

Hornsea Burton and Skipsea Primary Schools Complaints Procedures Policy

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Contents

Statement of intent

1. Legal framework
2. Policy framework
3. Recording a complaint
4. Governing Board reviews
5. Complaints not covered by this procedure
6. Complaints procedures
7. Interviewing witnesses
8. Unreasonable complaints
9. Complaints made to local authority
10. Monitoring and review

Appendices

Appendix I **Complaints Procedure Flowchart**

Appendix II **Complaints Procedure Form**

Appendix III **Complaints Appeal Panel: Remit**

Appendix IV **Roles and responsibilities**

Appendix V **Definitions**

Statement of intent

Hornsea Burton and Skipsea primary school Federation (HBSFED) aims to resolve all complaints at the earliest possible stage, and where possible, informally, and is dedicated to continuing to provide the highest quality of education possible throughout the procedure. HBSFED seeks to promote positive relationships between all members of the school community and welcomes feedback in the form of comments, compliments and complaints Feedback can help to improve services and help to raise standards.

This policy has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services. It is designed to ensure that the school's complaints procedure is straightforward, impartial, non-adversarial, allows a full and fair investigation, respects confidentiality and delivers an effective response and appropriate redress.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. This policy outlines the procedure that the complainant and school must follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

The headteacher will be the first point of contact when following the complaints procedure.

1. Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Immigration Act 2016
- Equality Act 2010
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018

This policy has also due regard to guidance including, but not limited to, the following:

- DfE (2021) 'Best practice guidance for school complaints procedures 2020'
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'

This policy operates in conjunction with the following school policies:

- Records Management Policy
- [Data Protection Policy](#)
- Child Protection and Safeguarding Policy
- [Behaviour Policy](#)
- [Suspension and Exclusion Policy](#)
- Whistleblowing Policy

2. Policy Framework

In dealing with complaints, the school will:

- encourage informal resolution wherever possible;
- publish the complaints procedure and ensure it is accessible, be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keep the complainant informed of progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect the need for confidentiality;
- address all issues raised by a complainant, providing an effective response and appropriate redress where necessary;
- provide information to the school's senior management team so that services can be improved.

At each stage of the procedure, appropriate resolution will be sought. This may include acknowledging that the complaint is valid in part or in whole. It may be appropriate to offer one or more of the following;

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

This list is not exhaustive, and other outcomes may be considered where appropriate.

Where part, or all of a complaint is upheld, this is not an admission of negligence.

A complaint should be submitted as soon as possible after the incident so that it can be investigated whilst events are still fresh in the minds of those involved, but it is recognized that this is not always possible. Complaints will therefore normally only be considered up to one year after the incident has happened. In exceptional circumstances, this can be extended.

3. Recording of Complaint

A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:

- The main issues raised, the findings and any recommendations.
- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

All complaints will be recorded. Copies of the complaint, investigation reports, etc. including the outcomes and actions will be retained in accordance with data protection legislation in force at the time. The school will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection request to access them.

Recording devices **will not** be used to review discussions of complaints at a later date. Where there are communication difficulties or disabilities, recording devices may be used for the purposes of reasonable adjustments. The school will consult with the LA before using recording devices.

Where the school allows complainants to record meetings, the following will be considered:

- How any decision to allow recordings may affect any third parties called to act as witnesses
- The impact and consequences on the individuals involved in the complaint in the event that recordings are lost or leaked

The school will not accept, as evidence, any recordings that were obtained covertly and without the informed consent of all parties being recorded.

The school will hold all records of complaints centrally. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection request to access them. As data controllers, the schools will ensure in all cases that they comply with their obligations and responsibilities as outlined in the Freedom of Information Act 2000, the Data Protection Act 2018 and the UK GDPR.

4. Governing Board Review

The governing board will review the complaints policy and procedure on a regular basis. The governing body will also be provided with information about complaints and actions taken. All information given to the governing body will be anonymized.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Board can be a useful tool in evaluating a school's performance.

5. Complaints not covered by this procedure

There are a variety of areas where the complaints procedure does not apply because of other separate statutory procedures being in place. The school will deal with complaints regarding these topics in line with the procedures outlines below.

