

Stanborough



# Complaints Policy

**Reviewed by:** Personnel Committee

**Date of Issue:** June 2022

**Date of next Review:** June 2023

**Responsible member  
of SLT:** Merry John

————— **Grow and Succeed** —————

High Expectations | Mutual Respect | Quality Learning | Success for All

Our policy is set within the school's four principles of:

High Expectations      Quality Learning      Mutual Respect      Success for all

## Introduction

This Complaints Policy's aim is to ensure that a concern, difficulty or complaint is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. The School will try to resolve every concern, difficulty or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing the School's systems and procedures in the light of the matters raised.

The School needs to know as soon as possible if there is any cause for dissatisfaction. Parents and students should never feel – or be made to feel – that raising a concern, difficulty or complaint will adversely affect the student's future at the School, or place the student at a disadvantage in any way.

*This Complaints Policy has been formulated to comply with the [Education \(Independent School Standards\) \(England\) Regulations 2014](#) and Education Skills Funding Agency guidance - [Creating an academy complaints procedure. Updated 27 January 2015](#). It operates within the Schools wider policy framework, including the School's HR policies, Equality Scheme, Safeguarding, Whistleblowing, General Data Protection Regulations, Freedom of Information Publication Scheme*

## Overview

It is in everyone's interest that concerns, difficulties and complaints are resolved to the satisfaction of all parties at the earliest possible stage. The School recognises that listening and communication are at the heart of dealing successfully with complaints and is committed to ensuring that all staff are equipped to deal with them effectively.

The Complaints Procedure has four stages and is summarised below and in detail in Appendix 1. As far as possible the School aims to deal with concerns informally at Stage 1.

At each stage of the Complaints Procedure, the staff member or governor will consider how the complaint may be resolved and the Complainant will be invited to come and discuss the outcome. In considering how a complaint may be resolved, they will give due regard to the seriousness of the complaint. It may be appropriate in order to bring the complaint to a resolution for them to offer:

- An explanation;
- An apology;
- Reassurance that steps have been taken to prevent a recurrence of events which led to the complaint;
- Reassurance that the School will undertake a review of its policies and procedures in light of the complaint.

Examples of outcomes include:

- There was insufficient evidence to reach a conclusion, so the complaint cannot be upheld;
- The investigation did not substantiate the matters raised, so the complaint cannot be upheld;
- The complaint was substantiated in part or full. A description should be given of the remedial action being taken by the School as a consequence of the complaint. Details of any disciplinary action or sanctions to be taken against a member of staff are strictly

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 1 of 14

confidential and cannot be disclosed.

- The matter has been fully investigated and, as a consequence, further confidential procedures are being pursued. Details of any disciplinary action or sanctions to be taken against a member of staff are strictly confidential and cannot be disclosed.

### **Complaints against the Headteacher**

If a complaint is about the conduct of the Headteacher, the Chair of the Board of Governors will investigate the complaint under Stage 2 of this Complaints Policy instead of the Headteacher.

### **Complaints against the Chair**

If a complaint is about the conduct of the Chair, the Headteacher will consider the complaint under Stage 2 of this Complaints Policy as normal, and the Vice-Chair will review the complaint under Stage 3 of this Complaints Policy instead of the Chair.

### **Vexatious or Repeated Complaints**

If the complainant remains dissatisfied after all stages have been properly followed, the Chair of Governors is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed. Further complaints on the same matter may be regarded as vexatious.

### **Complaint by a member of the public (not a Parent)**

Complaints from members of the public will be dealt with by the Headteacher and beyond that the Chair using this Policy and Procedure as a guide and adapting where necessary.

### **Publication**

This Complaints Policy has been ratified by the Board of Governors. It will be published on the School's website and provided to parents and students on request by the School's office. A copy of this Complaints Policy will be provided to a Complainant when a concern, difficulty or complaint is first raised.

### **Confidentiality of Records**

Any correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

### **Training**

The Headteacher will ensure that staff dealing with complaints are made aware of this policy and given appropriate guidance in its implementation.

