The Loyne Specialist School

Policy and Procedure for the Handling of Complaints

1. Introduction and Scope

The policy of The Loyne Specialist School is to work in partnership with parents/carers, our stakeholders and the wider community. Therefore, any person, including members of the public, can make a complaint. It is based on the belief that co-operation and a sense of joint purpose between staff, parents/carers, our stakeholders, the community and the school will assist in ensuring open and positive relationships. Unless complaints are dealt with under separate statutory procedures, we will use this complaints procedure.

We try hard to do our best for all our pupils, students and young adults. Your views help us plan for the future and we like to know when things are going well. We also want parents/carers to tell us about their worries, concerns or complaints as soon as possible. It is much easier for the school (including extended services) to sort out a recent problem than something that happened some time ago.

If you are unhappy with the way you perceive your child, a pupil/student of this school, or young adult in our Post 19 provision is being treated, or have any concerns about our practice, actions or lack of action, please raise your concern with us in the first instance. We know it can be difficult to question what a school is doing, but if you do not tell us what is worrying you, we cannot explain our actions or put things right. Our support and respect for you and your child will not lessen in any way.

2. The difference between a concern and a complaint

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

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

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

If you have difficulty discussing a concern with a particular member of staff, we will respect your views and will direct you to an alternative appropriate member of staff to speak to. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another appropriate member of staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, The Loyne Specialist School will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

2.1. Our Commitment to You

- We will deal with your concern or complaint in a professional manner.
- It will be looked into thoroughly, fairly and as quickly as possible.
- We will keep you up-to-date with what we are doing.
- We will apologise if the school has made a mistake.
- We will tell you what we are going to do to put things right.

3. How to raise a concern or make a complaint

3.1. Raising a concern or complaint

- To raise a concern about anything we do we can be contacted via telephone, in person (by appointment), in writing via note/letter or via our **Complainant Form** attached to this policy, via Class Dojo or through our website contact page. Our website address is www.loyneschool.org.uk and our email contact address is info@loyne.lancs.sch.uk.
- Concerns/Complaints **must not** be raised directly or indirectly via social media or other communication platforms such as WhatsApp. If a complainant wishes to raise a concern/complaint about the school or Post 19 provision or a member of staff/Governor please take this up directly with the school. Whilst the school accepts that complainants have a right to an opinion, complainants are reminded that they are not entitled to use social media to defame or harass individual staff or Governors or bring the name of the school into disrepute by airing concerns on social media forums.
- 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 the Stage 2 of the procedure.

The Loyne Specialist School will always give serious consideration to concerns and complaints that are brought to its attention. In considering concerns or complaints, the Loyne Specialist School will ensure that they are dealt with effectively and with fairness to all parties. Where possible complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures set out below will be followed.

Where your concern or complaint is considered sufficiently complex or serious, the school may choose to investigate formally from the outset.

3.2 How to arrange a meeting

- If you wish to meet with a member of staff, please contact the school office who will liaise with the person you wish to meet to arrange a mutually convenient date and time. Alternatively, office staff will arrange for them to call you back. If any of these are difficult for you, a friend or advocate can speak to the school on your behalf. You (the complainant) must make us aware of who is representing you if you wish a friend or advocate to act on your behalf. We cannot deal with a friend or advocate until we have been made aware of their nomination by the complainant. You must also inform us of

their name, designation and provide their contact details. Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the school's/Post 19 provision's actions to you.

- Please remember that the beginning or end of the school day can be a very busy time. If you wish to speak to a member of the class team at these times, for practical reasons, it may not be possible to sort things out there and then. Be prepared for them to make an appointment to see you/to ring you at a more convenient time. This is because we want to give your worries the attention they deserve. Sometimes the staff member will send you a brief note after the phone call or meeting with details of what we are doing about your concern.

3.3 Reasonable Adjustments

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations. We take our duties under equality law seriously and we encourage any person having difficulty accessing this procedure to contact us immediately in order that reasonable adjustments can be made.

