

## School Complaints Procedure

Birchwood Community Academy Trust

Policy owner (Name):	Mrs M Bryan
Policy owner (Job Title):	Headteacher
Governing body oversight:	Full Governing Board
Date of approval:	17.3.18
Date of next review:	9.19

Before embarking on a formal complaints process it is important that all parties peruse the whole of this procedure and seek clarification for any aspects of which they are unsure.

## Academy Complaints Procedure

<b>Contents</b>	<b>Page</b>
Overview	3
Context	3
Commitment	3
Purpose	3
Scope	3
Dealing with complaints	4
Stage 1 – The Informal Stage	4
Vexatious complaints	5
Formal procedures	6
Framework of principles	6
Investigating complaints	6
Resolving complaints	7 - 8
Time limits and flexibility	8
Convening a complaints panel	8
The stages of complaints	9 - 12
Annex A, Flowchart	13
Annex B, Complaints Form	14 -15
Annex C, Code of conduct for the school and complainants	16
Annex D, Advice and good practice for the school & complainants	17
Annex E, Investigation report	18
Annex F, Investigation checklist	19
Annex G, Checklist for the panel hearing	20
Annex H, Hearing report	21 - 22

## Academy Complaints Procedure

### i. Overview

Academies must comply with the Education (Independent School Standards) Regulations 2014 section 7 which require academies to have in place a procedure to deal with complaints relating to the academy and to any community facilities or services that the academy provides. The law also requires the procedure to be publicised.

### ii. Context

Parental concerns and complaints are a reality of the day-to-day life and work of schools and most informal complaints are handled with much success, drawing upon effective parent-school relationships and an “open-door” approach to resolving issues.

### iii. Commitment

This school is committed to:

- a robust complaints procedure
- a positive ethos and outlook to complaints and complainants
- access to training for staff and governors e.g. via annual discussion and review of the procedure
- addressing the complaint informally wherever possible
- providing a termly update about complaints to governors (anonymised where appropriate)
- having an appropriately appointed Hearings and Complaints panel in place
- a whole-school approach towards dealing with concerns and complaints
- communicating regularly with parents
- a willingness to learn from complaints where appropriate.

However, the following should be taken into account:

- All complaints are unique and so there should sometimes be some flexibility in how a complaint is addressed. Where this is the case, for example changes to timescales, it should be discussed with, and agreed by all parties.
- Complaints that move beyond the informal stage are often stressful for all concerned and this should be borne in mind by all parties.
- Communication is the key and a clear and mutual understanding of what is happening, why and when is useful.

### iv. Purpose

This procedure aims to reassure parents, staff and others with an interest in the school that any complaint will be dealt with in an open, fair and responsive way.

### v. Scope

A complaint is defined as a clear statement of dissatisfaction with an element of the school's work.

The difference between concerns and complaints is not always clear-cut and it is advisable to avoid being too prescriptive. Any expression of dissatisfaction that needs a response, however communicated, may be regarded as a complaint. Establishing what action (or acknowledgement) a complainant wishes to see taken is a good starting point to distinguish an enquiry from a complaint.

Complainants may be anyone, such as: parents, carers, grandparents, neighbours of the school or anyone with an interest in the work of the school. However, it is expected that it will be mainly parents/carers who will make use of this procedure.

This procedure does not deal with complaints about the curriculum, religious education or Collective Worship. Similarly, specialist tribunals provide a route for redress for parents in respect of admissions, permanent exclusions, Special Educational Needs or disabilities whose statutory entitlement is disrupted.

Independent groups using the school's buildings or grounds have their own complaints procedures.

**vi. Dealing with complaints**

**Stage 1: General Communication with School (informal complaints and concerns)**

The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. Staff will resolve issues at the earliest opportunity, sometimes on the spot, if applicable and this may include taking agreed actions or apologising if necessary.

We are a community school and pride ourselves on the quality of our relationships both within school, with parents and in the community. We want you to get in touch with school at every opportunity to give us feedback on all aspects of school life.

