The Willesborough Schools Complaints Policy

Approved by Governing Body May 2026 Review May 2027 - EHT

School Complaints Procedure

We want our pupils to be healthy, happy and safe and to do well. We are deeply committed to working in partnership with parents, carers and stakeholders within the wider community to ensure the best possible provision for all the children in our care. We are aware that there may be occasions when people have a concern and this policy sets out the steps that should be followed in order to resolve these as promptly, fairly and informally as possible.

School Governing Bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints relating to the school. Sometimes when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The list below, outlines specific topics and the correct policy to refer to should you have a concern or complaint. All of these policies can be accessed on Willesborough Infant School and Willesborough Junior School's websites or via the School offices.

- Pupil Admissions: School's Admissions Policy or contact Kent County Council Admissions team
- Positive Relationships (behaviour policy)
- Suspensions and exclusions policy
- Special Educational Needs: Special Educational Needs and Disability Policy; unless the Complainants child has an Education Health and Care Plan and the Complainant wishes to appeal against a decision that the Local Authority has taken. If this is the case, the Complainant should contact the Local Authority.
- Subject Access Requests and Freedom of Information Requests: Data Protection and Freedom of Information Policies

Aims and Principles of the Policy

This Policy aims to:

• Encourage the resolution of concerns and complaints by informal means wherever possible

• Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible

• Provide effective and appropriate responses to concerns and complaints • Maintain good relationships between the Willesborough Schools and all those involved

When concerns are raised, the Willesborough Schools are committed to dealing with them fairly, openly and promptly. The Governing Body has approved the following procedure which explains what the Complainant should do if they have a concern about school.
Where appropriate, the Willesborough Schools may offer mediation to resolve a concern or complaint at any stage of the process. They may also use someone independent from the School to investigate a complex issue and to report back to the Executive Headteacher or Chair of Governors (depending on which stage of the process the complaint is being dealt with).

Raising Concerns

The majority of concerns can be dealt with without resorting to the complaints procedure. Where the Complainant has a concern or query about any aspect of the school or their child's education or wellbeing, this should be raised with the child's class teacher in the first instance. Ideally the class teacher will be able to address the Complainants concerns immediately or can arrange a meeting with them to discuss the issue.

Social Media

In order for complaints, concerns or issues to be resolved as quickly and fairly as possible, we expect that complainants do not raise concerns or discuss them publicly via social media. Complaints will be dealt with confidentially by the school and we expect complainants to observe confidentiality also.

Recording Complaints

Our schools ensure that they comply with their obligations under the Equality Act 2010. We request that **formal** complaints are made in writing, however the complainant may have communication preferences due to disability or learning difficulties and schools must allow alternative methods of contact: An informal complaint may be made in person, by telephone, or in writing

The Executive Headteacher or Assistant Headteacher is responsible for recording and holding complaints centrally.

Complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school has a duty to report the matter immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

Complaints that result in staff capability or disciplinary

If at any formal stage of a complaint it is determined that staff disciplinary or capability proceedings are necessary, the details of any action will remain confidential to the Executive Headteacher and/or the individual's line manager. The Complainant is not entitled to participate in the process or receive any detail about the proceedings.

Complaints about the Headteacher or the Governors

Where a complaint concerns the actions of the Executive Headteacher, the Complainant should first approach the Executive Headteacher in an attempt to resolve the issue. If the Complainant is not satisfied with this outcome they should notify the Chair of Governors care of the Clerk to the Governing Body that they wish to take a complaint forward. The Stage 2 process will then commence and Liesl York or Steve Rippin, Co Chairs of Governors, will take the process forward.

Where a complaint concerns a Governor, the Complainant should notify in writing the

Chair of Governors care of the Clerk to the Governing Body. Where a complaint concerns the Chair of Governors this should be made in writing to the Clerk of the Governing Body. For complaints against any member of the Governing Body Appendix 4 should be followed.

