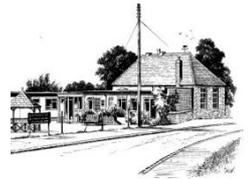




Twineham CofE School



Enjoy ~ Believe ~ Respect ~ Achieve

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Twineham CE Primary School, Twineham, Haywards Heath,
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Complaints Policy

Introduction

In accordance with Section 29 of the Education Act 2002, (Appendix A), Governing Bodies of all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

The Governing Body must publicise this procedure.

To fulfil our obligations under the 2002 Act we set below our procedure to deal with complaints at Twineham C of E School.

It should be noted that there are certain types of complaint, which do not come under the scope of this procedure. These exceptions include: Admissions to schools; Statutory assessments of Special Educational Needs and Disability (SEND); School re-organisation proposals; Matters likely to require a Child Protection Investigation and complaints about services provided by other providers, for which there are separate (statutory) procedures. For full details see Appendix B.

Complaints on religious education and collective worship are dealt with in a different manner, if they progress to the formal stage. A formal complaint, if not resolved by the Governing Body, would be heard by the Statutory Advisory Council on Religious Education (SACRE) or the relevant Church. Full details are set out in Appendix C.

The procedure for Special Educational Needs and Disability (SEND) complaints and any support, is set out in the school's current Special Educational Needs and Disability policy. If an informal approach remains unresolved or is inappropriate, any formal complaint should be made and dealt with in accordance with the school complaints policy.

At Twineham, our aim is for the majority of complaints to be resolved informally at the earliest stage. It should be noted that a complaint can be withdrawn at any time during the complaints process, if it has been satisfactorily resolved. Equally, a dissatisfied complainant must always be given the opportunity to complete the complaints procedure in full.

COMPLAINTS PROCEDURE – TWINEHAM C of E SCHOOL

In accordance with the above, the following details the Complaints Procedure operated at Twineham C of E School.

Who Can Make a Complaint?

Any person, including members of the general public.

Grounds for a Complaint

A complaint can be made about any provision of facilities or services that the school provides, unless separate statutory procedures apply.

A complaint can be made on the grounds that a pupil or a parent of a pupil has sustained injustice in consequence of an act or omission of the Governing Body of the school or an exercise of, or failure to exercise a prescribed function of the headteacher of the school.

An act is to be treated as an act of the Governing Body of the school where a person acts on behalf of the Governing Body, or is a person to whom the Governing Body has delegated any functions. An act is also to be treated as an act of the Governing Body if the Governing Body exercises a function by arrangement with another person, and the act is done by or on behalf of the other person carrying out the arrangement.

Time Limits

Complaints should be made as soon as possible after an incident arises. In general, we would expect a complaint to be lodged within three months of the incident. Reasonable exceptions to this limit will be considered.

Aim

The school and Governing Body aim to deal with all complaints openly, fairly, confidentially, promptly and without prejudice.

Responsibility of the Complainant

To state what school actions they feel might resolve their problem, at each stage of the process.

How to make a Complaint and Recording Details

To comply with the Equality Act 2010, a complaint may be made in person, by telephone, or in writing. Notes will be made, and records will be kept of meetings or verbal communications. These notes will be typed and stored on a secure network at school. If appropriate, where there are communication preferences due to disability or learning difficulties, recording devices may be used where all parties give their consent.

In general we would recommend that a complaint should be made using the school's complaint form at Appendix D.

The complaint should be addressed to the Clerk to the Governing Body care of the School Office and marked 'Private and Confidential' giving full details of the complaint and requesting the Complaints Appeal Panel consider the matter. The Clerk to the Governors should acknowledge receipt within five school days. Where appropriate this can be done verbally to the Clerk to the Governing Body via the School Office.

Definitions – School Complaints and Concerns

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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action.'

A flowchart summarising the process is included at Appendix E.

Stage 1 [Informal] – Concern heard by staff member

It is important that any concerns you may have are raised with a member of staff as soon as possible, by making an appointment with the appropriate member of staff. If either party

feels too compromised to discuss the concern the headteacher can appoint another member of staff, who can be objective and impartial, to discuss the concern.

