

**NORTH TYNESIDE COUNCIL
GOVERNOR SERVICES - LAW AND
GOVERNANCE**

COMPLAINTS GUIDANCE

Date: May 2016 **Version:** 1 **Author:** Governor Services



Guidance for handling complaints

All schools face complaints at some stage, and in accordance with Section 29 of the Education Act 2002, all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. What should be contained within the procedure is less prescribed, however the Department for Education has provided departmental advice on *Best Practice Advice for School Complaints Procedures 2016*.

A thorough and straightforward complaints procedure should minimise time spent dealing with complaints in schools by providing a clear process from which they can be efficiently dealt with. Complaints must still be dealt with thoroughly and schools should aspire to ensure that all parties are satisfied with the outcomes.

Governors have an important role in ratifying their policies and procedures in order to ensure that they are effective. It is not a governor's role to write procedures, but instead to approve them and maintain oversight of their application.

Maintained Schools are required by section 29 of the Education Act 2002 to establish a complaints procedure and to publicise this, in line with any statutory guidance released by the Department for Education.

Academies are required by the Independent School Standards 2014 to have a publicised complaints procedure with clear timescales and an informal stage, that is available to parents and specifies that one member of any review panel must be independent from the school.

Principle 1: Know your procedure	Governing Bodies must be familiar with and confident about their policies. It is important that the procedure is appropriate for your school.
Principle 2: Make it easily available	It is a statutory requirement for schools to publicise their complaints procedure. The procedure should be easily accessible and in an obvious place for individuals to find. The most sensible way to do this is by publishing it in a prominent place on the school website. The school should also make hard copies available in reception.
Principle 3: The procedure should be straightforward and easy to understand	The Complaints procedure should provide enough opportunity for a complaint to be considered thoroughly without drawing out the process for longer than is necessary. The procedure should be straightforward so that the individual making the complaint is clear what information they need to submit and to whom. A good procedure will set out the steps that will be followed along with the timescales for completion.
Principle 4: Most complaints should be dealt with by staff and never reach the governing body	The vast majority of complaints should be dealt with at the informal stage by school staff. There should not be a significant volume of complaints being dealt with by the governing board. The Local Authority's model procedure is based on a three stage process, one informal and two formal: in the first instance 'concerns' are dealt with by the relevant member of staff.

<p>Principle 5: Schools should always seek resolution</p>	<p>In ensuring that complaints do not escalate, staff should endeavour to resolve complaints informally wherever possible. It is important that they recognise the difference between a concern and a complaint:</p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>a concern is the raising of a potential issue that is an expression of some worry or apprehension</i> <input type="checkbox"/> <i>a complaint is an actual statement of dissatisfaction that requires resolution. Staff should be clear on how to deal with complaints appropriately, depending on their seriousness.</i> <p>Staff should be open and welcoming to parents and willing to discuss issues with them when they are raised. The aim is not to silence the complainant but to work together to resolve whatever issue there is. If schools adopt such an open culture it is less likely that ‘concerns’ will escalate into complaints. At every stage of the process, informal and formal complainants should be asked what resolution they are seeking and where the solution. Even where a formal complaint is required, resolution should be sought at every stage of the process, including at the governing board review.</p>
<p>Principle 6: As few people should be involved as possible</p>	<p>As few people as possible should be involved in complaints at each stage, partly for confidentiality purposes, but also to ensure that individuals who could be called upon to review the situation do not become tainted. By this, we mean that governors called upon to review complaints should have minimal prior knowledge about the situation in order to ensure that they have not formed any biases that may influence their ability to be impartial.</p>
<p>Principle 7: Records should be kept at each stage of the process</p>	<p>While escalation of the complaint will ideally not result in further investigation, it is important that those responsible for reviewing the complaint at each stage keep records of what the complaint was, any relevant evidence that was considered and the outcome. Ideally, this would be sent to the complainant to sign that it was a true reflection of what was said. In doing this, the school is making it easier to review the complaint at any later stages of the procedure (saving time for governors on appeal panels in the process) and also ensuring that it has the strongest base possible from which to defend itself if the complaint is taken to the Department for Education. Any personal information recorded in regard to the complaint must be kept according to the principles of the Data Protection Act 1998 (see the Information Commission Office’s website).</p>
<p>Principle 8: Review the procedure regularly</p>	<p>The governing board should be confident that its complaints procedure is thorough, clear and robust. As a matter of good practice the governing body should review its procedure every two or three years to make sure it is still fit for purpose. It may need to amend the procedure before the review date if there are any changes to the law, or if it becomes apparent as a result of a complaint that the procedure is not working effectively.</p>

