

School Complaints

**Model School Policy and Procedures:
Guidance for Schools and Governing Bodies
September 2017**



Model Complaints Policy and Procedures

Contents

The following documents are commended to the Governing Body for adoption and adaptation as appropriate. The approach to the revised Policy and Procedures has the support of the Diocesan/ Church Authorities.

The Policy, Flow chart and Complaint Form must Schools **must** be published on the School's website and freely available in hard copy should complainants request a copy. Although the documents are presented as a PDF they are also available from Governors Services as a separate document for schools to upload to their website.

The Appendices are for the School and the Clerk to the Complaints Review Committee to use. They should be adopted and adapted for the internal use by the individual school. They **must** not be posted on the School's Website. Word versions of the documents are available from Governor Services.

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Introduction

The Education Act 2002 (Section 29) requires all maintained schools and maintained nursery schools to have a procedure for dealing with complaints relating to the school, that are not covered by other statutory complaints procedures.

In respect of complaints regarding community facilities/ events or extended services that hire the school premises, schools **must** ensure that all these organisations have their own complaints procedures in place and that they are up to date.

In the light of lessons learned, from feedback received from Lancashire Schools and their Governing Bodies following a complaint; the advice from Legal Services and the launch of the “DfE Best Practice Advice for School Complaints Procedures” in 2016; Lancashire County Council (LCC) has now revised its Model Policy and Procedures. This is now commended to schools.

Schools are reminded that in respect of complaints regarding governors, the Complaints Policy is used.

It is important that complaints are resolved as soon as possible. Therefore schools, should have in place arrangements for the

acknowledgement, investigation process and response. Guidance for schools and governing bodies is contained in the Appendices. The Appendices are for school use only and **must** not be published as part of the school’s approved Policy and Procedures.

The revised Model Policy and Complaint Form may be adopted by the Governing Body as it stands or it may be modified. However, the approved Governors Policy **must** be published on the school’s website with all the necessary school references added.

In summary:

To adhere to this model Policy and Procedures, all Governing Bodies **must**:

- Have a School Complaints Policy.
- Have the Complaints Policy available via the school’s website and, if requested, in a printed copy.
- Establish a Complaints Review Committee who may be required to review any formal complaints. The terms of reference and membership of the committee should be reviewed annually.

In addition, all Schools should maintain a Register of Complaints.

Note for Academies:

This model Policy and recommended Procedures has been prepared for Lancashire County Council maintained schools. Academies will be aware that they must have a Complaints Policy and Procedures in place. This includes a requirement that the action taken as a result of a formal complaint is recorded. The requirements for Academies are set out in the: **Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7.**

The status of this document is that the Lancashire County Council is sharing it as an example of good practice.

Complaints Record

The School should retain copies of all correspondence about concerns and complaints. These should be classed as confidential.

Note: The parent /child have a legal right to receive a copy of the child's school records.

The School should maintain a written record of all formal complaints, how they were dealt with and the outcome in a Complaints Register. This Register will be required at an Ofsted Inspection. The Governing Body should be informed, in general terms only, of all formal complaints at the next full Governing Body meeting. This enables the Governing Body to establish if there were any lesson learned from the process.

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 (and the Diocesan/Church Authority, if appropriate).

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 a representative of the Schools' HR Team and/or Director of Governance, Finance and Public Services to enable the complaint to be investigated under the procedures normally applied for suspected financial irregularities. The Scheme for Financing Schools requires the Local Authority 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 Authority's School Safeguarding Team, a representative of the Schools' HR Team and/or the Director of Governance, Finance and Public Services and/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 would need 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.

***Note:** Suspension is a precautionary measure and is not a disciplinary sanction.

The Policy and Procedures for the Handling of Complaints at School

1. Introduction and Scope

We care about what you think

The Policy of this School is to work in partnership with parents/carers and the wider community. We try hard to do our best for all our pupils/students. Your views help us plan for the future. 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 to sort out a recent problem than something that happened some time ago.

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.