At this stage concerns are informal, and will involve a discussion with a staff member, in order to aim to resolve the issue at the earliest opportunity. The complainant will be asked what they think will resolve the issue.

A written record will be made of the meeting. A response to your concern should be provided to you within five school working days, after you raised the initial concern, unless otherwise agreed. All parties should be clear about any actions that have been agreed as a result.

If you feel that your concern has not been resolved to your satisfaction, you may wish to make a formal complaint to the headteacher under Stage 2 of the procedure, if the headteacher was not the member of staff the concern was initially discussed with.

Stage 2 [Formal] – Complaint heard by head teacher, or by Chair of Governors if the complaint is about the headteacher

If your concern remains unresolved and you become dissatisfied you may feel like you have no option but to make a formal complaint. This should be a verbal complaint to the headteacher, unless the complaint is about the headteacher.

A meeting should be arranged with the headteacher to discuss and clarify both the issues and the outcome the complainant feels might resolve their complaint.

Notes will be kept of all meetings, conversations and of the receipt of any documentation.

After consideration of all the relevant facts a written record and response will be sent to the complainant, which will include a full explanation of the decision reached and the reasons for this. If any action is to be taken at the school, this will also be identified with any timescale.

The Stage 2 processes may take up to 10 school days as a general rule. The headteacher will keep the complainant informed in writing of the on-going time scale.

If the complaint is about the headteacher, the complainant should make contact with the Chair of Governors, via the school office, to request that their complaint is considered.

Complaints against the Chair of Governors or any individual governor should be made in writing or verbally to the Clerk to the Governing Body, care of the school office and marked 'private and confidential' if made in writing.

The Chair of Governors would likewise conduct an informal review of the complaint, where circumstances provided for them to take this role. This should also be carried out within 10 school days of the complaint being made. Reasoned feedback will be provided to the complainant.

Stage 3 [Formal] – Complaint heard by Governing Body's Complaints Appeal Panel

Stage 3 is the final stage in the school complaints procedure, and in general the Appeals Panel's decision is final.

If the complainant is not satisfied with the outcome of stage 2, they should make representations in person or by telephone (where there are communication preferences) or in writing to the Clerk to the Governing Body care of the school office and marked 'private and confidential' where in writing, giving full details of the complaint and requesting the Complaints Appeal Panel consider the matter. The Clerk to the Governors should acknowledge receipt within five school days.

A formal complaint form is attached for your convenience at Appendix D which can be used alone or accompanied by a letter to the Clerk. Alternatively, the Clerk to the Governing Body can complete this form on behalf of the complainant, following a verbal communication of a complaint.

The Chair of Governors, or if the Chair has been involved at any previous stage in the process, another nominated governor, will convene a Governing Body Complaints Appeal Panel.

A Clerk will be appointed to the Governing Body Complaints Appeal Panel at the start of Stage 3 to support the process and be the point of contact for the complainant.

The headteacher would now be notified of the complaint, if they had not previously been involved in the process.

The Clerk to the Governing Body Complaints Appeal Panel will:

- Set a convenient date, time and venue for the complaint to be heard;

- Deal with all administration of the procedure;
- Take notes at any meetings;
- Be a single point of contact to facilitate communication between all parties;
- Draft and despatch letters as required;
- Liaise with the LA and other agencies for support/advice as requested.

The Complaints Appeal Panel of three members must be established by drawing on governors with no prior or direct involvement with the complaint. It should also aim to provide a cross section of governors. If the whole Governing Body is aware of the substance of a complaint before the final stage has been completed, schools should arrange for an independent panel to hear the complaint. They may approach a different school to ask for help or the local Governor Services team at the LA, or the Diocese.

The headteacher must not serve on the Complaints Appeal Panel. The Chair of Governors must not serve on the Complaints Appeal Panel if s/he has had any prior involvement with the complaint.

Complainants have the right to request an independent panel if they believe there is likely to be bias in the proceedings. Schools should consider the request but ultimately, the decision is made by the governors.

The Complaints Appeal Panel will be provided with any collated written material, reports, and relevant information and will consider the complaint on the basis of the written evidence available. The Complaints Appeal Panel may decide to request further clarification from the complainant and headteacher before writing and notifying them of the arrangements for the formal panel meeting. Any additional information received by the Complaints Appeal Panel must be shared with all parties prior to the meeting.

