



Communication, Concerns and Complaints Policy & Procedure

Reviewed by: Head Teacher
Caroline Barlow, Head Teacher

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1 INTRODUCTION

The central objective of Heathfield Community College is to create and maintain a safe, happy and healthy learning environment where every pupil can achieve their full potential. The staff and governing board work in a spirit of co-operation with parents, carers and other interested parties to achieve this. Throughout any complaint process, we expect all parties to be sensitive to the needs of others involved and make all reasonable adjustments necessary to accommodate individuals' needs and ensure a positive and professional process.

In line with the requirements of section 29 of the Education Act 2002, Heathfield Community College:

- has a complaints procedure that is easily accessible, simple to use and easy to understand.
- encourages resolution of concerns by informal means wherever possible.
- addresses all points at issue and provides an effective response and appropriate redress where necessary.
- resolves issues swiftly to established timescales, impartially and in a spirit of co-operation.
- provides a fair investigation by an independent person where necessary.
- respects, as appropriate, confidentiality.
- ensures that the Governing Board regularly monitors complaints received by the school.
- acts in accordance with the requirements of the General Data Protection Regulations (GDPR) and Data Protection Act 2018.

Heathfield Community College prides itself on the quality of the teaching and the pastoral care we provide for our pupils. If parents, carers or members of the public have concerns they can expect the issues they raise to be treated seriously by the school and in accordance with this policy document.

Parents and schools share the same goal: supporting children's education. Sometimes questions or concerns arise. There are clear steps to share your views and resolve issues quickly and positively.

The College will establish the difference between a concern and a complaint. The College will take informal concerns seriously at the earliest stage to prevent them developing into formal complaints whenever possible.

FIVE STEPS TO MAKING A SCHOOL COMPLAINT

1

WHAT KIND OF ISSUE IS IT? Complaints come in different shapes and sizes.

- **FEEDBACK:** you want to share your thoughts, don't necessarily want answers but you do expect them to listen and acknowledge what you have said.
- **CONCERN:** The first stage of raising something you feel is wrong or want reassurance about. The school must take this seriously and try to resolve the issue as quickly as possible
- **COMPLAINT:** Used when a concern has not been addressed to your satisfaction, there is a procedure to follow and steps are laid out in the policy.

2

WHO DO I GO TO? Issues are best resolved by the person closest to your child.

- **TEACHER/FORM-TUTOR:** this is the person closest to your child's classroom experience, usually know your child best and can act quickly to resolve issues (*e.g. homework, friendships, day-to day concerns*)
- **A MIDDLE OR SENIOR LEADER:** if the issue is wider than just one lesson, or if it can't be resolved by the teacher. Leaders have oversight across classes and can coordinate support. (*e.g.: bullying, extra support, repeated behaviour issues*).
- **THE HEADTEACHER:** This step is if the previous steps have not worked or for whole school issues. This will be a final decision. (*e.g. safeguarding, staff conduct, health and safety*)

3

HOW DO I RAISE A COMPLAINT? Concerns are best resolved by discussion.

- **Follow one level at a time:** start with those closest to your child and only escalate if really necessary after time.
 - **Start with the facts:** avoid long explanations and emotive language
 - **Stay Objective:** Do not make accusations or assumptions
 - **Be positive:** Make it constructive and focused on a solution
 - **Suggest a clear outcome:** be clear on what you would like to happen and ensure it is realistic, the school may not be able to do all that you would like but they should listen and act as far as they can.

4

WHEN TO EXPECT A RESPONSE?

- Within 48 hours of receiving your concern it should be acknowledged with an indication of when an answer may be available.
- Complex complaints require investigating and have timescales set out in policy.

5

ESCALATION

It's best to check who it should be escalated with to get it resolved quickly:

- Be clear who the main person is that you are sending it to. Copying in lots of people makes it hard to work out who should respond
- Allow time for them to reply in the timescale – do not send multiple follow up emails which will delay them being able to reply.
- If a concern has not been addressed fully then it can be escalated to the Headteacher to be dealt with formally under the set timescales.
- If you are unhappy with the outcome of the headteachers decision then the Governors can review the management of the complaint.
- The DfE and Ofsted will not be able to resolve the complaint.

