**

Once a complainant has been determined as habitual or vexatious, such status needs to be regularly reviewed, and, where appropriate, withdrawn at a later date. Such action may be appropriate where a complainant subsequently demonstrates a more reasonable approach or submits a further complaint for which the normal complaints procedures would appear appropriate.

A panel of three Governors should review their decisions to categorise a complainant as habitual or vexatious every six months.

The panel on any review may either withdraw the categorisation of a person as habitual or vexatious or amend the strategy being applied to that person.

If the panel considers it appropriate to withdraw the status of habitual or vexatious complainant, normal contact with the complainant and application of the school’s complaints procedure will be resumed. The complainant will be given notice of this decision forthwith.

Copies of all decisions relating to the categorisation of a person as a habitual or vexatious complainant will be sent to the clerk who will hold and maintain a central register of such decisions.

#### **5.5 Monitoring Arrangements**

Incidents will be presented at the next scheduled meeting of the Governing Body with details of complainants who are categorised as habitual and/or vexatious in the Headteacher’s Report to Governors.

#### **5.6 Equal opportunities**

When writing and reviewing this policy staff have completed an Equality and Diversity Impact Assessment in order to ensure it complies with equality obligations outlined in anti-discrimination legislation. We believe the policy positively reflects the aims and ambitions in Sidlesham Primary School’s equality policy.

#### **5.7 General**

Nothing in this policy affects an individual’s statutory rights.

## 6 Complaint Form

Please complete and return to the Headteacher 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?**

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**



## **7 Roles and Responsibilities**

### **7.1 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.

### **7.2 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.

### **7.3 Complaints Co-ordinator**

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

### **7.4 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.

### **7.5 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, if the school has one).

## **7.6 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.