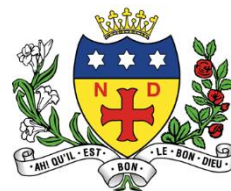


Sheffield  
Catholic  
Schools  
Partnership



## Complaints Policy and Procedures

Name of school:	<b>Notre Dame High School</b>
Date of approval of this policy:	<b>May 2020</b>
Approved by:	<b>Governing Body</b>
Date of next review:	<b>May 2021</b>

# **SCHOOL COMPLAINTS POLICY AND PROCEDURES**

## **Introduction**

The School Standards and Framework Act 1998 (and subsequent amendments) and the Education (Independent School Standards) (England) Regulations 2010 place a duty on all Governing Bodies to establish a complaints procedure for parents/carers to make complaints about all matters related to the school that are not covered under other statutory procedures. In addition, there may be circumstances in which they may complain or appeal if they consider that their rights have been ignored, a wrong decision taken or if their child is not being properly taught.

Complaints are not always easy to define. It is therefore important to keep in mind a distinction between concerns, problems and complaints. They can often arise from the consequences or perceived consequences of resource allocations, operational difficulties, working practices or individual actions.

## **Underlying Principles**

Complainants will be treated seriously and courteously and given the time they require to be heard. It is important to the school that the complainants have confidence in these procedures and know that their cases will be impartially investigated. Complainants should be assured of the confidentiality of the procedures.

Complainants will be advised at the earliest possible stage of:

- The scope, if any, for pursuing their complaint and the extent of the procedure for dealing with it;
- The way in which the complaint is likely to be handled.

Where there are established statutory or other procedures for dealing with a complaint, these will be followed. These procedures do not cover those matters already provided for such as:

- Admissions to schools;
- Exclusions;
- Special Educational Provision (SEN Tribunal);
- School re-organisation;
- Matters concerned with the curriculum;
- Serious complaints against staff;
- Child Protection issues;
- Public examinations.

It may be that action under the complaints procedure may lead to action being initiated under other (e.g. statutory) procedures. In these cases the investigations under the complaints procedure will be

suspended until action under the procedure (including appeals) has been concluded. The complainant will be advised that alternative action is being taken, but that this will remain confidential until the procedure has been completed. They will also be told the likely delay in the final resolution of their complaint which will result.

## **Definition of a Complaint**

For schools, a complaint within the terms of the procedures described here is an expression of dissatisfaction verbally or in writing by parents/carers of children who attend the school. All complaints from parents/carers of children who attend the school will be investigated as such. After initial investigation of the complaint, a decision might be made to use the discipline, capability (or other appropriate) procedure against a member of staff. Anonymous complaints will not be considered under this procedure.

If you are a member of the public, were once a student or are a parent whose child no longer attends the school, please direct your complaint to Mrs Parker Giblin, the Clerk to the Board of Governors, either by email to [pparkergiblin@notredame-high.co.uk](mailto:pparkergiblin@notredame-high.co.uk) or by contacting school by phone or letter.

This procedure outlines the informal and formal stages by which a complaint may be made against the school. At all stages the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary.

**Where agreement cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly. Conciliation between school and the parents/carers can be considered at any time, within the informal or formal stages.**

## **1. The First Stage – Dealing with Concerns and Complaints Informally**

### **1.1 Guidelines**

- 1.1.1 It is hoped that all complaints and concerns can be resolved as early and informally as possible. Parents/carers need not only to be listened to but also to feel that they have been listened to.
- 1.1.2 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved immediately through the class teacher, school support staff or the Head Teacher/Head of School, depending on whom the parents first approach. Parents must feel able to raise concerns with members of staff without any formality, in person, by telephone or in writing. On occasion it may be appropriate for someone to act on behalf of a parent. At first it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent/carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

## 1.2 Procedures

- 1.2.1 Parents/carers will be given an opportunity to discuss their concern with the appropriate member of staff who will clarify the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parents/carers how the situation arose. It may be helpful to identify at this point what sort of outcome the parent/carer is looking for.
- 1.2.2 The member of staff will need to respond appropriately, taking into account the seriousness of the complaint. In many cases the appropriate member of staff can resolve the matter immediately.
- 1.2.3 If the member of staff first contacted cannot deal immediately with the matter, they will make a clear note of the date, the name, and contact address or telephone number of the complainant. The Head Teacher/Head of School will be given a copy.
- 1.2.4 The member of staff dealing with the concern or complaint will make sure that the parent/carer is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing if this seems the best way of making things clear.
- 1.2.5 Where no satisfactory solution has been found **within 10 school working days**, parents/carers should be given clear information, both orally and in writing, about how to proceed with their complaint and about any independent advice available to them.

