

Edgewood Primary School



Complaints Policy

And the managing or serial, vexatious or unreasonable complaints policy

This policy is based on the DfE model complaints policy and the managing serial or unreasonable complaints policy that are both required by all maintained schools.

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Who can make a complaint?

This complaints process is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Edgewood Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate procedures (detailed in Section 12), we will use this complaints procedure.

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'*.

In many cases parents are often simply asking for the school to review and change a decision they have made. These are more accurately a 'Right of Review' than a real concern or complaint. Please see the section below for more details.

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. Edgewood Primary 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. In these cases, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Informal complaints involve hearing a complaint quickly, finding a resolution and providing an explanation of the actions taken regarding the complaint. We encourage the resolution of complaints through informal channels whenever possible. However, should you wish to lodge a formal complaint, you can do so by following the procedures outlined in this policy.

We will treat all complaints seriously, with an honest and open mind, and do everything we can to deal with them efficiently and effectively. We will aim to keep you informed and provide clear explanations for decisions made. If we find that something has gone wrong, we will try to put this right as soon as possible and use the complaints information in a positive way to identify training requirements, improve processes, and share learning when appropriate to prevent similar occurrences in the future.

Please note that the complaints process is an internal procedure designed to address concerns and issues that are believed to have gone wrong, and if this is the case, help us to address this and make improvements. This is not a legal or HR process and participation in this process by all sides is voluntary.

We recognise that making a complaint can be an emotive process, and we ask that all individuals engaging with this process, including parents and carers, do so in a respectful and constructive manner. Abusive, aggressive, or disrespectful behaviour towards staff or others involved at any stage will not be tolerated and may result in the suspension or halting of the complaints process. (It is a criminal offence to cause or permit a nuisance or disturbance on school premises. This means that any person(s) can be legally removed from

the site if they are acting in an abusive or threatening way at meetings and may be banned from the school site. This is set out in section 547 of the Education Act 1996). Please see our Acceptable Behaviour of Adults Policy if you require any further information.

Right of Review of a school decision

(Please note this section does not apply to decisions made by other bodies (e.g. admissions) or those around which statutory processes apply such as suspensions, exclusions or EHCP processes)

If the school has made a decision you are unhappy with this usually doesn't fall neatly under a concern or complaint so we have created a third pathway. Please note it is optional to use this process and you may still make a complaint in line with the rest of this document. We hope parents may use this right of review in preference as a less confrontational process and one that helps school make better decisions moving forwards.

The school carefully considers the decisions it makes but we accept that we can't see all the implications of some of the decisions we make and we welcome feedback and challenge on these as it often enables us to improve how we work.

This process is designed to be non-confrontational and has been created with the full and frank admission that we know, as an organisation that we do not always get things right, despite our very best efforts to! When making a decision, we carefully consider and weigh up all the information we can before making a decision to try and do our best to get each decision as right as possible. Unfortunately, we don't always have all the information and we accept that there are times when we are unaware of other viewpoints/options when making that decision.

Sometimes as well we can make a decision that people may criticise because we aren't always able to share all the factors we have to weigh when making a decision with everyone that will be affected.

We hope this process will allow us to make the best decisions we can within the legal and guidance frameworks we have to follow.

Review process

If school has made a decision you feel is incorrect or you feel there could be better option please either follow the school's usual concerns process by speaking to your child's teacher or, and especially if this is related to a process or policy, please email office@edgewood.notts.sch.uk with the title "Request to review" and detail the decision or school policy or process that you feel needs looking at again.

What will school do after receiving this?

School will share the email or verbal summary with the relevant staff and/or governors and respond to you in writing, ideally within 5 days but, if it will take longer we will let you know the anticipated date of a full reply.

What will the outcome be?

We will write back to you usually with one of four broad outcomes:

1. We agree with your point and will set out what we are going to do to change our decision or improve our policy / process.
2. We understand your position but cannot change the decision due to various reasons and will set out why the school policy / procedure / decision stands. We will try to give you as much information as possible about why we do this the way we do and can't, or won't currently change it.

3. We will write back to you explaining the DfE (or other external) guidance or law that stops us from making a change to the system. If possible we will suggest how to take the matter up with that external party to try and get the guidance / law changed.
4. Where it is a judgement call and school have followed our policy and/or carefully made a decision for reasons we believe are correct, we may reply suggesting that we will simply have to agree to disagree. School cannot change its policies simply when a few people may disagree with them.