2 HOW TO RAISE A CONCERN

It is in everyone's interest to resolve concerns and complaints at the earliest stage. Many issues can be resolved informally, without the need for formal procedures. Heathfield Community College takes concerns seriously and makes every effort to resolve the matter as quickly as possible.

The procedure for raising a concern can be seen below, with contact details for each relevant person to be found linked on the website:

https://www.heathfieldcc.co.uk/?page_id=675362/#who-contact.

In nearly all cases, communicating face to face, between the appropriate member of staff and parent/carer is the most effective way to address concerns or complaints. A good discussion, when all parties are listening to each other and seeking resolutions, will frequently be the most effective and quickest way of resolving of issues.

THE GUIDANCE ON COMMUNICATION (APPENDIX C:

Communication Guidance) should be read and understood at all stages of this procedure. Failure to follow this guidance will be taken seriously and may impact the ability to resolve a concern.

The outcome of any concern that has been addressed will be clear and communicated to all parties either verbally or in writing depending on the level of response. If the outcome is not agreed then the escalation route through the complaints procedures should be followed using the flow chart below.

Before raising a complaint consider the following:

- Have you fact checked the information you have? Rumour and hearsay are not grounds for a complaint. Contact a member of staff for clarification.
- Is the content outside the scope of the Complaints Policy: Complaints outside the scope
- Is the complaint more than 3 months since the incident happened? In which case it is out of the scope of time for consideration

3 MAKING A COMPLAINT

3.1 Who can make a complaint?

Anyone can make a complaint about any facilities or services that Heathfield Community College provides, unless separate statutory procedures apply (such as exclusions or admissions), this includes:

- parents or carers of children currently at the school
- parents or carers of children no longer at the school
- members of the public

a third party acting on behalf of the complainant. In these cases written consent will be required from the complainant before any information is disclosed.

Anonymous complaints will not normally be investigated. The headteacher or chair of governors will determine as appropriate whether the complaint warrants investigation.

3.2 Support through the process:

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
- holding meetings in accessible locations

3.3 Dealing with Complaints - Parents of SEND students

If you wish to raise a concern regarding the SEND provision for your child please contact a member of the SEND Lead team via the Learning Support Manager.

In some cases, or if a satisfactory conclusion cannot be reached this may be escalated to the Head of Learning Support and SENDCO and then to a member of the senior team. The college's complaint procedure is set out on the college website.

Contact information for the local authority SEND team can be found in the College's SEN Information report.

When making a complaint please follow the Dos and Don'ts outlined below and make use of the form in **APPENDIX B: COMPLAINT FORM**. A complaint can be made in person, by letter or email, or by telephone.

DOs AND DON'Ts

DO

- Complete the form (**APPENDIX B: COMPLAINT FORM**) to outline the nature of the complaint.
- If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.
- Make a complaint as soon as possible after an incident arises and no later than three months afterwards.
- Make complaints concerning school staff (except the headteacher) to the headteacher via the school office. Mark as Private and Confidential.
- Address complaints that involve or are about the headteacher to the chair of governors, via the school office. Please mark them as Private and Confidential.
- Address complaints about the chair of governors, any individual governor or the whole governing board to the Clerk to the governing board via the school office. Please mark them as Private and Confidential.
- Limit the numbers of communications with a school while a complaint is being considered.
- At all times pursue conduct and communication that is reasonable, measured and proportionate. Consider the guidance in this policy on persistent, unreasonable complaints and the steps we will take if necessary.

Do NOT

- Approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at stage 3 or 4 of the procedure.
- Raise concerns or complaints on social media as they will not receive a response, the College will only respond to issues raised through accepted channels and following the procedure described here. (see below)
- Send repeated correspondence (either by letter, phone, email or text) as it could delay the outcome being reached.
- Encourage or undertake duplicate complaints or campaigns (see below)
- Attempt to make or use recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. These will not be accepted as evidence in the complaints process.