## 2. The Second Stage – Referral to the Head Teacher/Head of School for Formal Investigation

### 2.1 Guidelines

- 2.1.1 By now it will have become clear that the concern is a definite complaint. In some cases the Head Teacher/Head of School will already have been involved in looking at the matter; in others it will be their first involvement. In either case, it will be helpful for the Head Teacher/Head of School (or member of staff designated to investigate) to use these guidelines to ensure consistency among cases, and to make sure that nothing happens at this stage which could make it difficult for later stages to proceed smoothly.
- 2.1.2 As Head Teachers/Heads of School have responsibility for the day-to-day running of their schools, they have responsibility for the implementation of a complaints system, including the decisions about their own involvement at the various stages. One of the reasons for having the various 'stages' in a complaints procedure is to reassure complainants that more than one person is hearing their complaint.
- 2.1.3 Head Teachers/Heads of School will make arrangements to ensure that their involvement will not predominate at every stage of a particular complaint. For example, arrangements may be

made for other staff to deal with parents/carers concerns at Stage 1, while the Head Teacher/Head of School deals with contacts with parents/carers at Stage 2. Even at that stage the Head Teacher/Head of School may designate another member of staff to collect some of the information from the various parties involved.

## 2.2 Procedures

- 2.2.1 Complaints should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint where there are sufficient grounds to do so. The Head Teacher/Head of School (or designated member of staff) will acknowledge the complaint orally or in writing **within 5 school working days** of receiving the written complaint.
- 2.2.2 Schools should be sensitive to the needs of the parent/carer who may have literacy difficulties or for whom English is not their first language.
- 2.2.3 The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be **within 10 school working days**; if this proves unworkable, a letter will be sent explaining the reason for the delay and giving a revised target date.
- 2.2.4 It may be possible even at this stage to resolve the complaint informally. This would not compromise the complainant's right to move to more formal procedures at any time.
- 2.2.5 The Head Teacher/Head of School will provide an opportunity for the complainant to meet him or her to supplement any information provided previously. It will be made clear to the complainant that if they wish, they may be accompanied to any meeting by a friend, relative, representative or advocate who can speak on their behalf; and that interpreting facilities will be available if needed.
- 2.2.6 If necessary, the Head Teacher/Head of School will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. In these circumstances, a member of staff with whom the pupil feels comfortable will be asked to attend the interview. In certain circumstances and taking into account the nature of the complaint, it may be appropriate to invite a parent/carer to be present when the Head Teacher/Head of School interviews a pupil. The Head Teacher/Head of School will keep written records of meetings, telephone conversations and other contacts.
- 2.2.7 Once all the relevant facts have been established, the Head Teacher/Head of School will produce a written response to the complainant, and/or may wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, the phrase '**Appropriate action has or will be taken**' should be used.

- 2.2.8 The complainant will be advised that should they wish to take the complaint further they should notify the Chair of the Governing Body **within 10 school working days** of receiving the outcome letter. Normally, the Chair will arrange that a Governors Complaints Committee should investigate on the parent's/carer's behalf.
- 2.2.9 Where the complaint is against the Head Teacher or Head of School, arrangements should be made for the initial investigation to be conducted by a single Governor (usually the Chair of Governors, or Vice Chair of Governors), or a suitably constituted Governors' Complaints Committee who will carry out all the Stage 2 procedures.

### **3. The Third Stage - Appeal to the Chair of Governors/Governing Body Complaints Committee**

#### **3.1 Guidelines**

It is important that this appeal should not only be independent and impartial on behalf of the Governing Body, but that it is seen to be so. As such, the appeal should be dealt with by Governors who have had no prior knowledge or involvement in the case.