### **Monitoring and Review**

The Headteacher will report on the number and type of complaints received and their outcomes to the Governing Body at Full Governors Board Meetings. The policy will be reviewed annually by the Personnel Committee

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 2 of 14

# Summary of Complaints Procedure

## Stage 1: Concerns or Difficulties

Nature of complaint	Policy Action
Education issues	Refer to Curriculum Leader or senior leader with responsibility for that curriculum area (see Roles and Responsibilities on website: about us/key staff)
Pastoral Care	Refer to Year Leader
Disciplinary Matters (student)	Refer to Year Leader or Deputy Headteacher
Financial or administrative matters	Refer to Business Manager
Issue with a specific member of staff	Refer to the member of staff, their Curriculum Leader, Assistant or Deputy Headteacher

If the issue cannot be resolved satisfactorily at Stage 1 the Complainant will be invited in to discuss the outcome with either the decision maker or a senior colleague.

## Stage 2 : Formal Complaint to the Headteacher

Nature of complaint	Policy Action
Issues unresolved under Stage 1 and the follow up meeting.	Send details of the complaint to the Headteacher using Complaint Form.

If the issue cannot be resolved satisfactorily at Stage 2 by the Headteacher the Complainant will be invited in to discuss the outcome with a member of the Board of Governors.

## Stage 3: Review by Chair of Board of Governors

Nature of complaint	Policy Action
Issues unresolved under Stage 2 and the follow up meeting.	Write to the Chair of the Board of Governors via the School requesting a Review

If the issue cannot be resolved satisfactorily at Stage 3 by the member of Board of Governors the Complainant will be invited in to discuss the outcome with the Chair of the Board of Governors.

## Stage 4: Complaint Panel Hearing

Nature of complaint	Policy Action
Issues unresolved under Stage 3 and the follow up meeting,	Write to the Chair of the Board of Governors via the School to request Complaint Panel Hearing Complaint heard by Governors' Complaint Panel.

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 3 of 14

# Appendix 1: Our Complaints Procedure

## 1. Concerns and Difficulties

### 1.1. Concerns:

The School expects that most concerns and difficulties, where a parent or student seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, allocation of privileges or responsibilities, a timetable clash, an issue with the School's systems or equipment, or a billing error.

### 1.2. Notification:

The concern or difficulty should be raised as follows:

- 1.2.1. Education issues – if the matter relates to the classroom, the curriculum or special educational needs, the Complainant should speak to the Head of Year, Head of Department, Assistant or Deputy Headteacher, as appropriate.
- 1.2.2. Pastoral care – for concerns relating to matters outside the classroom, the Complainant should speak to the Head of Year or Deputy Headteacher as appropriate.
- 1.2.3. Disciplinary matters – a problem over any disciplinary action taken or a sanction imposed should be raised with the member of staff who imposed it in the first instance. If not resolved, the Complainant should speak to the relevant Head of Department, Head of Year, or Deputy Headteacher.
- 1.2.4. Financial and administrative matters – a query relating to fees, extras or other administrative matters should be raised by the Complainant with the Finance Office or the Business Manager.
- 1.2.5. An issue with a specific member of staff – often, the best way to resolve an issue with a specific member of staff is to raise it with that member of staff directly, so that they are given the opportunity to address and resolve the concern or difficulty before it becomes a formal complaint. If the Complainant feels uncomfortable doing this, however, the issue should be raised with the appropriate Head of Department, Head of Year, Assistant or Deputy Headteacher.

### 1.3. Unresolved Concerns and Difficulties

The School will aim to resolve a concern or difficulty within fifteen school days of the date that it was raised.

If the issue cannot be resolved satisfactorily at Stage 1 within this time limit the Complainant will be invited in to discuss the outcome with either the decision maker or a senior colleague.

If the issue still cannot be resolved the Complainant can submit the matters raised as a formal complaint under Stage 2 of this Complaints Policy.

### 1.4. Record of Concerns and Difficulties

The member of staff dealing with a concern or difficulty will make a written record of the issues raised, the action taken and, if applicable, the resolution reached, which will be retained in a central record which will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. Further information in relation to the retention of records can be found earlier on in this Complaints Policy.

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 4 of 14

## **2. Formal Complaint to the Headteacher**

### **2.1. Notification:**

A concern or difficulty raised under Stage 1 of this Complaints Policy which remains unresolved after fifteen school days, or a serious matter which requires formal investigation from the outset, should be set out in writing and sent to the Headteacher at the School. The complaint should be set out on the complaint form, Appendix 2, or on the school website.

Should a formal written complaint be received by another member of the School's staff, they will immediately be passed on to the Headteacher.

The Complainant should clearly set out the matters in dispute, the relevant dates, the full names of the persons involved and what the Complainant believes the School should do to resolve the complaint. Any documentation relied upon by the Complainant should be attached to the formal complaint.