3.4 Use of social media to complain

Heathfield Community College considers that the promotion and continuance of a positive, healthy and safe school community ethos depends upon the cooperation of all members of the school community. For this reason, the Heathfield Community College does not condone parents, carers and others of the school community, posting on social media any issues which could be dealt with within the school's processes for concerns and complaints. Abuse or defamation of staff, students or the College community will be taken seriously, reported and referred on. Further steps will be taken to safeguard the College as necessary.

4 DUPLICATE OR CAMPAIGN COMPLAINTS

After closing a complaint at the end of the complaints procedure if a duplicate complaint is received about the same matter from a connected party, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

If Heathfield Community College receives a large volume of complaints which are all based on the same subject and/or from complainants unconnected with the school, the school will consider the use of a template response.

5 UNREASONABLE COMMUNICATION OR PERSISTENT COMPLAINTS

Heathfield Community College will deal with all complaints fairly and impartially. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from any behaviour that is abusive, offensive or threatening. The college is a professional working environment where all staff have the right to be treated respectfully and with professional courtesy even if parties disagree.

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may be deemed unreasonable if the person:

- Makes a complaint in a manner that is obsessive, persistent, harassing, prolific, defamatory or repetitive.
- Introduces trivial or irrelevant information or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Pursues a valid complaint, but in an unreasonable manner.
- Knowingly provides false information.
- Makes unsubstantiated complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- Insists on pursuing a complaint that has been found to be unfounded, or out of scope of the complaints procedure.
- Changes the basis of the complaint during the investigation.
- Makes a complaint in a manner to cause disruption, annoyance or excessive demands on school time
- Uses threats, including of violence, or aggressive forms of communication
- Uses abusive, offensive or discriminatory language
- Publishes personal information, or information regarding a complaint, on social media or other public forums.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

6 STEPS HEATHFIELD COMMUNITY COLLEGE WILL TAKE WITH UNREASONABLE COMMUNICATION

1. Maintain reasonable professional approaches

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

2. Put in place communications strategies

- Give the complainant a single point of contact via an email address
- Limit number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf if necessary, such as Citizens Advice
- Put any other communication strategy in place as necessary.

If the complainant continues to contact the school in a disruptive way, we may put additional communications strategies in place. We may:

1. Stop responding to the complainant if all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and the intention is believed to cause disruption or inconvenience and/or he or she is making substantially the same points each time

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

2. Inform Police

In response to any serious incident of aggression or violence and in response to slander or defamation, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

3. Barr from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Heathfield Community College will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, Heathfield Community College can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make.

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 banning an individual from Heathfield Community College.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before making a judgement that their complaint is unreasonable.

If the behaviour continues the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Heathfield Community College 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.

Anyone wishing to complain about being barred can do so, by letter or email, to the headteacher or chair of governors. However, complaints about barring cannot be escalated to the Department for Education.

7 RESOLVING COMPLAINTS: WHAT HAPPENS NEXT?

Some complaints fall outside the school's complaints procedure, for example, staff grievances or staff conduct and/or competency (see: Page 19). In these cases, if such an issue is brought to the headteacher's or chair of governor's attention, the school will follow its own internal personnel processes. The complainant will be informed that an issue is to be considered as part of the school's personnel processes but will not be informed of the outcome of any such considerations.

Most concerns can be resolved at an early stage with professional dialogue at the appropriate level. The full list of who to contact for each area of the College can be found on the website:

https://www.heathfieldcc.co.uk/?page_id=675362/#who-contact

If it becomes necessary to escalate an issue the contact details are below:

ROLE	NAME	CONTACT DETAILS
School Office	Office	Email: office@heathfieldcc.co.uk Telephone: 01435 866066
Headteacher	Caroline Barlow	Email: cbarlow@heathfieldcc.co.uk Telephone: 01435 866066
Chair of Governors	Roger Enock	Email: renock@heathfieldcc.co.uk Telephone: 01435 866066
Clerk to the Governing Board	Verity Clark	Email: vclark@heathfieldcc.co.uk Telephone: 01435 866066

Once the College has received a complaint it will follow a number of stages to resolve the process. These are:

Stage 1 - Informal Concern reviewed by Headteacher

Stage 2 - Formal Complaint Investigated by Headteacher

Stage 3 - Investigation by Governing Board

Stage 4 - Governing Board Review Panel

At each stage in the procedure, Heathfield Community College will seek 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.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

8 TIMESCALES

The school expects that complaints will be made as soon as possible after an incident arises and no later than three months afterwards. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident. We will consider complaints raised outside this time frame if exceptional circumstances apply and the complaint can still be investigated in a fair manner for all involved.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period. If at any point we cannot meet the timescales we have set out in this policy, we will:

- set new time limits with the complainant
- send the complainant details of the new deadline and explain the delay.

