



# The Castle Partnership Trust

ACHIEVE | BELONG | PARTICIPATE



## Complaints Procedure

**February 2023**

CEO: Sarah Watson

Headteacher at The Castle School: James Lamb

Headteacher at Court Fields School: Polly Matthews

Headteacher at Wellesley Park School: Carly Wilkins

Headteacher at Isambard Kingdom Brunel School: Richard Healey

Headteacher at Orchard Grove School: Richard Healey

Due for review: Spring Term 2024

This document advises parents/carers how to make a complaint about any service provided by The Castle Partnership Trust.

We aim to provide many opportunities to keep you informed and involved in your child's progress. Co-operation between parents, staff and governors leads to a shared sense of purpose and good atmosphere in the school. However, sometimes misunderstandings arise but these can usually be sorted out by speaking to the right person. Your concern can then be looked into and a response given.

### **Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children who are registered at a school within our Trust. Any person, including members of the public, may make a complaint to The Castle Partnership Trust about any provision of facilities or services we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), 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'*.

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.

We take 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, we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we 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 through the stages outlined within this complaints procedure.

### **How to raise a concern or make a complaint**

Be clear what you want to talk to the school about. Remember that although you may want to change a situation, you want it to end on a positive note with no bad feelings. Because of this, you should try to follow the process and not back yourself, or anyone else, into a corner. Talking with the school can help you to understand how we see the situation and give you the chance to say what it looks like to you.

Although some schools can see parents who just "pop in", this is not generally possible. If you have a concern, please make an appointment so you have enough time to talk things through.

A concern or complaint can be made in person, in writing 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.

Complaints 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 should be addressed to the Chair of Governors, via Miss J Gregory (Governance Professional) at the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Chair of Trustees, via Miss J Gregory, the Governance Professional, The Castle Partnership Trust, Wellington Road, Taunton, Somerset, TA1 5AU. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee, should be addressed to the Chair of Trustees, via Miss J Gregory, Governance Professional, The Castle Partnership Trust, Wellington Road, Taunton, Somerset, TA1 5AU. Please mark them as Private and Confidential.

In accordance with equality law, we will consider making reasonable adjustments to enable you to access and complete this complaints procedure. For instance, providing information in alternative formats, or holding meetings in accessible locations.

### **Anonymous complaints**

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

### **Time scales**

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

### **Complaints received outside of term time**

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

### **Scope of this complaints procedure**

This procedure does not cover complaints that are dealt with under other statutory procedures, including those listed below.

<b>Exceptions</b>	<b>Who to contact</b>
Admissions to schools	Concerns about admissions should be handled through a separate process – through the appeals process or to the ESFA.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our 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.  LADO: <a href="http://safeguardingsomerset.org.uk">Allegations Management – SSCP (safeguardingsomerset.org.uk)</a>
Suspension/exclusion of children from school*	Further information about raising concerns about suspensions and exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> . <i>*complaints about the application of the behaviour policy can be</i>

	<i>made through the school's complaints procedure.</i>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p> <p>Volunteer staff who have concerns about our Trust should complain through our complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	Complaints from staff relating to workplace disputes will be dealt with under the Trust's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>You will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, you will be notified that the matter is being addressed.</p>

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 this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, we want 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.

### **Withdrawal of a complaint**

If you want to withdraw your complaint, we will ask you to confirm this in writing.

### **Stage 1 – Informal complaints**

It is hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should usually be raised with the teacher, however, more serious issues may require the concern to be raised with a senior member of staff or the Headteacher.

You 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 Stage 4 of the procedure.

Mutual courtesy is expected and ensures things go smoothly. There should always be discussion in the hope of solving difficulties informally. Most problems are solved in this way.

At the conclusion of the investigation, the appropriate person investigating the complaint will provide an informal written response within 15 school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

## **Stage 2 – Formal complaints**

Formal complaints must be addressed to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome you would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

*Note: The Headteacher may delegate the investigation to another member of the school's leadership team but not the decision to be taken.*

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within a mutually agreed timescale. If the Headteacher is unable to meet this deadline, we will provide you with an update and revised response date. The response will detail any actions taken to investigate the complaint and, where appropriate, it will include details of actions the school will take to resolve the complaint.

The Headteacher will advise you how to escalate your complaint, should you remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Headteacher or a member of the Local Governing Body (including the Chair or Vice-Chair), a suitably skilled Governor or Trustee will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher, Governors, or Trustees must be made in writing to the Governance Professional, via the school office.