***What can I expect if I do contact the school?***

**We need to know as much information as possible**

It is helpful for all staff if the information that is given to the Office Staff has as much detail as possible:

- your name
- the name and form group of your child
- your contact details
- the reason for contacting school
- your availability for a return call or e-mail

***What is a reasonable response time?***

Routine contact will be made with parents and other adults within 48 hours; however, we will make every effort to communicate within 24 hours. If the matter is urgent, for example, related to a child's safety, please state this clearly and ask for Mrs Crompton or Mrs MacLaren, the Designated Safeguarding Leads in school.

***What if I come in and ask to see someone but I do not have an appointment?***

We will aim to see everyone who comes into school but this is not always possible. If this is the case, the office staff at the main reception will take your name and phone number and attempt to arrange an appointment at a mutually convenient time.

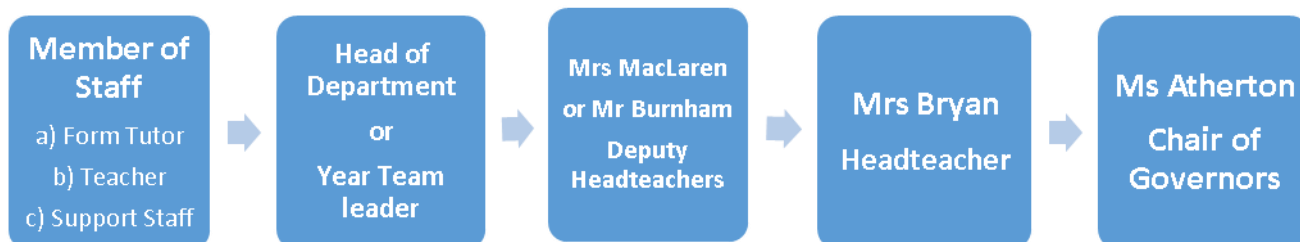
***What do I do if I need to speak to someone and resolve an issue?***

If you would like to discuss anything, please direct this to a specific member of staff if you know who this is. If you do not know who the best person to talk to is, ask the Office Staff for their advice and they will suggest someone who can help you. You should expect them to contact you in timely manner as outlined above. They will ask you about the preferred outcome, work to resolve the issue and keep you informed of the progress

If you are not satisfied with this outcome, you should contact the Deputy Headteachers, Mrs MacLaren (Safeguarding, Behaviour and Welfare) or Mr Burnham (Curriculum, Teaching) directly. They will contact you and support all parties involved to work to the desired outcome.

In the unlikely case that this matter remains unresolved, please contact the Headteacher Mrs Bryan or the Chair of Governors. The school's procedure for dealing with complaints is here ...

**The sequence of people who can help to resolve an issue ...**



## Academy Complaints Procedure

### Formal Stage (Stage 2)

The informal stage 1 will usually have been completed before moving to a formal stage 2. At the formal stage a written complaint needs to be provided using the form in **Appendix B**. However, schools should be mindful of, and sensitive to equal opportunity and the possible needs of complainants. Complainants should be supported whenever possible to engage with the complaints procedure and schools may need to apply some flexibility in this respect.

#### vii. Vexatious or anonymous complaints

There may be rare occasions when, despite all the school based stages of the complaints procedure being followed, a complainant remains dissatisfied. If the complaint has passed through all the stages and the complainant seeks to re-open the same issue, the governors reserve the right to inform him/her in writing that the matter has progressed through all school-based stages of the complaints process and is now concluded.

Anonymous complaints, by their nature, can not be investigated under this policy, as there is no complainant with whom to discuss the issues of concern. However, if there are a series of complaints related to a common theme, it would be prudent for the school to consider such themes to determine if any action is necessary e.g. a review of policy.

#### viii. Formal procedures

The formal procedures will need to be started when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

It is important that:

- from the outset, complainants state what actions they feel might resolve the problem
- the school provides the complaints procedure to the complainants, if their complaint has not been resolved informally
- the **complainants complete the complaints form (Annex B)** and that the school brings this form to their attention, making support available for its completion (or other reasonable adjustments) if necessary.

However, all parties should bear in mind that, because of the unique nature of complaints it can sometimes be difficult to ascertain when a complaint has become formal.

To help this, both parties should try to:

- agree when the complaint has become formal
- communicate clearly
- agree what stage the complaint is at
- agree the next steps, referring to the procedure.