9 WITHDRAWAL OF A COMPLAINT

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

10 THE COMPLAINTS PROCEDURE: WHAT ARE THE STEPS?

Each stage has its own timescales and process. The full details can be read below.

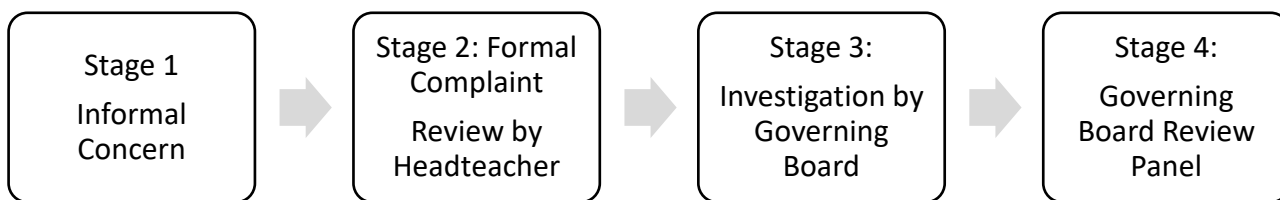


Figure 1: Complaints Procedure Steps

10.1 Stage 1 Informal Concern

This does not apply to complaints against the Headteacher, a Governor or the Governing Board.

As referred to earlier in this policy, the goal of Heathfield Community College is to create and maintain a safe, happy and healthy learning environment. The staff and governing board always seek to work in cooperation with parents, carers and other interested parties to ensure a positive school community ethos and satisfactory outcomes for those involved.

It is in everyone's interest to resolve concerns at the earliest stage and the school's experience is that many issues can be resolved by proactive and timely discussion between the appropriate people. The school therefore takes informal concerns extremely seriously and will make every effort to resolve the matter quickly and effectively.

In order to assist this, any concern should be raised as soon as possible with the relevant member of staff or the headteacher as appropriate, either in person or by letter, telephone or email. If the person with the concern is unclear who to contact or the process involved the school office will be able to assist.

If the person with the concern has a difficulty discussing it with a particular member of staff, we will respect your views. In these cases, Heathfield Community College, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Heathfield Community College 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.

If, however, a resolution is not reached and/or the person with the concern is dissatisfied with the outcome then they may wish to escalate the complaint to Stage 1 of the Complaints Procedure indicated as Stage 2 below.

10.2 Stage 2 Formal Complaint - Review by Headteacher

This does not apply to complaints against the Headteacher, a Governor or the Governing Board.

The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

The complaint must be made to Ms C Barlow (headteacher) via the school office. This may be done in person, by letter preferably on the complaint form, by email or telephone. The headteacher will record the date the complaint is received and will acknowledge receipt in writing, by letter or email, within 5 school days. Within this response, Ms C Barlow (headteacher) if needed will seek to clarify the nature of the complaint, what remains unresolved and what outcome the complainant would like to see. The headteacher will indicate if a face-to-face meeting is the most appropriate way to secure clarification or whether the complainant should respond by letter or email.

At the conclusion of the investigation, Ms C Barlow (headteacher) will provide a formal written response within 15 school days of the receipt of the complaint. If Ms C Barlow (headteacher) is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will refer to actions taken to investigate the complaint and an explanation of the outcome and the reason (s) for it. Where appropriate, it will include details of actions Heathfield Community College will take to resolve the complaint and any other actions the school will take to improve policy and practice.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2. Should the complainant wish to escalate their complaint to Stage 3, they must do so within 10 school days of the date of the formal written response setting out the outcome of the Stage 2 process.

