TORPOINT COMMUNITY COLLEGE

INSPIRING OPTIMISTIC LEARNERS

Complaints Procedure

Reviewed: April 2026	**Next review due:** April 2027
Governing Body Committee: HRFF	**CLT contact:** Dr Jeremy Plumb
Policy adopted by the Full Governing Body on:- **29th April 2026**	

Policy – Amendment Record Sheet

Amendment Number	Section Amended	Amended By	Reason for Amendment	Date
01	N/A	J. Plumb	Dates amended	12/01/22
02	Raising concerns	J. Plumb	Visits can be made in person but by appointment only	12/01/22
03	Whole policy review by Wolferstans	Mara Cunha (Wolferstans)	Annual review	06.02.23
04	Timeline Stages amended	Donna Douglas	Annual review/processes	30.04.2024
05	Dates	Donna Douglas	Updated Dates	31.03.25
06	References to Data Protection Act 1998	Jo Jones	Replaced with Data Protection Act 2018 and UK GDPR	27.03.26
07	Section 8	Jo Jones	Statements of Sen replaced with EHCP's	27.03.26
08	Introduction	Jo Jones	Equalities statement added	27.03.26
09	Page 20	D Douglas	Typo – stage 3 should read stage 4 – corrected	12.11.26
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Introduction

Torpoint Community College endeavours to provide the best education possible for all of its students in an open and transparent environment. We welcome any feedback that we receive from parents, carers, students and third parties, and we accept that not all of this will be positive. Where concerns are raised, the College intends for these to be dealt with:

- **Fairly**
- **Openly**
- **Promptly**
- **Without Prejudice**

In order to do so, the governing body of Torpoint Community College has approved the following procedure which explains what you should do if you have any concerns about the College. All members of staff will be familiar with the procedure and will be able to assist you.

This policy applies to visitors, volunteers, contractors and parents and carers of pupils currently attending the school.

Accessibility and Reasonable Adjustments

We are committed to ensuring that our complaints procedure is accessible to all. We will make reasonable adjustments under the Equality Act 2010 to support complainants with disabilities or special requirements to access this complaints procedure. This may include providing information in alternative formats, arranging accessible meeting venues, or allowing additional time for responses.

This complaints procedure is published on the Torpoint Community College website at www.torpoint.cornwall.sch.uk and is reviewed annually.

Paper copies are available free of charge from Main Reception.

Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the College website or ask for a copy from the main College reception.

- **Student admissions *(or contact Cornwall Council)***
- **Student exclusions – *please refer to the College Behaviour Policy***
- **Disciplinary and Grievance Policy and/or Capability Policy**
- **SEN Policy**
- **Whistleblowing Policy – *for staff to raise concerns***
- **Data Protection and Freedom of Information Requests**

- **Where the complaint concerns a third party used by the College, please complain directly to the third party themselves also notifying the College of the complaint.**

Each of these policies follow its own process of complaints and appeals which are outlined in their relevant policies.

Raising Concerns

The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the College or your child's education or wellbeing, raise this with the relevant member of staff via an email, the telephone or in person by appointment only, they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss the issue.

All concerns will be dealt with confidentially, although the staff member will need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 2018 and UK GDPR. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

Concern/complaint to be lodged with the relevant member of staff – No longer than four weeks after the incident arises except in exceptional circumstances.

The difference between a concern and a complaint

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

A complaint may be generally recognised as "an expression or statement of dissatisfaction however made, about actions taken or lack of action".

It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. The College will take formal concerns seriously and make every effort to resolve the matter as quickly as possible.

However, there will be occasions when complainants want to raise their concerns formally. In those cases, the College complaints procedure will be followed.

If the complainant's first contact is with individual governors, they may be asked to take up their concerns with the Headteacher or the appropriate member of staff. A Governor should not be made aware of a potential complaint as they may be required to sit on a Panel in the event of a formal hearing (Stage 2) and they should be impartial

Safeguarding

Wherever a concern/complaint indicates that a child's wellbeing or safety is at risk, the College is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the College's Safeguarding Policies, which can be obtained from the College website. In addition, guidance using the DfE Keeping Children Safe in Education will be followed.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, Torpoint Community College requests that the Complainants do not discuss complaints publically via social media, such as Facebook and Twitter (this list is not exhaustive). Complaints will be dealt with confidentially for those involved, and we expect Complainants to observe confidentiality also. See Appendix H.

General Principles

1. We believe that the resolution of a concern/complaint provides the potential opportunity for the College to improve its practice and develop further a strong partnership with parents and members of the public.

