



Complaint Policy 2023
Sedgeberrow Church of England First School

Approved by: The FGB of Sedgeberrow School **Date:** February 2023

Last reviewed on: February 2023

Next review due by: February 2024



Head Teacher: Mr Phil Croke
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1. Introduction

We recognise that parents and carers are important partners in providing a happy, safe environment in which children may learn. It is based on an equal partnership founded on good communications between school staff and parents/carers. We take informal concerns seriously at the earliest stage which reduces the numbers that could develop into formal complaints, which must always follow the complaints procedure. However, at times, communications may break down and need a formal approach and this policy provides a consistent 4 stage complaints process.

However, the scope of this policy **excludes** the following (where separate procedures apply):
Complaints about:

- The National Curriculum
- Collective worship
- Religious education
- Pupil admissions
- Pupil exclusion
- Special educational needs
- Child protection
- Employee grievances and disciplinary proceedings

Any complaint received will be cross-referenced with other appropriate documentation as suggested by Human Resources at WCC. Complaints relating to racism should be dealt with in accordance with section 3 of Appendix A.

2. Framework of Principles

An effective complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide an effective response and appropriate redress, where necessary;
- Provide information to the school's senior management team so that services can be improved.

3. Objectives

The aim of this policy is to resolve concerns at the earliest opportunity and effect reconciliation if there has been friction, ensuring that the process is consistent and fair to all.



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Note: It is envisaged that the majority of concerns and complaints can be resolved informally. The school needs to know as soon as possible when parents/carers are concerned or worried, so that they can work together to resolve the matter.

- Confidentiality should be respected at all times, although it may be necessary that some information will need to be shared to enable a thorough investigation to be carried out.
- A complaint will usually be considered as 'out-of-time' if it is raised more than 3 months after the matter in question was known to the complainant. But there may be exceptions to this.
- Anonymous complaints will not be investigated, except in exceptional circumstances – such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or carry out its own review to test whether there is any evidence to commence a formal investigation.

4. Investigating Complaints

It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:

- 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 contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview or arrange for an independent note taker to record minutes of the meeting.

5. Resolving Complaints

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.



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An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

6. Vexatious Complaints

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

It is important to note however that, should a complainant raise an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure. It is not the complainant who is vexatious; it is the correspondence.

7. Time Limits

Complaints need to be considered and resolved, as quickly, and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set. The complainant should be sent details of the new deadline and an explanation for the delay.

8. Cut Off Limits

It is reasonable to expect parents to make a complaint as soon as possible (usually within 3 months) after an incident arises but there may be good reasons why a parent has not made a complaint earlier (eg they were gathering further information to support their complaint or they were not fully aware of the implications of an incident until a later date). Although we have a general cut-off date, we are willing to consider exceptions.

9. The Complaints Procedure

9.1 The Stages of Complaints

In our school there are four school-based stages:

- Stage 1 (informal): complaint heard by staff member (though not the subject of the complaint);
- Stage 2 (formal): complaint heard by Head Teacher;
- Stage 3 (formal): complaint heard by Chair of Governors
- Stage 4 (formal): complaint heard by GB's complaints appeal panel.

An unsatisfied complainant can always take a complaint to the next stage.



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Complaints regarding the Head Teacher are first dealt with by the Chair of Governors (Stage 3). Complaints against the Chair of Governors or any individual governor should be made by writing to the Clerk to the Governing Body. Complaints Procedures can be found in Annex B.

10. Managing and Recording Complaints Recording Complaints

School will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. The school complaint form can be found in Annex D. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record, these should be passed to the Head Teacher to be kept centrally.

11. Complaints against others

Governors must consider complaints against others and how these will be addressed:

- A complaint against the conduct or actions of an individual governor
- A complaint by one governor about another
- A complaint from a member of staff against the conduct or actions of a governor

12. Governing Body Review

The Governing Body (GB) will monitor the level and nature of complaints, and review the outcomes on a regular basis to ensure the effectiveness of the procedure, making changes where necessary. Complaints information shared with the whole GB should not name individuals in case an appeal panel needs to be constituted.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the GB can be a useful tool in evaluating a school's performance.

The frequency with which the school complaints procedure must be reviewed is determined by the GB as every three years on the review cycle. Reviews are also considered in the event that new guidance or legislative changes are introduced by the Department for Education.