SUPPLEMENTARY GUIDANCE FOR SCHOOLS DEALING WITH AN OFFICIAL COMPLAINT

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Advice for the Complainant

- ❖ Always seek informal resolution first – talk to the class teacher, or head teacher
- ❖ Keep a written record of any meetings or conversations so that you can refer back to these if necessary
- ❖ Give the school an opportunity to put the issue right
- ❖ Don't be confrontational – explain the issue and how that makes you or the child feel, and ask for an explanation and a way to resolve it
- ❖ Listen carefully and try to accept the other person's view point or any help they are trying to give
- ❖ If a reasonable solution is offered, give it a chance to work and agree to report back to the member of staff who is dealing with it to agree whether it has been successful or unsuccessful
- ❖ If informal resolution has been tried and failed, then you can ask for, or obtain a copy of the complaints policy, (from the school office or school website)
- ❖ Parents with children with special education needs may seek advice from the local authority (or Diocese) – a Parent Partnership Officer from the information, advice and support service (IAS) is available to support and advise parents at any stage.
- ❖ If your complaint is against a member of staff, address your complaint to the head teacher – keep your comments considered and measured
- ❖ If the complaint is against the head teacher or about school procedure, address your complaint to the chair of governors (most correspondence for the chair will go through the school so mark the envelope 'private and confidential' and post it or hand it in to the school) - keep your comments considered and measured
- ❖ Remember to observe confidentiality at all times and refrain from discussing the issue with people who are not directly involved, as this could prejudice your case or may be seen as vexatious
- ❖ Where possible, use the suggested complaint form in the complaints policy and try to indicate what you would consider to be a fair resolution or way forward
- ❖ Send your letter/complaint form to the relevant person – making sure that you have dated it, addressed it correctly, sent it to the right person
- ❖ Be prepared to consider that there may be no solution to the issue which will entirely suit either party and be willing to compromise where appropriate
- ❖ You should receive an acknowledgement within 5 school days of the head teacher or chair of governors having received your complaint
- ❖ You may be invited to meet with the person you have directed your complaint to in order that they clearly understand the issues
- ❖ At this stage, you may discuss ways to achieve informal resolution with the person you meet i.e. head teacher or chair of governors, you may agree to try that before moving to the formal process and this will not prejudice your ability to submit a formal complaint
- ❖ If your complaint does become formal you should be notified at each stage of the process on how to proceed by the person dealing with that stage, i.e. head teacher, chair, vice chair of governors, clerk to panel
- ❖ You may have a friend or relative support you through the process

- ❖ You should receive a written response to your complaint within 25 school days of receipt of your complaint or from the day of any agreed meeting with the person you sent your complaint to
- ❖ In some cases, an extension to the 25 days may be requested by the person investigating, but you should be kept informed as to the length of, and the reasons for, any extension
- ❖ Ensure that you do follow the instructions given to you in relation to the process so that you have appropriate opportunities to present your case effectively and ensure that you have made your situation clear to those who are considering it
- ❖ If you are unhappy with the response from the head teacher or chair of governors at the first part of the formal action (Stage 2 of the procedure), you will be offered an opportunity to put forward your reasons for a review to a panel of governors
- ❖ If you wish to request a review you should respond within 10 school days of receiving the letter from the investigating person
- ❖ When you write to ask for a review, ensure that you make clear the grounds for appeal and which part(s) of the complaint you believe remain unresolved and, again, what action you feel would make this right
- ❖ Ensure that you meet any deadlines given to you in relation to attending meetings, presenting evidence etc.
- ❖ If you are unhappy with the response from the review panel, you may refer your complaint to the Secretary of State for Education (details should be in the final response letter from the Chair of the Panel of governors undertaking the review).