2. The College is mindful about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

3. The requirement to have a Complaints Procedure does not in any way, undermine efforts to resolve the concern informally.

4. If properly followed, a good Complaints Procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the Complainant remains dissatisfied.

5. Any concern/complaint should be addressed by a member of staff at a level closest to the cause for the concern in the first instance to ensure any concerns are dealt with at the lowest level.

6. Confidentiality is important in securing the confidence of all concerned. Conversations and correspondence must be treated with discretion. Parents need to feel confident that a complaint will not disadvantage their child. However, the parties to a concern/complaint should realise that some information may have to be shared to carry out a thorough investigation.

7. If the investigation of a concern/complaint shows that it is justified, then the College will consider how to rectify the situation.

8. Staff and Governors in the College will have the opportunity to take part in training or briefing to raise their awareness of the procedures and develop their skills in dealing with people who wish to complain.

9. All concerns/complaints will be recorded and monitored to identify issues and allow any lessons to be learned by the College.

10. Every concern/complaint will be acknowledged as "genuinely felt" by the Complainant.

11. If the Complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

12. If the Complainant writes again on the same issue, then the correspondence may be recognised as unreasonable and there will be no obligation on the part of the College to respond.

13. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

14. The College will nominate a member of staff to have responsibility for the operation and management of the College Complaints Procedure. They will be termed the College's Complaints Co-ordinator.

15. We recognise a complaint is distinct from any formal Disciplinary Procedure.

16. Staff who may be questioned, as part of the Complaints Procedure will be treated fairly and have an opportunity have their case heard. They will be offered support in responding to any investigation into a complaint.

17. If it becomes apparent to the Headteacher or Chair of Governors that the parent's concern/complaint has the potential to be a disciplinary issue, professional advice should be immediately sought.

18. **Investigating Complaints/Concerns**

It is suggested that at each stage, the person investigating the concern/complaint (the Complaints Co-ordinator), makes sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the concern/complaint and what remains unresolved;
- meet with the Complainant or contact them (if unsure or further information is necessary);
- clarify what the Complainant feels would resolve their complaint
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish; conduct the interview with an open mind and be prepared to persist in the questioning; keep notes of the interview.

Timeline



Informal investigation by staff member (though not the subject of the complaint).
Where dissatisfied with outcomes, progress to Stage Two.
20 working days total



Formal investigation by The Headteacher – Complaints are to be submitted by the Complainant on the College Complaints Form (Appendix A of this document) and sent to the Headteacher's PA.
Where dissatisfied with outcomes, progress to Stage Three.
30 working days total



Raising a complaint to the Chair of Governors- Complaints are to be submitted by the Complainant on the College Complaints Form (Appendix A of this document).
Where dissatisfied with outcomes, progress to Stage Four.
30 working days total



Formal appeal to a Panel of Governors (Complaints Appeal Panel). The request from the Complainant for a Complaints Panel to be convened is to be made in writing to the Clerk to Governors, clearly stating how the Complainant thinks the complaint should be resolved.

This is the final stage of the College's Complaints Procedure. Where dissatisfied with outcomes, the Complainant should contact the Department for Education.
30 working days total

Timeframes

Torpoint Community College will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding individual's availability to deal with the complaint, for example. If it becomes apparent that it is not possible to complete any stage of the Complaints Procedure within a given timeframe, the individual responsible for handling the complaint will contact the Complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

Torpoint Community College reserves the right not to investigate complaints that have been made **4 (four) weeks** after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the Complainant has been unable to raise the complaint before this time. The Headteacher will review the situation and decide whether or not to enact the complaints procedure, informing the chair of Governors of the decision.

Complaints about the Headteacher or the Governors

Where a complaint regards the Headteacher, the Complainant should first directly approach the Headteacher in an attempt to resolve the issue informally. If the Complainant is not satisfied with this outcome, they should notify the Clerk to Governors (see contact details at the end of the document). The Stage Two process will then commence, but with the Chair of Governors as the individual responsible for the investigation rather than the member of the College Leadership Team.

Where a complaint regards a Governor, the same process applies as for the Headteacher. Where a complaint concerns the Chair of Governors, the individual should contact the Clerk to Governors. Informal resolution will be sought, but where this fails, the Complaints Procedure at Stage Three will take immediate effect. The Vice Chair of Governors will mediate any proceedings.

Where a complaint regards a member of staff, the complainant should first raise this with the Headteacher either in person (by appointment only) or in writing, and a meeting can be arranged with the Headteacher to discuss the issue at hand.