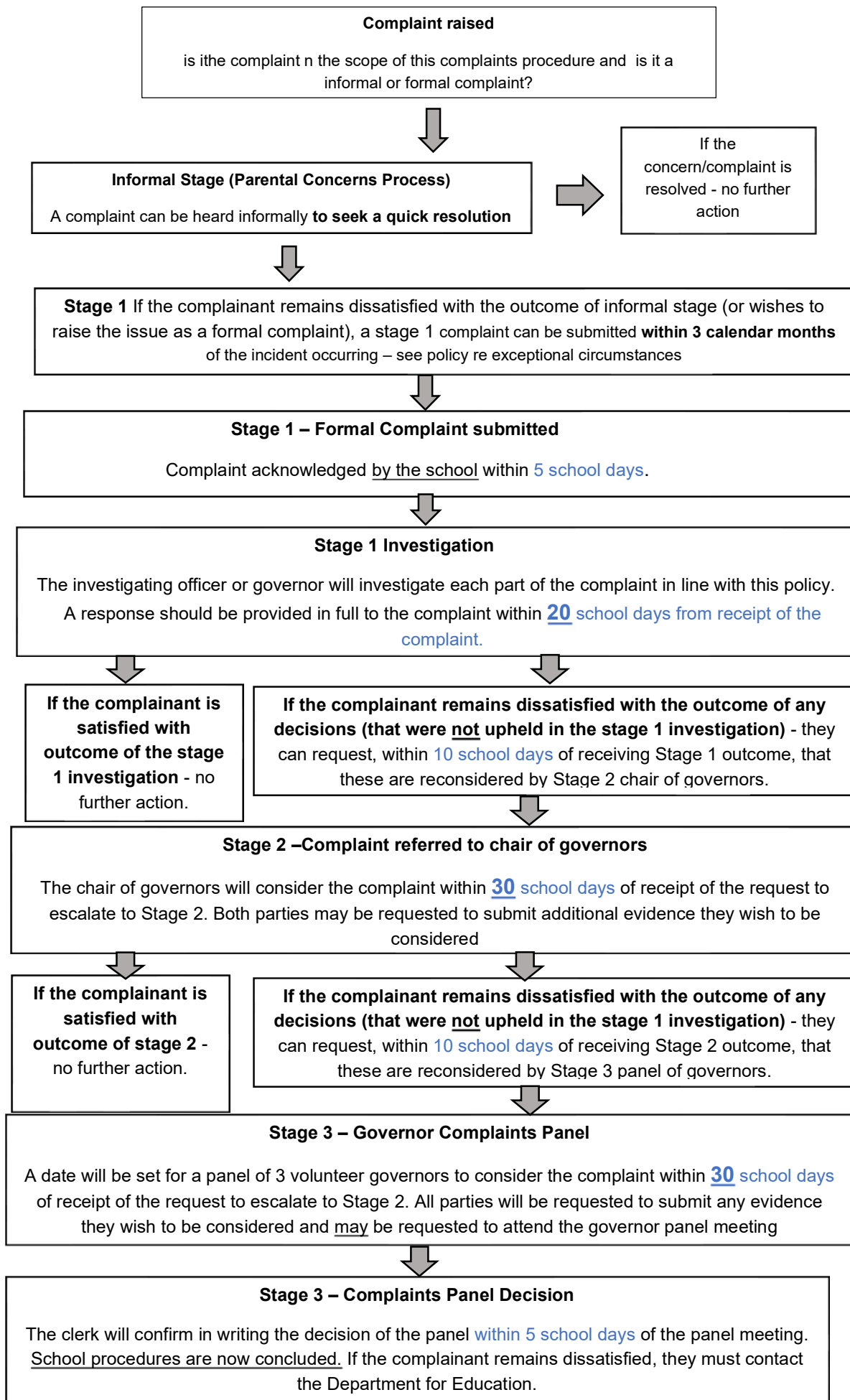
What if I am still unhappy with the school's decision?

Please communicate that back in reply to the response and we will raise the matter with our governors either via email or at our next meeting for further consideration.

Please note, for complex situations we will often take the matter to our governing body to get their opinions *before* replying and see if there are tweaks or changes we can make following that. If we have done that already we would write to inform you that this has already been done and would not do this again unless critical new information was to come to light.

If you are still unhappy, you can move to Stage 2 of the complaints process which will consider how school responded to the review and whether we handled this review correctly. This stage **will not** review the initial concern again in line with the complaints policy.

Complaints procedure flowchart



How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing (including email) or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. We may ask you for evidence of this consent.

Concerns should be raised initially with either the class teacher, Key Stage Leader or headteacher. If the issue remains unresolved after a reasonable period of time for the members of staff to take action and follow things up, the next step is to make a formal complaint.

Formal complaints – Please refer to the flowchart. This policy explains the school's complaints process for informal complaints and any stage 1, 2 and 3 complaints. It is important to check in the first instance that the complaint is within the remit of this policy.

It is strongly advised that the complaints form is used (in the appendix). The purpose of your complaint should be clear, preferably in bullet points, and **should also state how you feel the complaint can be resolved to your satisfaction**. If a complaint is not easily understood, it may need to be returned to the complainant to be revised so that the correct issues are being addressed. If the way the complaint can be resolved is also unclear then school may have difficulty in resolving the complaint.

Any relevant evidence can be submitted with the formal complaint, but the investigating officer may wish to speak with the complainant to discuss the complaint and ask if there is any more information that would be useful to know. If this proceeds to a stage 3 governor complaints panel, the complaints co-ordinator will request that all evidence is submitted by all parties by a given deadline.

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 later stages of the procedure.

Complaints around misconduct against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher's conduct should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Please note that if all (or part) of the complaint is about the conduct of a member of staff, it may have to be referred to the school's internal HR procedures to consider. If this is considered an HR matter, the complaint will be notified that the complaint is being addressed in line with school's internal procedures. but the complainant will not be informed of any subsequent decision or actions.

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

Our office staff will deal with correspondence confidentially in order to reach the recipient securely and promptly (e.g. to the Chair of Governors or Clerk to Governors). This may mean that your correspondence is opened and scanned to be electronically provided to the recipient. All correspondence will be kept confidentially and appropriately in accordance with school systems and procedures.