The Panel members will decide how the meeting will be conducted and who is present. The panel should decide whether to meet each party individually or invite all to attend at the same time.

The Clerk will write to all relevant parties informing them of the date and time of the meeting and will give an outline of how the meeting will be conducted. The Clerk must include a copy of all relevant documents, policies or procedures that will be considered by the Panel at the meeting. Notification of the Panel meeting must be sent not less than five school days before the meeting.

All parties should acknowledge receipt of the meeting notification and all related documentation itemised in the accompanying letter.

Within reason, the Clerk will arrange a date and time for the Panel meeting that is convenient to the complainant and other relevant parties.

The complainant has a right to be accompanied to the meeting by a friend/representative.

The friend/representative **may**:

- Confer with the complainant during the meeting;
- Ask questions of witnesses;
- Sum up the complainants complaint if requested by them.

The friend or representative **may not**:

- Answer questions on the complainants behalf;
- Address the Panel if the complainant does not wish it;
- Prevent the complainant from summarising the complaint.

Good practice requires all written evidence to be submitted prior to the meeting wherever possible so that it can be considered by all parties.

If necessary the Panel meeting will be adjourned if there is insufficient time to consider extra evidence received at the start of the meeting to enable it to be circulated and considered by all parties.

The Panel may wish to call witnesses to the meeting.

The complainant, and other parties previously involved in the complaint if invited, can expect the following process to be followed:

- The hearing will proceed in an informal, but appropriate manner;
- Witnesses shall be present only for the part of the hearing relevant to their involvement and may not remain for the entire hearing (at the discretion of the Chair of the Panel);
- Introductions shall be made by all parties present;
- The complainant will be invited to explain the complaint;

- The headteacher will be invited to explain the reasons for decisions reached up to this point;
- If all parties are in attendance together, the complainant may then question the headteacher;
- If all parties are in attendance together, the headteacher may then question the complainant;
- The Panel may ask questions of any party at any time;
- Witnesses, subject to prior approval by the chair of the complaints appeal panel, to be called;
- All parties to have the right to question all witnesses;
- The complainant will be invited to sum up their complaint, and then the headteacher will be invited to sum up the school's position and response to the complaint.

At the conclusion of the Complaints Appeal Panel hearing the Chair of the Panel will inform the complainant and the headteacher that the Panel will consider its decision in private and will send a written response within 10 school days. At this point all parties other than Panel Members and the clerk must vacate the room.

The Panel will consider the original written complaint, along with all subsequent evidence that has been presented both orally, and in writing. The remit of the Panel is to:

- (a) Dismiss the complaint in whole or in part;
- (b) Uphold the complaint in whole or in part;
- (c) Decide what, if any, action should be taken to resolve the complaint;
- (d) Recommend any changes, if appropriate, to the school's processes or systems to ensure similar complaints do not arise again in the future.

The Panel will present their findings in writing.

The Clerk or Chair of the Panel will ensure the written findings outlining the Panel's decision is sent to both the complainant and the headteacher.

Stage 3 should be completed in 25 school days. However, this may not always be possible, especially if a complaint is complex, and where that is the case, the Clerk will ensure both parties are written to and advised of the revised target date.

This is the final stage in the school complaints procedure and there is no right of appeal against the Governing Body Complaints Appeal Panel decision. If the complainant remains dissatisfied and believes the Panel has acted unreasonably in response to the complaint, the complainant should be advised to write to The School Complaints Unit (SCU) at: Department for Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD or in some circumstances, Ofsted if the complaint is likely to lead to a determination there is a need to inspect. Ofsted cannot seek to resolve any individual complaint.

(For further details on the SCU and Ofsted see Appendix F)

For roles and responsibilities at Stage 3 see Appendix G.

Serial and Persistent Complaints

There will be occasions when, despite all stages of the school's complaints procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the process by writing to the Chair of Governors, or any member of school staff, with the same complaint, the Chair of Governors may respond to them in writing that all stages of the school's complaints procedure have been exhausted and that the matter is now closed.