Recording Complaints

- The College will record the progress of the complaint and the final outcome. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the Complainant and the College have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept, and a copy of any written response added to the record in order to prevent any later challenge or disagreement over what was said. Where there are communication difficulties, the College may wish to use

recording devices (with the permission of all parties involved) to ensure the Complainant is able to access and review the discussions at a later point.

- The Complaints Co-ordinator will be responsible for the records and hold them centrally.
- The Complainant should use the "Complaints Form."
- The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole Governing Body will not name individuals.
- As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to College improvement. The College and Governing Body will use the monitoring and review of complaints as a useful tool in evaluating the College's performance.

Responsibilities of the person making a complaint

In making your complaint we would expect that you:

- Raise issues in a timely manner.
- Treat our staff with respect and courtesy.
- Provide accurate and concise information in relation to the issues you raise.
- Use these procedures fully and engage with them at the appropriate levels.

Stages of the Complaint *(explained in further detail)*

Stage One – Informal investigation by staff member (though not the subject of the complaint)

Whereas a result of raising a concern the Complainant still feels that the issue has not been addressed, or where the outcome has been that the concern/complaint needs further investigation than can be resolved briefly, they may progress by making an informal complaint. In doing so, the following steps will be followed:

1. Complainant contacts the relevant member of staff.
2. The Complainant must explain in writing
    - an overview of the complaint so far;
    - who has been involved;
    - why the complaint remains unresolved;
    - action they would like to be taken to resolve the complaint.
3. The member of staff will endeavour to respond within 5 (five) working days (excluding those which fall in the school holidays) of having received the written complaint. They will explain what action they intend to take.
4. The staff member will provide a written confirmation of the outcome of their investigation within 20 (twenty) working days (excluding those which fall in the school holidays) of having sent confirmation of

the intended action. Where the Complainant is not satisfied with the outcome, they are able to progress to Stage Two of the complaints process and launch a formal written complaint.

5. The staff member will make a record of the concern and the outcomes of the discussion which will be held centrally for twelve months, in line with the principles of the Data Protection Act 2018 and UK GDPR

Stage Two – Formal investigation by the Headteacher

1. The Complainant must submit a formal complaints form to the Headteacher, and this must be sent via the Headteacher's PA.

2. The Headteacher will respond in writing within 10 (ten) working days (excluding those that fall in the school holidays) of the date of receipt of the complaint to acknowledge receipt of the complaint and explain what action will be taken, giving clear timeframes.

3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.

4. The Headteacher will consider all relevant evidence; this may include but is not limited to:
   - a statement from the Complainant;
   - where relevant a statement from an individual who is the subject of the complaint;
   - any previous correspondence regarding the complaint;
   - any supporting documents in either case;
   - interview with anyone related to the complaint.

5. The Headteacher may decide to have a meeting with the Complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation.

6. After considering the available evidence, the Headteacher can:
   - uphold the complaint and direct that certain action be taken to resolve it;
   - not uphold the complaint and provide the Complainant with details of the Stage Three appeals process;
   - uphold the complaint in part: in other words, the Headteacher may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the Complainant.

7. The Headteacher must inform the Complainant of their decision in writing within 30 (thirty) working days (excluding those that fall in the school holidays) of having issued written acknowledgement of the receipt of the complaint. They must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint. Finally, they must provide the Complainant with details of how to progress the complaint to Stage Four if they are not satisfied, providing them with the contact details of the Clerk to Governors.
8. If the complaint is about the Headteacher, the complainant should write to the Chair of Governors.

   If the complainant's child has an Education, Health and Care Plan (EHCP) the complainant may find it helpful to talk to the Special Educational Needs Co-ordinator (SENco) at the College or the child's named Special Needs Officer.

Stage Three – Raising a complaint to the Chair of Governors

If, having spoken to the Headteacher, the complainant is dissatisfied with the outcome of their complaint, they may lodge their complaint with the Chair of Governors. In the letter they should:

1. Make it clear why they are complaining;
2. Say who they have spoken to already;
3. Explain what they want to happen as a result of your complaint.

The Chair of Governors will process the complaint considering any written information or evidence received to support it and will respond to the complainant in writing within 30 days outlining their response to the complainant's concern, and any action that has or will be taken. If the Chair of Governors has decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline the complainants right of appeal and how they can start your appeal.

Stage Four- Appeal – complaint heard by Torpoint Community College Governing Body's Complaints Appeal Panel

If the Complainant wishes to appeal a decision of a formal complaint, the Complainant is able to appeal this decision.
The Complainant must write to the Clerk to Governors within four weeks after receiving notice of the Chair of Governors decision, briefly outlining the content of the complaint, and requesting that a Complaints Appeal Panel is convened.

The Clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation, and distributing this within five working days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

The Complainant must request an Appeal Panel within four weeks of receiving the Chair of Govenors decision or it will not be considered, except for in exceptional circumstances. On receipt of this written notification, the following steps will be followed:

1. The Clerk will write to the Complainant within five working days (not including the school holidays) to confirm receipt of the appeal request and detail further action to be taken.

2. The Clerk will convene a panel of three members of the Torpoint Community College Governing Body. All three panel members will have no prior knowledge of the content of the complaint.

3. The Clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents.

4. The appeal hearing will take place within 20 (twenty) working days (excluding those which fall in the school holidays) of receipt of the date of the confirmation letter from the clerk to the Complainant, confirming the appeal.

5. In addition to the panel, the following parties will be invited, where applicable:

- the Complainant;
- the Headteacher who dealt with the complaint at Stage Two;
- The Chair of Govenors who dealt with the complaint at Stage Three
- where the complaint regards a member of staff, the staff member who is the subject of the complaint.

The Complainant is also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring representation with them.

The companion will be a friend or a colleague. Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.

6. If the attendance of any students is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.

7. Where the complaint is about a Governor, the Complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of the governing body who will notify the Clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the College source appropriate individuals for the review.

8. The Panel can make the following decisions:

   - Not uphold the complaint in whole or in part;
   - uphold the complaint in whole or in part;
   - decide on the appropriate action to be taken to resolve the complaint;
   - recommend changes to the College's systems or procedures to ensure that problems of a similar nature do not recur.

9. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 5 (five) working days (excluding those which fall in the school holidays).

   This is the final stage at which the College will consider the complaint. If the Complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The College will not consider the complaint beyond this.

Unreasonable complaints

Where a Complainant raises an issue that has already been dealt with via the College's Complaints Procedure, and that procedure has been exhausted, the College will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a Complainant persists in raising the same issue, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the College Complaints Procedure, and therefore the case is now closed. The Complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints include the following scenarios:

- The Complainant refuses to co-operate with the College's relevant procedures.

- The Complainant changes the basis of the complaint as the complaint progresses.
- The Complainant seeks an unrealistic outcome.
- Excessive demands are made on the time of staff and College Governors, and it is clearly intended to aggravate.
- The Complainant acts in a way that is abusive or offensive.

The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full Complaints Procedure will commence from Stage One on this direction.

If the Chair upholds the Headteacher's decision not to look into the complaint and the Complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the Complainant may write to the Department for Education (see the contact details at the end of this document).

Vexatious Complaints

Where a Complainant attempts to re-open an issue which has already been dealt with under the Complaints Procedure, the Chair of Governors will contact them to inform them that the matter has already been dealt with and that either that stage of the procedure has been exhausted or that the Complaints Procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious, and the College will be under no obligation to respond to that correspondence.

The College may receive complaints that are considered to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a "frivolous" or "vexatious" complaint as:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress that lack any serious purpose or value

A persistent Complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the Complainant considers to be within the remit of the College, and whose behaviour is unreasonable. Such behaviour may be characterised by:

(a) failing to follow the Complaints Procedure despite requests to do so;
(b) actions which are obsessive, persistent, harassing, prolific, repetitious;
(c) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
(d) uses Freedom of Information requests excessively and unreasonably;
(e) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
(f) an insistence upon pursuing complaints in an unreasonable manner;
(g) an insistence on only dealing with the Headteacher on all occasions irrespective of the issue and the level of delegation in the College to deal with such matters;
(h) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the Complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the College because it is unlawful.

College's responses to unreasonably persistent complaints, vexatious complaints, unreasonable complaints, or harassment

The College will always seek to work with parents/carers and others with a legitimate complaint to resolve a difficulty and reach a resolution.
However, in cases of unreasonably persistent complaints or harassment, the College may take any or all of the following steps, as appropriate:

- inform the Complainant informally that their behaviour is now considered by the College to be unreasonable or acceptable, and request a changed approach;
- require all future meetings with a member of staff to be conducted with a third person present. In the interests of all parties, notes of these meetings will be taken;
- inform the Complainant that, except in emergencies, the College will respond only to written communication;
- inform the Complainant in writing that any further complaint will not be investigated further until it is pursued in a manner the College considers to be reasonable;
- place restrictions on the individual's access to College and/or College staff;
- cease all correspondence and communication with the Complainant other than that necessary for the health and safety of any child/adult in College;
- involve the Police;
- involve officers of the Local Authority.