Please note that a copy of the written complaint will be provided to the person(s) you are complaining about in order for them to be able to provide a full response. If you do not wish for the full written complaint to be provided to the person(s) you must indicate this in your written complaint or on the complaint form and state your reasons why this information should not be shared. In this case, a summary of the complaint will be agreed with the complainant and then provided to the person(s) you are complaining about in order for them to respond.

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. If you require help in completing the complaints form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

Anonymous complaints

We will not normally investigate anonymous complaints. The Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. However, the outcome of any investigation will not be provided to an anonymous complainant.

Time scales

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

Complaints received outside of term time

We will consider complaints made during school holidays to have been received on the first school day after the holiday period.

For the purposes of being able to make a complaint though we will accept the date they were sent in the holiday using the date of any email or postage mark to show when the complaint was received. Waiting to the end of a holiday to make the complaint in person may lead you to being out of timescales.

Duplicate Complaints

After a complaint has been closed, if the school receives a duplicate complaint from a partner, spouse, grandparent or child, the school can inform the new complainant that the school has already considered the complaint and the school's process is now complete. If there are any new aspects to the complaint, the new aspects alone will be considered in line with the full extent of the complaints procedure. The complainant is advised to contact the Department for Education if they are dissatisfied with the school's handling of the original complaint.

Complaint Campaigns

If the school becomes the focus of a campaign and receive large volumes of complaints:

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

the Headteacher or Chair of Governors (if the complaints are about the Headteacher) will appoint an appropriate person to investigate the complaints. In these circumstances it may not be possible to meet with all individual complainants or correspond with them individually.

Once the investigation is concluded, the investigating person may choose to write to each complainant with an outcome, or the school can respond with a template response to all complainants, or by publishing a single response on the school website. Complainants are advised to contact the Department for Education if they are dissatisfied with the school's handling of the complaint.

Complaints raised using Social Media

Concerns or complaints must be raised using this complaints procedure in order to ensure the best outcome for all parties. Edgewood Primary School will not formally respond to complaints or concerns raised on Social Media platforms but may contact individuals to guide them to use the complaints procedure and to request the removal of such content on social media in line with school social media policies.

The school will not accept complaints from 3rd parties on behalf of other complainants, especially if those comments are made by people on social media. Each person must raise any concerns directly with the school following the concerns or complaints process.

Mediation/Facilitated Discussions

The purpose of this procedure is to consider and find a resolution to your concern or complaint. Mediation can provide a helpful mechanism for discussion when a concern is raised, as well as helping to rebuild relationships between parties once all of the stages of the complaints procedure have been completed. Open dialogue is usually the best way to promote understanding and hopefully find a satisfactory resolution to your concern or complaint. We may at any point in this procedure invite you (the complainant) to consider taking part in a meeting to discuss your concern or complaint so that we can explore together the best way to reach a satisfactory conclusion. As the complainant, you may also ask the school to engage in a mediation discussion. All parties must consent to attend a meeting of this nature in order for it to proceed.

In the event that a meeting does go ahead, the formal procedure will simply be “paused” at the stage it has reached, recommencing at that stage if the meeting does not result in a satisfactory conclusion. Mediation should not be used as a substitute for an investigation during the formal stages of the complaint’s procedure.

If felt beneficial, a neutral third party (or parties) may be invited to facilitate or attend the discussion if agreed in advance by all parties. This could be an officer from the Local Authority or someone from the Diocese if a church school for example.

Who manages each stage of a complaint

If the complaint relates to:	Informal Stage	Stage 1 Formal (Investigation)	Stage 2 Complaint Panel
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff. (Any concerns about staff conduct may need to be considered under HR procedures).	Headteacher or another Senior Manager (The Headteacher may delegate the investigation, but not the decision).	Governor Panel (The panel could include governors/associate members from another school).
The Headteacher	Chair of Governors <u>A Formal Stage 1 investigation may be more appropriate.</u> (Any concerns about Headteacher conduct may need to be	The Chair of Governors, Complaints Governor or impartial person.	Governor Panel (The panel could include governors/associate members from another school).

	considered under HR procedures).		
A Governor or group of Governors (other than the Chair of Governors)	Chair of Governors	Vice Governors or another nominated non-staff governor (which could include a governor/associate member from another school).	Governor Panel (The panel could include a governors/associate members from another school).
The Chair of Governors	Vice chair of Governors	Clerk to governors will refer to Nottinghamshire County Council Governor Services who will nominate an investigating officer (which could include a governor/associate member from another school).	Governor Panel (The panel could include a governors/associate members from another school).
The whole governing body	Not applicable Formal process advised	Clerk to governors will refer the complaint to Nottinghamshire County Council Governor Services who will nominate an investigating officer.	Nottinghamshire County Council Governor Services to nominate an independent panel of governors or associate members.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Edgewood Primary School. Any third party providers offering community facilities or services through the school premises, or using school facilities, should have their own complaints procedure in place, and complaints about these services will not be considered through this policy.

Complaints that are outside of this procedure will be dealt with under other statutory procedures, including those listed below.

Exceptions to this procedure	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals i.e. academisation, federation etc	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Nottinghamshire County Council Contact us Nottinghamshire County Council or call the Customer Service Team on 0300 500 800. If you (the complainant) are dissatisfied with the outcome about School re-organisation please contact the Department for Education.