- 3.1.1 As this may be the last chance for a solution or compromise to be reached, every effort should be made to mediate and conciliate at this stage.
- 3.1.2 Complaint appeals should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint appeal where there are sufficient grounds to do so. This complaint should state clearly why the complainant feels their case has not been dealt with and should be based on evidence or supported by witness statements.
- 3.1.3 All complaints which reach this stage will have done so because the complainant has not been satisfied by the Head Teacher's/Head of School's response at the earlier stage of the procedure, or, if the complaint had been about the Head Teacher or Head of School, the original investigation by the Chair of Governors, Vice Chair of Governors or Governors' Complaints Committee

#### **3.2 Procedures**

- 3.2.1 Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below will be followed:
1. The Chair of the Governing Body or other Governor not previously involved will write to the complainant to acknowledge receipt of the written request.
  2. The acknowledgement will inform the complainant that the complaint will be investigated by the Governing Body Complaints Committee, as appropriate, **within 20 school working days** of receiving the request

3. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. Documents must be received in time for them to be sent to the members of the Committee.
- 3.2.2 If the investigation is being conducted by a Governors' Complaints Committee, the Chair of Governors will convene a Committee of three members, two of whom will be elected from the Governors of the school's Governing Body. The third member of the Complaints Committee will be a Governor from the Governing Body of one of the other schools in the Sheffield Catholic Schools Partnership. The Committee members will be Governors who have had no prior involvement with the complaint. It is not appropriate for the Head Teacher, Head of School or a member of staff to have a place on the Committee. Governors should bear in mind the advantages of having a parent/carer Governor on the Governors' Complaints Committee.
- 3.2.3 The Chair/Vice Chair will ensure that the Committee hears the complaint **within 20 school working days** of receiving the request. All relevant correspondence regarding the complaint will be given to each Governors Complaints Committee member as soon as the composition of the Committee is confirmed.
- 3.2.4 The Chair/Vice-Chair will write to inform the complainant, the Head Teacher/Head of School, any relevant witnesses and members of the Governors' Complaints Committee **at least 10 school working days in advance**, of the date, time and place of the meeting. The details of the complaint available at that time should also be sent in writing to the Head Teacher/Head of School.
- 3.2.5 The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Committee, **at least 5 school working days in advance of the meeting**. The Chair/Vice Chair of the Governing Body will invite the Head Teacher/Head of School to attend the Governors Complaints Committee meeting and prepare a written report for the Committee in response to the complaint.
- 3.2.6 The Head Teacher/Head of School may also invite members of staff directly involved in matters raised by the complainant to respond in writing or at the discretion of the Chair to attend the meeting. All concerned, including the complainant, will receive any relevant documents including the Head Teacher's/Head of School's report, **at least 5 school working days prior to the meeting**.
- 3.2.7 It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.
- 3.2.8 The aim of the meeting will be to resolve the complaint and to achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only

be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.

3.2.9 The Committee should remember that some parents/carers are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Committee. It is therefore recommended that the Chair of the Committee ensures that the proceedings are as informal as the situation allows.

3.2.10 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

3.2.11 At Stage 3 the complainant and the Head Teacher/Head of School and any other staff should be interviewed separately, so that the Committee can form a clear and unbiased view of the complaint. The interviews, which can be arranged to run consecutively if this is more convenient, should allow:

- The complainant to explain their complaint(s)
- The Head Teacher/Head of School to explain the school's response
- The Governors' Complaints Committee members to have an opportunity to question both the complainant and the Head Teacher/Head of School.
- Any party to have the right to call witnesses (subject to the approval of the Chair) and the Committee having the right to question all the witnesses
- The parents/carers, the Head Teacher/Head of School and staff to have the right of representation at the interview if they so wish

3.2.12 The Chair of the Committee will explain to the complainant and the Head Teacher/Head of School that the Committee will consider its decision, and a written response will be sent to both parties **within 15 school working days**.

3.2.13 The Committee will then consider the complaint and all the evidence presented and:

- a) Reach a unanimous, or at least a majority decision on the complaint
- b) Decide upon the appropriate action to be taken to resolve the complaint
- c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again

3.2.14 Recommendations will be reported to the Governing Body at an appropriate time.

3.2.15 A written statement outlining the decision of the Committee must be sent to the complainant and Head Teacher/Head of School. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, only the phrase '**Appropriate action has or will be taken**' should be used.



3.2.16 The Governors will ensure that a copy of all correspondence and notes are kept on file in the Governor's records. These records should be kept separately from pupils' personal records.