What to do first

If you have a concern about anything we do you can tell us by telephone, in person or in writing. If any of these are difficult for you, a friend or advocate can speak to the school on your behalf. Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the School's actions to you.

Try to go to the member of staff involved or your child's class teacher (primary)/your child's form tutor or head of year (secondary) who will either deal with your issue or pass you on to someone who is more able to help.

Please remember that the beginning or end of the school day can be a very busy time. If you talk to a teacher 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.

In considering concerns or complaints, the 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 in section “6(ii)” will be followed. Where your concern or complaint is considered sufficiently complex or serious, the school may choose to investigate formally from the outset.

2. What is a concern or a complaint?

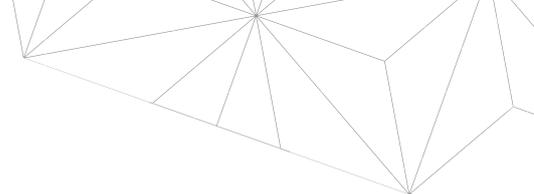
- (a) A concern or a complaint is defined as:
- An expression of dissatisfaction about the conduct/operation of the School.
 - The conduct of, actions or lack of actions by a member of staff/the Governing Body/an individual governor.
 - Unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.
- (b) Concerns or complaints relating to any of the following are not covered by these procedures, as separate procedures apply.

These procedures do not cover:	
Child Protection	School re-organisation proposals
Collective Worship	Services provided by other organisations on the school site or through the school. These organisations must have their own complaints procedures
Functions of the County Council	Sex Education
National Curriculum	Staff grievance and discipline procedures
Pupil Exclusions	Special Educational Needs and Disabilities (SEND)
Reports under Freedom of Information or data protection*	Unauthorised absence fines
School Admissions	

(*Where the concerns or complaints still exist following review.)

Note:

- i) Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. The table above is not exhaustive, and separate procedures may exist for other categories.
- ii) For complaints regarding governors, the school will follow this Policy to resolve the issue.



3. Anonymous Complaints

The School will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered.

4. Unreasonable 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.

The school should seek advice from Governor Services and 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. The DfE provide additional guidance (pages 10 – 13) of Best Practice Advice for School Complaints Procedures (January 2016).

5. Making a complaint

The school expects that the majority of complaints to be made within three months of the incident being complained of. The school will consider complaints beyond this time frame in exceptional circumstances only.

Dependent on the type of complaint, the following table is a guide to whom it should be referred to:

Type of Complaint:	Contact the:
Something that has happened, or failed to happen, in School.	Class teacher
The actions of the class teacher.	Headteacher via the school.
The actions of the Headteacher.	Chair of Governors via the school.
The actions of a governor.	Chair of Governors via the school.
The actions of the Chair of Governors.	Vice Chair via the School.
The actions of the Governing Body.	Clerk to the Governing Body via the School.

The School /Governing Body would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and a review stage if matters cannot be resolved.

The School is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible, the complainant will be informed of any delays.

Where complaints are made against an individual member of the school staff or governor, the individual will be informed of the complaint at the earliest opportunity and certainly before any investigation commences.

6. The Complaint Procedures

(i) Informal Stage

The school will seek to resolve complaints informally by email, telephone call, brief meeting as appropriate. If the complaint is unable to be resolved at this stage, the school will ask you to put your concerns or complaint in writing and the 'Formal Stage' - Paragraph 6(ii) of the procedures will commence from the date that the letter is received by the school.



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 Chair as soon as possible.