• 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). Tel: 0300 500 8090. Email: mash.safeguarding@nottsc.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i> See the school website for a copy of the school's behaviour policy.
• 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 directly to the Local Authority or the Department for Education (see link above), depending on the substance of your complaint.
• DSARs	Complaints about DSARs will get a written response from the DPO / HT and then any subsequent escalation falls outside this policy and must be taken up with the ICO.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff (including from governors) 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 in line with school's internal procedures.
• 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

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 school advises that the complaint needs to be directed to another body as it concerns one or more of the above scenarios then the school will close the complaint and fully cooperate with those agencies to try and resolve the complaint. The complaint in school will not be progressed further as a separate process. If you disagree with that decision you may do so in writing within 10 school days of the decision stating clearly the reasons why you think that decision was incorrect and why it should remain within the school processes.

If a complainant commences legal action against Edgewood Primary 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 been concluded.

Resolving complaints and concerns.

The majority of concerns from parents, carers and any other interested parties who raise a concern or complaint are handled under the following procedures. At each stage in the procedure, Edgewood Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Informal Stage

Please see our **Process for Expressing Parental Concerns** document for further detail.

Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's teacher. If your concerns are in respect of a particular member of staff, you should contact the school in the first instance and we will decide an appropriate member of SLT to respond. There is no need at this stage to make your concerns known in writing, but the staff member responsible for resolving the matter will keep a note of the nature of your concerns and any agreed actions.

If your concerns are about the Headteacher, a governor or a group of governors, the Informal stage of this procedure may not be appropriate and the complainant may be referred to Stage 1 of the procedure or an alternative as appropriate.

Once your concern is made known to us, we will contact you by telephone or in writing as soon as possible and we may make arrangements to meet with you to discuss your concerns and desired outcomes in more detail to gain a better understanding. Please note this may not be able to be the same day as the concern is received. Our focus in this informal stage will be to seek clarification on your concern and find a resolution. We will also consider how we can work with you positively to find a way forward. Any actions or monitoring of the situation that has been agreed will be communicated clearly and confirmed with you and a record placed on our school's system.

If necessary, we will contact appropriate people who may be able to assist us with our enquiries into your concerns. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further. We would expect that the majority of concerns or complaints will be resolved at this early stage.

Please note we will at this stage speak to parties involved informally and this will not usually be done with parents or multiple members of staff present. This allows us to resolve issues at the earliest opportunity and with the least amount of stress on pupils involved.

If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage (Stage 1). After trying to resolve your concern through the informal stage we may determine that a formal approach is now required, and your concern will become a formal complaint dealt with it at Stage 1.

Stage 1 – Formal Complaint

This stage in our procedures deals with formal complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined above or a situation you feel requires a formal complaint initially.

If your complaint is an escalation from an informal concern, you should submit your written complaint within 10 school days of the last discussion to resolve your complaint at the informal stage or communication being received regarding the end of that stage. At all points this should also be within three calendar months of the incident(s) occurring.

Normally, your written complaint should be sent to the school address or emailed to office@edgewood.notts.sch.uk, addressed FAO the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "for the attention of the Chair of Governors".

Formal complaints must be addressed to the individual below, depending on what they are about.

Complaints about the school or the actions of a member of staff	Completed complaints forms should be posted or emailed to the school office and marked "confidential - for the attention of the Headteacher"
Complaints about the actions of the Headteacher	Completed complaints forms should be posted or emailed to the school office and marked "confidential - for the attention of the Chair of Governors"
Complaints about a governor	Completed complaints forms should be posted or emailed to the school office and marked "confidential - for the attention of the Chair of Governors"
Complaints about the Chair of Governors	Completed complaints forms should be posted or emailed to the school office and marked "confidential - for the attention of the Vice Chair of Governors"
Complaints about the whole board of governors	Completed complaints forms should be emailed and marked "for the attention of NCC Governor Services Manager" governors@nottscg.gov.uk

While technically you are able to make a complaint in person or via the telephone, unless there is an equality issue that means you are unable to do this, school will request you to submit your formal complaint in writing (ideally on the complaint form at the end of this document) to ensure the reason for your complaint and the resolution(s) you are seeking are clear and school has the best chance to resolve this complaint. If you choose not to make a complaint in writing within 10 school days we will consider that you have changed your mind and the complaint is closed. If, for any equality issues, you are unable to put the complaint in writing yourself we will assist you to make a complaint in an alternative way – please contact school for assistance with this within 10 school days.

We will acknowledge your complaint in writing within five school days of receiving it. The acknowledgement letter will detail who will be investigating your complaint (or whatever other action will be taken, such as directing you to refer the matter to another body as it falls outside the scope of this complaints policy). The person investigating could be the Headteacher, Chair of Governors, Complaints Governor or another suitably experienced and impartial person nominated by the school. The board may have reciprocal

arrangements in place with one or more local schools to “borrow” an independent and experienced governor to undertake a stage 1 investigation or provide one or more independent governors for a stage 3 governor panel.

If you do not make the resolution you are seeking clear in your initial written complaint, we may ask you to clarify this in writing to ensure it is clear and we have the best possible chance of resolving your complaint. If we do not get this clarification within 10 school days we will consider that you no longer wish to proceed with your complaint and consider the matter closed. The 20 school days timeline for responding to your complaint will be suspended while we wait for any further details or clarifications.

We will enclose a copy of these procedures with the acknowledgement letter or email only if requested.

Normally, we would expect to respond in full to your complaint within 20 school days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.

