



St Mary's Church of England Primary School  
Established 1845

## Concerns and Complaints Policy and Procedures

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Approved by:	Laura Scrivens	Chair of Governors
Person Responsible:	Peter Kyles	Principal
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## Introduction

We try to resolve concerns or complaints from parents / carers and other individuals by informal means wherever possible. Where this is not possible, formal procedures will be followed as set out in this document. Throughout the process, we will be sensitive to the needs of **all parties** involved, and make any reasonable adjustments needed to accommodate individuals.

Our aim is to resolve complaints as soon as possible, whilst giving all parties involved an opportunity to put their case to an impartial individual or complaints panel, if they are dissatisfied with the outcome of an initial investigation. We also intend to ensure the timetable for dealing with a complaint allows time for full fact finding and conduct of interviews. We will keep persons involved fully informed throughout the investigation of a complaint and implement any lessons learnt as rapidly as practical.

## 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 St. Mary's Church of England Primary School, Dilwyn (St. Mary's) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures or policies (such as appeals relating to exclusions or admissions and other issues listed in Appendix 1), we will use this complaints procedure.

## Who gets involved with complaints?

Various people can be involved in the complaints process - complainant, principal, investigator, clerk to the Governing Body, chair of complaints panel, complaints panel member. In addition, complainants may be unfamiliar with the role of some of the organisations that may become involved. The remits of the individuals and organisations are set out in Appendix 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*'.

## Principles

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage.

When responding to complaints we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement

When investigating a complaint, we will try to clarify: WHAT has happened, WHO was involved, and WHAT the complainant feels would put things right.

## Timescales

The complainant should raise the complaint as soon as possible and must raise the complaint within one month of the incident. If the complaint is about a series of related incidents, they must raise the complaint within one month of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

## How to raise a concern

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. St. Mary's takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

A concern 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 or the Principal. If the issue remains unresolved, the next step is to make a formal complaint.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Principal will deal with the matter.

## How to raise a formal complaint

A complaint should be made in writing. It may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. The complainant should provide details such as relevant dates, times, and the names of

witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

Complainants should not approach individual governors. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage in the procedure.

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

Complaints that involve or are about the Principal should be addressed to the Chair of Governors, via the school office. Please mark the letter 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.

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, by providing information in alternative formats, by assisting complainants in raising a formal complaint or by holding meetings in accessible locations.

## Scope of this Complaints Procedure

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

- Admissions to the School
- Statutory Assessments of Special Educational Needs
- School Reorganisation Proposals
- Matters likely to require a Child Protection investigation
- Suspensions and Permanent exclusion of children from school

- Whistleblowing
- Staff grievances
- Staff conduct
- National Curriculum - content

For details of complaints concerning these issues, please see Appendix 1.

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 set out within this Policy or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant 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.

## Resolving complaints

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

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

## Withdrawal of a complaint

The complainant has the right to withdraw the complaint at any stage of the process, but we will ask them to confirm this in writing, by letter.

## Persistent complaints

All complaints will be taken seriously and investigated. However, a complaint may be considered unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value



## Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We 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
- **Stop responding:** when we believe we have taken all reasonable steps to help address their concerns. 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, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

## 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

## 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.

## 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 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, 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, legal requirements, and record retention schedule.

Legislative reference: This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, and also on guidance by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good

practice guidance on setting up complaints procedures from the Department for Education (DfE).

## The complaints process

The complaints process consists of two stages but the personnel involved in each stage will depend on who the complaint is against.