Complaints regarding the following topics should be directed to the LA:

- Statutory assessments of SEND
- School re-organisation proposals
- Admissions to schools

Complaints about child protection matters will be handled in line with the school's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. Any child protection complaints should be directed to the LADO.

Complaints concerning admissions will be directed to the appropriate admissions authority. Complaints regarding exclusions will be dealt with in accordance with procedure outlined in the Exclusion Policy. The school has an internal whistleblowing procedure for all employees, including contractors and temporary staff outlined in the Whistleblowing Policy.

This complaints procedure is not to be used when addressing any complaints made about services provided by a third party who may use the school premises or facilities. The headteacher will ensure all third-party suppliers have their own complaints procedures in place, and all complaints concerning this should be directed to the service provider.

The DfE expects complainants to have completed the school's complaints procedure before directing a complaint to them. The exceptions to this include when:

- Pupils are at risk of harm.
- Pupils are missing education.
- A complainant is being prevented from having their complaint progress through the school's complaints procedure.
- The DfE has evidence that the school is proposing to act or is acting unlawfully or unreasonably.

6. COMPLAINTS PROCEDURE

Stage 1 (Informal) Complaint considered by member of staff

Most concerns can be quickly resolved by the member of staff involved. This can often be achieved by the complainant contacting the member of staff directly. Where possible, the concerns should be put in writing and provided to the member of staff so that he/she is able to look into the matter.

If the complainant does not feel able to take up the issue with member of staff, the complainant can ask the headteacher to appoint another member of staff to deal with the complaint.

If the member of staff feels that they are too compromised to deal with a complaint, the headteacher may appoint another member of staff to deal with the matter.

If the complaint is about the headteacher or a governor, the matter should be referred to the Chair of Governors.

If needed, the member of staff will contact the complainant or arrange to meet with them to ensure that the nature of the complaint is fully understood and to determine what the complainant feels needs to be done to resolve the issue.

There may be a need for the member of staff to undertake an investigation and interview others to establish the facts, but he/she will try to deal with the complaint and seek to resolve the issue in an informal manner. To prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls are kept and a copy of any written response is added to the record. These notes are kept securely on the school's ICT system.

This stage should normally be concluded within **10** school days of the details of the complaint being agreed. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Stage 2 (Formal) Complaint considered by the headteacher

If the complainant is dissatisfied with the informal resolution, they should write to the headteacher with the details of their complaint. The headteacher will contact the complainant as soon as possible and arrange to meet with them to ensure that the nature of the complaint is fully understood and to determine what the complainant feels needs to be done to resolve the issue.

The headteacher will gather factual evidence and information. This may involve interviewing those involved in order to be able to fully respond to the complainant. The headteacher will keep appropriate records and inform the complainant of the outcome of the investigation. Feedback to the complainant may be given verbally in a meeting, but a formal response in writing will also be provided.

Stage 2 should normally be concluded within **15** school days of the detail of the complaint being agreed. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

All discussions shall be recorded by the headteacher or the clerk to governors, and findings and resolutions will be communicated to the complainant either verbally or in writing.

Once all facts are established, the headteacher shall contact the complainant in writing with an explanation of the decision. The complainant will be advised of any escalation options (e.g. escalation to stage three) and will be provided with details of this process. The complainant will also be provided with copies of minutes, subject to any necessary redactions under the Data Protection Act 2018 and the UK GDPR.

Any further action the school plans to take to resolve the issue will be explained to the complainant in writing. If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three.

Stage 3 Complaint considered by Chair of Governors

In a small number of cases, the matter may not be resolved even with the involvement of the headteacher. When this happens, or the complaint is about the headteacher, the complainant should write to the Chair of the Governing Body detailing why they are not happy with the decision and send it to her through the school.

If the matter is not discussed with the Headteacher, it is not normally possible to proceed further with the official complaints procedure. In this circumstance, the complaint should be submitted to the Chair of Governors in writing stating the reasons why it has not been discussed with the headteacher. If the complaint is about the headteacher, she will need to be informed of the complaint in order for the matter to be investigated.