Advice for the Classroom Teacher

- ❖ Try to help the parent to achieve informal resolution of any issue that is brought to you – a satisfactory response at this stage could avoid an escalation of the issue
- ❖ If you genuinely feel that you may not be the appropriate person to resolve the issue, explain this and try to liaise with the appropriate member of staff to speak to the parent as soon as possible – this may be your line manager, or it may be a colleague with specialism in the area of the concern raised
- ❖ If the head teacher is the only person appropriate to deal with this, then that may be the appropriate route and in that event, this would form part of the formal process if the complaint becomes formal
- ❖ Listen carefully and try to understand the other person's views and how the issue makes them feel
- ❖ Be professional and don't discuss other colleagues or children inappropriately
- ❖ Keep a brief record of any meeting or conversation, so that you can refer back to this if necessary
- ❖ Try to offer an agreeable solution where appropriate
- ❖ If the solution is acceptable, agree to review this at some time in the near future
- ❖ If the agreed solution is not acceptable and the parent wishes to make a formal complaint, refer them to the complaints policy and explain how to obtain a copy (school office or school website)
- ❖ If the agreed solution is acceptable, but doesn't achieve a satisfactory outcome, consider seeking advice or refer them to the complaints policy and explain how to obtain a copy
- ❖ Be prepared to provide a witness statement or attend a formal process if the complaint becomes formal

Advice for the Head Teacher

- ❖ If you deal with a concern at the informal stage and this ultimately becomes a formal complaint, action taken at this point will become the formal stage of the process (Stage 2)
- ❖ Try to help the parent to achieve informal resolution of any issue that is brought to you – a satisfactory response as this stage could avoid an escalation of the issue and may help achieve a positive outcome
- ❖ Where it is appropriate, seek informal resolution first and suggest ways to resolve the matter, or ask the complainant what they think would resolve the issue
- ❖ Listen carefully and try to accept the other person's view point and how the issue makes them, or their child, feel
- ❖ Keep records of any conversations, actions, outcomes with dates and any witness statements you might need to rely upon later
- ❖ If a reasonable solution is offered and accepted, agree to review this at some time in the near future
- ❖ If the agreed solution is not acceptable, and the parent wishes to make a formal complaint, refer them to the complaints policy and explain how to get a copy (school office, website)
- ❖ If the agreed solution is acceptable, but doesn't achieve a satisfactory outcome, refer them to the complaints policy and explain how to get a copy
- ❖ Remember to observe confidentiality at all times and refrain from discussing the issue with people who are not directly involved, e.g. the governing body, as this may prejudice the process later
- ❖ If the complainant makes a formal complaint this should be sent unopened to the Chair of Governors who will either deal with it as a complaint against the headteacher (Stage 2) or if its against a member of staff, set up a Panel and offer the complainant the opportunity to seek a review by a Panel of Governors (Stage 3)

Advice for the Head Teacher **(Where the complaint is against the Headteacher)**

- ❖ Seek informal resolution if possible
- ❖ In order to avoid getting to the stage where a parent makes a formal complaint against you, the Headteacher (Stage 2), you should ensure that you have tried to address an issue of concern appropriately and explained any action to the parent. (Sometimes complaints are made, then escalate and become protracted because there has been a misunderstanding, or a misinterpretation of events; early action might prevent unnecessary escalation into what can become a difficult formal process)
- ❖ When a complaint is addressed to the Chair of Governors and marked 'private and confidential' refrain from opening it but ensure that it is forwarded to the Chair immediately
- ❖ Co-operate with the Chair to allow a full investigation to be undertaken and where possible, consider whether there is any opportunity for reconciliation which could avoid the formal process
- ❖ Consider whether you wish to have the support of your professional association and if you require that support, ensure that you seek it
- ❖ If the process goes to Stage 3, the review stage, decide together with the Chair of Governors whether you should attend, or whether you might be called as a witness
- ❖ Liaise with the Chair in relation to documentation and witnesses that will be relied upon at the review
- ❖ If in attendance to put your case, or to be called as a witness, be honest and fair, but make sure that you have provided or given an accurate summation of events to allow the panel to make an informed decision
- ❖ If there are recommendations from the Chair's investigation or the Panel's response to the review, work with the governing body to ensure that these are implemented and embedded.