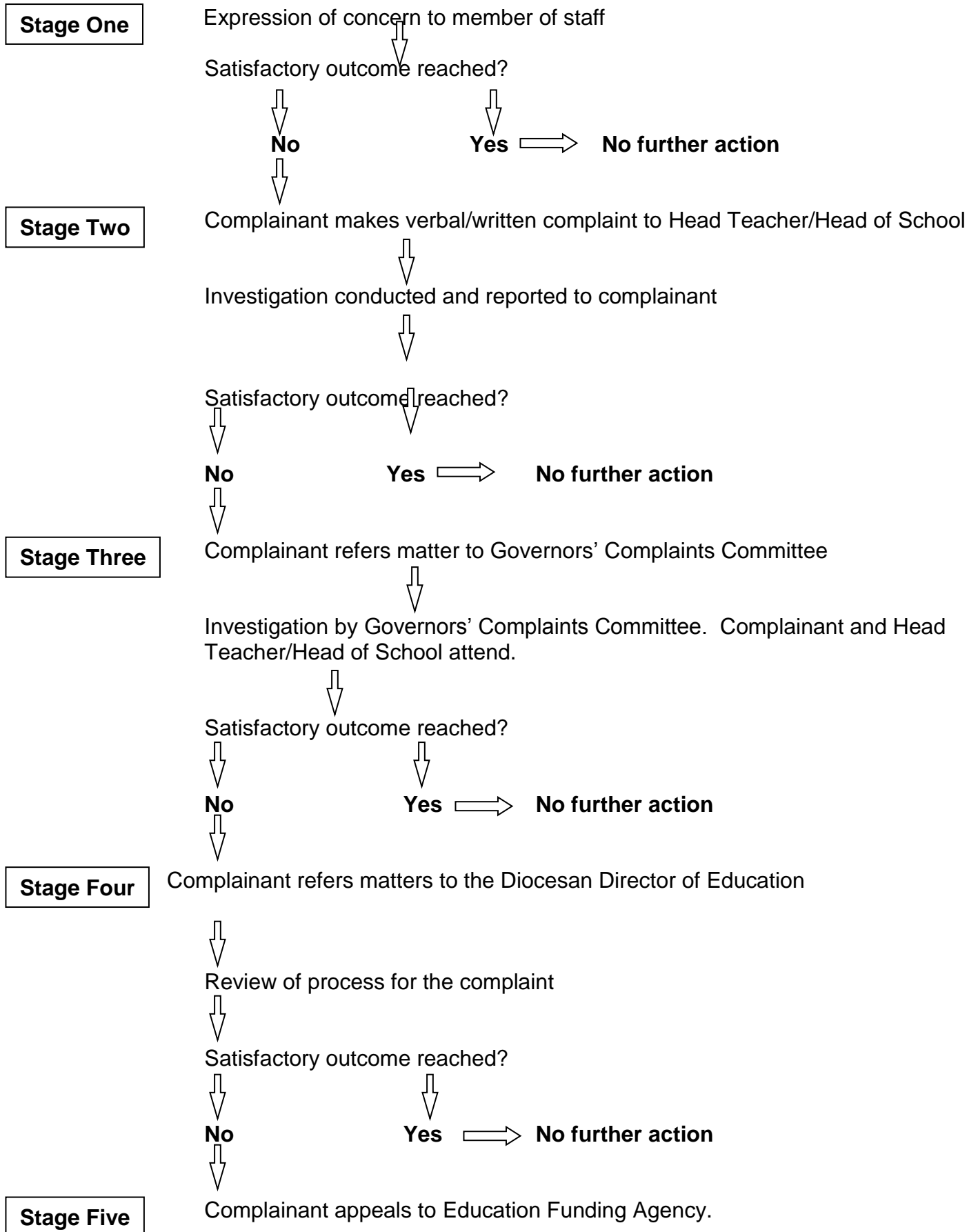
#### **4 The Fourth Stage – Referral to the Diocesan Authority**

4.1 Complaints unresolved at Stage 3 can be referred to the Diocesan Director of Education at [schools@hallam-diocese.com](mailto:schools@hallam-diocese.com). This person is independent of the school and can check that correct procedures have been carried out by the school.

#### **5. The Fifth Stage – Referral to the Education and Skills Funding Agency**

Complaints unresolved at Stage 4 can be taken to the Education Funding Agency at <https://www.gov.uk/complain-about-school> The Education Funding Agency may contact the Governing Body for more information in order to consider the complaint.

## Chart: Stages for Handling Complaints



## **APPENDIX 1**

### **Unreasonable Complainants**

The school is committed to deal with all complaints fairly and impartially and to provide a high quality service to those who complain. Normally the contact which complainants have with the school will not be limited. However, staff will not be expected to tolerate unacceptable behaviour and the school will take action to protect staff from such behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable complainants as those who, because of the frequency or nature of their contacts with the school, hinder the consideration of their complaints or those of other people.