#### ix. Framework of principles

This school's complaints procedure and process will:

- encourage resolution of problems by informal means wherever possible
- be publicised on the school's website ([www.birchwoodhigh.org](http://www.birchwoodhigh.org))
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action

## Academy Complaints Procedure

- will keep people informed of progress where possible
- ensure a full and fair investigation where necessary
- respect confidentiality (see Annex C)
- provide a response and appropriate redress, where necessary
- provide information, as appropriate, to the school's senior leadership team so that services can be improved.

### x. Investigating complaints

The person investigating the complaint will endeavour to:

- establish **what** has happened so far, and **who** has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or speak to them by telephone
- clarify what the complainant feels would put things right
- speak to those involved in the matter and those complained of, allowing them to be accompanied if they wish (see Annex C)
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview and of all discussions/meetings including telephone calls, particularly at the formal stages
- independently minute interviews and panel meetings
- identify areas of agreement between the parties
- clarify any misunderstandings that might have occurred on both sides
- create a positive atmosphere in which to discuss any issues
- ensure that a focus on the **original complaint** is maintained, as stated on the Complaints Form provided by the complainants.

**NB** Further complaints, even if arising from the process, will usually be regarded as new complaints and progressed accordingly, using this procedure. Alternatively, if they are to be progressed with the original complaint this will be at the discretion of those leading the relevant stage when an additional complaint arises. However, it will be made clear to the complainants if any arising issues will be dealt with as part of the original complaint or as a new complaint.

### xi. Resolving complaints

**At each stage** of the procedure all parties will keep in mind ways in which a complaint may be resolved. If appropriate, it may be acknowledged that the complaint is valid in whole or in part.

It may be appropriate to offer one or more of the following as a resolution:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an explanation of the steps that have been taken to help prevent it from happening again
- an undertaking to review school policies in light of the complaint.

## Academy Complaints Procedure

**NB** The above would be provided in an appropriate form, that is, written or verbal, usually to the complainant only, and in such a way as to maintain the dignity of those involved. Any actions for improvement or learning points arising from a complaint will be shared with the governing body and or staff if appropriate.

An admission that the school could have handled the situation better is not the same as an admission of negligence.

### **xii. Time limits and flexibility**

By their very nature, complaints may be unique and whilst it is important that this procedure is followed as closely as possible there may, in rare instances, be the need for some flexibility in its application in order to ensure a full and fair process for all concerned.

Complaints will be considered, and resolved, as quickly and efficiently as possible, balanced against realistic expectations. Time limits for each action have been provided within each stage. On occasion, there may be the need for some flexibility. For example, if there is a need for further meetings between the complainant and the member of staff directly involved and or further investigations are required.

**It is important that all parties are aware of any deviations in timescales and the reasons for them. Proposed alterations to timescales should be notified in advance and reasons given.**

All time scales refer to **working school days**, for this school, excluding school holidays, inset days, weekends and bank holidays.

### **xiii. Convening a Hearing and Complaints Panel**

The Full Governing Board should review the terms of reference of the Hearing and Complaints Panel annually, as with any other committee. The panel must have a Chair who is appointed by the panel. The governing body must appoint a clerk to the panel who must take minutes. Members of the panel, as established by the Full Governing Board, have a right to attend the panel unless, for example, they have prior involvement as stated below.

Hearing and Complaints Panels should be independent and impartial and seen to be so. The panel must contain one person that is independent of the school. This person will not be a governor or a member of staff. In most cases, the independent person will be a Headteacher or a Chair of Governors from another Warrington school or academy. No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it to the extent that they would not be able to give the situation a fair hearing. In deciding the make-up of the panel, governors need to try to ensure that it is a cross-section of the categories of governor and sensitive to issues of race, gender etc.

## Academy Complaints Procedure

### The Stages of complaints

There are four stages (see Annex A):

- Stage One: Complainant/s discuss the matter with an appropriate member of staff usually the class teacher or, alternatively, the person against whom the complaint is being made (only if an adult), a senior member of staff, or the Headteacher. See Page 5 for more details.
- Stage Two: Complaint investigated by the Headteacher **or** Chair of Governors if:

a) The complaint is about the Headteacher;

**or**

b) The Headteacher has looked into the complaint at stage one and this route has been exhausted.