(ii) 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:

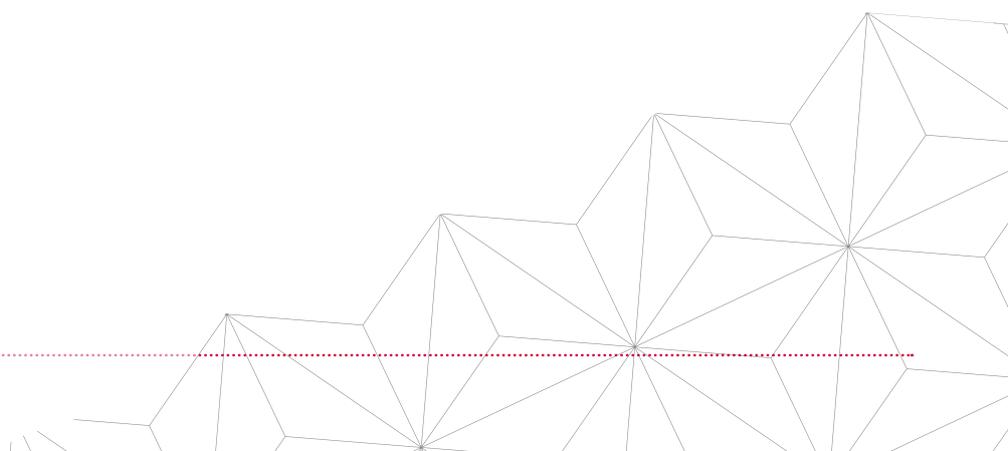
Note: If the complaint is regarding the Headteacher or a governor, this will be investigated the Chair of Governors, or nominated governor if the Chair has previously been involved.

- Following receipt of the written complaint, formally acknowledge receipt of the complaint 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.
 - 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.
-

- Should the complaint remain unresolved:
 - o If the Headteacher has undertaken the investigation, the complainant can request a review by the Chair of Governors (or a nominated governor, if the Chair has previously been involved). The request **must** be received within 20 school days of the notification and set out the grounds as to which matters remain unresolved.
 - o If the Chair has undertaken the investigation, the complainant can request a review to the Complaints Review Committee. The request **must** be received within 20 school days of the notification and set out the grounds as to which matters remain unresolved.
Note: If the Clerk to the Review Committee does not hear from the complainant within 20 school days of the notification of the outcome of the investigation, the complaint will be closed.
- The Headteacher/Chair of Governors should make a record in the Complaints Register* of the complaint and its outcome. This record may need to be updated by the Chair of the Review Committee in due course. The Complaints Register should be available for Ofsted Inspection purposes.
* **Note:** This is a requirement for Academies.

(iii) Complaints Review Committee

In very exceptional circumstances where the complaint has not been resolved by the Headteacher/Chair of Governors, a meeting of the Complaints Review Committee will be arranged to review the complaint. 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 Committee will:

- Consider the written materials;
- Consider the complaint and the Headteacher's (or Chair of Governor's) action.
- With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors, (as appropriate) and the complainant to the meeting.

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.

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 Register 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 concludes the School's Complaints Procedure.

7. Withdrawal of a Complaint

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

8. The Role of the Local Authority or Diocesan/Church Authority

The role of the Local Authority (LA) (or the Diocesan/Church Authority for church schools) 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 (or the Diocesan/Church Authority for church schools).

9. Social Media

Whilst the school accepts that complainants have a right to an opinion and make it public through the use of social media, complainants are reminded that they are not entitled to use social media to defame or harass individual staff or governors.

10. 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.

11. Next stage

Complainants who remain unsatisfied with the outcome may refer their complaint to the Secretary of State for Education.

National Helpline: **0370 000 2288**

On line: **www.education.gov.uk/help/contactus**

Or by writing to:

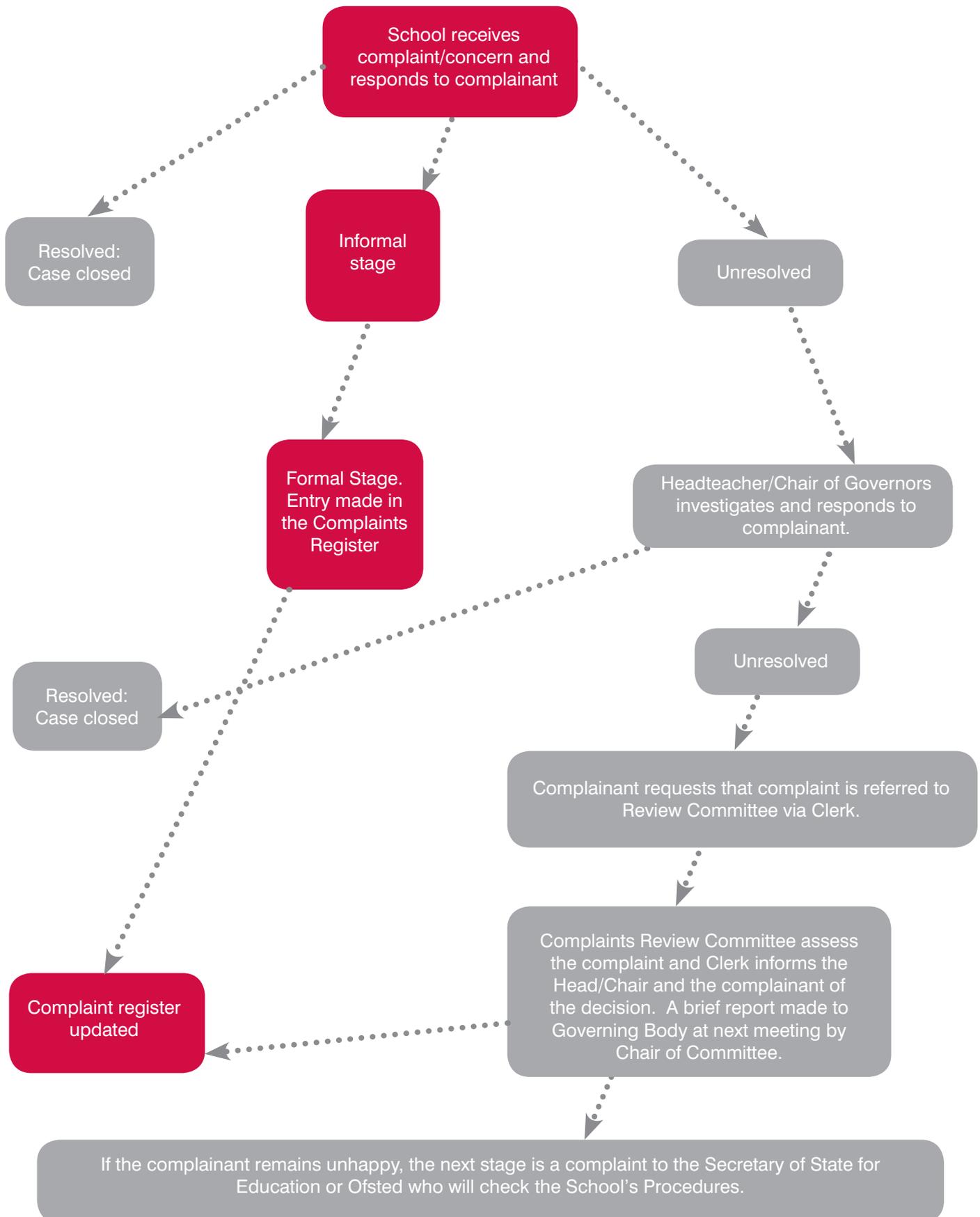
Department for Education,
School Complaints Unit
2nd. Floor Piccadilly Gate
Stove Street, Manchester, M1 2WD

The role of the Secretary of State is to review that the School has followed their published procedures. The Secretary of State (via the Department of Education) does not facilitate a rehearing of a complaint.



Complaints Flowchart

(Note: this is a brief overview and reference should be made to the Policy and Procedures)



Complaint Form

Title: Mr/Mrs/ Ms/Dr/Other* Surname

Forename(s)

Landline number: Address and Postcode:

Mobile number:

Email Address:

How would you prefer us to contact you?

Please give details of your complaint and how you have been affected:

What action, if any, have you already taken to try and resolve your complaint?

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

When did you first become aware of the problem?