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

- refuses to articulate their complaint, or to 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 whilst still requiring that their complaint be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint, despite previous investigations or responses concluding that the complaint is groundless or has been addressed
- refuses to accept the findings of the investigation into their complaint where the school's complaints procedure has been fully and properly implemented and completed, including referral to the Department for Education
- seeks an unrealistic outcome

- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint, whether in person, in writing, via email or by telephone, whilst the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so 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 on social media websites and newspapers.

Complainants should limit the number of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent, whether it is by letter, phone, email or text, as this could delay the outcome being reached.

Whenever possible, the Head Teacher or the Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who contact the school excessively, causing a significant level of disruption, the school may draw up a communication plan, specifying methods of communication and limiting the number of contacts. This will usually be reviewed after 6 months.

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

## Appendix 2 NDHS

### Summary for parents – how to raise concerns or complaints

- Contact the school. Depending on the nature of the concern there are different contacts to help you:
  - Learning in a specific subject – Contact subject teacher or head of department.
  - More general teaching or wellbeing issue across subjects/ school - form tutor, pastoral manager, head of year.
  - Concern about behaviour, bullying etc. – form tutor, pastoral manger, head of year.
- If unsure, message via the enquiries box on website or make a phone call to reception.
- When relaying the concern(by phone or written e.g. email) please make clear
  - The student(s) it concerns.
  - The main thing(s) you are concerned about.
  - What you hope for as a solution/resolution.

### Key contacts at school:

#### Members of staff who are part of our school safeguarding team are highlighted

#### **Designated Safeguarding Lead: Mr Scriven [sscriven@notredame-high.co.uk](mailto:sscriven@notredame-high.co.uk)**

##### **Pastoral Managers**

Mrs Vivian Y7-9 [cvivian@notredame-high.co.uk](mailto:cvivian@notredame-high.co.uk)  
 Mrs Cooper Y10-11 [tcooper@notredame-high.co.uk](mailto:tcooper@notredame-high.co.uk)  
 Mrs Hockney Y12-13 [jhockney@notredame-high.co.uk](mailto:jhockney@notredame-high.co.uk)  
 Enquiries: [school@notredame-high.co.uk](mailto:school@notredame-high.co.uk)  
 Reception 0114 2302536

##### **Heads of Year**

Y7 Mr Doherty [mldoherty@notredame-high.co.uk](mailto:mldoherty@notredame-high.co.uk)  
 Y8 Mrs Brookes [fbrookes@notredame-high.co.uk](mailto:fbrookes@notredame-high.co.uk)  
 Y9 Mr Saunders [msaunders@notredame-high.co.uk](mailto:msaunders@notredame-high.co.uk)  
 Y10 Mr Marsden [amarsden@notredame-high.co.uk](mailto:amarsden@notredame-high.co.uk)  
 Y11  
 Y12 Mr Dransfield [sdransfield@notredame-high.co.uk](mailto:sdransfield@notredame-high.co.uk)  
 Y13 Mr Birch [mbirch@notredame-high.co.uk](mailto:mbirch@notredame-high.co.uk)

##### **Heads of Departments**

Art	Mr Pedler	<a href="mailto:bpedler@notredame-high.co.uk">bpedler@notredame-high.co.uk</a>	History	Mrs Burrows	<a href="mailto:eburrows@notredame-high.co.uk">eburrows@notredame-high.co.uk</a>
Biology	Mrs Abbey	<a href="mailto:rabbey@notredame-high.co.uk">rabbey@notredame-high.co.uk</a>		Mr Robinson	<a href="mailto:mrobinson@notredame-high.co.uk">mrobinson@notredame-high.co.uk</a>
	Mrs McCole	<a href="mailto:smccole@notredame-high.co.uk">smccole@notredame-high.co.uk</a>	ICT	Mr Wright	<a href="mailto:kwright@notredame-high.co.uk">kwright@notredame-high.co.uk</a>
Business/	Mr Horner	<a href="mailto:dhorner@notredame-high.co.uk">dhorner@notredame-high.co.uk</a>	Maths	Mr Roden	<a href="mailto:mroden@notredame-high.co.uk">mroden@notredame-high.co.uk</a>
Economics			MFL	Mrs Greenwood- Quay	<a href="mailto:egreenwoodquy@notredame-high.co.uk">egreenwoodquy@notredame-high.co.uk</a>
Chemistry	Dr Searle	<a href="mailto:esearle@notredame-high.co.uk">esearle@notredame-high.co.uk</a>	Music	Mr Ward	<a href="mailto:award@notredame-high.co.uk">award@notredame-high.co.uk</a>
Drama	Mr Mitchell	<a href="mailto:tmitchell@notredame-high.co.uk">tmitchell@notredame-high.co.uk</a>	PE	Miss Nicholls	<a href="mailto:jnicholls@notredame-high.co.uk">jnicholls@notredame-high.co.uk</a>
English	Mrs King	<a href="mailto:jking@notredame-high.co.uk">jking@notredame-high.co.uk</a>	Physics	Mr Pinder	<a href="mailto:spinder@notredame-high.co.uk">spinder@notredame-high.co.uk</a>
	Mrs Scriven	<a href="mailto:cscriven@notredame-high.co.uk">cscriven@notredame-high.co.uk</a>	RE	Mr Neal	<a href="mailto:jneal@notredame-high.co.uk">jneal@notredame-high.co.uk</a>
Geography	Mr Pickup	<a href="mailto:mpickup@notredame-high.co.uk">mpickup@notredame-high.co.uk</a>	Social Sciences	Ms Sandhal	<a href="mailto:asandhal@notredame-high.co.uk">asandhal@notredame-high.co.uk</a>
			Technology	Mrs Wragg	<a href="mailto:awragg@notredame-high.co.uk">awragg@notredame-high.co.uk</a>