### **2.2. Acknowledgement**

The formal complaint will be acknowledged in writing within five school days of receipt. The acknowledgement letter will confirm the date that the formal complaint was received, the action to be taken and the specified time limit.

### **2.3. Investigation**

The Headteacher will be provided with the records of the Stage 1 informal procedure (if applicable) within five school days of receipt of the formal complaint, and will then proceed to investigate the complaint. This will involve obtaining and considering all documentation held by the School which is relevant to the complaint. If further information is required from the Complainant, this may be requested from them over the telephone or in writing.

The Headteacher will speak to the persons who were involved in the matters raised by the Complainant. Students will only be spoken to with an independent member of staff present to support them. Where there is an issue about the conduct of a member of staff, that member of staff will be offered the option of having another member of staff present. Other members of staff will be spoken to alone. A written record of the conversation will be made, and the student or member of staff spoken to will be asked to read, sign and date the written record to confirm that it is accurate. In the case of students, the accompanying independent member of staff will also be asked to sign and date the record of the conversation.

If the Headteacher deems it to be appropriate in relation to the matters raised, the Complainant will be offered a meeting to discuss the issues raised. This may take place at the beginning of the investigation to clarify any matters which are unclear, or after the investigation has taken place with the aim of reaching an amicable resolution.

### **2.4. Outcome**

If the issue cannot be resolved satisfactorily at Stage 2 the Complainant will be invited in to discuss the outcome with either the Headteacher and / or a member of the Board of Governors.

The Headteacher will subsequently write to the Complainant confirming the outcome of the investigation within twenty school days from the date that the complaint was received. The letter will set out the individual matters raised by the Complainant, the findings made by the Headteacher during the course of the investigation, and the conclusion reached.

The letter will inform the Complainant that, if they are dissatisfied with the outcome of the Stage 2

investigation, they should write to the Clerk to the Board of Governors (henceforth described as the Clerk) within five school days of receipt of the letter asking for their complaint and the Stage 2 investigation to be reviewed by the Chair under Stage 3 of this Complaints Policy.

Where the complaint was received during a school holiday or within twenty days from the end of a term or half term, the Headteacher will endeavour to expedite the investigation wherever possible.

## **2.5. Delegation**

In appropriate cases, the Headteacher may delegate the complaint to a member of the Senior Leadership Team to deal with in accordance with the procedure outlined above.

## **3. Review by the Chair**

### **3.1. Notification**

If the Complainant is unsatisfied with the outcome of the complaint under Stage 2 of this Complaints Policy, the Complainant may write to the Clerk asking for the complaint to be reviewed by the Chair, within five school days of receiving the letter confirming the outcome following Stage 2.

The Complainant should not repeat the matters raised in their original letter or attach documentation already provided, but should clearly set out how and why the Complainant does not accept the findings made under Stage 2.

### **3.2. Acknowledgement**

The Complainant's letter will be acknowledged within five school days of receipt. The acknowledgement letter will confirm the date that the formal complaint was received, the action to be taken and the specified time limit

### **3.3. Review**

The Chair will be provided with all documentation relating to the complaint within five school days of receipt of the letter requesting a review under Stage 3, including the record of the Stage 1 informal procedure (if applicable), the original letter of complaint or Stage 2

Complaint Form, any documentation provided by the Complainant with their complaint, all investigation records under Stage 2, and the letter of outcome under Stage 2. The complainant should complete the Stage 3 complaint form, appendix 2, or on the school website.

The Chair will review all of the documentation received and consider the matters raised in complaint and the investigation carried out under Stage 2. The Chair will only speak to the persons involved in the matters raised to clarify matters which were not confirmed during the Stage 2 investigation, if believed necessary. Where the Chair does speak to a student or a member of staff whose conduct is in issue, they will be accompanied as outlined under Stage 2.

If the Chair deems it to be appropriate in relation to the matters raised, the Complainant will be offered a meeting to discuss the issues raised. If a meeting is deemed appropriate, it will usually take place after the review has been completed with the aim of reaching a mutually acceptable resolution.

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 6 of 14

### 3.4. Outcome

If the issue cannot be resolved satisfactorily at Stage 3 the Complainant will be invited in to discuss the outcome with a member of the Board of Governors not as yet involved in the complaint. The Chair will subsequently write to the Complainant confirming the outcome of the review within twenty school days from the date that the request for a review was received. The letter will set out whether the Chair agrees with the findings and conclusion under Stage 2, and give reasons, as well as responding to any criticisms of the Stage 2 investigation.