As part of our consideration of your complaint, the person investigating your complaint will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The person investigating your complaint will consider whether a phone call, email or face-to-face meeting is the most appropriate way of doing this. (If you have a preference or need any reasonable adjustments, please let us know in advance.) If there is a face to-face meeting, you may be accompanied by another person and the person investigating your complaint may also be accompanied by a suitable person if they wish. A note-taker may also be present.

Please note, if you refuse or are unable (without good reason) to provide information about what remains unresolved to require an escalation of your complaint or what reasonable resolution you are seeking we may consider that your complaint is vexatious or unreasonable (please see this section towards the end of the document for further information.)

Following the clarification, the person investigating your complaint will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we may talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. Witnesses will be reminded that the statements they make, whilst confidential, may be used as evidence later in the procedure and could therefore be seen by other parties considering the complaint (e.g. Governor Complaints Panel members). It may be necessary to redact or remove the identity of the person giving the statement or any third party it may mention e.g. another pupil.

At this formal investigation stage, we would normally ask a parent or carer to be present when we speak to pupils, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that they would prefer the parent or carer not to be involved. In all circumstances at this stage of a complaint, we will ensure that more than one member of staff is present and that at least one of those members of staff is someone the child will feel very comfortable with and reassured by.

The person investigating your complaint will keep written/typed, signed and dated records of all meetings and telephone conversations, and any other related documentation.

When investigating particularly sensitive or confidential complaints, all parties will need to be mindful of confidentiality and data protection, and careful consideration should be given to who is present in the investigation and how confidentiality can be maintained.

Electronic recording of the meeting is not permitted without the explicit, written consent of all attendees and only in exceptional circumstances, i.e. where there are communication difficulties.

At the conclusion of their investigation, the person investigating your complaint will provide a formal written response within 20 school days of the date of receipt of the complaint. If the investigating person is unable to meet this deadline, they will provide you with an update and the revised response date.

The written response to your complaint will detail any actions taken to investigate the complaint and provide a full explanation of the decision and the reason(s) for it. The response should detail specifically whether each element of your complaint has been upheld, upheld in part or dismissed. Where appropriate, it will include details of actions we will take to resolve the complaint. You (the complainant) may be invited to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the "Closure of Complaints" section below for further information about this process.

If you remain dissatisfied with the outcome of your complaint at Stage 1, you are entitled to progress the parts of the complaint not upheld, for a governor panel to review as a stage 2 complaint.

If your 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 following the process outlined above.

Stage 2 - consideration by the Chair of Governors

This stage in our procedures deals with written complaints. It applies where you are not happy with the first formal response to dealing with your concern, as outlined above. You should submit your written complaint within 10 school days of the date of the written response to Stage 1.

Normally, your written complaint should be sent to the school marked "for the attention of the Chair of Governors". Your written complaint should clearly state the reason for your complaint and what resolution you are seeking.

We will acknowledge your complaint in writing as soon as possible after receiving it. This will usually be within five school days. The acknowledgement letter will detail who will be investigating your complaint. This could be the Chair of Governors, Complaints Governor or another suitably experienced and impartial person nominated by the school.

Normally, we would expect to respond in full to your complaint within 20 school days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.

As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint in order to fully understand the matters concerning you and how you feel the complaint can be resolved. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.

The person investigating your complaint may also be accompanied by a suitable person if they wish. A note-taker may also be present.

Following the meeting, the person investigating your complaint will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we may talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. Witnesses will be reminded that the statements they make, whilst confidential, may be used as evidence later in the procedure and could therefore be seen by other parties considering the complaint (e.g. Governor Complaints Panel members). It may be necessary to redact or remove the identity of the person giving the statement or any third party it may mention e.g. another pupil.

As our Chair of Governors is not well known to our pupils, at this stage we will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that they would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

The person investigating your complaint will keep written/taped, signed and dated records of all meetings and telephone conversations, and any other related documentation.

Once the person investigating your complaint has concluded investigating your complaint, they will send you a written response to your complaint. They will give an explanation of their decision and the reasons for it. If follow-up action is needed, they will indicate what the school are proposing to do. You may be invited to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the "Closure of Complaints" section below for further information about this process.

If you are unhappy with the outcome of your complaint, you may wish to proceed to stage three, as detailed below.

Stage 3 - consideration by a Governors Complaints Panel

Stage 3 is the final stage of the complaints procedure.

Within 10 school days of receiving the outcome of your complaint at Stage 2, you (the complainant) must submit your request for your complaint to go to a stage 3 governor panel. You may find it helpful to use the complaints form (Section 13). Requests received outside of this time frame will only be considered if exceptional circumstances apply.

You should:

- state specifically why you are not satisfied with the outcome at Stage 1
- state what resolution you are seeking.

Only the parts of the complaint that have not been upheld can be considered (as you cannot appeal something that was previously upheld).

You should send your stage 3 complaint to the school office. The school will acknowledge receipt of the email within 5 school days and ensure the complaint is received by the intended recipient. A nominated complaints co-ordinator will usually be appointed as the contact point and arrange the dates of the meeting, the panel members and requests for evidence plus the distribute the packs of papers for the meetings.