13. Publicising the Procedure

There is a legal requirement for school complaints procedures to be publicised. Within Sedgeberrow C of E First School, our complaints policy is published on our website and mentioned in our school prospectus.



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Annex A – The Act

Section 29 of the Education Act 2002 requires that:

(1) The governing body of a maintained school in England shall –

- (a) establish procedures for dealing with all complaints relating to the school or 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 sections, 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 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.

Annex B – Our complaints procedure

The stages of the complaint

Stage 1 (informal): complaint heard by staff member

It is in everyone’s interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they will know what to do when they receive a complaint.

To assist the procedure our school respects the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member.



Where any member of staff becomes aware of a voiced concern, they should deal with it themselves if it is appropriate, and they feel comfortable in doing so. Many concerns can be resolved by simple clarification of the provision of information. It is anticipated that most concerns can be readily resolved at this informal stage. Where the person approached feels uncomfortable with dealing with the matter directly, they should involve the Head Teacher.

In the case of serious concerns (or where the school deems it more appropriate to do so) it may be necessary to refer these matters directly to the Head Teacher in the first instance.

Where the complaint is specifically about the Head Teacher, in the first instance and wherever possible, parents should approach the Head Teacher informally so that any concerns can be duly resolved.

However, in the exceptional circumstance that a parent/carer feels unable to approach the Head Teacher in the first instance, they can approach the associate priest (or the other foundation governor) in strict confidentiality. The concern will be noted (including the outcome) and copied to the Head Teacher. Where the subject of the complaint is the Head Teacher, the record will also be copied to the Chair of Governors.

It is not appropriate for a complaint to be first directed through any other Governor. Therefore, should any other Governor receive a complaint, they should advise that there is an established procedure, and refer the complainant to the appropriate person (this is because a Governor acting unilaterally could prejudice the involvement of Governors at a later stage).

Where informal attempts by the school have failed to bring about a satisfactory resolution for the parent/carer, the parent/carer is entitled to request that the complaint be treated more formally. Unless the complaint directly concerns the Head Teacher, it will be him/her who deals with this next stage (stage 2 formal).

If the complaint is specifically about the Head Teacher, and she/he has had the opportunity in Stage one to discuss the matter, the parent/carer can then directly contact the Chair of Governors about Stage 3.

Stage 2 (formal): Complaint heard by Head Teacher

(If the complaint concerns the Head Teacher the Chairman of Governors is personally responsible for following the procedures in Stage 2. Otherwise, the Head Teacher deals with this Stage).

This stage can be initiated if/when dissatisfaction with the outcome of Stage 1 is received by the school. At this point, a copy of the Procedures and Policy will be sent to the complainant within 3 school days, together with the formal complaint form (Annex D).

The form is structured so that each party has a common understanding about the complaint. As the main purpose of the process is to achieve reconciliation, parents/carers are also asked what actions might resolve the problem.

After the formal complaint form is returned, it will be acknowledged within 3 school days and the investigation will commence.



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This is the first stage of the formal complaints process and as a result, all communications between parties will be recorded.

Before proceeding with a formal investigation, the Head Teacher may wish to meet with the individual and discuss his/her concerns and wishes. It may still be appropriate and satisfactory; to reach an informal resolution at this point. If not, the Head Teacher will decide whether the individual's complaint will be dealt with by this policy or another statutory procedure. In the latter case, the Head Teacher will advise the complainant on what will need to be done.

The Head Teacher may delegate the task of collating the information to another staff member, but not the decision or the action to be taken. The investigation should involve the review of any relevant documentation and information. If necessary, witnesses will need to be interviewed and statements taken from those involved. If the complaint centres around a pupil, the pupil will also usually be interviewed.

The outcome of the investigation should be communicated to parents/carers, either at a meeting (followed up in writing) or as a written response. This response should explain the outcome and should be supported by reasons for reaching this decision and what action, if any, will be taken. **(If management action is subsequently required against an employee of the school, the parents/carers will not have access to this information).** This response should be provided within 10 school days of acknowledging the complaint.

If the complainant is still dissatisfied with the response given and would like to take the complaint further, they should make this clear in writing to the Head Teacher. On receipt, he/she will send on the complaint form and all associated information to the Chair of Governors for Stage 3. (In the case of the Head Teacher, if the complainant is still dissatisfied, and wishes to take it further, the Chair should be so advised and Stage 3 initiated).