## **Stages of a concern or a complaint**

Our aim is to resolve your concern or complaint at the first point you bring it to our attention.  
(Stage 1)

If you feel that your concern or complaint has not been addressed satisfactory then you can raise a formal complaint (Stage 2). This is done by:

1. Contact the PA to the head teacher by phone or in writing.
2. Make it clear that you wish to make a formal complaint, explaining :
  - Which student(s) it concerns.
  - The main thing(s) that you are complaining about.
  - What would you hope to see as a resolution of your complaint?
3. The head teacher\* will arrange a meeting with you to listen in more detail to your complaint. At this meeting the head teacher will make sure you know what the next steps will be and when you should receive a response to your complaint.
  - Normally there will need to be some further investigation of a complaint. The head teacher will normally appoint another senior member of staff to oversee this work.
  - If you are unhappy with the response at this stage your next steps under the complaints policy will be explained to you.

\* It may be that the deputy head teacher will meet with you on behalf of the head teacher.

If you are unhappy with the response at this stage (after stage 2) then your next steps under the complaints policy will be explained to you.

**Please note** that there are some parts of school life that have their own procedure for concerns or complaint. These are explained in the complaint policy: [Complaints policy NDHS](#)

Key areas of concern to highlight are:

Safeguarding concerns about the safety of students and/or the conduct of a member of staff must be referred to a member of the safeguarding team or Headteacher.

Concerns and questions about admissions or exclusions also have their own systems:

For admissions please contact :	Mrs Giles	<a href="mailto:sgiles@notredame-high.co.uk">sgiles@notredame-high.co.uk</a>
For exclusions please contact:	Mrs Parker Giblin	<a href="mailto:pparkergiblin@notredame-high.co.uk">pparkergiblin@notredame-high.co.uk</a>
For public examinations please contact:	Mrs Paine	<a href="mailto:lpaine@notredame-high.co.uk">lpaine@notredame-high.co.uk</a>

## **Appendix 3 Governor's panel to hear formal complaint**

### **Stage 3 The Governor's panel to hear the formal complaint**

#### **The Remit of the Complaints' Panel**

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any individual sitting on a complaints panel needs to remember:

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor or individual may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that its members are sensitive to the issues of race, gender, gender orientation and religious affiliation.
- b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. Extra care needs to be taken when the complainant is a student. Careful consideration of the atmosphere and proceedings will ensure that the student does not feel intimidated. The panel needs to be aware of the views of the student and give them equal consideration to those of adults. Where the student's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the student needs to attend.
- d. Where the complainant is a parent they should be allowed to attend the panel hearing, and, if they wish, to be accompanied.
- e. The governors sitting on the panel need to be aware of the complaints procedure.



## **The Role of the Chair of the Governing Body or the Nominated Governor.**

The Chair of the Governing Body or Nominated Governor should:

- check that the correct procedure has been followed;
- decide if a hearing is appropriate and if so, notify the Clerk to arrange the panel.

## **The Role of the Chair of the Panel**

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

- the remit of the panel is explained to the parties present at the hearing and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it. All relevant documentation is kept confidential;
- recommendations and findings should be recorded and distributed as appropriate.

## **The Role of the Clerk**

The Clerk is the contact point for the complainant and required to:

- (after having received notification from the Chair of the Governing Body or Nominated Governor) set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;

- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing
- record the proceedings;
- notify all parties of the panel's decision.