3.5 Complaints Against School Staff

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

3.6 Complaints About the Headteacher

Complaints that involve or are about the Headteacher should be addressed to **Dr Ann-Marie Houghton (the Chair of Governors),** via the school office. Please mark them as Private and Confidential.

3.7 Complaints about the Chair of Governors

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Governor Services for the Attention of **The Clerk to the Governing Body** via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure.

4. <u>Anonymous complaints</u>

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

5. Time scales

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

Complaints received outside of term time

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

6. Scope of this Complaints Procedure

Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. This procedure covers all complaints about any provision of community facilities or services by The Loyne Specialist School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with ESCPupilAccessCentral@lancashire.gov.uk Tel: 0300 123 6707 schoolplanning@lancashire.gov.uk
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). https://www.lancashire.gov.uk/children-education-families/keeping-children-safe/tell-us-if-you-are-worried-about-a-child/ To contact the Multi-Agency Safeguarding Hub (MASH) for Lancashire County Council, call the Care Connect number on 0300 123 6720 during working hours or 0300 123 6722 for out-of-hours emergencies.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*

• Whistleblowing	We have an internal whistleblowing procedure for all our 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 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.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	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.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

Further information about how to complain about a school can be found at;

https://www.gov.uk/complain-about-school

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against The Loyne Specialist 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.

7. Unreasonable Complaints

The Loyne Specialist 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 Loyne Specialist 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***'**.**

There is a right to raise a complaint against a school and an expectation that the individual will exhaust the school's procedures. If the individual contacts the school again with the same issue, this could be seen as unreasonable and the school may choose not to respond.

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/or by telephone while the complaint is being dealt with.

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 Loyne Specialist 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.

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 Loyne Specialist School.

There is a right to raise a complaint against a school and an expectation that the individual will exhaust the school's procedures. If the individual contacts the school again with the same issue, this could be seen as unreasonable and the school may choose not to respond.

The school should seek advice from Governor Services and their Legal Adviser, prior to taking the decision not to progress the complaint further. The school should not stop responding to a complaint because an individual is viewed as difficult to deal with or asks complex questions. The school may refuse to respond to the subject matter but not the correspondent.

8. Serious Allegations or Complaints

If the allegations refer to criminal activity which may require the involvement of the police, the Headteacher should inform the Chair of Governors and seek the advice of the County Council.

If the allegations relate to financial or accounting irregularities involving misuse of public funds or assets or any circumstances which may suggest irregularities affecting cash, stores, property, remuneration or allowances, the Headteacher should inform the Chair of Governors and seek the advice of the Schools HR Consultancy Team so that the complaint can be investigated under the procedures normally applied for suspected financial irregularities. The Scheme for Financing Schools requires Schools HR Consultancy Team to be notified immediately of all such irregularities.

If the allegations relate to the abuse of children, the Headteacher should seek the advice of the LADO, Schools HR Consultancy Team or other agencies such as Children's Social Care. Serious allegations of this nature **must** be referred under Child Protection Procedures to Children's Social Care. Reference should also be made to the separate procedure "Staff Facing Allegations of Physical/Sexual Abuse".

In all the above, consideration needs to be given to the possible suspension* from duty, on full pay, of any member of staff concerned in accordance with the School's Disciplinary and Dismissal Procedure. Investigations at school level and the stages set out in this procedure are unlikely to proceed where external agencies are involved. Subsequently, an internal school investigation and other procedures (e.g. Disciplinary) may be involved.

9. Vexatious Complaints

The school will resist abuse of the complaints procedure and may reserve the right not to investigate complaints considered to be vexatious or malicious or where the Headteacher or Chair of Governors is satisfied with the action that the school has already taken or proposes to take to resolve the complaint.