Stage 3 (formal): complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the Head Teacher or the complaint is about the Head Teacher, the complainant should write to the Chair of Governors to request that their complaint is considered further. The Chair of Governors will send written acknowledgement of receipt of this within 5 days. The Chair will then pursue his/her own investigation and send the written outcome of this to the claimant within 15 days.

Stage 4 (formal): complaint heard by Governing Bodies Complaints Appeal Panel

The Chair of Governors will verify that the parent/carer has properly exhausted all Stage 3 procedures. The complainant needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Chair will liaise with the Clerk to make preparatory arrangements for the Governors' Complaints Panel Meeting. The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.



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The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The Clerk may be the Clerk to the Governing Body, or, in exceptional circumstances, another Governor acting as Clerk, (over and above those selected for the panel).

The Chair of Governors will identify three governors chosen from an agreed pool of governors to form the Complaints Panel, and the Panel will appoint its own Chair.

The Clerk to the Governors Complaint Panel will acknowledge (to the complainant) receipt of the information from the Claimant within 5 school days.

The Clerk of the Panel will convene a meeting of the Complaints Panel (as identified by the Chair of Governors) and arrange a time and date for the meeting, usually within 15 days of the acknowledgement. All relevant documentation from the Head Teacher, the Chair of Governors, and the parent/carer will be distributed to all parties (including the Panel members) in advance of the meeting.

The Chair of the Panel needs to ensure that the parent/carer is notified of the Panel's decision in writing within 5 school days of the meeting. The response will include action (if any) that needs to be taken and, where appropriate, suggest changes to, or review of, the school's systems or procedures to ensure that similar problems do not happen again. Also see Annex E for further details.

The remit of The Complaints Appeal 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 governor 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 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 it is a cross-section of the categories of governor and sensitive to the issues of race, gender 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 that the complainant might



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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. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair 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.

d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child'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 child needs to attend.

e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and responsibilities

The role of the clerk

The department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required 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 (recommended at least five school days in advance);
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

As best practice, the Clerk should share copies of the panel meeting minutes with all parties involved in the panel hearing, providing a reasonable opportunity for the minutes to be agreed and if necessary, challenged.

It is not unknown for complainants to raise additional complaints because they do not agree with the record of the meeting.

The role of the Chair of the Governing Body or the nominated governor

The nominated governor role:

- Check that the correct procedure has been followed;
- If a hearing is requested, notify the clerk to arrange the panel.

The role of the Chair of the Panel



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

- the remit of the panel is explained to the parties 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.

Notification of the panel's decision

The Chair of the Panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision) within 5 days of the meeting. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. This may be the LA or Diocesan Board. The final stage of appeal is to the Secretary of State for Education.

Complainants should be advised to write to The School Complaints Unit (SCU) at:

Department for Education
2nd Floor, Piccadilly Gate
Manchester M1 2WD

What will the Department for Education do?

If a complaint has exhausted the local procedures, SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.

If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

Checklist for a panel hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.



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- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within five days.

Annex C – Summary for Dealing with Complaints

Stage 1 - Complaint heard by staff member

- Ensure complaints co-ordinator (Head Teacher) informed of outcome

If not resolved, then escalate to Stage 2 – Complaint heard by Head Teacher

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 3 if dissatisfied

If not resolved, then escalate to Stage 3 - Complaint heard by Chair of Governors

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator (Head Teacher) informed of outcome
- Offer escalation to Stage 4 if dissatisfied

If not resolved, then escalate to Stage 4 – Governor's complaints panel meeting arranged

- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision
- Ensure complaints co-ordinator (Head Teacher) informed of outcome
- Advice of escalation routes to the Secretary of State for Education

ANNEX D- FORMAL COMPLAINTS FORM

[To be supplied with a copy of the procedure]

Please complete and return to the Head Teacher who will acknowledge receipt and explain what action will be taken.



The Procedure, at Stage 2, explains what action will be taken after receipt.