If your reasons for moving to Stage 3 are not clear, the school may need to come back to you for further clarity. Your reasons for moving to Stage 3 will need to be shared with the Headteacher and any person who investigated your complaint so that they can prepare a response for the panel to consider. The Governor Complaints Panel will not normally review any new complaints at this stage or consider evidence unrelated to the original complaint, and new complaints should be dealt with at the Stage 1 of the complaints procedure.

If your reasons for moving the complaint to Stage 3 are not clear and you have not provided any additional information that may be requested to provide that clarity within 10 days of being requested then the members of the panel may decide to dismiss your complaint without convening a hearing.

The Governors Complaints Panel is formed of three governors or associate members with no prior involvement or knowledge of the complaint. If there are fewer than three governors from our school available, the nominated complaints co-ordinator will source any additional, independent governors (or associate members) through another school or through their LA's Governor Services team or Diocese, in order to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 2. They will also source an independent clerk of governors to support the panel. The exception to this is when a maintained school has appointed a standing committee to hear all the complaints (please refer to the board's scheme of delegation).

The purpose of a stage 2 governor panel meeting is to give you the chance to present your concern to a panel of 3 governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.

The aim of a panel is to:

- Establish facts.
- Review how the complaint has been investigated and determine whether this has been conducted fairly.
- Determine if the complaint is upheld in whole or in part or is dismissed in whole or in part and to make any recommendations.

- As a result of this process, reassure you as the complainant that we have taken your complaint seriously and given it fair and due consideration.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or the majority of the governing body

Stage 3 will be heard by a panel of independent governors and/or associate members appointed by the nominated complaints co-ordinator.

Prior to the meeting, the panel will decide amongst themselves who will act as the Chair of the Governor Complaints Panel. The panel will decide whether to deal with the complaint by inviting parties to a meeting or through consideration of the written representation and evidence only, but in making their decision they will need to be assured that the stage 1 and 2 investigation(s) considered all aspects of the complaint and evidence provided and that they interviewed all relevant parties to understand the concerns of the complainant and the actions of the school. The panel need to be sensitive to the complainant's needs. **In most cases, a meeting with all parties invited will likely be convened.**

The nominated complaints co-ordinator will write to the complainant to inform them of the date of the meeting. They will aim to convene a mutually convenient meeting within 30 school days of receipt of the Stage 2 request. If it is not possible to convene a meeting within 30 school days, the nominated complaints co-ordinator will provide a timescale within which they expect the meeting to take place and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the nominated complaints co-ordinator will decide when to hold the meeting. It will then proceed on the basis of written submissions from the complainant and written or in-person submissions from the Headteacher/investigating person.

The complainant will be asked whether they wish to provide any further written material for the panel to consider. The complainant should only provide information that is relevant to their complaint and not issues that have arisen after the Stage 1 and 2 findings.

The Headteacher or person who investigated the complaint (as appropriate) will also be asked to submit documentation related to the investigation and the outcome in response to the complainant's request to move to Stage 3.

All parties will be asked to provide details of any witnesses that they intend to call and any companions. The complainant may bring someone along to provide support; this can be a relative or friend. It is the complainant's responsibility to gain agreement from their witnesses to take part in this process and the complainant will be responsible for communicating the arrangements of the panel meeting to their witnesses. The same applies for the Headteacher and person investigating the complaint.

A governor complaints panel is not a form of legal proceedings and neither the complainant nor the school should bring legal representation. 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.

Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days in advance of the panel meeting, the nominated complaints co-ordinator will provide all parties with a date to submit the documentation and names of witnesses/companions which must be adhered to. Once all the documentation has been received, the nominated complaints co-ordinator will collate and distribute the papers to all parties, at the same time, at least 5 school days prior to the panel meeting. All parties will receive copies of all the papers presented for consideration by the Governor Complaints Panel. The papers will be sent by secure email to all parties with paper copies provided on request.

The panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded and that consent being shared with the panel to prove it was gained in advance of the recording being made.

The nominated complaints co-ordinator will confirm at least 5 school days in advance, the date, time and place of the meeting and who will be attending including witnesses and companions. We hope you (the complainant) will feel comfortable with the meeting taking place in the school, but we will do what we can to make alternative arrangements if you prefer. You should advise, as soon as possible, if you would prefer for the meeting to take place at an alternative venue to the school.

The complainant will be provided with a copy of the Procedure for the Governor Complaints Panel Meeting which explains what will happen at the hearing. The Chair of the Panel will bear in mind that the formal nature of the meeting can be perceived as intimidating for the complainant and will do their best to put the complainant at their ease.

As a general rule, no evidence (documentary or otherwise) or witnesses previously undisclosed should be introduced into the panel meeting by any of the participants. If any party wishes to do so, a request must be made to the panel and, if the panel agree to the request, the meeting will be adjourned so that the other parties have a fair opportunity to consider and respond to the new evidence. The adjournment will be managed by the clerk of the panel.

The chair of the panel will ensure that the meeting is properly recorded via written minutes. The minutes are strictly confidential and should not be shared with parties external to the process.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's (or other party's) own disability or special needs require it. Prior knowledge and consent of all parties attending to record electronically must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken and all processes must adhere to Data Protection guidance/legislation.

During the meeting, the panel will consider the complaint and all the evidence presented. In closing the meeting, the chair will explain to the complainant that the panel will now consider its decision, and that written notice of the decision will be sent to the complainant by the clerk within 5 school days. However, if

this timescale cannot be met, the complainant will be advised accordingly and a new timescale determined. Upon conclusion of the meeting, the complainant, Headteacher/person investigating the complaint withdraws from the meeting to allow the panel to consider its decision, supported by the clerk.