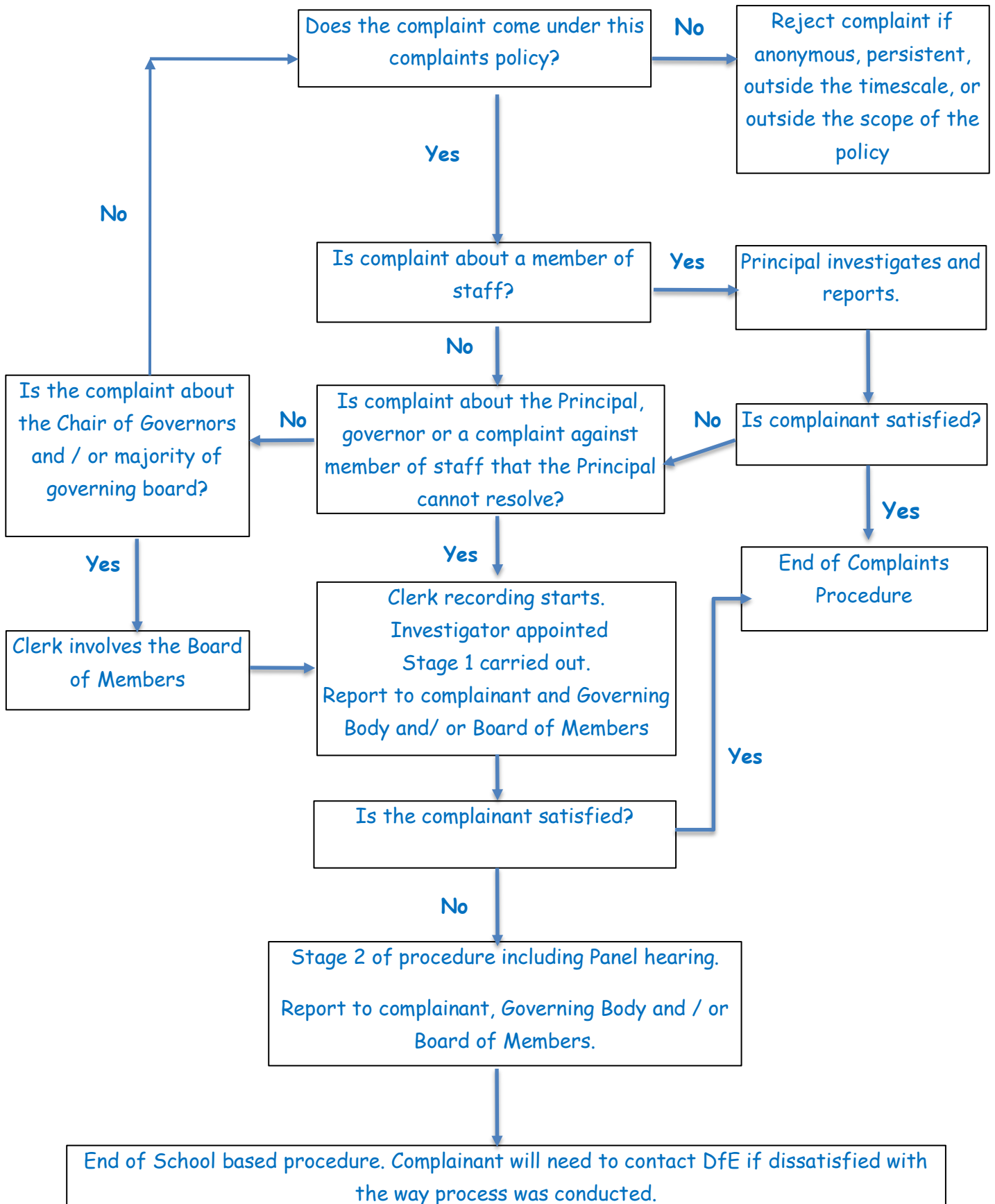
Stage 1 is the investigation. An appointed individual will attempt to establish what gave rise to the complaint and how it can be resolved. The investigator will speak to the staff and any witnesses as they see fit and will seek professional advice if required. The investigator will then produce a report with the evidence collected and their findings. If the complainant is still dissatisfied, he / she can request that the issue proceeds to Stage 2 where it will be examined by a complaints panel hearing.

The flow through the complaints process is illustrated in Figure 1.

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.

**FIGURE 1: THE COMPLAINTS PROCESS**



## Complaints about School Staff, or issues other than actions of the Principal or Governing Body

Formal complaints must be made to the Principal. This may be done in person, or in writing.

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing within 5 school days.

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

The Principal will conduct an inquiry during which the Principal will:

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

At the conclusion of their inquiry, the Principal will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, he will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the School will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of the inquiry.

The complainant should be advised to write to the Chair of Governors, via the School office, within 10 days of Principal's response to the complaint.

## Complaints about issues involving the Principal or a member of the Governing Body or an unresolved complaint against a member of staff.

### **Stage 1 - Investigation**

Complaints about the Principal or member of the governing body or unresolved complaints about a member of staff must be made to the Chair or Clerk to the Governors, via the school office.

The clerk 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.

Within this response, the clerk will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

A suitably skilled governor will be appointed to complete all the actions at Stage 1.

### **Stage 2 - Complaints Panel Hearing**

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 a complaints panel established by the Governing Body. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 1 response.

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

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 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.

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.

## Complaints about issues involving the Chair and Vice-Chair or the majority of the Governing Body

### Stage 1

Complaints about the Chair / Vice-chair of Governors and/or the majority of the Governing Body must be made to the Clerk to the Governors, via the school office.

The clerk 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.

Within this response, the clerk will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The Clerk will consult the Board of Members at each stage of the process.

Stage 1 will be considered by an independent investigator appointed by the Board of Members. At the conclusion of the investigation, the independent investigator will provide a formal written response to the Board.