The letter will inform the Complainant that, if they are unsatisfied with the outcome of the Stage 3 review, they should write to the Clerk within five school days of receipt of the letter requesting a Complaint Panel Hearing under Stage 4 of this Complaints Policy.

Where the request for a review was received during a school holiday or within twenty days from the end of a term or half term, the will endeavour to expedite the review wherever possible.

### 3.5. Delegation

In appropriate cases, the Chair may delegate the review to the Vice-Chair to deal with in accordance with the procedure outlined above.

## 4. Complaint Panel Hearing

### 4.1. Notification

If the Complainant is unsatisfied with the outcome of the review under Stage 3 of this Complaints Policy, the Complainant may write to the Clerk requesting a Complaint Panel Hearing. The Complainant should write to the Clerk within five school days of receiving the letter confirming the outcome following Stage 3.

The Complainant should not repeat the matters raised in their original letter or attach documentation already provided, but should clearly set out how and why the Complainant does not accept the findings made under Stages 2 and 3. They should complete appendix 3, or the form on the school website.

### 4.2. The Complaint Panel

The Complaint Panel will consist of three persons appointed by or on behalf of the Board of Governors by the Clerk. None of the three Complaint Panel members will have been involved in the matters which gave rise to the complaint, have been involved in dealing with the complaint previously or have any detailed prior knowledge of the complaint. Two of the Complaint Panel members may (but do not have to) be Governors. The third Complaint Panel member will be independent of the management and running of the School, i.e. they will not be a member of staff or a trustee, and will not be linked to the School in another way, for example as a parent of a student at the School.

### 4.3. Attendance

The Complainant will be invited to attend the Complaint Panel Hearing, and may be accompanied by another person. For the avoidance of doubt, the Complainant's supporter will be present for moral support only and will not play any part in the proceedings, unless invited to do so by the Chair of the

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 7 of 14

Complaint Panel, entirely at his or her discretion and for a good reason. The Complaint Panel Hearing is not a legal hearing and it is not appropriate for either the Complainant or the School to be legally represented.

The School will be represented at the Complaint Panel Hearing by the Headteacher and the person who dealt with the complaint under Stage 3, which will usually be the Chair. These persons will be referred to as the “School’s Representatives” for the purposes of Stage 4.

The Complaint Panel Hearing will be minuted by the Clerk to the Complaint Panel, who will usually be the Clerk to the Board of Governors.

#### **4.4. Convening the Complaint Panel Hearing**

After selecting the Complaint Panel members, the Clerk will write to the Complainant within five school days acknowledging receipt of their request and informing them of the names of the Complaint Panel members. If the Complainant objects to any of the named persons being appointed to the Complaint Panel, they should notify the Clerk within three school days of receipt of the letter. Fair consideration will be given to any bona fide objection to a particular member of the Complaint Panel.

The Clerk will liaise with the Complaint Panel, the Complainant and the School’s Representatives to agree a mutually convenient date for the Complaint Panel Hearing, which will usually take place within twenty school days of receipt of the Complainant’s request, unless there are exceptional circumstances.

The Clerk will write to the Complainant confirming the date of the Complaint Panel Hearing within five school days of the date that the acknowledgement letter was sent (or the date that the new Complaint Panel member was selected, if an objection was received and upheld). If the Complaint Panel Hearing will not take place within twenty school days of receipt of the Complainant’s request, the letter will set out the exceptional circumstances involved.  
Documentation

#### **4.5. Documentation**

The Clerk will forward a copy of all paperwork relating to the complaint (consisting of the record of the Stage 1 informal procedure (if applicable), the original letter of complaint or Complaint Form, any documentation provided by the Complainant with their complaint, all investigation records under Stage 2 with the letter of outcome, all review records under Stage 3 with the letter of outcome, and the Complainant’s letter requesting a Complaint Panel Hearing and accompanying documents) to the Complainant, the School’s Representatives and the three Complaint Panel members.

The names of individuals other than the Complainant, the Complainant’s family, members of the School’s staff and Governors, will be redacted and replaced with a letter relevant to that particular individual (for example “Jane Brown” will be replaced with “A” throughout, “John Jones” will be replaced with B throughout) unless they have provided their written consent for their name to be disclosed.

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 8 of 14

If the Complainant wishes the Complaint Panel to consider any additional information, they should forward this documentation to the Clerk to the Governors to arrive at least five school days before the Complaint Panel Hearing, to enable the Clerk to the Governors to forward it to the School's Representatives and the Complaint Panel members.