Advice for the Chair of Governors

(Complaint against Member of Staff – Stage 3)

- ❖ When you receive a formal complaint against a member of staff where this has already been investigated and a response made by the headteacher (Stage 2), you would convene a Panel of 3 governors to give the complainant the opportunity of review (Stage 3)
- ❖ The request for a review should be received from the complainant within 10 school days from the Headteacher's response to Stage 2
- ❖ It is good practice to acknowledge the request for a review within 5 days – this could be phone
- ❖ Instruct the clerk (this would usually be the school clerk, unless it had been agreed as a negotiated addition to the Governor Services Service Level Agreement) to convene a meeting of the Panel within 25 school days
- ❖ As long as you have no earlier involvement you should chair the panel, otherwise you should arrange for the vice chair of governors to chair the panel
- ❖ Both parties should be involved in the negotiation of the date to ensure that they can be present, and made aware of the need to provide documentation to the clerk by a set deadline
- ❖ Both parties and the panel should be in receipt of any documentation to be relied upon at the meeting, as well as a list of witnesses, five school days before the meeting takes place (C5)
- ❖ At this point you should refer to the advice for the Chair of the Panel.

(Complaint against the Headteacher – Stage 2)

- ❖ When you receive a formal complaint against the headteacher you would deal with this as the first part of the formal process (Stage 2) and investigate the issue
- ❖ You should write to acknowledge the complaint within 5 school days of receiving the complaint (C1)
- ❖ You may wish to invite the complainant to meet you informally initially, to clarify the complaint and see if there is any early resolution to the issue (C2 optional)
- ❖ If you are unable to find early informal resolution, you should arrange to investigate the complaint
- ❖ You must keep notes of any interviews, witness statements, times and dates, in case you need to produce these at the appeal stage
- ❖ Once you have conducted an investigation and made a decision, you should convey this to the complainant and the headteacher (this would usually all be done within 25 school days of having received the initial complaint or from your informal meeting with the complainant – unless an extension of the timescale has been agreed) (C3)
- ❖ In your response to the complainant you should advise them of their right of appeal, the deadline (10 school days), the need to give the grounds for appeal and who to address that to (C3)
- ❖ If the complaint goes to the review stage (Stage 3), your involvement will be as per the following section

(Complaint against the Headteacher – Stage 3)

- ❖ Have no communication with the governors involved in the appeal in relation to this matter
- ❖ Decide with the Headteacher whether s/he will attend the review meeting or whether you will put the case alone
- ❖ With the Headteacher, collate documents and produce a summary of events and actions that you will share and which you will rely on at the review
- ❖ Organise your witnesses, if required, and ensure that arrangements are made for them to attend
- ❖ When asked to do so, submit all documentation and a list of witnesses to the clerk of the panel, also notifying the clerk if there is anyone supporting you (LA officer/Governor Services Manager/HR advisor) – giving their name and designation
- ❖ Attend the review.