10. Serial and Persistent Complainants

Whilst we always strive to do our best to be helpful to people who contact us with a concern or complaint, in cases where we are contacted repeatedly by an individual making the same points, or asking us to reconsider our position regarding a concern or complaint we will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If we feel we really have done everything we can in response to a complaint and a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

After closing a complaint at the end of the complaints if we receive a duplicate complaint from a spouse, partner, grandparent, child or other connected person, about the same matter, we will inform the new complainant that the school has already considered that complaint and the local process is complete. We will ensure we do not overlook any new aspects to the complaint that may not have previously been considered.

If the complaints procedure has been closed and the complainant remains unsatisfied they may contact the department https://www.gov.uk/contact-dfe

10.1 Is it Time to Stop Responding?

The decision to stop responding will never be taken lightly. We need to be able to say yes to all of the following before we choose not to respond further:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any); and

* **Note:** Suspension is a neutral act and is not a disciplinary sanction

- They are contacting the school repeatedly but making substantially the same points each time.

The case is stronger if the school agrees with one or more of these statements:

- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- Their letters/emails/telephone calls are often or always abusive or aggressive.

Barring from the School Premises

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

If a parent's/carers or a member of the public's behaviour is a cause for concern, we are within our rights to ask them to leave the school premises. In serious cases, the Headteacher or the Local Authority (via Legal Services) can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent/carer/member of the public may wish to make. The Loyne Specialist School will always give the parent/carer/member of the public the opportunity to formally express their views on the decision to bar in writing.

11. <u>The complaint procedures</u>

(i) Informal stage

The school will seek to resolve concerns and complaints informally with the member of staff or Governor concerned and encourage the complainant to discuss with them the matters causing them concern. However, if that does not resolve the problem then the matter should formally be brought to the attention of the Headteacher (complaints and concerns about Governors should be made to the Chair of Governors).

- acknowledge the complaint;
- make enquiries to establish the facts;
- seek advice as appropriate;
- attempt to resolve the matter informally;
- establish whether or not the complainant is satisfied;
- advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in **20 school days.** A complainant wishing to proceed to the formal stage of the procedure should normally notify the Headteacher/Chair of Governors **within 20 school days** of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- criminal activity which may require the involvement of the police
- financial or accounting irregularities
- abuse of children.

If the school has not heard from you by **20 school days**, it will assume that you do not want to take things any further and the complaint will be closed.

For concerns regarding the Headteacher, the complainant should put the complaint in a sealed envelope marked 'private and confidential' and addressed to the Chair of Governors via the School. Under the Data Protection Regulations, the school is not permitted to provide the personal details of the Chair of Governors, but the School will forward the envelope to the Chair as soon as possible.

(ii) Stage 1 - Formal stage

This stage will commence when the:

- Informal complaint has not been resolved to the satisfaction of the complainant.

Or

- Complainant has indicated they wish to go straight to the formal stage.

Or

- School feels that the complaint is inappropriate for an informal resolution.

- **The Headteacher will:**
- Following receipt of the written complaint, record the date of the complaint, and formally acknowledge receipt of the complaint, within 20 school days, and ensure the complainant receives an up to date copy of the school's Complaint Policy and Procedures. It should be clarified what the complainant feels would put things right if it not clear in the correspondence.
  (**Note:** It is acceptable for someone else to write the complaint on behalf of the complainant)
- Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include: the School's Adviser; Clerk to the Governing Body; Legal Services; Schools' HR Team; Finance Officer or Pupil Access Officer.)
- Inform the member of staff (or Governor) if the complaint concerns them and provide them with a copy of the complaint and School's Policy and Procedures.
- Arrange and complete a full investigation of the complaint. This can include interviewing those involved in the matter/complained of, allowing them to be accompanied if they wish. Keep a written record of any meetings/interview in relation to the investigation.
- Prepare a report following the investigation; consider what actions need to be taken and whether it be substantiated or unsubstantiated.
- Advise the complainant, in writing, of the outcome of the investigation **within 20 school days.** They should also be informed of their right to appeal to the **Complaints Appeals Committee** within the response.
- make a record of the complaint and its outcome, this should be retained for school
- records.