- Stage Three: Complaint heard by Governing Board's Complaints and Hearings Panel.
- Stage Four: Contact the Department for Education

### **Stage One**

#### **Informal stage**

It is in everyone's interest that complaints are resolved at the earliest possible stage and preferably with the person about whom the complaint has been made. If parents have a concern relating to their child they should raise this with the class teacher. In many cases the matter will be resolved straight away to the parent/s satisfaction. If the class teacher cannot resolve the matter alone it may be helpful to involve their team leader, the Deputy Head or Headteacher.

**If the complainant is unsure who to discuss the matter with, they should contact the school office or the Headteacher for clarification.**

The matter will be looked into thoroughly. The complainant will be informed of the outcome of this (within **ten** school working days), in person where possible, and what action, if any, the school proposes to take.

If the complaint is initially discussed with a member of staff other than the Headteacher and the complainant remains dissatisfied, it should **also be discussed with the Headteacher** (or deputy in his or her absence) before progressing to the formal stage.

If the complaint is **about the Headteacher** it should be discussed with him/her informally first before progressing to the next stage.

In exceptional circumstances, where the complainant feels they cannot discuss the matter with the Headteacher, the complaint may move directly to Stage 2.

If the informal process has been exhausted and the complainant remains dissatisfied, the complaint will move to Stage 2.

The complainant will be provided with the complaints procedure and asked to complete the complaints form, Annex B.



The complainant needs to be clear about what their complaint is and how they would like it to be resolved.

This form should be forwarded by the complainant to the Chair of Governors who will investigate the complaint (or Vice Chair in his or her absence or if the Chair has previous involvement in the issue).

Please contact the Clerk to Governors, Mr Gary Clawson on 01925 853509 or [icalderbank@birchwoodhigh.org](mailto:icalderbank@birchwoodhigh.org) for the contact details of the Chair or Vice Chair.

NB: Where the first approach is made to a governor, the next step would be to refer the complainant to the Headteacher. **Governors should not act unilaterally** on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

## **Stage Two**

### **Formal stage**

#### **Complaint investigated by the Headteacher or Chair of Governors.**

The Headteacher or Chair of Governors will:

Acknowledge receipt of the complaints form within **five** working school days.

Provide an opportunity to meet separately with the complainant and the Headteacher (or person complained of if different) within **ten**\* working school days.

Investigate the complaint (following the section on investigations above, see also Annex E and F).

Provide a **written** response to the complainant, copied to the person about whom the complaint has been raised and the Headteacher (if different) within **ten further**\* school working days (see Annex E). The response should indicate whether the complaint has been **“upheld”, “upheld in part” or “overturned”**.

*\*If there are reasons why these timescales can not be met, the Headteacher or Chair of Governors will contact the complainant to explain reasons for the delay and provide a deadline for response, which should be as near as possible to the original deadline.*

The response should provide **conclusions** and **reasons** for the conclusions.

The written response should be by letter sent by post unless the complainant requests otherwise.

If the complainant remains dissatisfied on receipt of the Chair of Governor’s report s/he needs to write to the **clerk** (contact details available from the school office) to the governing body within **ten** school working days also forwarding the original complaint form. The complaint will then move to stage three.

The clerk will acknowledge receipt within **five** working school days.

**NB:** The Vice Chair will undertake the investigation at Stage 2 in the absence of the chair or if the chair has had previous involvement in the matter.

If no correspondence has been received by the complainant/s within ten working days following their receipt of the Chair of Governor's report, the matter will be considered closed.

### **Stage Three**

#### **Formal stage**

#### **Complaint heard by the Governing Body's Hearing and Complaints Panel.**

Complaints only rarely reach this level.

The clerk will convene a Governing Body Hearing and Complaints Panel (see xiii above).

The clerk will notify all parties of the date, time and location of the meeting. At least **five** working days notice will be given to attendees.

The clerk will inform the complainant/s of the names of the panel members and the school contact details of the chair of the panel.

The clerk will ensure the availability of the panel, the complainant/s, the person against whom the complaint is made and the Headteacher (if different). It is up to the complainant, person against whom the complaint is made and panel to ensure that any others to be interviewed are available for the panel hearing in order that reasonable timescales can be met. The clerk is under no obligation to delay a meeting in order to ensure the availability of any other interviewee or friend/advocate.