The Stages of the Complaints Process

(flowchart of process at appendix 2)

Stage 1 – Informal Complaint

The Complainant should start by sharing their concern with the Class Teacher. This is usually the best and quickest way of resolving issues. In some cases the Class Teacher may feel it more appropriate to refer the Complainant to a more senior or experienced member of staff, an Assistant Headteacher or Year Group Team Leader, who will try to resolve the concern informally.

- *The Complainant should make an appointment to speak to the Class Teacher, Assistant Head or Team Leader as soon as possible as this will give both parties the opportunity to talk about the issue with attention to depth and detail.*
- *It is important to recognise that schools are busy organisations and may not be able to offer an appointment straight away*
- *The purpose of the meeting should be to establish the nature of the concern and to seek a resolution to the problem*
- *The Teacher, Assistant Head or Team Leader will make a brief written record of the concerns raised and any actions agreed.*
- *The Teacher, Assistant Head or Team Leader may need to talk to others to investigate the matter, before they can respond to Complainant . The Complainant should be given a timescale for a response* of three working days.
- *If the matter concerns the wellbeing of a child in school, the Complainant should be assured that measures will be put into place immediately to ensure that the child feels happy and secure.*

Stage 2 – Formal Written Complaint (non- parental complaints are likely to go straight to this stage)

If the Complainant feels dissatisfied with the outcome of discussions with the Teacher, Assistant Headteacher or Team Leader, they should then contact the Executive Headteacher, either by arranging an appointment to see them, or by sending an email or letter.

The Complainant's should set out clearly their concern in writing, stating why they feel the issue has not been resolved through informal channels. It is also helpful if the Complainant can set out what resolution they are seeking.

- The Executive Headteacher will consider the complaint and in doing so will: ○ Establish what has happened so far, and who has been involved; ○ Meet or contact the Complainant if they need further information; ○ Clarify how the Complainant may feel things could be put right, if this

has not been set out in their letter or included on the Complaints form;
- Interview those involved in the matter and those complained of, allowing them to be accompanied if they wish;
- Conduct any interviews with an open mind;
- Keep notes of any interview for the record

- If substantiated, the Executive Headteacher will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, 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 (please note this is not an admission of negligence)
  - 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 policies and practice in light of the complaint

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The Executive Headteacher will discuss the outcome with the Complainant and should send a detailed response within a maximum of 20 school days. Where this proves to be unrealistic, the Complainant will be informed in writing and given an estimate of how long it will take to provide a detailed response.
Where the Complainant is unhappy about the decision the Executive Headteacher has made about their complaint, this does not become a complaint about the Headteacher or staff member concerned. However, the Complainant will be advised of their entitlement to take their original complaint to the next stage by writing to the clerk to the governing body as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a Governor Complaints Panel is convened.

If the Complainant is not satisfied with the response from the Executive Headteacher at stage 1, they should be advised that the next stage is to put their complaint in writing to the Chair of Governors care of the Clerk to the Governing Body. When writing the initial letter to the Chair of Governors (using the form at the end of this procedure) the complainant should seek to include details that might assist the investigation, such as witnesses, dates and times of events and copies of relevant documents.

The Chair of Governors will write to the complainant within 5 school days of receipt of their letter, setting out who is conducting the investigation and that the investigator will write to the Complainant within a further 20 school days setting out the actions taken to investigate the complaint and their findings. If the investigation period for a more complex complaint could be longer than 20 days, the Complainant should be advised that this is the case.

The Chair of Governors will be responsible for carrying out an investigation or appointing another Governor to carry out the investigation who will then reach a conclusion based on the investigation. The involvement of the Local Authority should be sought where the issues cannot be resolved internally by the school or the expertise of carrying out investigations is required. Notes should be kept of any interviews held as part of the investigation. In order to clarify the specific details of

the complaint, the nature of the complaint and any background to the complaint the investigating Governor may feel it necessary to meet with the Complainant. The Investigating Governor should produce notes of this interview.

Before the Investigating Governor interviews staff, they must be informed that they may be accompanied by a colleague.

At the conclusion of their investigation the Investigating Governor will compile a report detailing their findings and any recommendations or proposed actions.