If the complaint is:

- jointly about the Chair and Vice-Chair of the LGB or
- the entire LGB or

- the majority of the LGB
- A Trustee

, Stage 2 will be escalated to the Chair of the Trust.

### **Stage 3 – Formal complaints - meeting with Chair of Governors**

If you are dissatisfied with the outcome at Stage 2 and wish to take the matter further, you can escalate the complaint to Stage 3 – a meeting with the Chair of Governors (or Vice-Chair if the Chair is unavailable).

A request to escalate to Stage 3 must be made to the Governance Professional in writing, via the school office. The Governance Professional will arrange for you to meet with the Chair of Governors. You will receive a written response within 20 school days of the date of your meeting.

This stage will not apply if the complaint is concerning the Headteacher, Chair or Vice-Chair of Governors, the majority of the LGB or a Trustee (see Stage 2 above).

### **Stage 4 – Formal complaints - panel hearing**

If you are dissatisfied with the outcome at Stage 3 and wish to take the matter further, you can escalate the complaint to Stage 4 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint, with one panel member who is independent of the management and running of the school<sup>1</sup>. This is the final stage of the complaints procedure.

A request to escalate to Stage 4 must be made to the Governance Professional, via the school office, within 10 school days of receipt of the Stage 3 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

The Governance Professional will write to you to inform you of the date of the meeting. We will aim to convene a meeting within 15 school days of receipt of the Stage 4 request. If this is not possible, the Governance Professional will provide an anticipated date and keep you informed.

If you reject the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in your absence on the basis of written submissions from all parties.

If the complaint is about the Chair of Governors, or the entire governing body, or the majority of the governing body, Stage 4 will be heard by the trustees and an independent panel member.

You may bring someone along to the panel meeting to provide support. This can be a relative or friend. The Education & Skills Funding Agency (ESFA) recommends that neither party brings legal representation to the panel meeting, as these meetings are not a form of legal proceedings. However, if for example, an employee of the Trust is a witness in a complaint they may be entitled to bring union or legal representation to the panel hearing.

---

<sup>1</sup> The ESFA states that they consider an independent person to be someone who has no direct involvement with the management and running of the school being complained about. In a MAT, this can be a governor from a local governing body at another school within the MAT.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. You will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with you.*

Representatives from the media are not permitted to attend.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless your own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recordings of meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide you and the school with an explanation of their decision and the reason(s) for it, in writing, within 15 school days. The response will detail any actions taken to investigate the complaint and, where appropriate, it will include details of actions the school will take to resolve the complaint. The letter will include details of how to contact the Education and Skills Funding Agency (ESFA) if you are dissatisfied with the way your complaint has been handled by the Trust.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to you and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Trustees and the Headteacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

### **Complaints escalated to/about the Trust, CEO or Trustees**

If a complaint is escalated to The Castle Partnership Trust "the Trust", or if you wish to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to you acknowledging the complaint. The acknowledgement will confirm that the

complaint will now be investigated under Stage 2 of this Complaints Procedure and will confirm the date for providing a response to you.

Following the investigation, the CEO will write to you confirming the outcome within 15 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to you, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint will be investigated by the Chair of Trustees. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

*NB. Where the Chair of Trustees has investigated the complaint, they will write the letter of outcome to you and provide a copy to the CEO.*

If you are not satisfied with the outcome of the previous stage, you should write to the Governance Professional within 10 school days asking for the complaint to be heard before a Complaint Panel. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email).

The Governance Professional will write to you to inform you of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 4 request. If this is not possible, the Governance Professional will provide an anticipated date and keep you informed.

If you reject the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in your absence on the basis of written submissions from both parties.

If the complaint is jointly about the Chair and Vice Chair, or the entire Trust board, or the majority of the Trust board, Stage 4 will be heard by a completely independent panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

You may bring someone along to the panel meeting to provide support. This can be a relative or friend. The ESFA does not recommend for either party to bring legal representatives to the panel meeting.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. You will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with you.*

Representatives from the media are not permitted to attend.

The Governance Professional will:

- confirm and notify you of the date, time and venue of the meeting, ensuring that, if you are invited,



- the date is convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 3 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless your own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recordings of meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide you and the Trust with an explanation of their decision and the reason(s) for it, in writing, within 15 school days. The letter to you will include details of how to contact the ESFA if you are dissatisfied with the way your complaint has been handled by The Castle Partnership Trust. The response will detail any actions taken to investigate the complaint and, where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to you and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Trustees and the CEO.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

### **Next Steps**

If you believe the school/Trust did not handle your complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, you can contact the ESFA after Stage 4 has been completed.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the school/Trust. They will consider whether the school/Trust has adhered to education legislation and any

statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

You can refer your complaint to the ESFA online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit  
Education and Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

### **Serial or Persistent Complaints and Unreasonable Complainant Behaviour**

We 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, governors or trustees to tolerate unacceptable behaviour. We will take action to protect staff, governors and trustees from unacceptable behaviour, including that which is abusive, offensive or threatening.