Advice for the Chair of the Review Panel

- ❖ Observe confidentiality – and do not discuss the issue with others
- ❖ Liaise with the clerk of the panel in relation to administration where appropriate
- ❖ Liaise with the clerk to ensure that the appropriate invitations are sent out and that everyone has been notified of what is required of them in relation to the document exchange, providing witnesses etc (C4 & C5)
- ❖ You should familiarise yourself with the Guidance and Procedure for dealing with school complaints, and any other relevant documentation which might be referred to as part of a recommendation, e.g. behaviour policy, school's visions and ethos, and the format for the meeting
- ❖ You may wish to seek advice or support – HR Advisor, School Improvement Officer, Governor Services Manager dependent upon the nature of the complaint You should read all documents presented and highlight areas where you might require further clarity, thus preparing some questions which might be raised
- ❖ At the meeting, you may wish to lessen any tension, making it less formal by suggesting using first names or relaxing the format – but you must ensure that all parties have a fair and equitable chance to be heard and listened to
- ❖ You should ensure that everyone is aware of who is present and what their role is
- ❖ You may be asked to consider extra documentation or witnesses, by either party, after the deadline for submitting such information, and the decision as to whether this is acceptable would be at your discretion. You may decide that the documentation/witness is very relevant to the issue so may accept it or, you may decide that the information adds no extra weight to the issue so can be discounted. You may also decide that this has come too late and whether it has any bearing or not it will not be allowed, however, you may be jeopardising fair process by doing so. It would be usual to ask the other party if they are happy to accept the extra information, but the decision is yours.
- ❖ Where extra documentation is submitted and accepted, you may need to allow everyone an opportunity to read this and respond if necessary – an adjournment might be needed
- ❖ You may also decide if there are too many witnesses being called, perhaps statements are repetitive and you may require either party to reduce their list of witnesses
- ❖ You should refer to Annex C for the format of the meeting and use this as guidance
- ❖ At the end of the review, you and the Panel may decide that after a short break for deliberations, you will be in a position to advise both parties of your decision, or you may prefer to write with your decision
- ❖ If you notify those concerned in writing, this must be done within 5 school days and you should give information in your letter about their right to refer to the Secretary of State if they are unhappy with the outcome (C6)
- ❖ Even if you have given a verbal response, you must follow this up with a written response
- ❖ You should receive the draft minutes of the meeting and ensure that these are an accurate record.

Advice for a Panel Member

- ❖ You should have no prior knowledge of the issue, which might prejudice your involvement
- ❖ You should observe confidentiality and not discuss the issue with anyone before the appeal meeting
- ❖ You should continue to observe confidentiality after the meeting
- ❖ You may be supported by a LA Officer, e.g. HR Advisor and they can assist with any questions or clarification you need to seek, as well advising you of possible sanctions (if that is part of the final decision)
- ❖ You should read all documents presented and highlight areas where you might require further clarity, thus preparing some questions which might be raised
- ❖ You should familiarise yourself with the Guidance and Procedure for dealing with school complaints, and any other relevant documentation which might be referred to as part of a recommendation, e.g. disciplinary policy, behaviour policy, school's visions and ethos
- ❖ You should ensure that you have all of the facts that you need to make a decision and you should participate in the meeting appropriately to ensure that clarity.

Advice for the Clerk

(This may be the School Administrator or a member of the Governor Services team - or it may be a combination of both)

- ❖ Support the person(s) dealing with the specific stage of the complaint
- ❖ Check the SLA for Governor Services if you wish to involve a member of that team, as there is likely to be charge for this extra support and it will be dependent upon availability

Formal Action (Stage 2)

- ❖ If requested to do so, send out an acknowledgement of the complainant within 5 school days on behalf of the Chair of Governors (C1) (C2)
- ❖ If requested to do so, take notes of any investigation, interviews etc
- ❖ If requested to do so, take notes of any meeting between the Complainant and the Chair of Governors
- ❖ If requested to do so, send out the Chair's response to the complaint, advising the complainant of their right to a review (C3)

Formal Action (Stage 3)

- ❖ If requested to do so, acknowledge the request for review on behalf of the Vice Chair/Clerk to the Governing Body (C4)
- ❖ If requested to do so, set up a Panel of 3 governors (usually chaired by the Vice Chair of Governors) and arrange a date mutually convenient for all concerned to meet to hear the review – e.g. complainant, member of staff, headteacher, chair of governors, HR advisor, Governor Services, professional associations and members of the panel
- ❖ Book a venue and organise refreshments if required (usually a neutral venue is preferable, and it is usual to arrange a separate room for each party to withdraw to in the event of adjournments i.e. 3 rooms in total) (C4)
- ❖ Write to advise both parties to submit documentation and a list of witnesses, as well as details of who might be attending to support them (C4)
- ❖ Write to the complainant confirming the date, time, venue, documents to be relied upon by both parties, complaints policy, witnesses to be called, people who will be in supporting roles, and at this point notify the complainant whether the headteacher will be in attendance (where the complaint is against the headteacher) (C5)
- ❖ Either copy, or send a personalised version of the letter referred to in previous bullet point (C5), to all other parties (headteacher, chair of governors, panel and, if you have agreed to do so – the professional associations or friend/relative where relevant)
- ❖ When papers come in from each party collate them and produce a contents page for each one, if the pages are not numbered it is helpful to have each pack numbered in sequence, so that its easy to find the right page, also ensure that any personal details which should not be included are erased
- ❖ Send the documentation to everyone (not witnesses) so that they have them at least 5 days before the meeting (C5)