#### **4.6. Witnesses**

The Chair of the Complaint Panel will decide, at his or her absolute discretion, which witnesses will be permitted to attend the Complaint Panel Hearing to give a verbal statement rather than relying on a written statement or record of meeting which have been signed by the witness.

If the Complainant wishes to rely on the account of a witness, they should ask the witness to write down, sign and date their account and forward it to the Clerk at least five school days before the Complaint Panel Hearing, to enable the Clerk to forward it to the School's Representative and the Complaint Panel members.

Witnesses under the age of eighteen other than the Complainant's own family will only be allowed to attend the Complaint Panel Hearing at the discretion of the Chair of the Complaint Panel, and then only if they are accompanied by one of their parents or carers. Any written accounts provided by the Complainant relating to witnesses under the age of eighteen must be signed and dated by the witness and one of the witness' parents or carers.

Members of staff of the School involved in the matters which gave rise to the complaint will usually have provided a signed written account or have signed a note of a meeting during the previous stages, which will be forwarded to all parties with the other complaint documentation in the usual way. Members of staff will not usually be required to attend the Complaint Panel Hearing to give a verbal statement unless their conduct is in issue or their account is contentious and the rules of natural justice dictate that the Complainant should be allowed to ask that member of staff questions.

#### **4.7. Procedure at the Complaint Panel Hearing**

The Complaint Panel Hearing will be conducted as follows:

- 4.7.1.** The Clerk to the Complaint Panel will greet the Complainant, the Complainant's supporter and the School's Representatives and welcome them into the room where the Complaint Panel has convened (any witnesses will remain outside of the room until they are called in to give their account);
- 4.7.2.** The Complainant will be invited by the Complaint Panel to give an account of their complaint;
- 4.7.3.** The School's Representatives will be invited to ask the Complainant questions, if any;
- 4.7.4.** The Complaint Panel will ask the Complainant questions, if any;
- 4.7.5.** At the discretion of the Chair of the Complaint Panel, the Complainant's first witness will be invited into the room to give an account of what they saw or know;
- 4.7.6.** The School's Representatives will be invited to ask the Complainant's witness questions, if any;
- 4.7.7.** The Complaint Panel will ask the Complainant's witness questions, if any;
- 4.7.8.** The Complainant's witness will be asked to leave the room;

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 9 of 14

- 4.7.9. If the Complainant has any further relevant witnesses, at the discretion of the Chair of the Complaint Panel, they will be invited into the room individually to provide their accounts and be questioned as outlined above;
- 4.7.10. The School's Representatives will be invited by the Complaint Panel to respond to the complaint and make representations on behalf of the School;
- 4.7.11. The Complainant will be invited to ask the School's Representatives questions, if any;
- 4.7.12. The Complaint Panel will ask the School's Representatives questions, if any;
- 4.7.13. At the discretion of the Chair of the Complaint Panel, the School's relevant first witness will be invited into the room to give an account or what they saw or know;
- 4.7.14. The Complainant will be invited to ask the School's witness questions, if any;
- 4.7.15. The Complaint Panel will ask the School's witness questions, if any;
- 4.7.16. The School's witness will be asked to leave the room;
- 4.7.17. If the School has any further relevant witnesses, at the discretion of the Chair of the Complaint Panel, they will be invited into the room individually to provide their accounts and be questioned, as outlined above;
- 4.7.18. The Complainant will be invited by the Complaint Panel to summarise their complaint;
- 4.7.19. The School's Representatives will be invited by the Complaint Panel to summarise their response to the complaint and the School's stance;
- 4.7.20. The Complaint Panel Hearing will conclude and the Complainant and the School's Representatives will be asked to leave.

#### 4.8. The Complaint Panel's Decision

The Complaint Panel will convene in private, either immediately after the Complaint Panel Hearing or on a subsequent date, and will consider all of the documentation and everything that they have heard at the Complainant Panel Hearing and make:

##### 4.8.1. Findings of Fact

The Complaint Panel will decide which facts are established to be true, on a balance of probabilities (i.e. more likely than not). If a fact is not deemed relevant, the Complaint Panel will not consider it further. The Complaint

Panel will make a written record of the facts that have been established, those which have not been established and those which are not relevant, with their reasons for making these findings.

##### 4.8.2. Recommendations

The Complaint Panel will consider the facts which they have established and will make recommendations based upon them. These recommendations may be aimed at achieving reconciliation between the parties (for example, a written apology), improving procedures or preventing a recurrence in the future. The Complaint Panel will keep a written record of their recommendations, with reasons.