The complaint will be heard by the panel within **twenty\*** working school days of the clerk receiving the written request to progress to Stage 3.

*\*If there are reasons why these timescales can not be met, the Chair of the Hearing and Complaints Panel will contact the complainant to explain reasons for the delay and provide a deadline for response, which should be as near as possible to the original deadline.*

Panel hearings are often the most stressful part of any complaints procedure, for all concerned. As at all stages, it is important that conduct is appropriate (see Annex C) and that the meeting is as informal as possible.

Both the complainant and the person against whom the complaint is made will attend the hearing.

Both the complainant and the person against whom the complaint is being made may be accompanied by one adult (who has no involvement in the issue), if they wish. The accompanying adult is a supporter only and may not speak on behalf of the complainant except where this would otherwise disadvantage them (for example if English is not their first language), in which case they can act as an advocate. If an accompanying adult is to act as an advocate and speak for the complainant this must first be discussed with and agreed by the chair of the panel before the date that the panel meets.

The panel will interview others involved in the matter if appropriate and necessary to their investigation, or at the request, in advance of the hearing, of the complainant or the person against whom the complaint is made.

The Chair of the panel will obtain the documentation used in the Chair of Governors' investigation as soon as possible and his/her report.

The Chair of the panel will ensure that the panel members, the complainant and the person against whom the complaint is raised receive copies of this documentation plus a copy of the school's complaints procedure, at least **five** working school days in advance of the hearing.

Members of the panel need to have perused all documentation thoroughly, including the school's complaints procedure, before the panel hearing.

The panel will meet immediately before the hearing to discuss the issues raised in the documentation and to discuss the format of the hearing.

The Chair of the panel will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

The panel will first meet with the complainant and then the person against whom the complaint is made (if this is not the Headteacher s/he may be an observer on the panel if s/he does not have any other role, for example, one of the people to be interviewed or the accompanying adult for the person against whom the complaint is raised). The panel will also meet with any other interviewees. The complainant and person against whom the complaint is being made may be present throughout to hear each other's representations and/or to question each other and or any interviewees.

**See also the guidance above regarding investigations (page 6).**

The Governors' appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

The aim of the hearing is to try to resolve the complaint and to try, if possible, to achieve reconciliation between the complainant and the person against whom the complaint is made.

The panel and both parties should focus on the substance of the original complaint in the complaints form and how the complainant would like it to be resolved.

The meeting must be independently minuted, for example by the clerk.

Following the hearing, the Chair of the panel will:

Provide a **written** response to the complainant, copied to the Headteacher, the Chair of Governors and the person against whom the complaint is being made (if not the Headteacher) within **ten** school working days.

Provide conclusions in the written response and reasons for the conclusions.

## Academy Complaints Procedure

State what actions, if any, need to be taken.

Be clear that the complaint has been “**upheld**”, “**upheld in part**” or “**not upheld**”.

Explain that the decision of the complaints panel is final and concludes the school based investigations.

### **Stage 4**

The complainant will be advised that if they remain dissatisfied after exhausting the process as set out within this Complaints Policy, they write to the Department of Education (DfE) stating their complaint

either by completing the online school complaints form at:

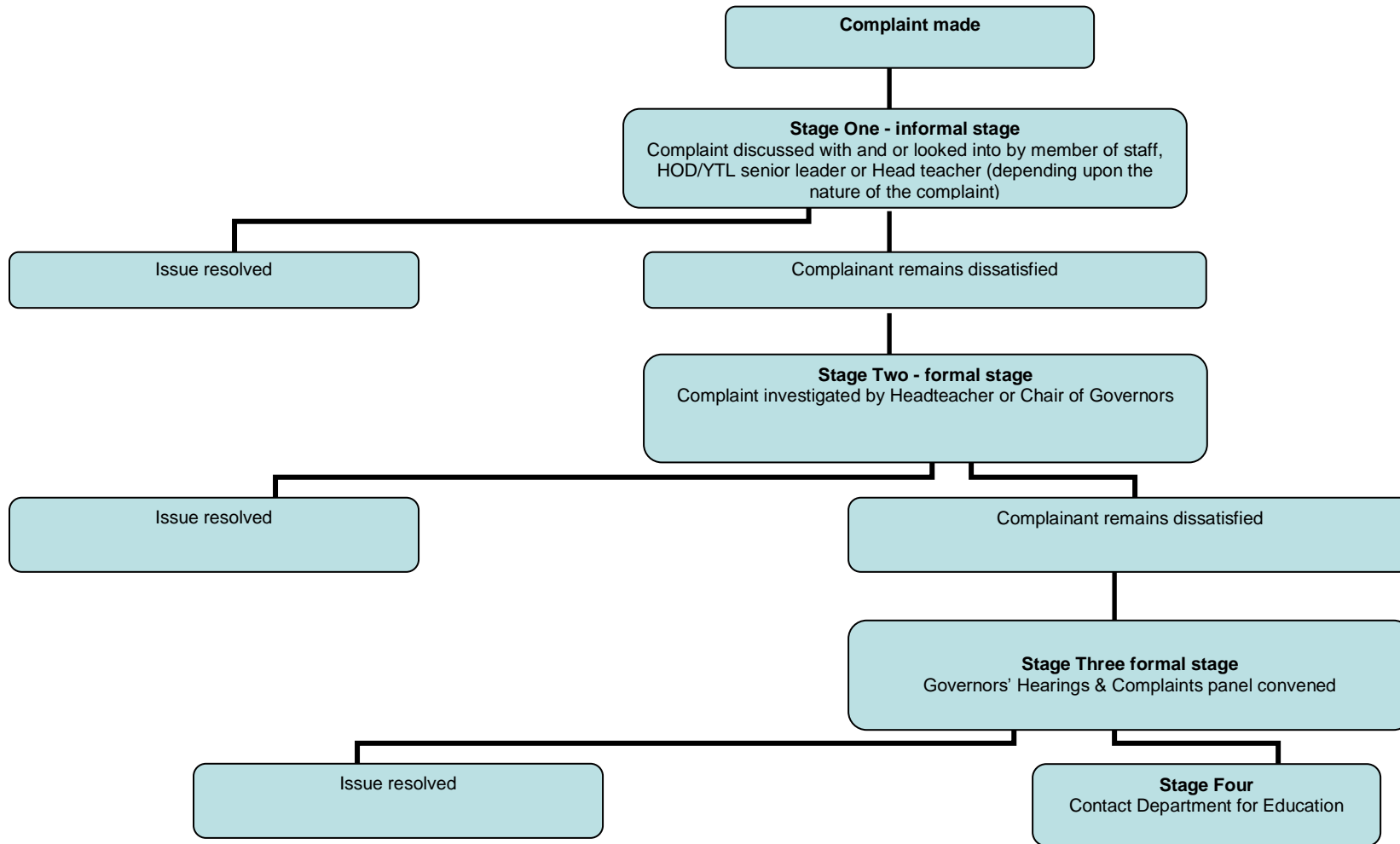
[www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form](http://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form)

All complaints to the Education Funding Agency (EFA) must go via the DfE.

Academy Complaints Procedure

Annex A – Flowchart

Summary of Dealing with All Complaints



**Annex B - Complaint form**

**Please complete and return to ..... Headteacher/Chair of Governors who will acknowledge receipt and explain what action will be taken.**

---

Your name:

Learner/Student's name (if applicable):

Your relationship to the learner/student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email:

Please give details of your complaint.

What action, if any, have you already taken to try to resolve your complaint.  
(Who did you speak to and what was the response)?

Academy Complaints Procedure

---

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

---

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

---

**Annex C – Code of conduct**

**School will:**

- treat all complaints individually
- not take complaints personally
- stay calm
- not rush
- respond as promptly as possible
- maintain confidentiality
- treat all complaints seriously.

**Complainant/s will:**

- bring the complaint to the attention of the school as promptly as possible
- not make a complaint personal
- meet the requirements of the Home School Agreement

**All parties will:**

- speak calmly without raised voices
- use appropriate, courteous language (never swearing or using offensive language)
- use appropriate body-language that is non-threatening
- never make threats or be sarcastic
- not discuss a complaint on social networking sites
- have the option of being accompanied by one adult. This person will be in attendance for support only, not to speak on behalf of the complainant/the person about whom the complaint has been raised. All parties must notify, via those convening the meetings, in advance of their intention to be accompanied.
- an exception to the above is if a complainant requires additional support (if English is an additional language, for example) when additional adult may act as an advocate. This must be agreed with the person leading the relevant stage, in advance.

