

PROCEDURES FOR DEALING WITH COMPLAINTS

Tunbridge Wells Girls' Grammar School (TWGGS) is committed to providing the very best education for young people and the school wants pupils to be healthy, happy and safe and to do well. The school recognises the importance of establishing and maintaining good relationships with parents, carers and the wider community, and is aware that there may be occasions where people have concerns or complaints: the following procedure sets out the steps that should be followed in order to resolve these as promptly, fairly and informally as possible. These procedures have been drawn up in the light of guidance from the DfE Best Practice for School Complaints March 2019 and Local Authority advice (Kent County Council's Model School Complaints Policy for Kent maintained schools 2019).

Who can make a complaint:

This complaints policy and 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 TWGGS about any provision of facilities or services that the school provides. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), this complaints procedure will be used.

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. TWGGS takes concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

If an individual has difficulty discussing a concern with a particular member of staff, TWGGS will respect these views. In these cases, the person will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they 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. TWGGS understands however, that there are occasions when people would like to raise their concerns formally. In this case, TWGGS will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person by parents, carers (including parents or carers of children no longer at the school) and members of the public, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with the form tutor/Director of Achievement/ Curriculum Leader in the first instance. At this stage informal mediation may be offered. While this can be useful in helping the school and complainants reach an agreement and move forward, there are times when it may not be the most appropriate course of action.

Mediation can:

- provide a helpful mechanism for discussion when a concern is raised
- help to rebuild the relationship between all parties

It should not be used as a substitute for an investigation during the formal stages of the complaints procedure. If neither the complainant nor the school considers that mediation will serve any practical purpose at this point, the complainant will not be prevented from moving to the next investigative stage of the complaints procedure.

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, care of the Clerk to the Governing Body, 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.

If someone wishes to make a complaint, Appendix C provides a simple explanation of how to do this. If anyone requires help in doing this, please contact the school office. Third party organisations like the Citizens Advice can also help. In accordance with equality law, the school 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.

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.

Time scales

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

Complaints received outside of term time

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

Confidentiality/ Social Media

In order for complaints to be resolved as quickly and fairly as possible, the school asks that complainants do not raise concerns or discuss them publicly via social media or through other forms of media. Complaints will be dealt with confidentially by the school and TWGGGS expects complainants to observe confidentiality also.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by TWGGGS, 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">• Admissions to schools• Statutory assessments of Special Educational Needs	For concerns about admissions please see the School's Admissions Policy or contact Kent County Council Admissions team Special Educational Needs: The Complainant can use this policy to complain unless the Complainants child has an Education Health and Care

<ul style="list-style-type: none"> • School re-organisation proposals 	<p>Plan and the Complainant wishes to appeal against a decision that the Local Authority has taken. If this is the case, the Complainant needs to contact the Local Authority School re-organisation proposals should be raised with the KCC Contact Centre 01622 671411</p>
<ul style="list-style-type: none"> • 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>
<ul style="list-style-type: none"> • Freedom of Information 	<p>Subject Access Requests and Freedom of Information Requests: please see the School's Data Protection and Freedom of Information Policies</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. <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"> • Whistleblowing 	<p>There is an internal whistleblowing procedure for all employees, including temporary staff and contractors. 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: www.education.gov.uk/contactus. Volunteer staff who have concerns about TWGGS should complain through the school's complaints procedure. It may be possible to complain direct to the LA or the Department for Education (see link above), depending on the substance of the complaint. Anonymous complaints: Please refer to the School's Whistleblowing Policy</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Staff grievance, capability or disciplinary; these are covered by separate School Policies and Procedures</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</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 the school's 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 TWGGS in relation to their complaint, the complaints procedure in relation to their complaint will be suspended until those legal proceedings have concluded.

If a complainant contacts TWGGS again in relation to their complaint, the correspondence may then be viewed as 'serial' or 'persistent' and TWGGS will not respond but will continue to complete the initial complaints procedure in full.

Duplicate complaints

After closing a complaint at the end of the complaints procedure, if the school receives a duplicate complaint from:

- a spouse
- a partner
- a grandparent
- a child

the school will inform the new complainant that the school has already considered that complaint and the local process is complete. The school should advise the new complainant to contact the Department for Education should they be dissatisfied with the school's handling of the original complaint.

Any new aspects to the original complaint will be investigated and dealt with to the full extent of the complaints procedure.

Resolving complaints

At each stage in the procedure the school wants to resolve the complaint. If appropriate, TWGGS will acknowledge that the complaint is upheld in whole or in part. In addition, the school 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 the school will try to ensure the event complained about will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, they will be asked to confirm this in writing.

Stage 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, or by telephone. 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. 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.

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.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint. If the Headteacher is unable to meet this deadline, they 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 TWGGS will take to resolve the complaint. The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the Headteacher or member of the governing body must be made to the Clerk to the Governors, via the school office.

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 may be considered by a suitably skilled and impartial member of the Governing Body or if there are no suitably skilled and impartial members, it could be considered by an independent investigator appointed by the Clerk on behalf of the Governing Body. At the conclusion of their investigation, the chosen investigating body will provide a formal written response to the complainant and Governing Body.

Stage 2

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.

A request to escalate to Stage 2 must be made to the Clerk to the Governors, via the school office, within 5 school days of receipt of the Stage 1 response. The Clerk to the Governors 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 20 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.

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 TWGGS available, the Clerk will source any additional, independent governors through another local maintained school, local governing board members or governors and trustees from within academies or multi-academy trusts, or associate member of another governing body.

Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2. Complainants can request an independent complaints committee if they believe there is likely to be bias in the proceedings. Complainants should provide the Clerk with evidence of bias in support of their request. The decision remains with the Governing Body and the Governing Body will err on the side of caution if the appearance of bias may be sufficient to taint any decision reached. If the committee is convening following rejection of three proposed dates without good reason, the complaint will proceed on the basis of written submissions from both parties but in making their decision they will be sensitive to the complainant's needs.