Once satisfied that the investigation has been concluded and they have reached a decision on the complaint the investigating Governor or in the case of an independent investigation, the Chair of Governors, will notify the complainant in writing of their conclusions and any actions that will be taken as a result of the complaint (except where this would involve taking any formal action against individual members of staff which would remain confidential). This will be carried out no later than 20 school days as set out above. The Investigating Governor may feel it appropriate to meet with the Complainant to communicate their findings.

The outcome of the investigation would usually be one of the following but not limited to:
• The evidence indicates that the complaint was substantiated and therefore upheld and an apology given;
• The complaint was substantiated in part or in full which may include details of how the school may improve future practice (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff); • There is insufficient evidence to reach a conclusion so the complaint is inconclusive;
• The complaint is not substantiated by the evidence and therefore not upheld;

At this stage the Complainant will be told that consideration of the complaint by the Chair of Governors at Stage 2 is now concluded. Where the Complainant is unhappy about the decision the Chair of Governors or Investigating Governor has made about their complaint, this does not become a complaint about the Chair of Governors/ Investigating Governor, however, the Complainant will be advised of their entitlement to take their original complaint to the next stage by writing to the Clerk to the Governing Body as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a Governor Complaints Panel is convened. See Stage 3 below.

Stage 3 – Governor Panel

If the Complainant is not satisfied with the response of the Executive Headteacher or Chair of Governors (for a complaint specifically about the Headteacher) which has not been resolved in the stage above then they must write to the Clerk to the Governing Body as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a Governor complaints Panel is convened and marking any envelope or email “urgent, private and confidential” Clerk to the Governing Body, Care of The Willesborough Schools Office.

- *The Clerk to the Governing Body will acknowledge receipt of the letter within 5 school days. The acknowledgement will inform the Complainant that three members of the School’s Governing Body, which will include a representative from the named school for joint panel hearings, will hear the complaint within 20 school working days of receiving the complaint. The letter will invite the Complainant to attend and also explain that they have the right to submit any*

further documentation relevant to the complaint. The Complainant may bring a friend or someone else for support.

- *A meeting of the Governors Complaints Panel will be convened. No Governors with prior involvement in the issues complained about will be included on the Panel and it may be necessary to use reserves (previously agreed by the Governing Body) to ensure the Panel can meet within the set time. An experienced Governor will chair the Panel meeting. The Clerk of the Complaints Panel will contact the Complainant with the arrangements.*
- *Once the Panel has been held, the Complainant and the school will be informed of their decision within five school working days. If it is not possible to meet these timescales then the Clerk of the Panel will contact both parties to discuss a mutually convenient date. Further information on how the Panel operates and the process is attached at appendix 3.*

Stage 4 – Escalation to Secretary of State for Education

If the complainant remains unsatisfied by the outcome of the Governor's Panel, they will be advised to contact the Secretary of State for Education. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably.

The School Complaints Unit considers complaints relating to local authority maintained schools in England on behalf of the Secretary of State. They will look at whether the school's complaints policy and other relevant statutory policies were adhered to. They will also check whether the school's policy adheres to education legislation. However, the unit will not re-investigate the substance of the complaint. This remains the responsibility of the school. If the Schools Complaints Unit finds that the school has not handled a complaint in accordance with its procedure, the unit may request that the complaint is looked at again.

The School Complaints Unit can be contacted by calling the national helpline on 0370 000 2288 or by going online at: www.education.gov.uk/help/contactus or by writing to:
Department for Education
School Complaints Unit
2nd Floor, Piccadilly Gate
Store Street
Manchester M1 2WD

Unreasonable complaints

The Willesborough Schools are 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*'.

Examples: A complaint will 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 complaints 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.

A complaint is 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 their issues and 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 Executive Headteacher or Chair of Governors will discuss any concerns with the Complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Executive 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.