The Governor Complaints Panel will then consider the complaint, and all the evidence presented. The panel will acknowledge if the complaint is not upheld, upheld in whole or in part and may offer one or more of the following,

- an explanation
- an admission if the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an recommendation of actions to be taken to help ensure that it will not happen again and an indication of the timescales for this to happen
- an undertaking to review school policies in light of the complaint
- an apology.

The Chair of the Panel (or the Clerk on behalf of the Chair) will provide the complainant with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. A copy of the letter will also be sent to the Headteacher, the Chair of Governors and the person who investigated your complaint (as appropriate). The letter to the complainant will also include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled.

The complainant may request a copy of the official minutes of the panel meeting and it is at the panel's discretion to make this decision. However, best practice is to ensure an open and transparent process.

We will keep a copy of all correspondence and notes on file in the school's records but separate from any pupils' personal records whilst the complaint is ongoing. Data will be held in line with the school data handling procedures.

If, at any stage of the complaint, it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the headteacher or the individual's line manager. Complainants are not entitled to participate in those proceedings or receive any detail about them.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint at any stage of the procedure, we will ask them to confirm this in writing. Once received, we will confirm in writing to the complainant that this matter is now closed, and the complaints process will cease. If the complainant indicates verbally that they wish to withdraw the complaint, but does not confirm this in writing, we will write to the complainant to advise them that the complaint is closed.

Final Stage

Sometimes a complainant may still not be happy with the governor panel's decision, or it is simply not possible to meet all of the complainant's wishes. Whilst we do all we can to help to resolve a complaint against the school, this process can be extremely time-consuming for all parties and can detract from our responsibility to look after the interests of all the children in our care. In line with the DFE guidance, a stage 3 process is therefore the end of the school's complaints procedures regarding this matter.

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, the complainant can contact the Department for Education after the Stage 2 has been completed. You can contact the Department for Education via their website www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Department for Education, Piccadilly Gate, Store Street, Manchester. M1 2WD. Please enclose with your letter to the DfE a copy of the governor panel outcome letter.

Please note that 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.

Managing vexatious, serial and persistent complaints and closure of complaints

Edgewood Primary 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 our 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. Please see our Acceptable Behaviour of Adults policy and the section below for further details.

There may also be occasions, after all stages of the complaint procedure have been followed, that the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we will issue a statement saying that the procedure has been completed and that the matter is now closed. If we are contacted multiple times on the same matter this will be viewed as 'serial' or 'persistent' and we may choose not to respond.

Edgewood Primary School defines **vexatious behaviour** as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Edgewood Primary School defines **unreasonable behaviour** as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses within a reasonable timeframe 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 and complicated contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with
- uses threats to intimidate (such as threatening to make complaints to Ofsted or other statutory bodies)
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

You should try to limit your communication with the school that relates to your complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email, or via social media), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with you informally before determining your behaviour/actions are unreasonable.

If your behaviour continues, the headteacher will write to you explaining that their behaviour is unreasonable and ask you to change it. For complainants who excessively contact Edgewood Primary 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 be reviewed after six calendar months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Edgewood Primary School in accordance with the Department for Education guidance on controlling access to school premises.

Please see our Acceptable Behaviour of Adults Policy for further details.

Data Subject Access Requests

It is our school's stance that a subject access request is not a disclosure stage within the complaints procedure, and nor should a DSAR be seen as a way of complaining or seeking retribution from an organisation in lieu of a complaint or concern.

Edgewood Primary School considers the submission of data subject access request to try and generate material to make a complaint about the organisation or members of staff of those organisations to fall under vexatious behaviour and will be treated accordingly after complying with legal obligations.

While we will always process the DSAR as required by the ICO's guidance, the school will not routinely consider complaints generated from this evidence unless there is clear evidence presented of gross misconduct or significant safeguarding concerns in line with Nottinghamshire Pathway to Provision Tier 4.

Any complaint that results from otherwise private communications between school staff (such as emails between staff or other agencies), that you only have access to now from the DSAR will not be considered under this policy. If you feel they constitute gross misconduct you can inform us in writing as per stage 1 of this policy and we will investigate under our disciplinary procedure (which due to HR policies and staff data confidentiality is confidential and the results of which cannot be shared with you.)

If you feel there is an error in the data you are presented this, falls outside the scope of this policy. Instead you should ask for this to be corrected in writing, detailing the error and what you believe is correct. You may also request data to be deleted if you feel it shouldn't continue to be held by school in line with GDPR and ICO guidance. Please note that schools are required to hold some data for legal and safeguarding reasons and we may not be able to perform your request. Further details are on the ICOs website and the DfE website.

If school receive a DSAR while processing a complaint or any other school process, school reserves the right to assess whether it would be best to suspend the other process(es) while completing the requested DSAR within the legal timescales. This may be done to ensure fairness to both parties and to ensure the efficient management of parallel processes.

Please note this may mean that school pauses meetings, replies to correspondence and other interactions while the DSAR is being processed. This will also suspend all other timelines in this and other policies. We will inform you in writing if we decide to take these measures and the reasons for it.

Once the DSAR is processed, those timelines will resume and the delay caused by the school's decision to pause any other processes will be accounted for in any timelines within this or other procedures so that the delay does not unfairly impinge on your rights to complete that procedure.