10.3 Stage 3 - Investigation by Governing Board

Complaints at this stage are in one of three categories:

1. The complainant is not satisfied with the outcome at stage 2.
2. The complaint is about the headteacher, or a member of the governing board (including the Chair or Vice-Chair).
3. The complaint is about:
 - the Chair and Vice Chair or
 - the majority of the governing board or
 - the entire governing board

For all 3 categories above the complainant must write to or email, preferably on the complaint form, the clerk to the governing board via the school office to request that their complaint is considered at Stage 3. They should set out the details of the complaint and include appropriate evidence. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently if this applies.

The clerk will record the date the complaint is received and will acknowledge receipt in writing, by letter or email, within 5 school days.

Complaints in categories 1 and 2 above will be investigated by the chair of governors or a suitably skilled governor. For complaints received in category 3, the clerk will seek advice from the local authority as to how the complaint should be dealt with and the complainant will be advised accordingly.

The chair of governors / nominated governor will investigate the complaint and contact the complainant if they feel a face-to-face meeting would be helpful.

At the conclusion of the investigation, the chair of governors / nominated governor will provide a formal written response within 15 school days of the receipt of the complaint. If they are unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will refer to actions taken to investigate the complaint and an explanation of the outcome and the reason(s) for it. Where appropriate, it will include details of actions Heathfield Community College will take to resolve the complaint and any other actions the school will take to improve policy and practice.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The chair of governors / investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 3. Should the complainant wish to escalate their complaint to Stage 4, they must do so within 10 school days of the date of the formal written response setting out the outcome of the Stage 3 process.

The complainant should outline why they are not happy with the outcomes from stage 3 and/or if their outcomes have changed from the original complaint. The clerk may request the complaint be specific about these details to ensure that a panel is the correct course of action

10.4 Stage 4 - Governing Board Review Panel

This is the final stage of Heathfield Community College complaints procedure.

The complainant must write to or email, preferably on the complaint form, the Clerk of the governing board within 10 school days of the date of the formal written response setting out the outcome of the Stage 3 process.

For category 1 complaints, requests outside of this timeframe will only be considered if the chair of governors considers exceptional circumstances apply.

For category 2 and 3 complaints, requests outside of this timeframe, the clerk will seek advice from the local authority as to how this matter should be dealt with.

The complainant should set out the details of their complaint and include appropriate evidence. They should also specify what they feel would resolve the complaint, and how they feel the previous stages of the procedure have not addressed their complaint sufficiently.

10.4.1 Stage 4: Timeline

1. Within 5 school days of receipt of request the clerk will arrange a governing board review panel.
2. The panel sets a date* to meet as soon as reasonably practical but no longer than 15 school days from the date of the acknowledgement of the letter of complaint. However, where further investigations are necessary, new time limits may be set. The complainant will be sent details of the new date and an explanation for the delay.

3. Any evidence and documentation that the complainant and school wish to submit in relation to their complaint must be sent to the clerk to the governing board at least 5 school days before the meeting.

Complainants are responsible for submitting any papers that they wish the panel to consider. The clerk is not responsible for pulling the papers together on behalf of the complainant.

All relevant papers* will be circulated to the complainant and the school representatives attending the meeting, as well as the governing board Stage 4 panel. Recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded will not be accepted as evidence within this procedure.

4. If the complainant or school wishes to call witnesses the names of these witnesses must be advised to the clerk at least 5 school days before the meeting. The complainant and school are responsible for ensuring that the witnesses are aware of the time / date / location of the meeting. The complainant and the school are responsible for advising the clerk of their own witness and neither party should assume a witness has been called unless they have requested it.

If the complainant wishes to be accompanied by a suitable companion, this should not be legal representation as the Governing Board Review Panel is not a form of legal proceedings, the name of the suitable companion must be advised to the clerk 5 school days before the meeting.

5. If the Governing Board Review Panel cannot meet because the end of term is less than 15 days from the date of acknowledgement of the letter of complaint, it must meet within 10 days of the start of the new term.
6. The Governing Board Review Panel will communicate their findings to all parties concerned within 10 school days of their meeting.