The Chair of Governors will then review the decision of the headteacher. This may also require the Chair of Governors to contact the complainant to clarify why they are not satisfied with the decision of the headteacher. The Chair of Governors may ask for further information or ask someone to undertake additional investigations in which case a written report may be provided to the Chair of Governors

Feedback to the complainant may take place in a meeting, but a formal response in writing will also be given.

The complainant and the headteacher will be informed of the outcome within **20** school days of the chair of governors receiving the complaint. The complainant will be advised of any escalation options, e.g., escalation to stage four, and will be provided with details of this process. If a longer period is required, the complainant should be informed of the reasons for this and provided with a revised timescale.

Complaints about a Governor or Chair of Governors

If a complaint is received about a governor, it should be considered by the Chair of Governors as a stage 3 complaint.

If the complaint is about the Chair of Governors, it should be considered by the Vice Chair of Governors or another governor who has not been involved in the complaint.

If there are no independent governors, the Governing Board may ask another Governing Board or an independent person to conduct the stage 3 investigation.

Stage 4 Complaint heard by Governing Board Complaints Appeal Panel

If the complaint cannot be resolved by the involvement of the Chair of Governors, the complainant should write to the Clerk of the Governing Board giving the details of their complaint and why they are not happy with the decision of the Chair of Governors.

The Complaints Committee will be convened and review the decision of the Chair of Governors. The panel will not include any governor, including the Chair of Governors, who has had previous involvement in the case.

Written acknowledgement of the complaint will be made within 3 school days. This will inform the complainant that a CAP will hear the complaint within **15** school days of receipt of notification from the complainant and at a time that is convenient to all parties.

If the meeting cannot be convened in this period, the complainant should be informed of the reasons for this and provided with a revised timescale. Where appropriate, witnesses may be invited to attend the meeting but will only be present for the part of the hearing in which they give evidence.

At the panel meeting, the complainant will be given the opportunity to state their case as to why he/she is not satisfied with the outcome of the complaint. The panel will be provided with all the information that has been collated as part of the investigation. The headteacher or chair of governors, as appropriate, will also be able to explain the school's actions and the reasons for the decision about the complaint.

The panel will consider the issue in private and can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;

- recommend changes to the school’s policies, systems or procedures to ensure that problems of a similar nature do not recur.

If the Complaints Committee agrees that the outcome could lead to disciplinary action being taken against an employee of the school, the matter will be passed to the Disciplinary Committee. In this case, it is not the responsibility of the Complaints Appeal Panel to make a judgment about whether the employee is culpable, only that there is a case to answer. The complainant will be informed that the matter has been passed to the Disciplinary Committee for further consideration.

At this point, the Disciplinary Procedure adopted by the Governing Board will be followed.

If it is not possible for the Governor’s Complaints Committee to consider the matter e.g., because there are no governors available who are independent of the issue that is being considered, the Governing Board will consider asking another Governing Board, or appoint independent people, to hear the complaint appeal.

Neither the school nor the complainant should bring legal representation to the CAP proceedings; however, there are occasions where legal representation may be appropriate, e.g., where a school employee is a witness in a complaint, they may be entitled to bring union or legal representation.

Where an independent panel is arranged on an ad-hoc, informal basis, governors who are suitably skilled and who can demonstrate their independence will be sourced. Governors from any category of governor or associate members of another governing board can be approached to take part in an independent panel.

The meeting should allow for:

- The complainant to be present and accompanied at the hearing if they wish.
- The complainant to explain their complaint and the headteacher to explain the reasons for their decision.
- The complainant to question the headteacher, and vice versa, about the complaint.
- Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned.
- Members of the CAP to question both the complainant and the headteacher.
- Final statements to be made by both parties involved.

Notification of the panel’s decision

The panel will inform the complainant in writing of their decision, together with reasons, within five working days. This response will also explain whether there are any further rights of appeal and to whom they need to be addressed.