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of the complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the Trust's 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 or similar 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 Trust's complaints procedure has been fully and properly implemented and completed, including referral to the ESFA;
- Seeks an unrealistic outcome or a solution that lacks any serious purpose or value;
- 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 may also be considered unreasonable if the person making the complainant does so either face-to-face, by telephone, in writing or electronically:

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;

- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of media such as in social media, websites and newspapers.

If the complainant continues to contact the school or Trust in a disruptive way, we will write to the complainant explaining that their behaviour is unreasonable and asking them to change it, or confirming that the complaints procedure has been completed and the matter is closed. For complainants who excessively contact the school or Trust, we may restrict the complainant's access to the school or Trust, e.g. by requesting contact in a particular form, requiring contact to take place with a named person only, or restricting contact to specified days and times.

Incidents of aggression or violence may result in the complainant being banned from the Trust's premises and the school or Trust informing the police.

We may stop responding to the complainant when:

- We believe we have taken all reasonable steps to help address their concerns;
- We have provided a clear statement our position and the complainant's options;
- The complainant contacts the school or Trust repeatedly and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so.

## Contact Details

Governance Professional: Miss J Gregory  
The Castle Partnership Trust  
Wellington Road  
Taunton  
Somerset  
TA1 5AU  
Tel: 01823 274073 Email: [jgregory@castle.somerset.sch.uk](mailto:jgregory@castle.somerset.sch.uk)

Court Fields School  
Headteacher: Mrs P Matthews  
Mrs L Chard (PA) Court Fields School  
Mantle Street  
Wellington  
Somerset  
TA21 8SW  
Tel: 01823 664201 Email: [SCH.552@educ.somerset.gov.uk](mailto:SCH.552@educ.somerset.gov.uk)

The Castle School  
Headteacher: Mr J Lamb  
Miss J Gregory (PA) The Castle School  
Wellington Road  
Taunton  
Somerset  
TA1 5AU  
Tel: 01823 274073 Email: [office@castle.somerset.sch.uk](mailto:office@castle.somerset.sch.uk)

Wellesley Park School  
Headteacher: Mrs C Wilkins  
Wellesley Park Primary School  
Homefield  
Wellington  
Somerset  
TA21 9AJ  
Tel: 01823 664876 Email: [SCH.393@educ.somerset.gov.uk](mailto:SCH.393@educ.somerset.gov.uk)

Isambard Kingdom Brunel  
School Headteacher: Mr R Healey  
Isambard Kingdom Brunel School  
Thomas Place  
Wellington  
Somerset  
TA21 8FP  
Tel: 01823 660916 Email: [office@ikbschool.co.uk](mailto:office@ikbschool.co.uk)

Orchard Grove School  
Headteacher: Mr R Healey  
Orchard Grove School  
c/o IKB School, Thomas Place  
Wellington  
Somerset  
TA21 8FP  
Tel: 01823 711014 Email: [office@orchardgroveschool.co.uk](mailto:office@orchardgroveschool.co.uk)

CEO:  
Miss J Gregory (PA)

Mrs S Watson  
The Castle Partnership Trust  
Wellington Road  
Taunton  
Somerset  
TA1 5AU  
Tel: 01823 274073 Email: [office@castle.somerset.sch.uk](mailto:office@castle.somerset.sch.uk)

**Complaints Form**

Please complete and return to the appropriate person (details above) who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Student's name:</b>
<b>Your relationship to the student:</b>
<b>Address:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b> <b>Email address:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

**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 whom:**

**Complaint referred to:**

**Action taken:**

## **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.

### **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 for the Headteacher or complaint panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaint panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### **Governance Professional**

The Governance Professional is the contact point for the complainant and the panel and should:

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



## **Panel Chair**

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

- both parties are asked (via the Governance Professional) 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.
- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the 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 Governance Professional.

## **Panel Members**

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No governor/trustee 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 meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour and 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 a child/young person is 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.
- the parent/carer should be advised that agreement might not always be possible for their child/young person to attend a part of the meeting if the panel considers it is not in the child/young person's best interests to do so.
- the welfare of the child/young person is paramount.