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

Barring from the School Premises

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

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Executive Headteacher or local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Executive Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Complaints Procedure for Schools – Flowchart

Stage One	**Stage Two**
Informal Stage	**Formal Stage**
Complainant contacts the individual Member of Staff	Complainant writes to Headteacher
	School receives letter
Resolved? Yes	
	Headteacher writes setting out investigation
	arrangements Investigation concluded
	Headteacher writes to complainant with
No	outcomes of investigation Resolved? Yes
Complainant decides to proceed to Stage Two	No

Complainant unhappy with process followed and decides to proceed to Stage Three — Day One

By Day Five

By Day Twenty Five

Stage Three

Governors Review Panel

Complainant writes to Clerk to Governors about process followed in Stage Two

Clerk receives letter

Governor review process

Governors communicate its finding to all parties

Resolved? Yes

No

Complainant can write to Secretary of State if still not satisfied
Day One

By Day Twenty Five

Note:- If the complaint is about the actions of the Executive Headteacher then the Chair of

Governors carries out the Executive Headteacher's role as indicated above.

Appendix 3 Governor Complaints Panel procedure

• At the Panel hearing:

o The Complainant will have the opportunity to present their complaint. o The Headteacher (or Investigating Governor) will explain the school's position.
o Those present will have the opportunity to ask questions.
o Panel members will have the opportunity to ask questions of the complainant and the Headteacher.
o The Headteacher (or Investigating Governor) will be given the opportunity to make a final statement to the Panel.
o The Complainant will be given the opportunity to make a final statement to the Panel.
o The Chair of the Panel will ask the Complainant if he or she feels they have had the opportunity to say everything they wish to say.

• The Chair of the Panel has responsibility to ensure that detailed minutes are taken.

• The Chair of the Panel will explain to the complainant and Headteacher (or Investigating Governor) that the Panel will consider its decision and that a written decision will be sent to both parties within 15 working days. The complainant, Headteacher, other members of staff and witnesses will then leave.

• The Panel will then consider the complaint and all the evidence presented and:

o Agree a decision on the complaint;
o Decide upon the appropriate action to be taken to resolve the complaint; and
o Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

• A written statement clearly setting out the decision of the Panel must be sent to the Complainant and Executive Headteacher or Investigating Governor. The letter to the Complainant should also advise how to take the complaint further.

• The School should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

Appendix 4

Procedure to manage complaints about School Governors General

principles

The principles of a complaint should include the following:

• resolution should be sought at the least formal level in the first instance; • complaints should be resolved as quickly as possible;

• the process of resolving a complaint should not undermine the work of the governing body;

• where help and support is needed in managing a complaint against a Governor, this could be sought from another school governing body

A Governing Body should conduct its workings with a clear set of expectations of their role and behaviour. This is contained in the Governing Body Code of Conduct which should be signed by all Governors which follows the Nolan Principles of those holding public office (see model document on KELSI).

Categories of complaints

Complaints against Governors can be categorised:
(i) those from other Governors on the governing body;
(ii) those from members of the public which includes parents;

NB - members of the school staff – See Staff Grievance Policy.

Irrespective of the category of complaint the responsibility for dealing with the complaint is that of the Governing Body, which would normally fall to the Chair to manage.

Where the complaint is made against the Chair then:
(i) it could be passed to the Vice-Chair; or
(ii) by agreement of the Governing Body at an Extraordinary Full Governing Body Meeting, passed to the Chair of another School Governing Body with whom the Governing Body has made a prior collaborative agreement (2007 Collaboration Regulations /Joint Governor Panel Agreement) to investigate and then forward the recommended outcomes to the Vice Chair.
(iii) by agreement of the Governing Body at an Extraordinary Full Governing Body Meeting, passed to an experienced Governor who will forward the recommended outcomes to the Vice Chair.

The Governing Body need to consider to what extent the internal investigation of a complaint against a Governor by another Governor generates a conflict of interest or prejudice.
No member of the school staff, including the Executive Headteacher, should be

involved in the investigation of a complaint against a Governor other than as a witness.

Procedure

This procedure is for complaints from members of the public, parents and Governors.