If it is more than 3 months since you first became aware of the problem, please give a reason why you have not complained before.

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else

Signature:

Date:

Please state your relationship with the complainant and why you are making a complaint on their behalf:

FOR SCHOOL USE ONLY:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Procedures for Investigating a Complaint

(Note: The procedures should be used for all complaints regarding school staff/governors, but the general principles can be used for any investigation.)

1. Context

The Headteacher/ Chair of Governors (as appropriate) will:

- Follow the Governing Body's agreed procedures.
- If the complaint is against the Headteacher, the Chair of Governors should seek advice from either a representative of the Schools' HR Team (or Diocesan/ Church Authority Officer, as appropriate).
- If the complaint is against the Chair of Governors, the Vice Chair (or other nominated Governor) should seek advice from either a representative of the Schools' HR Team (or Diocesan/ Church Authority Officer, as appropriate).
- Keep the member of staff/governor informed.
- Arrange for a full investigation of the complaint and prepare a report on the investigation.
- Advise the complainant of the outcome and of the next stage if they remain dissatisfied.
- Consider any further action.
- Inform the member of staff/governor in writing of any subsequent action she/he intends to take.

2. Introduction

The investigation should be started as soon as possible after the receipt of the complaint and normally be completed within 20 school days.

- 2.1 An investigation is a fact-finding exercise with the aim of obtaining, as far as possible, a fair and balanced picture through a written record. The aim is not to prove or disprove a complaint.
- 2.2 Undertakings of confidentiality should

not be given to either a person making a complaint or to those interviewed. Evidence compiled in the investigation may be made available to the parties in any subsequent hearing and those giving evidence in the investigation should be so informed.

- 2.3 At this stage, in addition to the written complaint, the complainant will need to be interviewed as part of the investigation.

Important Note: If it becomes clear during the investigation that the issues are serious (as defined in the 'Note', Section 2 of the model Policy and Procedures), she/he should make a referral, as appropriate, to: Children's Social Care; Director of Governance, Finance and Public Services or the Police. In such cases the investigation should not proceed.

3. Preliminary stages

- 3.1 Where appropriate, the person undertaking the investigation should seek specialist advice as necessary.
- 3.2 The person investigating should:
- define the areas to be investigated;
 - draw up a provisional list of those to be interviewed and a list of topics to be discussed, extended as required during the investigation; and
 - check corroborative evidence.

4. The investigation process

- 4.1 Interviews should be carried out as soon as possible. A statement should be taken from each person, signed and dated. The person carrying out the investigation should have access to assistance as necessary to make

the record. A suitable venue and time should be selected to encourage co-operation and the opportunity to be accompanied, by a friend or representative of a professional association/trade union, should be offered. At the beginning of an interview, a general explanation of the purpose of the investigation should be provided. If children are to be interviewed, this will need to be handled with sensitivity and care.

5. Interviewing the subject of a complaint

- 5.1 The point at which this occurs will depend upon the nature of the complaint and the investigation process. It may be necessary to interview the member of staff first and again, following interviews with other persons, to seek a formal response.
- 5.2 The member of staff should be informed of his/her right to take advice and be represented by a friend or representative.
- 5.3 The member of staff should be invited to respond to the complaint and to make a statement. The member of staff has the right to respond, to decline to respond, to reserve a response whilst seeking advice or to request an adjournment to consider a response.
- 5.4 Full notes should be taken of the interview and the member of staff invited to read and sign them as a true record after the interview. A copy of the notes will be given to the member of staff.
- 5.5 The member of staff should be invited to identify any persons who may have

