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1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Oak Trees Multi Academy Trust about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

2. The difference between a concern and a complaint

A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints' procedure. Oak Trees Multi Academy Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Oak Trees Multi Academy Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office**.** Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher or a member of the Trust central team should be addressed to MAT Deputy CEO at complaints@oaktreesmat.co.uk. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing committee should be addressed to the clerk of the governing committee. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Jane Owens, Chair of Trustees, via the trust office (Unit 1, First Floor Prenton Business Park, Prenton Way, Prenton, Merseyside, CH43 3EA). Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5. Time scales

You must raise the complaint within **three months of the incident** or, where a series of associated incidents have occurred, within three months of the last of these incidents.

6. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

7. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by Oak Trees Multi Academy trust other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	**Who to contact**
• Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH) at safeguardingunit@wirral.gov.uk

• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure. Please refer to school website for the Behaviour Policy.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against Oak Trees Multi Academy Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

8. Resolving complaints

At each stage in the procedure, Oak Trees Multi Academy Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

9. Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

10. Stage 1 – Informal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the class teacher, year head / subject head or Headteacher. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure. The Headteacher should offer a face to face meeting as the most appropriate way of doing this. If a face to face meeting is deemed not appropriate, the matter will be discussed with a member of the MAT executive team for advice.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within **ten school days** of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

11. Stage 2 – Formal complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher should offer a face to face meeting as the most appropriate way of doing this. If a face to face

meeting is deemed not appropriate, the matter will be discussed with a member of the MAT executive team for advice.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team or an independent investigator external to the school but not the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher/independent investigator will provide a formal written response within **twenty school days** of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Oak Trees Multi Academy Trust will take to resolve the complaint.

The Headteacher/independent investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Headteacher, or a member of the governing committee (including the Chair or Vice-Chair), a member of the Trust's Executive Team will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher must be made to the MAT Deputy CEO at complaints@oaktreesmat.co.uk.

Complaints about a member of the Trust Board must be made to the Chair of Trustees via the Trust office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing committee or
- the majority of the governing committee

Stage 2 will be escalated to the CEO of the Trust.

12. Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk to the Trustees at laura@second2noneschoolsupport.com within **five school days** of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **five school days.**

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **thirty school days** of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing committee or
- the majority of the governing committee

Stage 3 will be heard by the trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. The clerk will request confirmation of the name and capacity of any legal or other representation ahead of the meeting. Attendees must confirm the details.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **eight school days** before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least **five school days** before the meeting. Any further submissions will only be accepted at the panel's discretion to allow sufficient time for all parties to give due consideration to them.

Any written material will be circulated to all parties at least **five school days** before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and/or without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Oak Trees Multi Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within **ten school days.**

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Oak Trees Multi Academy Trust.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Oak Trees Multi Academy Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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.

13. Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to Oak Trees Multi Academy Trust or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within **five school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant. The CEO may delegate the investigation to an independent investigator.

Following the investigation, the CEO will write to the complainant confirming the outcome within **ten school days** of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within **fifteen school days** of the date that the letter was received**,** explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

The Chair or Vice-Chair may delegate the investigation to an independent investigator.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance Professional to the Trust Board for the complaint to be heard before a Complaint Panel, within **five school days**.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **five school days.**

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **thirty school days** of receipt of the Stage 2

request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

Stage 3 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. The starting point is that legal representation is not allowed. The complaints process is designed to achieve reconciliation, acknowledge where things may have gone wrong, and to apologise if necessary. As no legal rights or issues can be determined it is therefore not necessary to have legal representation however, the Panel reserves the right to seek legal advice as appropriate before or during the meeting. On rare occasions legal representation may be appropriate.

The Governance Professional will request confirmation of the name and capacity of any legal or other representation ahead of the meeting. Attendees must confirm the details.

For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least **eight school days** before the meeting, the Governance Professional will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring

that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

- request copies of any further written material to be submitted to the committee at least **seven school days** before the meeting.

Any written material will be circulated to all parties at least **five school days** before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of the meeting are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the meetings take place. That consent will be recorded in the minutes.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Oak Trees Multi Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within **ten school days**.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Oak Trees Multi Academy Trust.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Oak Trees Multi Academy Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All 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.

14. Unreasonable Complainants

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

Oak Trees Multi Academy Trust defines unreasonable complainants as:

'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints or are having an unreasonably high detrimental impact on key staff being able to fulfil their duties to students'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;

- seeks an unrealistic outcome;

- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

- A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

    - maliciously;

    - aggressively;

    - using threats, intimidation or violence;

    - using abusive, offensive or discriminatory language;

    - knowing it to be false;

    - using falsified information;

    - publishing unacceptable information in a variety of media such as in social media websites and newspapers.

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

Whenever possible, Oak Trees Multi Academy Trust will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

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

If a complainant's behaviour is deemed to be vexatious and/or unreasonable under the terms of this policy, we may write to them to inform him/her that their complaint is closed and that Oak Trees Multi Academy Trust will not respond to any further correspondence on the issue, or a closely related issue. In these circumstances, records of the unreasonable or vexatious communications would be made available to the DfE on request.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from Oak Trees Multi Academy Trust's premises.

15. Next Steps

If the complainant believes the school/Oak Trees Multi Academy Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Oak Trees Multi Academy Trust. They will consider whether Oak Trees Multi Academy Tryst has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the ESFA online at:
www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

16. Complaint Form

Please complete and return to either Headteacher / Clerk / CEO who will acknowledge receipt and explain what action will be taken.

Complaint From

Your name:
Pupil's name (if relevant)
Your relationship with the child (if relevnt)
Address: **Telephone number:** **(daytime)** **(evening)** **Email Address:**

Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official Use **Date acknowledgement sent:** **By Whom?**

Complaint referred to: **Dates:**

17. Roles and Responsibilities

17.1. Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

17.2. Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

17.3. Complaints Co-ordinator

(this could be the Headteacher or CEO or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, CEO, Chair of Governors, Chair of Trust and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

17.4. Governance Professional to the Governing Committee/Trust

The Governance Professional is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale

- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

17.5. Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that: UK

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or UK GDPR.

  If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

17.6. Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

  No governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

  Parents/carers often feel emotional when discussing an issue that affects their child.

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

  Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

  The committee should respect the views of the child/young person and give them equal consideration to those of adults.

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

  However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.