* The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant and reach a conclusion in the interests of drawing the complaint to a close. If the complainant rejects the offer of 3 proposed dates, the Clerk will set a date. The hearing will go ahead using written submissions from both parties.

** Some papers maybe withheld or redacted due to the nature of the content.

10.4.2 Stage 4: Panel Membership

The panel consists of at least 3 members of the governing board with no prior involvement or knowledge of the complaint. One of the members will act as the Chair of the panel. If there are fewer than 3 governors from Heathfield Community College available, the Clerk will source any additional, independent governors through another local school or through East Sussex Governor and Clerking Services in order to make up the panel.

10.4.3 Stage 4: Hearing Process

The Governing Board Review Panel will consider all stages of the complaint. This is to make sure that decisions are not taken in isolation and there is a mechanism by which decisions are considered independently. If a new issue arises the panel will use its discretion to decide if it is appropriate to consider and comment upon it; this may require a short adjournment of the meeting. However, the panel may decide it is not appropriate to review any new complaints at

this stage or for any evidence unrelated to the initial complaint to be included. In these circumstances, new complaints must be dealt with from the informal stage of the procedure.

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations that will satisfy the complainant that his or her complaint has been taken seriously.

At the review panel hearing, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written submissions prior to the meeting. Any written material provided by the complainant or the school/headteacher will be seen by everyone on the Governing Board Review Panel and attending the hearing. However, in some cases papers may be withheld or redacted due to the nature of the content.

- The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish; this should not be legal representation as the Governing Board Review Panel is not a form of legal proceedings. However, if a school employee is called as a witness in a complaint meeting, they may be entitled to ask to be supported by their union.
- Representatives from the media are not permitted to attend.
- Both the complainant and the school will have the opportunity of putting their case within a reasonable specified time limit without undue interruption so that the issues are addressed and key findings of fact established.
- At the meeting, the complainant and the school will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.
- The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the panel considers they have all the information required the complainant, school representatives and witnesses will be asked to leave and evidence will then be considered.
- The Clerk will be present and record the outcome of the hearing.

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

- Recommend 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.

If the panel recommend an apology, they should be clear as to why previous apologies (if they have been made) were insufficient. Schools should endeavour to send apologies promptly or give them in person at an appropriate time.

Panels cannot determine the timelines for schools to enact their recommendations although they may suggest certain issues are more pressing than others.

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

- Recommend 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.

If the panel recommend an apology, they should be clear as to why previous apologies (if they have been made) were insufficient. Schools should endeavour to send apologies promptly or give them in person at an appropriate time.

Panels cannot determine the timelines for schools to enact their recommendations although they may suggest certain issues are more pressing than others.

The Chair of the Panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing within 10 school days. The letter will include details of how to contact the School Complaints and Compliance Unit (SCCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

11 FURTHER RECOURSE

If the complainant is unsatisfied with the outcome of the school’s complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school’s complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school’s statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>. We will include this information in the outcome letter to complainants.

12 COMPLAINTS OUTSIDE THE SCOPE

Some complaints will be outside the scope of this procedure as there are separate statutory procedures to deal with such issues. These include:

Complaints outside the scope	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with East Sussex County Council.
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.
Exclusion of children from school	Further information about raising concerns about exclusions is available in the School discipline and exclusion guidance ¹ . Complaints about the application of the behaviour policy can be made through the school’s complaints procedure.
Staff grievances	These matters will be addressed under the school’s internal grievance procedures.