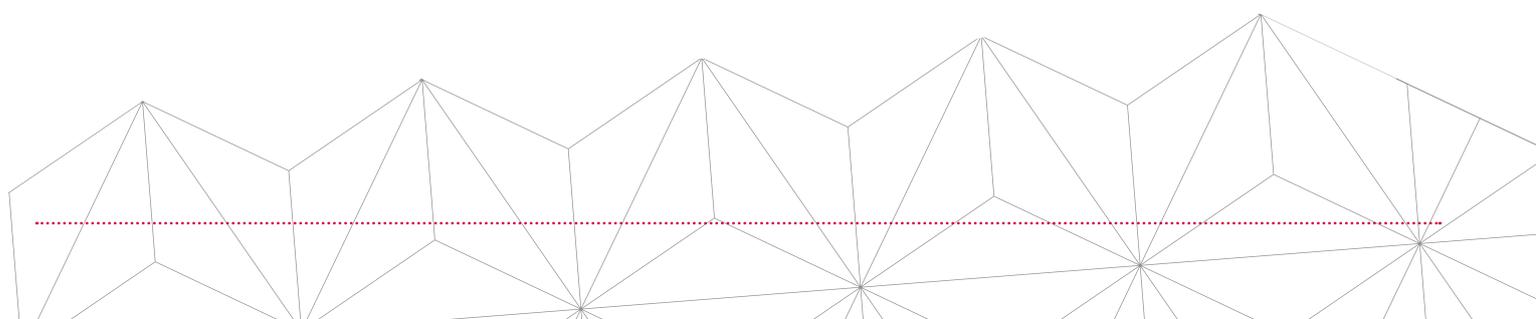
information relevant to the investigation. These names should be added to the list of those to be interviewed.

6. Interviewing witnesses/others

- 6.1 Witnesses may be interviewed as part of the investigative process of the complaints procedure.
- 6.2 They should be made aware of the nature of the complaint and of the process to be followed.
- 6.3 Interviews should take place at a convenient time and venue for the person being interviewed, who may bring a friend or representative with them.
- 6.4 They should be asked to give their factual account of the incident(s) leading to the complaint.
- 6.5 Full notes should be taken of the interview and the witness invited to read and sign them as a true record of the interview. A copy of the notes will be provided to them.

7. Compiling a report

- 7.1 When all the relevant persons have been interviewed and all the relevant issues explored, the investigation is complete. The details obtained and the statements taken should then be compiled into a report.
- 7.2 Consideration should again be given as to whether there are serious matters which should be referred to Children's Social Care or the Police. If there is such a referral, further proceedings at school level should be held in abeyance immediately.



The Complaints Review Committee of the Governing Body

The Governing Body is required by the Education Act 2002 to have a complaints procedure relating to the School and its provision of services and facilities and to publicise those procedures. These procedures cover all complaints not covered by other statutory complaints procedures.

The Governing Body **must** establish a Complaints Review Committee. The Committee's terms of reference, membership and clerking arrangements are established by the whole Governing Body.

Terms of Reference for the Complaints Review Committee

1. Membership

- The Committee **must** consist of a minimum of three governors.
Note: Neither the Headteacher nor the Chair of Governors should be a member of the Committee if they have been involved in the matter under consideration at an early stage.
- The Chair of the Committee will be elected by the Committee.
- Committee members must be impartial and have no prior involvement with the complaint or circumstances surrounding it.
- Non voting participants may be invited to the meeting by the committee, as and when required
- The governing body will appoint a clerk to the committee, who will not be another governor.

2. Quorum

The quorum shall be three governors.

3. Meetings

Review meetings will be held, when required, to consider formal appeals made under the Schools Policy and Procedures for Handling Complaints.

4. Function

Wherever possible the Governing Body would wish to see complaints resolved at an informal stage but:

- (a) The main function of the Committee will be to undertake the duties of the Governing Body in the consideration of complaints made under the Schools Policy and Procedures for Handling Complaints.
- (b) Complaints covered by statutory procedures will not be considered by this Committee.
- (c) The Committee may wish to take advice from the Local Authority, (or the Diocesan/ Church Authority Officer, as appropriate).
- (d) In considering the complaint, the Complaints Review Committee will:
 - Consider all written materials and verbal representations presented.
 - Consider the complaint and the Headteacher's (or Chair's) action.
 - Invite the Headteacher/Chair of Governors (as appropriate) and the complainant to the meeting.
- Seek advice and support as necessary.