- 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, 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 will be considered by an independent investigator appointed by the Governing Body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

The Governing Body should be informed in general terms of all formal complaints.

Note: *If the complaint is regarding the Headteacher or a Governor, this will be investigated the Chair of Governors, or nominated governor if the Chair has previously been involved.*

(iii) Stage 2 - Complaints Review Committee

If the complainant is dissatisfied with the outcome of 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.

The request **must** be made in writing to the Clerk of the Review Committee via the school. The request for the review **must** clearly set out the grounds as to which matters remain unresolved.

The Clerk to the Review Committee will convene the Complaints Review Committee. It is not expected to take more than **20 days** to convene but the Clerk to the Committee will update the complainant as appropriate.

The clerk will request copies of written evidence and will circulate the papers **5 school days** before the Committee meets. 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.

When a request for the meeting to be recorded is received, this must be with the clerk in advance of the meeting taking place. The consent of all parties concerned must be obtained. The request and the decision will be recorded in the minutes of the meeting.

The Committee will:

- Consist of 3 Governors who have no prior knowledge of the complainant;
- With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors, (as appropriate) and the complainant to the meeting;
- Consider the written materials;
- Consider the complaint and the Headteacher's (or Chair of Governor's) action.

Note: It is the responsibility of the Headteacher/Chair of Governors and complainant to secure their own witnesses and neither party can dictate who the other party brings.

- Seek advice and support as necessary.
- Consider the oral evidence provided at the meeting.

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

(iv) At the end of their review, the Complaints Review Committee will:

- Determine whether to dismiss or uphold the appeal in whole or part.
- Where upheld, decide on recommendations that should be reported to the Governing Body by the Chair of the Review Committee.
- Advise the Headteacher/Chair of Governors (as appropriate) and complainant of their findings.
- Advise the complainant of any further action they may wish to take if they remain
- dissatisfied.

Following the review, the Chair of the Committee will arrange for the School's Complaints Record to be amended to include a brief summary of the complaint and the findings of the Complaints Review Committee. In addition, the Chair of the Committee will ensure that the matter in general terms and any recommendations be reported to the Governing Body.

This stage would normally be expected to take **no more than 20 school days.**

This concludes the School's Complaints Procedure

(v) Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint at any time, they will be asked to **confirm this in writing.**

(vi) The Role of the Local Authority

The role of the Local Authority (LA) is prescribed by legislation. In responding to complaints about schools, the LA will explain to the complainant:

- That schools are self-managing and are responsible for administering procedures that deal with complaints made against them.
- The appropriate procedures for their complaint and refer them to the Headteacher, Chair of Governors or Clerk, as appropriate.
- The school may seek advice and support from the appropriate Local Authority Officer or the School's Adviser.

12. Calculation of Time

All references in this Policy to 'days' should be taken to mean school days and therefore will not include weekends, school holidays or INSET days.

13. Department of Education

If the original 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 the school. They will consider whether the school 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
School Complaints Unit
Piccadilly Gate, Store Street
Manchester. M1 2WD

Author: Lancashire County Council / Department of Education
Reviewed and adapted: October 2025
Date of Next Review: February 2027

Complaint Form Appendix A

Please complete and return to the Headteacher/Chair of Governors/Complaints Committee via the school office. You will receive an acknowledgement receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**

Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?

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

Roles and Responsibilities Appendix B

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:
    (i) sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
    (ii) interviewing staff and children/young people and other people relevant to the complaint
    (iii) consideration of records and other relevant information
    (iv) analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

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

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

Complaints Co-ordinator (this could be the Headteacher / designated complaints Governor or other staff member providing 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 LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
    I. sharing third party information
    II. additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

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

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

Committee Chair

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

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

  If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently

- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

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.