Policy for Unreasonable Complainants

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

Twineham School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

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 a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's 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 may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;

- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should try to limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

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

If the behaviour continues the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Twineham School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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

Further guidance about how to deal with such complaints can be found on page 10 of the Best Practice Advice for School Complaints Procedures 2016

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/489056/Best_Practice_Advice_for_School_Complaints_2016.pdf

Summary

The headteacher, governors and staff at Twineham aim to provide the best environment for the children. We welcome feedback and would hope that any concerns can be discussed at the outset in this regard. We endeavour to work in partnership with parents and the wider community, and aim to resolve any issue at the earliest opportunity.

Reviewed February 2018

Date Approved by the Governing Body, February 2018.

References

This procedure is based upon the Department for Education 'Best Practice advice for School Complaints Procedures 2016.' (January), West Sussex County Council 'School Complaints Guidance notes and model procedure for Local Authority Maintained Schools (June 2016) and the West Sussex County Council 'Model Policy' (May 2016.)

APPENDIX A

Governing Legislation

Section 29 of the Education Act 2002 requires that:

- (1) The Governing Body of a maintained school shall:—
 - a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
 - b) publicise the procedures so established.
- (2) In establishing or publicising procedures under subsection (1), the Governing Body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

‘maintained school’ means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school’.

APPENDIX B

Complaints not in scope of the procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals • Matters likely to require a Child Protection Investigation 	<p>Concerns should be raised direct with local authorities (LA).</p> <p>For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
<ul style="list-style-type: none"> • Exclusion of children from school 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p>
<ul style="list-style-type: none"> • Staff grievances and disciplinary procedures 	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities. 	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>

APPENDIX C

Complaints on Religious Education and Collective Worship

Background

A complaints procedure was set up in 1990 for religious education and collective worship that set up arrangements for consideration and disposal of any complaint which is to the effect that the authority or the Governing Body of any community school:

- has acted or are proposing to act unreasonably with respect to the exercise of any power in relation to:
 - o any provision of religious education or collective worship
 - o any enactment relating to religious education in the curriculum or religious worship in maintained schools.
- or have failed to discharge an such duty.

Categories of Complaints

- (i) the provision of religious education and worship which meets the general requirements set out in acts of parliament.
- (ii) The establishment of a Standing Advisory Council on Religious Education (SACRE) and the review of the agreed syllabus.

Stages of Complaint

Informal Stages

Concerns expressed by parents and others should be dealt with, as far as possible by informal discussions with teachers and headteachers. At this stage the LA could be involved in trying to resolve the issue informally. It is not the intention that expressions of concern should be considered as complaints.

Formal Stages

1. If the concern is not resolved at the informal stage then it becomes a complaint and is considered by the Governing Body of the school or a panel thereof.

2. If the concern is not resolved by the Governing Body then the complaint is considered by a panel of the Standing Advisory Council on Religious Education or the relevant Church.

Complaints heard by SACRE

Any panel of SACRE set up to hear a complaint shall consist of the chairman or vice-chairman of SACRE together with two other members at least one of whom shall be a member of the county council.

Complaints in Controlled Schools

Complaints relating to religious education in controlled schools will be heard by a panel of SACRE.

Complaints relating to collective worship will be heard by a panel set up by the appropriate church authority.

Contacts

- In relation to complaints regarding religious education or collective worship in community schools:
Nigel Bloodworth:
Durban House, Durban Road, Bognor Regis, PO22 9RE
e-mail: nigel.Bloodworth@westsussex.gov.uk
- In relation to complaints regarding religious education or collective worship in C of E Aided schools or collective worship in C of E Controlled schools:
Diocesan Director of Education
Church House, 211 New church Road, Hove, East Sussex, BN3 4ED
- In relation to complaints regarding religious education or collective worship in Roman Catholic Aided and Special Agreement schools:
Director of Education
Diocese of Arundel & Brighton Christian Education Centre (DABCEC), 4 Southgate Drive, Crawley, West Sussex RH10 6RP

APPENDIX D

Twineham C of E School Formal Complaint Form

Please complete and return to the school office marked Private & Confidential to the headteacher or Chair of Governors who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint

(Who did you speak to and what was the response)?