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.
- Parents/carers and others who may not be used to speaking at such a hearing are put at ease.
- The rules of natural justice are followed.
- The complainant is notified of the panel's decision, in writing, with details of the next steps if they remain dissatisfied.
- The Governing Body are notified at their next meeting in general terms of the complaint and of any changes to procedure or reviews of policy recommended by the Committee.
- The School's Complaints Register be updated to include a brief summary of the complaint and the findings of the Complaints Review Committee.

The Chair of the Committee

The Chair of the Committee has a key role, ensuring that:

- The remit of the Committee is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- Key issues are addressed.
- Key findings of fact are made.



The Complaints Review Committee Meeting – A Suggested Procedure

- Whilst the meeting of the Complaints Review Committee is a formal meeting, its management should be as informal as possible.
- The Complaints Review Committee meeting will be convened by the Clerk to the Committee at a date, time and venue convenient to all parties.
- The Clerk to the Committee will distribute the Headteacher's/ Chair of Governor's Report to the Committee at least 7 days in advance of the meeting.
- The complainant and Headteacher/Chair of Governors may each be accompanied.
- All parties will be present for the duration of the hearing.
- In the case of a complaint against a member of staff, the member of staff against whom the complaint was made and/or his representative or friend will be entitled to attend the Complaints Review Committee meeting, but they are not obliged to do so.
- The complainant and the Headteacher/ Chair of Governors may request witnesses to be called to provide evidence. Witnesses may be allowed at the discretion of the Committee and will only attend for the part of the meeting in which they give evidence.
- It is up to the Headteacher/Chair and the complainant to secure their own witnesses and neither party can dictate who the other party brings.
- The Chair of the Committee is responsible for the conduct of the meeting.
- The Committee may ask questions at any point.
- Any reasonable request for an adjournment should be allowed at the discretion of the Chair.
- After introductions, the Chair invites the Headteacher/Chair of Governors to present his/her report on the investigation to the Committee, together with any supporting documents and any actions taken to resolve the complaint. If appropriate, the Headteacher's/Chair of Governor's witness(es) will be heard at this point.
- The complainant or his/her representative will be entitled to question the Headteacher/ Chair of Governors and any witness(es).
- The Chair invites the complainant to present his/her case and any supporting documents to the committee. If appropriate, the complainant's witness(es) will be heard at this point.
- The Headteacher/Chair of Governors will be entitled to question the complainant and any witness(es) called.
- Witness(es) should leave at this point.
- The Headteacher/Chair of Governors is then invited to sum up the School's response to the complaint.
- The complainant is invited to sum up their complaint.
- The Chair explains the arrangements for notifying both parties of the outcome of the meeting.
- Both parties then leave the meeting to allow the Committee to reach a decision.
- The Committee deliberates and the Clerk takes a record of their findings.
- The Clerk is responsible for informing the Headteacher/Chair of Governors and the complainant of the findings.
- The Chair of the Committee to ensure that the Complaints Register is updated and that the Governing Body is notified in general terms only at the next full governing body meeting of the Committee's findings/ recommendations.

The Complaints Review Committee Meeting Model Agenda

Name of school

Complaints Review Committee Meeting

Venue

Date

Agenda

1. Welcome and introductions.
 2. The role of the panel members and the clerk to the Governing Body is explained by the Chair of the Committee and a reminder that all parties will be present for the duration of the meeting, but the complainant, the Headteacher/Chair of Governors and any witnesses, will not be present for the committee's deliberations.
 3. Headteacher/Chair of Governors presents his/her report on the investigation to the Committee. This includes any supporting documents and any actions taken to resolve the complaint.
 4. Headteacher's/Chair of Governor's witness(es) present their evidence.
 5. Complainant (or his/her representative) to ask question of the Headteacher /Chair of Governors and any witness(es).
 6. Complainant (or his/her representative) to present his/her case and any supporting documents to the committee.
 7. Complainant's witness(es) present his/her evidence.
 8. Headteacher/Chair of Governors to ask questions of the complainant and any witness(es) called. [Any witness(es) leave at this point.]
 9. Complainant (or his/her representative) to sum up their complaint.
 10. Headteacher/Chair of Governors to sum up the School's response to the complaint.
 11. The Chair to explain the arrangements for notifying both parties of the outcome of the meeting. [Both parties leave the meeting to allow the Committee to reach a decision.]
 12. The Committee deliberates in private and the Clerk takes a record of their findings.
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Appendix 4