This code of conduct applies to all parties involved in a complaint, at all stages.

If the code is breached the following sanctions can be applied:

Member of school staff	School's disciplinary policy
Complainant	Asked to provide documentation only and or communicate by telephone (at the discretion of the person leading the relevant stage) rather than face to face hearing/interviews. Consideration given to restricting attendance on school premises.
Governor	Removed from the process and replaced by the Vice-Chair of governors in the case of the Chair or another governor in the case of other governors. The governor investigating at Stage 2 must not be on the panel at Stage 3.



## **Annex D**

The guidance below is recommended but not prescriptive.

### **Advice and good practice for the school**

- Be mindful of equal opportunities ensuring that the complainant has support through the process where necessary; with reading the policy/completing the complaints form, if English is an additional language for instance
- Anonymous complaints are only acceptable in exceptional circumstances
- Try to be clear (without patronising) and avoid using jargon
- Ensure the complainant has a copy of the complaints procedure
- Take your time. Let people have their say. Listen carefully and sympathetically before replying and attempting to find a solution
- Keep open-minded
- Have a colleague with you to take notes
- End the meeting on a positive note and thank people for their time
- Offer to arrange another review meeting

### **Advice and good practice for the parents**

- Be tactful, plan the words you will use to explain the problem
- Try to demonstrate that you can see both sides of the situation but be sure to say how your child feels
- Remember to praise any actions taken by the school
- Write down any points you wish to make beforehand
- Take a friend or partner along with you if you wish
- Make sure you are clear about what you would like to happen to resolve the complaint – remember this must be reasonable
- Be open-minded
- End the meeting on a positive note and thank people for their time
- Ask for another review meeting if that would be helpful
- Ask for clarity around any points in the school's complaints procedure if necessary.

## Annex E

### Investigation Report Sample template for Stage 2

*The template below is for guidance only; it may be useful in supporting an investigation but it is not prescriptive. Investigations must be thorough and are by no means restricted to the suggested sections below.*

#### **Context**

*Provide a brief summary of the context of the complaint.*

#### **Scope of the investigation:**

*(e.g. bullet point who you interviewed/ documents you perused/timeline etc.)*

#### **Interview 1 – e.g. complainant**

*Summarise the interview basing the summary on the independent minutes taken at the time.*

#### **Interview 2 – e.g. person about whom the complaint is made.**

*As above*

#### **Repeat for all interviews**

#### **Conclusions**

*What do you agree with? What do you disagree with? (Based on your investigation, giving reasons)*

*Clear up any misunderstandings.*

- 1. Respond to the complaint (refer to the complaint in the complaint form).*
- 2. Respond to the complainant's suggestions for a resolution/s (refer to the suggestions in the complaint form).*

*Give reasons for your conclusions and responses.*

*Say whether the complaint has been: **upheld** or **upheld in part** or **not upheld***

#### **Actions/recommendations**

*Actions to be taken by the school, as a result of the investigation into the complaint (if appropriate)*

*e.g. Changes to school policy; what you will do differently next time; discussions with staff/Headteacher; training etc.*

#### **Next steps**

*Statement to say this stage is concluded.*

*Advise complainant as to next steps if they remain dissatisfied on receipt of this report (with regard to the school's complaints procedure).*

**Annex F**

**Investigation checklist**

*The checklist below is for support and guidance but is not necessarily definitive.*