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 only

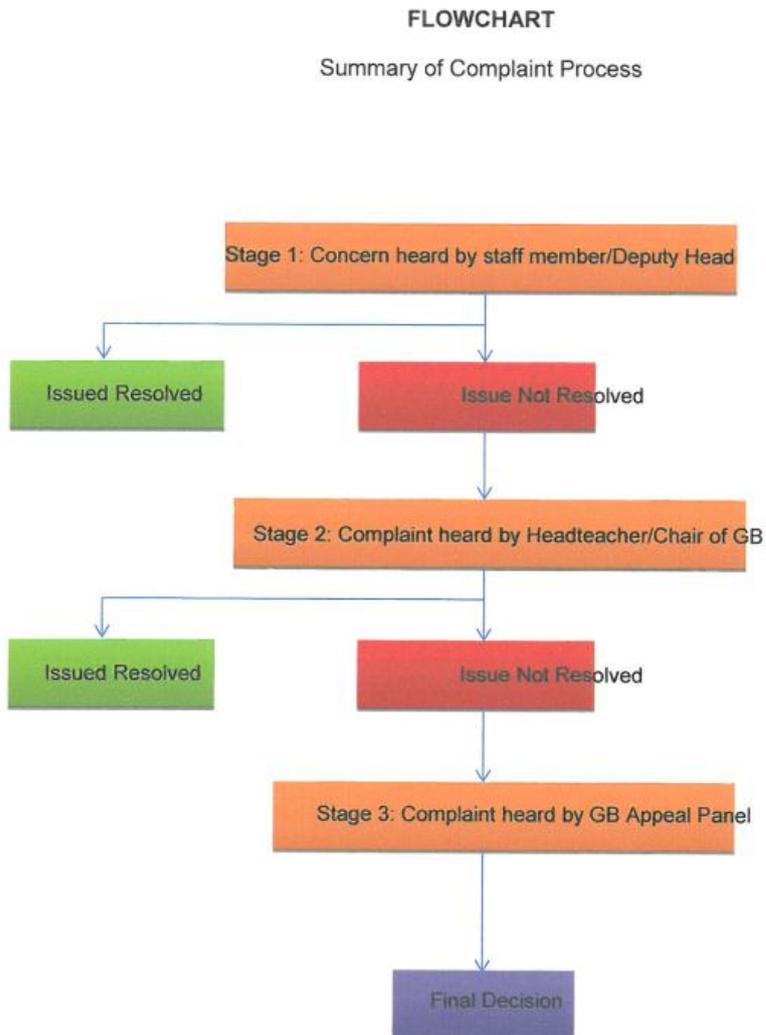
Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

APPENDIX E



APPENDIX F

Role of The Secretary of State, Department for Education, School Complaints Unit

For The School Complaints Unit to become involved they would need to be sure that:

The school has acted or is proposing to act unreasonably in the exercise of performance of its functions imposed by or under the Education Act 1996.

Or

The school has failed to discharge any duty imposed by or for the purposes of the Education Act 1996.

If the complainant believes that this is the case they should refer to the Department for Education website where guidance can be found to support the next part of the process. The relevant guidance can be found at

<https://www.gov.uk/complain-about-school>

Role of Ofsted

It will not investigate cases to do with individual pupils.

A complainant can complain to Ofsted about any state school if there is a problem that affects the whole school. This includes problems with the quality of education or poor management.

Ofsted have an on line form and aim to respond within 30 working days. Their initial response will tell you if Ofsted will investigate or not, and why.

<https://www.gov.uk/complain-about-school>

APPENDIX G

Roles and Responsibilities

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

The Complaints Co-ordinator (or headteacher)

The complaints co-ordinator should:-

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:-
 - sharing third party information;
 - additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through:-

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
- consideration of records and other relevant information;
- interviewing staff and children/young people and other people relevant to the complaint;
- analysing information;

- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

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

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

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator.

The Panel Chair

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

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case and seek clarity;
- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;
- liaise with the Clerk and complaints co-ordinator.

Panel Member

Panellists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;

No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;

However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

- many complainants will feel nervous and inhibited in a formal setting; Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;

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

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend.

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