- ❖ With regard to witnesses, it is the responsibility of the person calling them to ensure that they are available – the clerk should not have to contact them either verbally or in writing
- ❖ At the review meeting, ensure that you are able to be there to meet everyone and show them to the appropriate room and that Reception is aware of who is to be placed in each room
- ❖ Arrange the tables in the review meeting room so that its not adversarial or disadvantageous to anyone – board room style is usually best
- ❖ Try to put everyone at ease and be careful not to display any judgement, bias or prejudice
- ❖ Ensure that everyone is aware of the fire exits and toilets, if the building is unknown to them – if it's the school ensure they have all read and understood safeguarding instructions, are issued with badges and know not to wander round the school unsupervised, or to use mobile phones inappropriately, to leave the site if wishing to smoke but ensuring that someone is aware of where they have gone
- ❖ Guide both parties in and out of the meeting at the same time, even during adjournments and note timings in the minutes to ensure that this is recorded i.e. 'AA/BB/CC/DD left the meeting at 11.20a.m. or you could say 'all parties left the meeting at 11.20a.m.'
- ❖ Take notes of the meeting, seek copies of any documents that are tabled (with the chair of the panel's permission) or any statements which are not tabled but are read out
- ❖ Advice on minute taking is attached as part of this guidance
- ❖ While the Panel is deliberating over its decision, take notes which might help them to produce a final response – these notes would be confidential and would not be part of the formal minutes – save them as a separate document if they need to be saved to avoid inadvertently sharing them with anyone other than the Panel
- ❖ As dictated by the Chair of the Panel, write a response to the Complaint, copied to the Headteacher/Member of Staff, ensuring that they are notified of the right of referral to the Secretary of State (C6)
- ❖ Share your draft minutes with the Chair of the Panel and the HR Advisor, or whoever was supporting
- ❖ If appropriate, share the draft minutes with the Panel
- ❖ Depending upon what has been agreed, share the final version of the minutes with the chair of the panel, the panel and the parties represented at the appeal meeting. Note: That would not include witnesses.

Advice on Minute Taking

- ❖ Take as full minutes as you are able
- ❖ There is no regulated particular style but you should not try to interpret what was said, as this will be personal opinion
- ❖ Use abbreviations instead of full names
- ❖ Anonymise children's names, or other people's names where appropriate
- ❖ Mark the minutes as 'confidential' and 'not to be shared outside of those authorised to have them'
- ❖ They should be accurate and grammatically correct but if you put in a quotation, put it in as said and in inverted commas
- ❖ They should not show any partiality on behalf of the writer
- ❖ They should resemble the meeting
- ❖ They should be typed as quickly as possible following the meeting
- ❖ The shorthand/original notes should be kept in case requested at a later date
- ❖ They should not contain emotive words to describe how people acted, spoke or felt unless someone actually said "I am angry" e.g. angry, adamant, upset, annoyed, disappointed, believed, felt (this is an assumption of you knowing how they felt, which is not appropriate)
- ❖ While it is not possible to ensure the statements made by either party are not biased or emotional, the clerk should not make interpretations his/herself about the tone
- ❖ Some technical suggestions:
 - Font – Ariel
 - Size – 12
 - Do not use more than one font
 - Do not underline comments to emphasize
 - Number every page
- ❖ Some people take minutes by writing them as a script -
 - AA : I deny that and comments of my witness confirm it
 - RR: You did it, the evidence is there and your witness statement is inconclusive
- ❖ Others condense the conversation –
 - The employee denied it and indicated that this was corroborated by their witness. However, the headteacher disagreed, indicating that the witness statement was inconclusive.

