



## **SIMONSIDE PRIMARY SCHOOL COMPLAINTS PROCEDURE**

### **INTRODUCTION**

Simonside Primary School is committed to providing the best education possible for all its children and it welcomes any opportunity to improve and develop the quality of the education and wider opportunities it provides.

In accordance with Section 29 (1) of the Education Act 2002 all schools must have and publish procedures to deal with all complaints relating to the school. The Governing Body has drawn up this procedure to ensure that all concerns are dealt with fairly, openly, promptly and without prejudice. It was written using guidance from '**Best practice guidance for school complaints procedures**' updated **September 2020**.

**Please note that in this procedure the School refers to Simonside Primary School.**

### **WHO CAN MAKE A COMPLAINT?**

The complaints procedure 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 the School about any provision of facilities or services that it provides. When a complaint is received we will address it using this complaints procedure.

Some complaints will fall under separate statutory procedures, for example appeals relating to admissions or exclusions. Such complaints will be dealt with under different policies as noted in the section below entitled the scope of 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*'.

### **HOW TO RAISE A CONCERN OR MAKE A COMPLAINT RAISING CONCERNS INFORMALLY**

Many concerns will be resolved informally without the need to use the formal stages of the complaints procedure. All concerns will be taken seriously and School will do its best to address and resolve them.

When you have a concern about any aspect of School or your child's education or well-being, it should be raised initially with your child's class teacher. If you have difficulty discussing a concern with a particular member of staff we will respect your views. Similarly, the member of staff directly involved may feel unable to deal with the concern. On these occasions the Headteacher may refer the concern to another member of staff, including a senior member of staff or school's Family Welfare Officer.

## FORMAL COMPLAINTS

We understand however, that there are occasions when people would like to raise their concerns formally. In this case the School will attempt to resolve the concern internally through the two stage process - Stages 1 and 2 - outlined in this complaints procedure.

A concern or a complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of the complainant, as long as they have the appropriate consent to do so.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it will prevent them from considering complaints at Stage 2 of the procedure.

<b>If your complaint is against:</b>	<b>Address your complaint via the school office to:</b>
A member of the school staff	The Headteacher
The Headteacher	The Chair of Governors, Mrs. L. Rae
The Chair of Governors, any individual governor or the whole of the Governing Body	The Clerk to the Governing Body, Mrs. K. Miller

Please mark the envelope containing your complaint as **'Private and Confidential'**.

For ease of use, a template complaint form is included at the end of this procedure. If you require help completing the form, please contact the school office. You can also ask a third party organisation like Citizens Advice to help you.

In accordance with equality law, we will consider making any reasonable adjustments if required, to enable complainants to access and complete the complaints procedure. For instance, we can provide information in alternative formats or by holding any meetings in accessible locations.

## ANONYMOUS OR MALICIOUS 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. Complaints which involve threatening behaviour or the posting/sharing of false information on social media will result in being logged and appropriate action taken by the school.

## SOCIAL MEDIA

In order for complaints to be resolved as quickly and fairly as possible, School requests that complainants do not discuss complaints publicly via social media. Complaints will be dealt with confidentially for those involved and we expect complainants to observe confidentiality also.

## **TIMELINES**

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 timeframe if exceptional circumstances apply.

## **EXCEPTIONAL CIRCUMSTANCES**

Whether 'exceptional circumstances' apply in the late submission of a complaint will be at the absolute discretion of the Headteacher and/or Chair of Governors. We interpret exceptional circumstances as circumstances arising that are not commonplace; unusual, not typical.

We will give consideration as to why the complaint was not made at the time and whether the complaint can still be investigated fairly for all involved. An example of this (but it is not limited to) subsequent information coming to light and there is a valid explanation of why it was not possible to give notification of the complaint sooner.

In considering whether exceptional circumstances apply, governors acknowledge their public law duty not to fetter the exercise of their discretion in reaching their decision to allow an out of time complaint to proceed. They will not consider the relevant factors individually but 'in the round'.