#### 4.9. Notification of the Complaint Panel's Decision

The Clerk will write within ten school days of the Complaint Panel Hearing to the

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page <b>10</b> of <b>14</b>

Complainant, the School's Representatives, any person complained about.

The letter will identify each of the issues complained about, summarise how the Complaint Panel Hearing proceeded, and confirm each of the Complaint Panel's findings of fact and recommendations, if any, with reasons. The letter will also confirm that, if the Complainant believes that this Complaints Policy does not comply with the Regulations, or that the School has not followed the procedure outlined in this Complaints Policy, the Complainant may refer their complaint to the Education Funding Agency for further consideration.

The Clerk will also ensure that a copy of the Complaint Panel's findings and recommendations are made available on the School's premises for inspection by the Trust.

#### **4.10. Factors for the Complaint Panel to Consider**

**4.10.1.** It is important that the Complaint Panel Hearing is independent and impartial, and that it is seen to be so. No person may sit on the Complaint Panel if they have had a prior involvement in the matters which gave rise to the complaint, in dealing with the complaint in the previous stages, or have a prior detailed knowledge of the complaint;

**4.10.2.** The aim of the Complaint Panel Hearing, which must 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 may not be satisfied with the outcome if the Complaint Panel does not find wholly 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;

**4.10.3.** An effective Complaint 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 Chair of the Complaint Panel will ensure that the Complaint Panel Hearing is as welcoming as possible, while ensuring that it is procedurally fair to all parties. The layout of the room will set the tone and care is needed to ensure the setting is informal and not substantially adversarial;

**4.10.4.** Extra care needs to be taken when the Complainant is a child, or there are child witnesses present. Care should be taken to ensure that the child does not feel intimidated. The Complaint Panel should be aware of the views of the child and give them equal consideration to those of the adults present. Where the child's parent is the Complainant, it would be helpful to give the parent the opportunity to suggest which parts of the hearing, if any, the child should attend, with the Chair retaining discretion;

**4.10.5.** The Complaint Panel should ensure that they are familiar with the complaints procedure in advance of the Complaint Panel Hearing.

#### **4.11. The Chair of the Complaint Panel**

The Chair will play a key part at the Complaint Panel Hearing, ensuring that:

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page <b>11</b> of <b>14</b>

- The remit of the Complaint Panel is explained to the parties and each party has the opportunity of making representations without undue interruption;
- All of the issues raised in the complaint are addressed;
- Key findings of fact are made, on a balance of probabilities;
- Each party treats the other with respect and courtesy;
- The Complaint Panel is open minded and acts independently of the School;
- No member of the Complaint Panel has a vested interest in the outcome of the proceedings;
- Each side is given the opportunity to state their case and ask questions;
- All written material is seen by all parties. If a new issue arises during the course of the Complaint Panel Hearing, it would be useful to give all parties the opportunity to consider and comment on it.

## 5. Referral to the Education & Skills Funding Agency

Once a complaint has been through all the stages of this Complaints Policy, if the Complainant believes that this Complaints Policy does not comply with the Regulations, or that the School has not followed the procedure in this Complaints Policy, the Complainant can refer the complaint to the Education Funding Agency for consideration.

The Complainant should be aware that the Education Funding Agency will not usually investigate the complaint itself, or interfere with the findings of the Complaint Panel, unless the decision made was manifestly unreasonable.

### Appendix 2

#### Stanborough School Complaints Form

Please complete and send this form to the Headteacher

<b>Your Name</b>	
<b>Student's Name</b>	
<b>Your Relationship to Student</b>	
<b>Address</b>	
<b>Daytime Telephone Number</b>	
<b>Evening Telephone Number</b>	
<b>Please give details of your complaint</b>	

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page 12 of 14

<b>What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)</b>
<b>What actions do you feel might resolve the problem at this stage?</b>
<b>Are you attaching any paperwork? If so, please give details</b>

**Signature**.....

**Date**.....

**REFERENCED POLICIES**

**DOCUMENT CONTROL**

Document Control		
Edition	Issued	Changes from previous
1	June 20	New Policy
2	June 21	No changes
2	June 22	No changes

**End of Policy**

Reviewed by:	Personnel Committee	Issue date:	Review date	Edition No: 3
Responsible SLT member:	Merry John	June 2022	June 2023	
Policy reference	SS-POL-PER-004			Page <b>13</b> of <b>14</b>