The Role of the Clerk to the Complaints Review Committee

The Clerk to the Complaints Review Committee is appointed by the Governing Body to provide:

- Procedural advice and guidance to all parties involved in the hearing.
- Administrative support for the meeting, including convening it.
- Keep the record of the meeting and minutes of the meeting.

The role and responsibilities of the Clerk to the Committee are to:

- Ensure that the Governing Body has adopted a Complaints Procedure for the school.
- Ensure that the Governing Body has appointed any 3 untainted governors to a Complaints Review Committee.
- Advise complainants, the Chair of Governors and Headteachers on the appropriate action to be taken when notified of a complaint.

- Advise the Chair of Governors and Complaints Review Committee members of appropriate sources of support.
- Act in accordance with the procedures.
- Convene and produce a record of the meeting of the Complaints Review Committee.
- Offer procedural advice at the meeting.
- Follow the instructions of the Committee to take the necessary action:
 - o Notify the complainant, in writing, of the outcome of the meeting.
 - o Advise the Headteacher/Chair of Governors of the outcome and of any recommendations from the Review Committee.
 - o Complete the Complaints Review Committee meeting minutes to enable the Chair of the Committee to be notify the Governing Body in general terms of the complaint and the recommendations of the Committee.



Model Complaints Record

(Note: This proforma is for illustration only and schools may wish to amend it for their use. Some schools may wish to store the information electronically and ensure that access is limited to the key staff, the Chair of Governors and Chair of the Complaints Review Committee.)

School

Register of Complaints

Name of complainant:

Date formal complaint received:

Date acknowledgement sent:

Brief overview of complaint:

Complaint investigated by:

Headteacher/Chair of Governors

Brief findings of the investigation

Date the response was sent:

20 working days date:

(If no response by this date, the complaint is closed)

Date the complaint was reported
to Governing Body:
(brief overview only)

Section 2

This section to be completed if a complaint is sent to the Chair of Governors for review.

Date received by Chair:

Brief findings of the review:

Date the response was sent:

20 working days date:

(If no response by this date the complaint is closed)

Date the complaint was reported to Governing Body by the Chair of Governors (brief overview only)

Section 3

This section to be completed if a complaint is heard by the Review Committee.

Date received by Clerk to Committee:

Brief findings of the Committee:

Date the response was sent by the Clerk:

20 working days date:

(If no response by this date the complaint is closed)

Date the complaint was reported to Governing Body by the Chair of the Committee:
(brief overview only)

Complaints about Members of Staff

These will usually be dealt with under the School's Complaints Procedures, except where allegations relate to criminal activity, financial or accounting irregularities, or allegations relating to the abuse of children.

Headteachers/Chairs of Governors should seek advice from a representative of the Schools' HR Team and/or Diocesan/Church Authority Officer as appropriate.

If the complaint is about a member of staff she/he will be:

- Informed in detail of the complaint.
- Provided with a copy of any written complaint and the School's Complaint Policy and Procedures.
- Invited to respond and make a statement.
- Reminded they may seek advice from their professional association/ union or other adviser before responding.
- Given a copy of the Complaints Policy and Procedures.
- Advised of any response/explanation to be made to the complainant.
- Advised of whether the complainant accepts the response.
- Offered appropriate counselling or guidance.
- Informed when the complaint is resolved, of any subsequent actions intended, including any action under the disciplinary and competence procedures.





Lancashire Governor Services