## **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 covers all complaints about any provision of community facilities or services by the school other than complaints that are dealt with under other statutory procedures, including those listed below.

<b>Exceptions</b>	<b>Who to contact</b>
Pupil admissions	Concerns about admissions should be raised with Newcastle City Council School Admissions
Statutory Assessment of Special Educational Needs and Disability (SEND)	Please refer to the Newcastle Local Offer or Newcastle City Council

<p>Whenever a complaint indicates that a child's well-being or safety is at risk, the school is under a duty to report this immediately to the local Authority.</p>	<p>Complaints about child protection are handled under our child protection and safeguarding policies and in accordance with relevant statutory guidance. Serious concerns can be raised with the Local Authority Designated Officer (LADO) or the Multi- Agency Safeguarding Hub, Children's Safeguarding Standards Unit, Civic Centre, Newcastle NE1 8PU Telephone: 0191 2116730 Email: <a href="mailto:melanie.scott@newcastke.gov.uk">melanie.scott@newcastke.gov.uk</a></p> <p>If at any time a child protection concern becomes apparent, the child protection process takes precedence over the complaints process, which will be halted until the child protection matter is resolved.</p>
<p>Pupil exclusion from school</p>	<p>Please see School's behaviour policy. Further information can be found at <a href="http://www.gov.uk/school-discipline-exclusions">www.gov.uk/ school-discipline-exclusions</a></p>
<p>Whistleblowing</p>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employers. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> Volunteer staff with concerns about our School should complain through school's complaints procedure. You may also be able to complain direct to the Local Authority or the Department for Education (see link above), depending on the substance of the complaint.</p>
<p>Staff grievances, capability, conduct or disciplinary</p>	<p>Complaints from staff will be dealt with under the school's internal grievances/ capability/ disciplinary procedures. Complainants will not be informed of any disciplinary action taken against a staff member as a result of the complaint. However, the complainant will be notified that the matter is being addressed.</p>
<p>Subject Access Requests and Freedom of Information requests</p>	<p>Please see the school's Data Protection and Freedom of Information Policy.</p>

Complaints regarding discrimination and harassment based on protected characteristics as defined in the Equality Law 2010	The complaints procedure applies but the complainant has a further right of appeal to SENDIST (Special Educational Needs and Disability First Tier Tribunal) for complaints about disability discrimination or to the County Court for all other unresolved disputes regarding protected characteristics.
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 <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

## NOTICE

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA), safeguarding teams or Tribunals, this is likely to impact on our ability to adhere to the timescales within this procedure. In these circumstances we will suspend the procedure until those public bodies have completed their investigations.

If the complainant commences legal action against the School in relation to their complaint we will suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## RESOLVING COMPLAINTS

At each stage in the procedure 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 of the following:

- an explanation
- an admission that the situation could have been handled better or differently
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been taken 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 our school policies in the light of the complaint
- an apology.

## WITHDRAWAL OF A COMPLAINT

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **THE TWO STAGES OF THE COMPLAINTS PROCEDURE**

### **STAGE 1**

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

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 3 school days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome(s) the complainant would like to see.

The Headteacher will consider whether a face-to-face meeting is the most appropriate way of doing this.

*Note: The Headteacher has the discretion to delegate the investigation to another member of the school's senior 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 10 school days of the receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and a revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the School will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

A complaint about the Headteacher or member of the governing body should be made to the clerk, via the school office.

If the complaint is about the Headteacher or any member of the governing body, a suitable skilled governor will be appointed to complete all the actions in Stage 1.

### **Complaints about two or more governors**

If the complaint is:

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

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of the investigation, the independent investigator will provide a formal written response.

## **STAGE 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2. This stage will include the complainant attending a meeting of three members of the governing body's complaints committee which will be formed of the first three impartial governors available. This is the **final** stage of the complaints procedure.