**(C1) - Acknowledgement of initial complaint
(send within 5 school days of receiving complaint)**

On School Letter Head

Date: -----

Dear Mr and Mrs -----

COMPLAINT DATED _____

I write to acknowledge your letter of complaint, which I received on _____
(date).

I will endeavour to respond to you within 25 schools days and if, for any reason, I am unable to respond within this timescale I will contact you to explain the delay and to negotiate a new deadline.

I would remind you that in order for this issue to be addressed without prejudice to yourself or the school, that you observe confidentiality so that I can look into the matter equitably and fairly.

Yours sincerely

Chair of Governing Body

(C2) - Invite to meeting to seek clarification (optional)

(send within 5 school days of receiving complaint)

On School Letter Head

Date: -----

Dear Mr and Mrs -----

COMPLAINT DATED _____

I write to acknowledge receipt of your letter dated ----- and our telephone conversation of _____ when I invited you to meet with me to discuss your complaint.

I would like to keep this meeting as informal as possible in order that I can seek to address your complaint and if appropriate, suggest a way forward. However, if we are unable to find informal resolution the formal complaint process will apply in how I proceed with your concern.

It would be helpful if you could summarise your concern, using the form in the Complaints Procedure document, if you haven't already done so, and identify what might, from your point of view, resolve this issue.

I confirm that we agreed to meet on _____ (Day & Date), at _____ (Time), at _____ (Venue). (If you intend having someone supporting you as Chair you should mention it and identify their name, title and role at the meeting. Also advise that a note taker will be present to take notes, if that is the case).

I agreed that it would be acceptable for you to bring a friend to support you and you have confirmed that this will be _____ (name), who is _____ (a friend, colleague, relative). I would remind you that I have agreed to _____ (name of friend) being present to support you but that they will not be representing you at the meeting.

I will endeavour to respond to you within 25 schools days of the scheduled meeting and if, for any reason, I am unable to respond within this timescale I will contact you to explain the delay and to negotiate a new deadline.

I would remind you that in order for this issue to be addressed without prejudice to yourself or the school, that you observe confidentiality so that I can look into the matter equitably and fairly.

I look forward to seeing you on _____ .

Yours sincerely

Chair of the Governing Body

(C3) Response to complainant following Investigation (within 25 school days of receipt of the complaint or of the meeting with the complainant)

On School Letter Head

Date: -----

Dear Mr and Mrs -----

COMPLAINT DATED _____

Further to your complaint dated _____ and our subsequent meeting on _____, I have investigated your complaint and make the following response:-
(Or, I have investigated your complaint and make the following responses under the various parts of the complaint:-)

Sub Heading

(If its one issue you could make this a sub heading and give a response relating to that)

Sub Heading(s)

(If its a number of issues you could itemise them under various headings and respond individually to each)

In conclusion, I do not agree that your complaint is founded, based upon the information you have given and the investigation I have undertaken.

Or

In conclusion, I agree that your complaint is founded (Or founded in part) and I would like to suggest the following action (s):-

*
*

I hope that you will be able to agree with my findings, however, if you are not satisfied and wish to seek a review you may put your appeal in writing and send it to the clerk to the governing body/vice chair of the governing body at _____ (school address), within 10 school days. If you do wish to seek a review you must give grounds for your appeal in your letter. If you have not take up your right to review within 10 days, I will consider this matter closed.

Yours sincerely

Chair of Governing Body

(C4) Acknowledgement of a request for a review, date, venue and process for review

(where possible, within 5 school days of receipt of a request for a review – in writing or by phone)

On School Letter Head

Date: -----

Dear Mr and Mrs -----

COMPLAINT - REVIEW

I write to acknowledge your letter of appeal in relation to your complaint, which I received on _____ (date).

A date for the a panel of governors to review the complaint has been agreed for _____ (date, time) and the venue will be _____ .

In order that a paper exchange can take place prior to the review meeting, it is essential that all parties submit documentation that they will rely upon in advance. Additional documentation from either party, submitted after the deadline, can only be allowed at the discretion of the Chair of the Panel and may therefore be disregarded. The date for you to submit your documentation to the clerk of the governing body is 12 noon on ____ (date). (**Clerk** - Allow at least six days before the meeting to get papers in, copy them and post them to all parties so they receive them 5 school days before the meeting).