¹ <https://www.gov.uk/school-discipline-exclusions/exclusions>

Complaints outside the scope	Who to contact
Whistleblowing	<p>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 whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>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.</p>
Staff Conduct and/or Competency Complaints	<p>Complaints about staff will be dealt with under the school's internal personnel procedures, if appropriate. Complainants will not be informed of any outcomes of the complaint or action taken in relation to a staff member as a result of a complaint. However, the complainant will be notified it is being addressed.</p>
Complaints about services provided by other providers who may use school premises or facilities.	<p>Schools should direct complainants to follow the external provider's own complaints procedure.</p>
Complaints about the curriculum	<p>Please contact the Department for Education at www.education.gov.uk/contactus</p>
Complaints about collective worship	<p>Complaints about the content of the daily act of collective worship (DACW) should be addressed to: the local Standing Advisory Council on Religious Education², other relevant body, e.g.:</p> <ul style="list-style-type: none"> • Diocese of Chichester³ • Diocese of Arundel and Brighton⁴ • Methodist Schools⁵
Withdrawal from the curriculum	<p>Parents and carers can withdraw their child from any aspect of Religious Education (RE), including the DACW. They do not have to explain why.</p> <p>If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, schools should advise them to follow their complaints procedure.</p> <p>The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.</p> <p>Should parents wish to withdraw their child from sex and relationship education they should refer to the schools Sex and Relationship Education policy.</p>

² <https://democracy.eastsussex.gov.uk/mgCommitteeDetails.aspx?ID=163>

³ <https://www.chichester.anglican.org/>

⁴ <https://dabnet.org/>

⁵ <https://www.methodistschools.org.uk/find-a-school/schools?region=southeast>

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 a complainant commences legal action against Heathfield Community College in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

13 APPENDIX A: ROLES AND RESPONSIBILITIES

13.1 Complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Explain the complaint in full as early as possible
- Co-operate with the school in seeking a solution to the complaint
- Ask for assistance as needed
- Refrain from publicising details of a complaint on social media; respect confidentiality.

13.2 Investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions.

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 headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The headteacher 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.

13.3 Clerk to the Governing Body

The Clerk will:

- Be the contact point for the complainant and the governing board review panel, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record the outcome of the hearing
- Notify all parties of the committee's decision.

Panel Chair

The panel chair will:

- Chair the meeting, ensuring that everyone is treated with respect and courtesy throughout.
- Make sure all parties see the relevant information, understand the purpose of the panel, and can present their case.
- Ensure the meeting is conducted in an appropriate manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy. If this is not the case the chair can stop the meeting; either party may also request that the chair stops the meeting if they feel the meeting is adversarial.
- Seek to put 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.
- Ensure the remit of the panel is explained to the complainant.
- Ensure written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under Data Protection Policies and GDPR.
- If a new issue arises the panel chair must call a short adjournment of the meeting to discuss the appropriateness of this issue with the other panel members. Due consideration should be given to either parties ability to answer questions on any new issues which they may not have been prepared for. If either party requires more time to prepare, the new issues must not be considered during the meeting and may require additional follow up e.g. a further meeting or new written statements. This may delay the outcome of the panel and all parties should be made aware of revised deadlines.
- Ensure 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.
- Enable the issues to be addressed and key findings of fact are made if appropriate.
- Ensure the committee is open-minded and acts independently.
- Check 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.
- Liaise with the clerk prior to the meeting and after the meeting to ensure that the procedure is being adhered to.

13.4 Panel Member

Panel members should be aware that:

- The meeting must be independent and impartial and should be seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
- 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 panel 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 panel 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 panel 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. The welfare of the child/young person is paramount.

APPENDIX B: COMPLAINT FORM

Key points of your complaint

Please summarise the key issues for you. What has been the impact on you / child / other?
Please provide evidence where possible

Timeline - please summarise the sequence of events - in date/time order

Date	Who	Action/s

Your desired outcome(s)

What are you hoping to achieve?
What benefits / impact would this have on the wider school environment



APPENDIX C: COMMUNICATION GUIDANCE

We are committed to a supportive environment for students, staff and parents. We welcome feedback and collaboration so we can continue to improve.

We may not always agree but we expect to be constructively challenged as we work together.

Communication must be conducted in the most positive way so everyone feels heard and supported.

Communicating with a secondary school can feel different to primary and we understand that staff may not be as immediately available as parents are used to at Key Stage 2.

It is in everyone's interest to resolve concerns at an early stage. We take any concern seriously, and want to resolve things as quickly and thoroughly as possible.

The contact details for each member of staff are made accessible on the basis that we all agree to work positively and supportively together. To get the swiftest resolution, always get in touch at an early stage.