A request to escalate to Stage 2 must be made in writing (preferably on the Complaints Form) to the Clerk via the school office, within 10 days of receipt of the Stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene the meeting within 10 school days of the receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

## **THE COMPLAINTS COMMITTEE**

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as Chair of the complaints committee. If there are fewer than 3 school governors available the Clerk will source any additional, independent governor(s) through another school or through the Local Authority's Governor Services team in order to make up the committee.

If none of the School's governors are available, the Clerk will convene an entirely independent committee.

The complaints committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or a friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is a witness in a complaint meeting they may wish to be supported by union and/or legal representation.

*Note: 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 be shared with them.*

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the complaints committee at least 5 school days before the meeting.

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

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

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless the complainant's own disability or special needs requires it, in which case prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

### **THE DECISION MAKING POWERS**

The committee will consider the complaint and all the evidence presented. The committee has the power to:

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

If the complaint is upheld in whole or in part, the committee 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 complaints committee will provide the complainant and School with a full explanation of their decision and the reason(s) for it in writing within 10 school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint was handled by the school.

### **COMPLAINTS AGAINST TWO OR MORE GOVERNORS**

If the complaint is:

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

Stage 2 will be heard by a committee of independent, co-opted governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

### **Data control**

We will record the progress of the complaint and the outcome. Our data controller will be responsible for these records and will ensure that the data is kept secure. In accordance with General Data Protection Regulation (EU) 2016/679 (to be known from January 2021 as UK GDPR) we will not keep data longer than is necessary. Therefore, we will keep our records of each complaint for six years.

### **NEXT STEPS**

If the complainant believes the School did not handle their complaint in accordance with the published complaints procedure or it acted unlawfully or unreasonably in the exercise of its duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decision made by the School. It will consider whether the School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contact us](http://www.education.gov.uk/contact-us), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

### **UNREASONABLE COMPLAINTS AND SERIAL AND PERSISTENT COMPLAINTS**

The School is committed to dealing with all complaints fairly and impartially and providing a high quality service to those who complain. We will not normally limit the contact complainants have with the School. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect behaviour that which is abusive, offensive or threatening.

The School defines serial and unacceptable complainants as *'those who, because of the frequency or nature of their contacts with the School, hinder our consideration of their or other people's complaints'*.

A complaint will be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of 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 the complainant expects to be taken into account or commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the School's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on School time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint will also be considered unreasonable if the person making the complaint does so either face to face, by telephone, in writing or electronically:-

- maliciously
- aggressively
- using threats, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with School while a complaint is being progressed. Repeated correspondence (sent by letter, phone, email or text) is not helpful as it could delay the outcome being reached.

Wherever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' judgement.

If the behaviour continues the Headteacher will write to the complainant explaining that his/her behaviour is unreasonable and asking him/her to change it. For complainants who excessively contact the School causing a significant level of disruption, we will specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

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

### **BARRING FROM THE SCHOOL PREMISES**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Governing Bodies have a responsibility to ensure for the well-being of pupils and staff, and will therefore act to ensure that schools remain a safe place.

In our School, if a parent/carer's behaviour is a cause for concern, we will ask him/ her to leave our premises. In serious cases, the Headteacher or the LA will notify them in writing that their implied permission to be on School premises has been temporarily revoked subject to any representations that the parent/carer wishes to make. We will give the parent/carer the opportunity to formally express their view on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made and either confirmed or lifted. If the decision is confirmed we will notify the parent in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so by letter or email to the Headteacher or Chair of Governors.

However, complaints about barring cannot be escalated to the Department for Education. Once the School's complaints procedure has been completed, the only remaining avenue of appeal is through the Courts.

**Procedures reviewed November 2020**

**Please complete and return to School.**

Your name	
Name of pupil, year group and your relationship to them	
Contact address	
Contact telephone number	
Contact email	
Details of the complaint including whether you have spoken to a member of school staff	
What action do you feel might resolve the complaint?	