Your name:	
Pupil's name (if relevant):	
Your relationship to the pupil (if relevant):	
Address:	
Day time telephone number: Evening telephone number:	
Please give details of your complaint.	
<i>The form continues overleaf...</i>	



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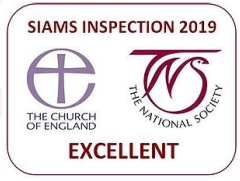
What action, if any, have you already taken to try and resolve your complaint. (Whom did you speak to, when, and what was the response)?	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
<i>Official use</i> Date acknowledgement sent:	
Sent by whom:	



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Complaint referred to:	
Date:	



ANNEX E

PROCEDURE FOR THE CONDUCT OF A GOVERNORS' PANEL HEARING TO CONSIDER A COMPLAINT

It is important that the members of the Governor Panel are impartial and independent, and are seen to be so. The Panel members should have no prior involvement with the case, and be sensitive to the constitution of the Panel with regard to issues of equality.

It may be the case that parents/carers feel anxious that they will not be provided with opportunities for them to be heard or that the procedure is not seen to be fair (i.e. parents may perceive the Governors' view to be weighted in the school's favour). Panel members need to be aware these perceptions may exist and endeavour to demonstrate openness and objectivity in their actions.

THE HEARING

Reports and statements submitted to the Panel should be made available to all parties in advance of the hearing.

The Chair of the Panel must determine in advance the most appropriate method of conducting the hearing into the complaint so that the Panel may achieve 'best evidence'. The decision will be influenced by the contents of the Complaints Form and other information to hand. Some possibilities are listed below, but they are not exhaustive:

Option One

To consider the written statements, reports and evidence provided in advance, and to question the originators about their substance. This approach is likely to be least effective, as it might result in a time-consuming search for additional information and cross-referencing.

Option Two

Interviewing separately the complainant and the school representative, and other parties deemed relevant by the Chair, in order to hear statements and collect additional directly related evidence.

Option Three

With the agreement of all parties, to hold a hearing with both sides present and available to respond to questions put by the Panel, and through the Chair. Such a meeting should be non-adversarial.

Option Four

With the agreement of all parties, to hold a meeting with both sides present, to follow an Agenda on the lines of the following Model: Witnesses are only required to attend for the part of the hearing in which they give their evidence.

Model Agenda

1. *Chair welcomes attendees and introduces the panel.*
2. *Complainant explains reasons for making the complaint, and calls witnesses if desired.*
3. *Panel members may ask questions*



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4. *Head Teacher may ask further questions*
5. *Head Teacher invited to explain the school's actions and call witnesses if desired*
6. *Complainant and Panel members may ask questions*
7. *Complainant is invited to sum up the complaint*
8. *Head Teacher is invited to sum up the school's actions and response to the complaint*
9. *The parties leave together, and the Panel considers its decision*

It is essential to recognise at all times, that the procedure for any of the above options deals only with establishing the validity of a parental complaint and **does not constitute a hearing connected with any disciplinary process.**

The complainant is welcome to bring an accompanying relative or friend if desired, and witnesses if appropriate.

- The school representative will be the person who dealt with Stage 2
- This is usually the Head Teacher, but is the Chair of Governors if the complaint related to the Head Teacher. S/he may bring a friend if desired.
- If other members of staff or other witnesses are needed because of their perceived involvement in the substance of the complaint, each, too, may be accompanied by a friend.

The Clerk to the Governors' Panel will be responsible for inviting participants into the room at the relevant times, and make introductions as necessary.

The Clerk to the Governors' Panel should keep an accurate record of the discussion at the meeting. The Governors may need to refer to this to assist them in their consideration of the case. **It may be helpful to the parent/carer for them to be informed if these notes will be made available to them. If, as a result of the complaint being upheld, there is any disciplinary action towards a member of staff, the parent/carer is not permitted any knowledge of this. Therefore, if any notes are made available to complainants, any such references should be removed before being sent.**

The Chair should explain the Panel's Remit (see over) and emphasise that the purpose of the hearing is to review the complaint and try to resolve the issues to enable reconciliation between the parent/carer and the school. It may only be possible to establish the facts and recommend future actions.

The Chair should reassure all parties that they will have every opportunity to state their case.

The Chair should explain the procedure decided upon for the hearing. It may be helpful to have printed copies of this available to all parties.

Policy approved by full governors on 1st July 2015 and is to be reviewed in July 2018.



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