- For social or emotional issues go direct to your child's form tutor or Pastoral Team in the first instance.
- For any Teaching and Learning issues, go to the Class teacher or Curriculum Leader.

Use contact details provided on the [website](#) in working hours.

Always adhere to the guidance from College Governors and Leaders below to ensure you know what to expect, get the best from any communication and avoid frustration.

This guidance should be read in conjunction with the Communication, Concerns and Complaints Policy

Parents can expect:

- **A timely and appropriate response.**
Parents have contact details for all the key people and a named person for the first port of call if you are in any doubt on any issue.

Policies state 48h hours for a reply. It is sometimes swifter than that but this cannot be guaranteed. It should not be assumed that if a reply is not immediate that your communication is being ignored. However, any longer would not be expected and should be followed up via office@heathfieldcc.co.uk.

A response may take the form of a direct reply by email or phone, or it may result in an invitation to a meeting. This will always seek to be at a mutually convenient time. Please be aware mobile signal in our area is sometimes unreliable, if a phone line cuts out you may need to call again or email.

- **To have your view heard respectfully.**
Staff must consider all perspectives impartially and objectively; your view is equally important as any other and will be heard and considered. If inclusive approaches are required: translations, support with longer documents or educational language, this can easily be provided - just let us know. The College will hear and respect your concerns, anxiety and worries.
- **An expert, solutions-based approach.**
Once a member of staff has received your question or concern, the College will decide who the most suitable person is to respond based on the expertise required.

You can expect a clear solution-based approach within the operational context of the College. If your preferred solution or action is not possible the reasons will be explained and alternatives put in place.

Teachers can expect:

- **To be given time to research and respond to the concern:**

Often various sources of information are required to respond fully, this may take time. Do not send multiple follow up communications in quick succession, or the same concern to multiple people, as this will only delay response or prevent accurate information being gathered.

Do not turn up at College and expect to see a member of staff without booking. Teacher's time is strictly scheduled during the day (from 8:15am) and is not possible to adjust at short notice.

Equally, staff do not work weekends or school holidays, a reply should not be expected at these times.

- **All communication to be respectful and courteous.**

Issues relating to our children can be emotive however, all communication must be polite communication.

- Shorthand often used on phones/text can seem abrupt or aggressive without meaning to. Capitals can seem like shouting.
- Keep it polite, clear and factual - do not add in gossip or rumour.
- Do not use swearing or aggressive, bullying, demanding or abusive language. This applies in person and by phone or email.
- Staff are fully empowered to end any communication that does not respect this requirement.

Our community models positive and respectful dialogue to young people. This applies in all communication.

These expectations apply in person and online. Any online post that denigrates or defames the College, staff or students will be reported. Abuse or inappropriate language will not be tolerated.

Unreasonable or unsuccessful communication

Heathfield Community College will deal with all stakeholders fairly and impartially. We do not expect anyone to tolerate unacceptable behaviour. The college is a professional working environment where everyone has the right to be treated respectfully and with professional courtesy, even if parties disagree.

If parents feel communication has been unacceptable the College will act to ensure they are able to be heard and represented, such as:

- Providing a preferred or alternative method of communication
- (e.g. phone calls rather than emails or letters).
- Considering an alternative contact in College if it is perceived relationships are irreparable.
- Action if there is a perceived lack of reply after 48 hours via office@heathfieldcc.co.uk.
- Assistance when requested with language or instructions.
- Raising any concerns about the tone of communication with line manager to ensure fair and equitable treatment.
- Considering an advocate to help parents represent their perspective. This person should always be objective and neutral.

If staff feel they have been subject to unacceptable communication the College will act to protect them from any behaviour (in person, in writing or online) that is abusive, offensive, persistent and harassing or defamatory, this may include:

- Clear advice or guidance on how communication was unacceptable.
- Putting in place a restricted communication strategy (single point of contact or reduced access: preventing email or phone contact)
- Ceasing response on a particular issue if all reasonable efforts have been made but demands are persistent.
- Barring from school site.
- Referral to the police and seeking legal remedy