If you intend to call witnesses, or bring someone to support you, you must advise the clerk at the same time that you pass over your documentation. A list of witnesses will be notified to all parties at the same time as the paper exchange. Additional witnesses, not notified at the time of the paper exchange, may not be allowed except at the discretion of the Chair of the Panel.

I would remind you that in order for this issue to be addressed without prejudice to yourself or the school, that you observe confidentiality.

It is also worth making you aware that a review will not be a re-investigation of the issue, but will be a review of the actions taken at earlier stages in the process and of the response made by the Head teacher (or Chair of Governors).

If you have any queries, please feel free to contact the clerk to the governing body (Or Clerk to the Review Panel) on _____ (telephone/email).

Yours sincerely

Clerk to the Governing Body (Or Clerk to the Review Panel)

**(C5) Invite to review meeting, date, venue and process for review
(also copied to all parties including the panel)**

On School Letter Head

Date: _____

Dear Mr and Mrs _____

REVIEW MEETING – COMPLAINT (SCHOOL NAME)

Enclosed you will find documentation in relation to a Review Meeting scheduled for _____ (day, date, time) at _____ (Venue).

The documentation consists of:-

- (A) Pack submitted on behalf of Complainant(s) – Names.
- (B) Pack submitted on behalf of Headteacher/Chair of Governors
- (C) School's Complaints policy.

Note: Any subsequent documentation not included in this pack will only be allowed at the discretion of the Chair of the Panel.

Mr and Mrs _____ (names of complainants) will be supported by _____ (name, role e.g. friend, relative).

The Chair of the Governing Body will be supported by _____ (name, role e.g. Governor Services Manager).

The following witnesses will be called by Mr and Mrs (names of complainants):-

Name, Post/Job (if relevant)

The following witnesses will be called by the Chair of the Governing Body:-

Name, Post/Job (if relevant)

The procedure for the meeting is likely to be as per Annex C of the Guidance and Procedure for dealing with school complaints. (If you are not using the 2012 guidance you may wish to include Appendix C in the pack as a separate document and note it above). However, we hope that we can adopt as informal an approach to this as we can, but ensuring that all parties have a fair hearing.

The Panel of Governors will consist of:-

Chair of the Panel – (name) (Vice Chair of Governing Body)
Panel Member – (name) Governor
Panel Member – (name) Governor.

I would remind you that in order for this issue to be addressed without prejudice to yourself or the school, that you observe confidentiality.

It is also worth making you aware that a review is not a re-investigation of the issue(s), but will be a review of the actions taken at earlier stages in the process and the response made by the Head teacher (or Chair of Governors).

If you have any queries, please contact the Clerk to the Review Panel on _____ (telephone) or by emailing the clerk at _____. (If you are sending an email please ensure that you ask for an acknowledgement so that you can be sure the clerk has received your query).

Yours sincerely

Clerk to the Review Panel

**(C6) Response to complainant following a Review
(within 5 school days of the review meeting)**

On School Letter Head

Date: -----

Dear Mr and Mrs -----

REVIEW DATED _____

Further to your request for a review by a panel of governors in relation to your complaint dated _____ (date), the panel of governors listened to the schools and your own representation of the issue at the recent meeting.

The Panel would like to make the following response:- (**Or**, The Panel would like to make the following responses under the various parts of the review:-)

Sub Heading

(If its one issue you could make this a sub heading and give a response relating to that)

Sub Heading(s)

(If its a number of issues you could itemise them under various headings and respond individually to each)

In conclusion, the Panel upheld the decision of the Chair of Governors/Headteacher and would suggest that this was appropriate.

Or

In conclusion, the Panel upheld your appeal in whole (or in part) and I would like to suggest the following action (s):-

*
*

I hope that you will be able to accept the Panel's decision, however, if you are not satisfied and wish to refer to the Secretary of State for Education, you should do so to the following address:-

Secretary of State for Education, Sanctuary Buildings, Great Smith Street,
Westminster, London, SW1P 3BT.

Yours sincerely

Chair of Review Panel (Vice Chair of Governing Body)