When the complainant attends the meeting, they may bring someone along to provide support. This can be a relative or friend. The Department for Education recommend that neither the complainant nor the school bring legal representation. These committees are not a form of legal proceedings. The aim of the governors committee should be:

- reconciliation
- to put right things that may have gone wrong

The Department for Education recognises 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.

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.

Representatives from the media are not permitted to attend.

At least 10 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 7 school days before the meeting.

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. 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.

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. Schools are data controllers in their own right and have the discretion via their policies to decide for themselves whether to allow complainants to record meetings, if it is not required for the purposes of a reasonable adjustment.

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

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

If the complaint is upheld in whole or in part, the committee will:

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

The Chair of the Committee will provide the complainant and TWGGS with a full explanation of their decision and the reason(s) for it, in writing, within 15 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 TWGGS along with copies of the minutes.

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 convened by the Clerk from either impartial members of the Governing Body or from another local maintained school, local governing board members and governors/trustees from within academies or multi academy trusts (academy governors should seek guidance and understanding from the clerk on the different legislative framework that may need to be taken into consideration during the complainant's hearing at the appeal stage), an associate member of another governing body or from an entirely independent committee.

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

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

If the complaint is upheld in whole or in part, the committee will:

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

The Chair of the Committee will provide the complainant and TWGGS with a full explanation of their decision and the reason(s) for it, in writing, within 15 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 TWGGS along with copies of the minutes.

Complaint campaigns

Occasionally, a school may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

Following an internal investigation into the subject matter by the Senior Leadership Team the school will respond either by:

- sending a template response to all complainants or
- publishing a single response on the school's website

If complainants in this case remain dissatisfied they may refer to the "Next Steps" at the end of this policy.

Next Steps

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.

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

The complainant can refer their complaint to the Department for Education online at: 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.

Policy for managing serial and unreasonable complaints

TWGGS is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. Anyone has the right to raise a new complaint at any time. The school will not normally limit the contact

complainants have with the school. However, the school does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder consideration of their or other people's complaints'*.

Example: A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the 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.

The school defines unreasonable complaints as those which, because of the frequency or nature of the contacts with the school or governing body, hinder the efficient leadership and management of the school. Features of an unreasonably persistent and/or unreasonable complaint are described in Appendix D, although the list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be considered as being in this category.

Example: A complaint may also be considered unreasonable if the person making the complaint 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;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

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.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking including suggesting that the complainant asks a third party to act on their behalf such as the local Citizen's Advice. 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, the school may specify methods of communication (such as restrict the complaint to a single point of contact via an email address) and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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 barring an individual from school premises.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the person may wish to make. Schools should always give the person the opportunity to formally express their views on the decision to bar in writing.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. The decision to bar should then be reviewed, taking into account any representations made by the person, and either confirmed or lifted. If the decision is confirmed the person should be notified in writing, explaining how long the bar will be in place and when the decision will be reviewed, usually after 6 months. Complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Appendix A - How to Listen to Complaints

When you realise that you are listening to a complaint, try to remember these points:

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

Appendix B – 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 to clarify what the complainant feels would put things right.

The investigator should:

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

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

Complaints Co-ordinator *(This could be the Headteacher /Clerk to the Governors, or administrative support)*

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and LA (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding sharing third party information, and additional support. This may be needed by complainants 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.

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.

Appendix C How to raise concerns or to make a complaint about the school

If you have a concern or complaint

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

What to do first

Most concerns and complaints can be sorted out quickly by speaking with your child's teacher. Any teacher or member of the administrative staff can put you in contact with the right member of staff. If you have a complaint that you feel should be looked at by the Headteacher in the first instance you can contact them straight away if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

What to do next

If you are dissatisfied with the initial response or you do not want to discuss the matter informally, you can make a formal complaint. This will need to be in writing. Contact the school if you need help to put your complaint in writing. If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors now. Contact details are available from the school office or on our website. The school's Complaints Procedure is available from the school office and on the school website. The Headteacher will ask to meet you to discuss the problem. Again you may take a friend or someone else with you if you wish. The Headteacher will arrange for a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

If you are still unhappy

Most complaints are resolved at this stage. However, if you are still not satisfied you have the right to contact the Chair of the Governing Body to ask for a referral of your complaint to a Governors' Complaints Panel. It will then be heard by a group of three governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Headteacher will also attend. The Complaints Procedure explains in more detail how these meetings operate.

Further Action

Complaints about school problems are almost always settled within the school but if they remain unresolved they can be referred to the Secretary of State for Education. The Department for Education will expect the complaint to have been considered by the school governors first. There is more detail in the full Complaints Procedure, on the school's website or on the Department for Education website (www.education.gov.uk/schoolcomplaints).

Appendix D Examples of complaint and complainant behaviours which may be considered unreasonable or unreasonably persistent

An unreasonably persistent and/or unreasonable complainant may:

- have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious)
- refuse to specify the grounds of a complaint despite requests to do so
- refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure
- refuse to accept that issues are not within the power of the school to investigate, change or influence (for example members of the public parking near the school)
- insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint)
- make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced
- make an unreasonable number of contacts with the school or governing body, by any means, in relation to a specific complaint or complaints
- make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails)
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, by use of inappropriate, offensive or racist language
- raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process
- introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- deny statements he or she made at an earlier stage in the complaint process
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved
- adopt an excessively 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the school, but at the same time with a Member of Parliament, the Local Government Ombudsman and Secretary of State
- refuse to accept the outcome of the complaint process, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure
- make complaints in public or via a social networking site