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

### Stage 2

Stage 2 will be heard by a panel of independent governors appointed by the Board and will follow the procedures described above as for complaints against the Principal.

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 the School will take to resolve the complaint.

## The Complaints Process Stage 1 - Investigation

The governor or other individual appointed to conduct the Stage 1 investigation must be independent, impartial and have the relevant training, knowledge and experience to carry out the investigation.

During the investigation, the appointed individual will, as a matter of course:

- consult relevant School policies and / or governance documents and assess whether they have been followed,
- have access to and read relevant evidence, eg. records on Scholarpack, correspondence, reports of any earlier investigations, such as those undertaken by the Principal in a complaint against a member of staff,
- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- if children are interviewed then they should be interviewed by a trained adult and be accompanied,
- keep a written record of any meetings/interviews in relation to their investigation.
- Seek up-to date professional advice and expertise, as appropriate. This may be, for example; health and safety expertise, safeguarding, SEND, audit, or any other subject area that features in the complaint.

At the conclusion of their investigation, the appointed individual will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the appointed individual is unable to meet this deadline, he/she will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions recommended to the School to resolve the complaint.

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



Should the complainant remain unsatisfied, he/she must inform the Chair of Governors, in writing via the School office, that they wish to proceed to the Stage 2- Panel Hearing. This request must be made within 10 school days of receipt of the report into the Stage 1 investigation.

## The Complaints Process Stage 2 - The Panel Hearing

The complaints panel will consist of at least three governors with no prior involvement or knowledge of the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of board members, as they are not independent of the management and running of the school.

Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints panel. 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 the Herefordshire Governors Association or from the Board of Members, in order to make up the panel.

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.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel 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.

Representatives from the media are not permitted to attend.

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 panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

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

The panel will consider the complaint and all the evidence presented. The panel 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 panel will:

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

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

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

## Escalating complaints beyond the School's complaints process.

If the complainant believes the School did not handle their complaint in accordance with the published complaints procedure or that it acted unlawfully or unreasonably in the exercise of their duties under education law, the complainant can contact the Department for Education after the completion of Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the School. They will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

The complainant can refer their complaint to the Department for Education online at: <https://www.gov.uk/complain-to-dfe>, or by writing to:

Ministerial and Public Communications Division

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD.

## Learning lessons

The Board of Governors will review any underlying issues raised by complaints with the Principal, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## Monitoring arrangements

The Governing Body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. It will track the number and nature of complaints, and review underlying issues. The complaints records are logged and managed by the Chair of the Governors (or the Clerk).

This policy will be reviewed by the Principal and approved by the Chair of Governors annually.

## Appendix 1 - Complaints Outside the Scope of this Complaints Procedure

Complaints on the issues listed in the table below are outside the scope of this policy and are dealt with under procedures as follows.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process - either through the appeals process or via the local authority.
Statutory assessments of Special Educational Needs	Concerns about statutory assessments of Special Educational Needs should be raised directly with local authorities.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) on 01432 260535 who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) on 01432 260800.</p>
Exclusion of children from school	<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>NB complaints about the application of the behaviour policy and/or temporary suspensions can be made through the School's complaints procedure.</i></p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for 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 direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
National Curriculum - content	<p>Please contact the Department for Education at:  <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

## Appendix 2 - 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 Principal or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

## **Board of Members**

The Members of the Board are the legal owners of St Mary's Church of England Primary Academy Ltd. (the Company), a company limited by guarantee, whose purpose is to provide primary education in the village of Dilwyn. The Members have ultimate responsibility for the Trust achieving its charitable objectives. They sign off the Articles of Association and have power to appoint and remove the Governors. Overall, Members usually have much more limited involvement in the management of the Company than the Governors.

## **Governing Body / Governors**

The Governing Body consists of up to 10 individuals who oversee the management of the School. St. Mary's Governing Body consists of up to four governors appointed by the parents, two governors appointed by the Board of Members, one governor appointed by the staff, and two foundation governors, including the local vicar, appointed by the Church of England Parochial Church Council. The Governors are also



the Trustees and Directors of the Company.

Governors deliver the three core functions of school governance:

- Ensure clarity of vision, ethos and strategic direction.
- Hold the Principal to account for the educational, safeguarding and well-being performance of the school and its pupils, and the performance management of staff.
- Oversee the financial performance of the school, making sure its money is well spent.

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

The Clerk is the contact point for the complainant and the panel 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 panel's decision.

### **Chair of the Complaints Panel**

The panel 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 panel 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 panel is open-minded and acts independently
- no member of the panel 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.

## **Panel Member**

Panel 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 Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

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 Panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the Clerk 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 Chair 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 panel considers is not in the child/young person's best interests.

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