**Have you:**

- Read the complaints policy in its entirety?
- Taken particular note of the sections on “investigating complaints”, (page 7), “code of conduct” (Annex C) and “advice and good practice” (Annex D).
- Taken advice and sought clarification if needed (e.g. from the school HR/legal adviser, if appropriate)?
- Met with the complainant?
- Met with the person about whom the complaint is made?
- Met with anybody else involved?
- Have you met other adults who may have seen what happened?
- Perused all relevant documentation e.g. policies, statements, records etc.?
- Persisted in your questioning during meetings/interviews?
- Been professional but put people at their ease?
- Kept notes?
- Ensured that independent minutes have been taken at the time of the interviews, which include the specific questions you have asked?
- Liaised with the clerk/minute taker and confirmed the draft minutes?
- Ensured that draft minutes are produced as quickly as possible?
- Kept an open mind throughout and been impartial?
- Maintained confidentiality?
- Followed the school’s complaints procedure?
- Kept to timescales?
- Identified any points of agreement?
- Clarified any misunderstandings?
- Tried to seek a resolution?
- Focussed on the original complaint as specified in the complaints form?
- Undertaken a thorough investigation?
- Written a report setting out clearly your conclusions? (Annex E).

**Things to consider before writing your report:**

- Is there anyone else you could/should interview?
- Any other documentation you could look at?
- Is there anything else you could ask in meetings/interviews?
- Do you need to re-visit anything and or speak to anyone again before completing your finalised report?

## Annex G

### Checklist for the panel hearing

*For further details, see the information under "Stage 3".*

- Clerk convened the Hearing and Complaints panel with five days notice.
- Clerk informed the complainants' of the names of those on the panel and school contact details of the Chair of the Panel.
- Meeting arrangements as informal as possible.
- Arrangements made to interview those involved in the matter.
- Chair of Governor's/Headteacher's report from Stage 2 obtained.
- Any other relevant documentation obtained.
- Complainant, panel and person against whom complaint is made received copies of all documentation in advance of the hearing.
- Panel members perused all documentation in advance of the hearing.
- Arrangements made for panel to meet immediately before the hearing.
- Care taken with the layout of the room in which the hearing will take place.
- Focus of the hearing includes all parties trying to resolve the complaint and achieve reconciliation.
- Hearing focused on the substance of the original complaint and the complainants suggested resolution/s.
- Complainant and person against whom complaint is made are present throughout to hear representations and ask questions.
- Meeting independently minuted.
- Report produced which includes a statement that the complaint is upheld, upheld in part or not upheld.
- Report copied to complainant, person against whom complaint is made, Headteacher, Chair of Governors.

## Annex H

### Hearing Report Sample template for Stage 3

*The template below is for guidance only; it may be useful in supporting a hearing report but it is not prescriptive. Hearings reports must be thorough and are by no means restricted to the suggested sections below.*

#### **Context**

*Provide a brief summary of the context of the complaint and why it has reached Stage 3.*

#### **Scope of the investigation:**

*(e.g. bullet point who you interviewed/documents you perused/timeline/documentation provided to all parties etc.)*

#### **Summary of the pre-hearing panel meeting**

#### **Interview 1 – e.g. complainant**

*Summarise the interview basing the summary on the independent minutes taken at the time. Include, for example, any questions asked by the person about whom the complaint is made.*

#### **Interview 2 – e.g. person about whom the complaint is made**

*As above. Include, for example, any questions asked by the complainant.*

***Repeat for all interviews.***

#### **Summary of the discussion, with both parties, to try to seek a resolution**

#### **Conclusions**

*Points of agreement between the parties (if applicable)*

*Points of remaining disagreement (if applicable)*

*Any misunderstandings*

*1. Respond to the complaint (refer to the complaint in the complaint form).*

*2. Respond to the complainant's suggestions for a resolution/s (refer to the suggestions in the complaint form).*

*Give reasons for your conclusions and responses.*

*Say whether the complaint has been: **upheld** or **upheld in part** or **not upheld***

**Chair of Governors/Headteacher's report at Stage 2 and informal investigation at Stage 1**

*Make brief reference to these stages and reports where applicable. Any specific areas the panel agreed with/disagreed with if appropriate.*

*NB: the panel hearing is a re-examination of the issue and should not merely rubber stamp the previous investigation. The panel may or may not agree with the Stage 2 report (or aspects of it) and brief comment about this may be made here.*

**Actions/recommendations**

*Actions to be taken by the school, as a result of the examination of the complaint at Stage 3 (if appropriate).*

*e.g. Changes to school policy; what you will do differently next time; discussions with staff/Headteacher; training etc.*

**Next steps**

*Statement to say this stage is concluded.*

*Advise complainant as to next steps if they remain dissatisfied on receipt of this report (with regard to the school's complaints procedure).*