Are you attaching any paperwork ? If so, please give details.	
Signed Date	
<b>Official use</b>	
Date complaint received and acknowledged and by whom	
Complaint referred to and date	

## **APPENDIX 1 ROLES AND RESPONSIBILITIES**

### **COMPLAINANT**

The complainant will receive a more effective time 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 the 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 will:

- conduct meetings 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 timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

### **COMPLAINTS CO-ORDINATOR**

The complaints co-ordinator will:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and Local Authority (if appropriate) to ensure the smooth running of the complaints 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 GOVERNING BODY**

The Clerk is the contact point for the complainant and the complaints committee and will:

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

### **COMPLAINTS COMMITTEE CHAIR**

The complaints committee Chair, who is nominated in advance of the meeting, will 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, that everyone is treated with respect and courtesy
- the meeting keeps to the timetable agreed at the start of the meeting
- a complainant who may not be used to speaking at such a meeting is put at ease. This is particularly important if the complainant is a child or young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights under the FPA 2018 or GDPR.

If a new issue (not a new complaint) relevant to the complaint arises it will be useful to give everyone the opportunity to consider and comment upon it. A short adjournment of the meeting will take place for this.

- both the complainant and the School are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if applicable).

## **COMMITTEE MEMBER**

Committee members will be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor will sit on the complaints committee if they have had a prior involvement in the complaint or the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the School and the complainant

We recognise that the complainant may not be satisfied with the outcome if the meeting does not find in their favour. There may be occasions when it is only 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 is present during all or part of the meeting.

Careful consideration of the atmosphere and proceedings should help to ensure that the child/young person does not feel intimidated.

The complaints committee will respect the views of the child/ young person and give them equal consideration to those of adults.

If a child/ young person is the complainant, the complaints committee will ask in advance if any support is needed to help them present their complaint.

Where the child/ young person's parent/carer is the complainant, the complaints committee will ask the parent/carer to say which parts of the meeting, if any, the child/ young person needs to attend.

However, the parent/carer will be advised that agreement will not always be possible if the parent/carer wishes the child/young person to attend a part of the meeting that the committee considers is not in the child's/ young person's best interests.

## **APPENDIX 2 GUIDELINES FOR PROCEDURE AT THE MEETING OF THE COMPLAINTS COMMITTEE**

These guidelines have been established to ensure that all parties have every opportunity to make their points in support of their case providing they are relevant to the circumstances of the complaint.

### **PROCEDURE**

1. In advance of the meeting the parties will provide to the Clerk copies of all the documents upon which they intend to rely in support of their case. This enables the complaints committee to pre-read the documents so that time is saved.
2. The complainant will be invited to outline their complaint (time allowed no more than 20 minutes) and to present their written evidence in support of their case. (It is open to a party to submit a written submission in advance of the meeting if they do prefer.)
3. The investigator will have the opportunity to ask the complainant questions.
4. The complaints committee will have the opportunity to ask the complainant questions.
5. The investigator will have no more than 20 minutes to outline the School's case and to present their written evidence in support of their case.
6. The complainant will have the opportunity to ask the investigator questions.
7. The complaints committee will have the opportunity to ask the investigator questions.
8. Each party will have the opportunity to call witnesses on their behalf.
9. The complaints committee will have the opportunity to ask the witnesses questions.
10. Witnesses will take part in the meeting only at the point when they are required to give evidence or answer questions. They are not permitted to be present for the entire duration of the meeting.
11. Each party will be given the opportunity to summarise their position in closing (5 minutes for each party).
12. On completion of the presentation of the evidence and closing submissions, the parties will leave the meeting and the complaints committee will consider its decision.

In accordance with School's Complaints Procedure, the Chair of the complaints committee will provide the complainant and School with a full explanation of their decision and the reason(s) for it in writing within 10 school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint was handled by the school.