The school will never delay any process where it feels these represent safeguarding concerns of a significant level, such as those outlined in Tier 4 of Nottinghamshire Safeguarding Partnerships Pathway to Provision.

Closure of Complaints

Very occasionally, the school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied and before the end of the processes.

While we will do all we can to help to resolve a complaint against the school, sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the school – to the Headteacher, Chair of Governors, Local Authority or anyone else – this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

The Chair of Governors will write to the complainant explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed.

If, after closing a complaint, the school receives a duplicate (or substantially the same) complaint from a partner, spouse, grandparent, child or other person in a close relationship with the original complainant, the school can inform the new complainant that the school has already considered the complaint and the process is now complete.

In exceptional circumstances, closure may occur before a complaint has reached Stage 3 of the complaint procedure. This is because a Governor Complaints Panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of resolving the complaint.

The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a Governor Complaints Panel would not help to move things forward.

The complainant will be provided with the contact details of the Department for Education (as detailed above) if they wish to take the matter further.

Complaint Form

Please complete and return to **the headteacher** who will acknowledge 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:
Email Address:	
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

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.

The Role of the Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant 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 that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

Complaints Administrator/Co-ordinator (This could be the headteacher / designated complaints governor or other staff member or governor providing administrative support)

The complaints administrator/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 complaint's procedure
- be aware of issues regarding:
 - sharing third party information
 - 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 Complaints Panel

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; previous 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.

Chair of the Governor Complaints Panel

The Chair of the Governor Complaints Panel, who is nominated in advance of the panel 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 panel meeting 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 Data Protection Act 2018 or General Data Protection Regulations.

- 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 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
- the meeting is minuted
- they liaise with the Clerk.

Governor Complaints Panel Members

Panel 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 panel if they have had a prior involvement in the complaint or in the circumstances surrounding it or have any family/personal connection with the complainant.
- 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 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 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 panel considers is not in the child/young person's best interests.
- **the welfare of the child/young person is paramount.**
- **Witnesses Role**
- At stage 1, the person investigating the complaint may ask the complainant, and those responding to the complaint, whether there are any witnesses that should be included in the investigation process. It is the decision of the person investigating the complaint to determine which witnesses they will speak to as part of their investigation.
- Witnesses at stage 1 should be advised that they can be accompanied at the meeting with the person investigating the complaint, if they so wish. They should also be advised that a record of their witness statement will be made and may be shared with other parties if the complaint were to be moved to stages 2 or 3 of the procedure. Witnesses can often be very helpful in establishing the facts, but it must

be noted that they cannot be compelled to attend the proceedings. Due to confidentiality, witnesses will not be provided with any information about the complaint, other than details relevant to the evidence that they are being asked about.

- See paragraphs 15.11 and 15.12 regarding interviewing pupils.
- At stage 3, governor complaints panel meeting, witnesses can be called by either the complainant or person(s) responding to the complaint. Witnesses cannot be compelled to attend a stage 3 panel meeting. Witnesses can be accompanied at the complaints panel meeting if they so wish. The witness will only be present at the meeting to present their evidence and answer any questions. It is the responsibility of the party who is calling the witness to invite them to the meeting and ensure that the witness is aware of the arrangements including the date and times and the procedures that the meeting will follow and the expectations regarding behaviour.
- Careful consideration must be given to the number of witnesses called to a stage 3 panel meeting so that the process can be completed in an effective and timely manner. Parties may wish to consider asking witnesses to submit written statements as part of the stage 3 process.
- Witnesses must ensure that they maintain confidentiality throughout their involvement in the complaint.
- Please note that witnesses are not able to fulfil a dual role of being a witness and a companion.
- **Companion Role**
- Complainants, respondents and witnesses may wish to be accompanied during the complaints process. Companions should be there in a supportive role and should not normally be speaking for the person they are accompanying, unless an individual's needs, or circumstances require this. Please refer to paragraph 16.13 regarding legal representation.

MANAGING SCHOOL COMPLAINTS

Complaint relates to:	Informal	Stage 1 Formal (Investigation)	Stage 2	Stage 3 Complaint Panel
Pupils, parents or staff (other than the Headteacher)	The appropriate member of staff	Headteacher or other Senior Manager	The Chair of Governors	Panel appointed by the Chair of Governors
The Headteacher	No informal stage (go to Stage 1)	The Chair of Governors, Complaints Governor or impartial person nominated by the Chair		Panel appointed by the Chair of Governors (or Vice Chair if the Chair has had previous involvement).
A Governor or group of Governors (other than the Chair of Governors)	The Chair of Governors	Another nominated non-staff governor (which could include a governor/associate member from another school).		Panel appointed by the Chair of Governors (or Vice Chair if the Chair has had previous involvement) (The panel could include a governor/associate member from another school).
The Chair of Governors (or a group of governors including the Chair of Governors)	The Vice Chair of Governors (or other impartial governor if the Vice Chair is included in the complaint)	Another nominated non-staff governor (which could include a governor/associate member from another school).		Panel appointed by the Vice Chair of Governors. (The panel could include governors or associate members from another school).
The whole body of Governors	No informal stage (go to Stage 1)	School to refer the complaint to Nottinghamshire County Council Governor Services who will nominate an investigating officer.		Nottinghamshire County Council Governor Services to nominate an independent panel of governors or associate members.