Should the complainant still not be satisfied with the outcome, he/she can refer the matter to the Secretary of State for Education at

The School Complaints Unit (SCU) Department for Education
2nd Floor, Piccadilly Gate

Manchester
M1 2WD
or online at www.education.gov.uk/help/contactus

Further information can be obtained from the School Complaints Unit National Helpline on 0370 000 2288. The School Complaints Unit will not re-investigate the substance of the complaint but will examine if the complaints policy and other relevant policies were followed in accordance with the provisions set out and that they adhere to education legislation.

7. Interviewing witnesses

When interviewing pupils to gather information regarding a complaint, the interview should be conducted in the presence of another member of staff or, in the case of serious complaints, e.g., where the possibility of criminal investigation exists, in the presence of their parents.

The school will ensure that the conduction of interviews does not prejudice a police or LA designated officer's (LADO) investigation.

The school understands the importance of ensuring a friendly and relaxed area which is free from intimidation. All pupils interviewed will be made fully aware of what the interview concerns and their right to have someone with them. Staff are allowed a colleague and/or trade union representative to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

The interviewer will not express opinions in words or attitude, so as to not influence the interviewee. The interviewee will sign a copy of the transcription of the interview.

8. Unreasonable Complaints

Once the procedures have been exhausted, if the complainant continues to contact the school on the same issue, he/she will be informed that the matter has been dealt with and that no further correspondence will be entered into on the matter. Any new complaints raised by the complainant will, however, follow the normal procedure.

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

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

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.
- [Uses threats to intimidate.](#)
- [Uses abusive, offensive or discriminatory language or violence.](#)
- [Knowingly provides falsified information.](#)
- [Publishes unacceptable information on social media or other public forums.](#)

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.

If the behaviour continues the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

A decision to stop responding will only be considered in circumstances where the following statements are true:

- Every reasonable step has been taken to address the complainant's concerns.
- The complainant has been given a clear statement of the school's position and their options.
- The complainant contacts the school repeatedly, making substantially the same points each time.

If the above criteria are met, in making a decision to stop responding the school will also consider if the complainant is often abusive or aggressive in their communication, makes insulting personal comments about or threats towards staff, and if the school believes their intent is to disrupt or inconvenience the school.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school

9. Complaints made to the local authority

If the local authority receives a written complaint about a school, the headteacher will be contacted to ensure that he/she is aware of the complaint and asked to deal with it under the school's complaints policy and procedure. **The local authority does not investigate complaints about a school.**

The local authority will ensure that the Headteacher and Chair of Governors receive copies of any documentation sent to it by the complainant. If the complainant requests that copies are not sent to the school, then he/she will be advised that an investigation cannot be undertaken.

10. Monitoring and review

The complaints procedure will be reviewed **annually**, taking into account any legislative changes and the latest guidance issued by the DfE. The next scheduled review date for this policy is **September 2023**.