1 All complaints must be in writing to the Clerk, which includes email. For complaints against the Chair the procedure below will be undertaken either by the Vice Chair or an Independent Investigator

2 The Chair must inform the Governor against whom the complaint is made, the content of the complaint and how it is to be managed.
3 All complaints must be reported to the Governing Body as soon as is practicable, however the information must be restricted to: (a) the date the complaint was received; and (b) against which Governor the complaint is made.
4 Unless otherwise agreed by the Governing Body, the Complaint should be managed by the Chair.
The Chair may wish to seek advice from the Local Authority.
5 The Chair should arrange a meeting with the complainant to determine the nature of the complaint. To substantiate the complaint the complainant should be able to supply evidence.
6 It may be that due to the nature of the complaint, the Chair can resolve the issue at the initial meeting and no further action be taken.
This outcome should be reported immediately to the Governor who the complaint is against and the Governing Body.
7 Where the complaint cannot be resolved at the initial meeting with the Complainant, the Chair will need to meet with the Governor concerned and put to them the complaint in order for them to make a response.
8 The Chair or Vice Chair will write a letter to the complainant providing an outcome to their complaint.
9 The outcome of the complaint could be that:
(i) the complaint is dismissed;
(ii) the complaint is upheld in part or whole and a letter of apology is sent to the Complainant;
(iii) the complaint is detrimental to the reputation of the Governing Body and the Governing Body refer to their Code of Conduct for next steps in line with regulations.
10 The outcome of the complaint needs to be recorded in the minutes of the Governing Body meeting, for example:

Complaint was resolved or

That a complaint was made against a Governor and investigated with the outcome being …..

Where possible the time lines of the Complaints Policy should apply to this

Appendix.

Appendix 5
Roles and Responsibilities

The Complainant
The Complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-
• co-operates with the school in seeking a solution to the complaint; • expresses the complaint in full as early as possible;

• responds promptly to requests for information or meetings or in agreeing the details of the complaint;

• asks for assistance as needed;

• treats all those involved in the complaint with respect.

The Complaints Co-ordinator (or Executive Headteacher)
The complaints co-ordinator should:-

• ensure that the complainant is fully updated at each stage of the procedure;

• ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;

• liaise with staff members, Executive Headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;

• keep records;

• be aware of issues regarding:-
- sharing third party information;
- additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:-

• providing a comprehensive, open, transparent and fair consideration of the complaint through:-
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
- consideration of records and other relevant information;
- interviewing staff and children/young people and other people relevant to the complaint;
- analysing information;

• effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;

• identifying solutions and recommending courses of action to resolve problems;

• being mindful of the timescales to respond; and

• responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

• 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.

The Panel Clerk (this could be Clerk to the Governors or the Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected to:-

• set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;

• collate any written material and send it to the parties in advance of the hearing; • meet and welcome the parties as they arrive at the hearing;

• record the proceedings;

• circulate the minutes of the panel hearing;

• notify all parties of the panel's decision;

• liaise with the complaints co-ordinator.

The Panel Chair

The Panel Chair has a key role in ensuring that:-

• the meeting is minuted;

• the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;

• the issues are addressed;

• key findings of fact are made;

• parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;

• the hearing is conducted in an informal manner with everyone treated with respect and courtesy;

• the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;

• the panel is open-minded and acts independently;

• no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;

• both the complainant and the school are given the opportunity to state their case and seek clarity;

• written material is seen by everyone in attendance – 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 hearing;

• liaise with the Clerk and complaints co-ordinator.

Panel Member

Panellists will need to be aware that:-
• it is important that the review panel 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.
• the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;

However, it must be recognised that 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.
• many complainants will feel nervous and inhibited in a formal setting;

Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. • extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;

Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel should respect the views of the

child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the panel 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 panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.

The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests. • The welfare of the child/young person is paramount.

Interviewing Best Practice Tips

Children/young people

• Children/young people should be interviewed 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/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.

• Care should be taken in these circumstances not to create an intimidating atmosphere.

• Children/young people should be told what the interview is about and that they can have someone with them.

Staff/Witnesses

• Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.

• Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

• Use open, not leading questions.

• Do not express opinions in words or attitude.

• Ask single not multiple questions, i.e. one question at a time.

• Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.

• Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.

• Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the complaints co-ordinator/ headteacher/ Chair of Governors the option of a meeting between the conflicting witnesses.

• Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.