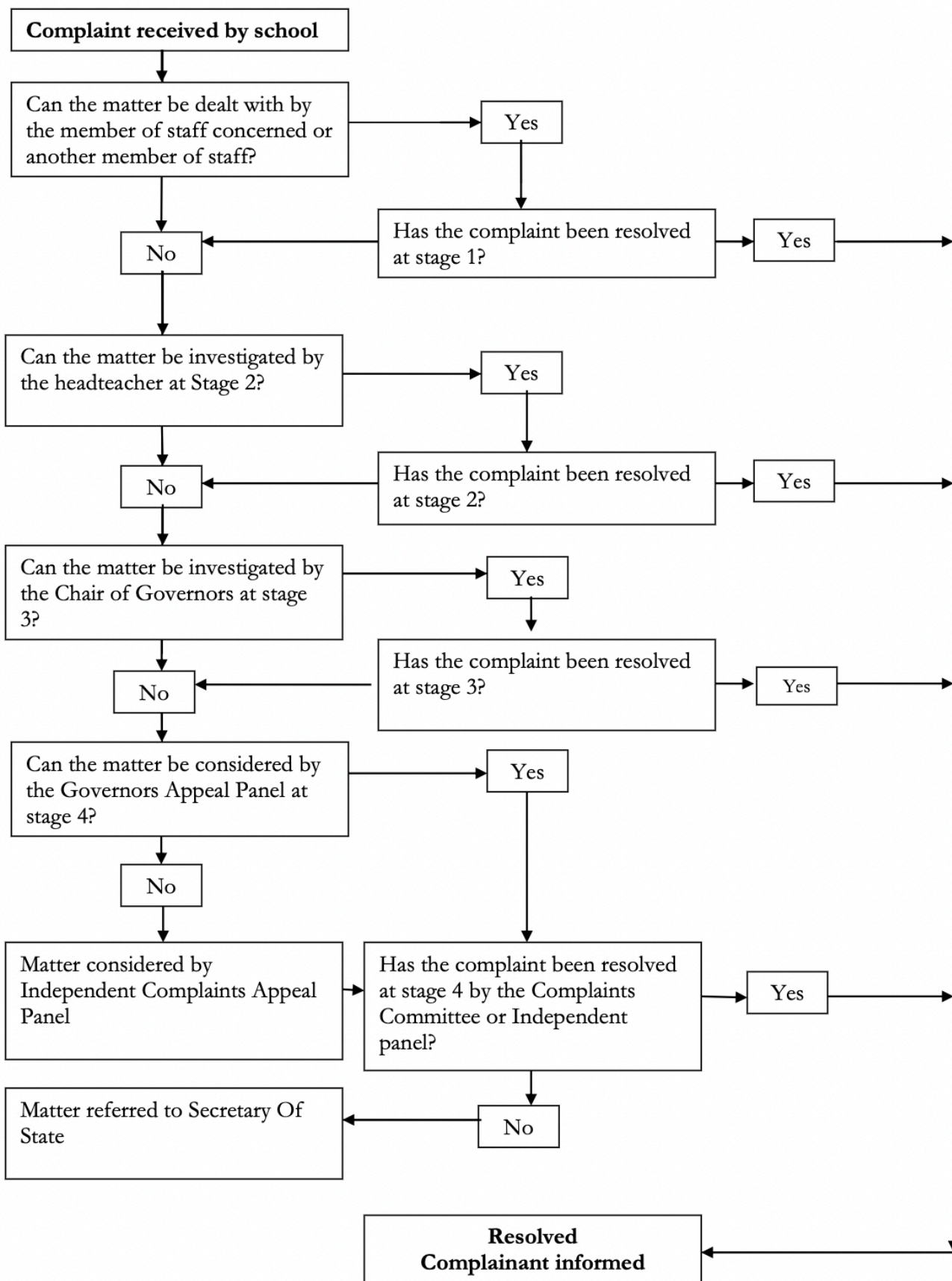
Responsibility for reviewing the procedure belongs to a committee of the governing board, an individual governor or the headteacher. All projected review dates will be adhered to.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process.

The monitoring and reviewing of complaints will be used to help evaluate the school's performance.

There is a legal requirement for the Complaints Procedures to be publicised. The school's Complaints Policy and Procedure is publicised on the school website.

COMPLAINTS PROCEDURE FLOWCART



Appendix II

Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the headteacher. (If your complaint is against the headteacher, you will need to send the form to the chair of the governing board.)

Name:	Address:
Daytime telephone number:	
Evening telephone number:	
Email:	Postcode:
Pupil's name (if applicable)	Your relationship to the pupil (if applicable):
What is your complaint concerning, and what action would you like the headteacher to take?	
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to, when and what was the response?)	

When you discussed your concern/complaint with the appropriate member of staff, what was the result of the discussion?

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

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

Signed:

Date:

For Official Use

Date acknowledgement sent: _____

By whom: _____

Complaint referred to: _____

Date: _____

Appendix III

Complaints Appeal Panel: Remit

The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any governor sitting on a complaints panel needs to remember:

- a. It is important that the appeal hearing is independent and impartial and that it is 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. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- b. The aim of the hearing, which needs to be held in private (and possibly at a neutral venue), will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. All parties (with the exception of any witnesses, as appropriate) should be present in the meeting simultaneously so that all views can be heard/challenged as appropriate.
- d. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- e. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- f. The governors sitting on the panel need to be aware of the complaints procedure and the need to respect confidentiality.

Appendix IV

Roles and responsibilities

The complainant will:

- Cooperate with the school in seeking a solution to the complaint.
- Express the complaint and their concerns in full at the earliest possible opportunity.
- Promptly respond to any requests for information or meetings.
- Ask for assistance as needed.
- Treat any person(s) involved in the complaint with respect.

The complaint investigator will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, UK GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely on the school's ICT system and retained in line with the school's Records Management Policy.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, clerk to governors and chair of governors.
- Ensure, where the complainant is dissatisfied with the response, they are allowed to escalate it to the next formal stage and are provided the opportunity to complete the complaints procedure in full.
- Be aware of issues with regards to sharing third party information.
- Understand the complainant's need for additional support, including interpretation support, and will be aware of any issues concerning this.

The headteacher, or where the complaint is against the headteacher, the chair of governors, is responsible for:

- Providing a sensitive and thorough interviewing process of the complainant to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and pupils.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaint investigator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

The panel chair will:

- Ensure that minutes of the meetings are taken on every occasion.
- Explain the remit of the panel to the complainant.
- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.

- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any pupils involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the room's layout and setting is informal and non-adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that everyone has seen the necessary material.
- Organise a short adjournment of the hearing if required.
- Continuously liaise with the panel clerk and complaint investigator to ensure the procedure runs smoothly.
- Help to provide the support necessary where the complainant is a child.

All panel members will be aware that:

- The review panel meeting is independent and impartial.
- No individual with prior involvement in the complaint, or the circumstances surrounding it, is permitted to sit on the panel.
- The aim of the panel is to achieve a reasonable resolution and, ultimately, attain a harmonious reconciliation between the parties involved.
- Reconciliation between the school and complainant is not always achievable, and that it may only be possible to establish facts and make recommendations to reassure the complainant that their case has been taken seriously.
- The panel can:
 - Dismiss or uphold the complaint, in whole or in part.
 - Decide on appropriate action to be taken.
 - Recommend changes that the school can make to prevent reoccurrence of the problem.
- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as well as ensuring the child's view is represented equally.

The panel clerk will:

- Continuously liaise with the complaint investigator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Greet all parties as they arrive at the hearing.

- Ensure that the minutes of the panel hearing are circulated.
- Notify the relevant parties of the panel's decision and any other actions to be taken.

Role of the DfE

If a complainant remains dissatisfied once the complaint procedure has been completed, they have the right to refer their complaint to the Secretary of State.

If a complainant wishes to escalate a complaint of bias, the DfE will require evidence to be submitted with the complaint. The Secretary of State will only intervene when they believe that the governing board has acted unlawfully or unreasonably.

They will not overturn a school's decision about a complaint except in exceptional circumstances, such as the school acting unlawfully.

When making a final decision about a complaint, the school reserves the right to seek advice from the DfE on whether they are acting reasonably and lawfully; however, they will not be able to advise on how to resolve the complaint.

Appendix V

Definitions

For the purpose of this policy:

A “**complaint**” may be generally recognised as an expression or statement of dissatisfaction about actions taken or a lack of action.

A “**concern**” may be treated as an expression of worry or doubt over an issue considered to be important, and for which reassurances are sought.

The school will class concerns as complaints and follow the same procedures for both, as outlined within this policy.

Complaints can be resolved formally, through this procedure, or informally dependent on the complainant’s choice. Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented.

A “**grievance**” is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school’s Grievance Policy.

The definition of “**unreasonable complaints**” is outlined in the ‘Managing serial and unreasonable complaints’ section of this policy.

For the purpose of this policy, “**duplicate complaints**” are identical complaints received from a complainant’s spouse, partner, grandparent or child. These complaints will not be addressed again, the individual making the second complaint will be informed that the complaint has been dealt with on a local level and if they are dissatisfied with the result, they can appeal to the DfE.

Any new details provided by a complainant’s spouse, partner, grandparent or child, will be investigated and dealt with in line with the complaints procedure.