The College has a duty of care to staff and students and will take emergency measures should these become necessary in extreme cases.

Physical or Verbal Aggression

The College, including Governors, will not tolerate **any** form of physical or verbal aggression or personal harassment against College staff. If staff are subject to this type of aggression, the College may:

- prohibit the individual from entering the College site, with immediate effect;
- inform the individual that communication with them will cease other than in an emergency;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation.

Contact details for external organisations if not satisfied with the outcomes of the complaint's procedure in full.

- If you have any queries regarding any aspect of the Complaints Procedure, please direct these to the Clerk to the Governors – Miss Rachel Turner either by email at turner.r@torpoint.cornwall.sch.uk or by letter via the College address.
- If the Complainant feels that the Governing Board acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the Complaints Procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. https://www.gov.uk/complain-about-school

- Ofsted will also consider complaints about schools.

Relevant legislation and guidance

The Equality Act 2010 http://www.legislation.gov.uk/ukpga/2010/15/contents

Data Protection Act 2018 https://www.legislation.gov.uk/ukpga/2018/12/contents
Education Act 2002 *http://www.legislation.gov.uk/ukpga/2002/32/contents*
The Department for Education *Best Practice advice for school complaints procedures*
https://www.gov.uk/government/publications/school-complaints-procedures

LIST OF APPENDICES

A Torpoint Community College Complaints Form

B The Education Act

C The Remit of the Complaints Appeal Panel

D Roles and Responsibilities

E The Model Procedure for the Conduct of a Stage Three Governor Complaints Appeal Panel

F Checklist for a Panel Hearing

G Dealing with Complaints about Racism in College

H What to do if a Complaint is made on Social Media

Appendix A – Torpoint Community College Complaints Form

Please complete and return in the first instance to the Headteacher's PA

Your name: **Student's name:** **Your relationship to the student:** **Address:**   **Postcode:** **Day time telephone number:** **Evening telephone number:**
Please give details of your complaint.
What action, if any, have you already taken to try and resolve your complaint. **(Who did you speak to and what was the response)?**

What actions do you feel might resolve the problem at this stage and how would you like this to be resolved?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use **Date acknowledgement sent:** **By who:** **Complaint referred to:** **Date:** **Name of nominated Complaint Co-ordinator:**

APPENDIX B - The Education Act

Section 29 of the Education Act 2002 requires that:

1. The governing body of a maintained school shall—

a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and

b) publicise the procedures so established.

2. In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State or (in relation to Wales) by the National Assembly for Wales.

3. The governing body of a maintained school may require pupils in attendance at the school to attend at any place outside the school premises for the purposes of receiving any instruction or training included in the secular curriculum for the school.

4. In subsection (3) "maintained school" does not include a maintained nursery school.

5. The governing body and head teacher of—

a) a community or voluntary controlled school,

b) a community special school, or

c) a maintained nursery school,

d) shall comply with any direction given to them by the local education authority concerning the health and safety of persons on the school's premises or taking part in any school activities elsewhere.

Appendix C - The Remit of the Complaints Appeal Panel

The panel can:

- not uphold the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the College's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any Governor sitting on a complaints panel needs to remember:

a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and sensitive to the issues of race, gender and religious affiliation.

b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the College and the Complainant. However, it has to be recognised 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 which will satisfy the Complainant that his or her complaint has been taken seriously.

c. An effective panel will acknowledge that many Complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

d. Extra care needs to be taken when the Complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the Complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

e. The Governors sitting on the panel need to be aware of the Complaints Procedure.

Appendix D - Roles and Responsibilities

The Role of the Clerk

The Department for Education strongly recommends that any Panel or group of Governors considering complaints be clerked. The Clerk would be the contact point for the Complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated Governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the Clerk to arrange the panel.

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

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure; each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

APPENDIX E – The Model Procedure for the Conduct of a Stage Four Governors Panel Hearing

1. The Chair of the committee should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
2. The Chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the College and the Complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The Chair should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
    a) The Complainant describes their complaint and may call witnesses.
    b) The Headteacher may seek clarification from the Complainant and any witnesses.
    c) The Governors' Panel or its advisers may seek clarification from the Complainant and any witnesses.
    d) The Headteacher will respond to the complaint and may call witnesses.
    e) The Complainant may seek clarification from the Headteacher and any witnesses.
    f) The Governors' Panel (including any Advisers) may seek clarification from the Headteacher and any witnesses.
    g) The Headteacher will be given the opportunity to sum up.
    h) The Complainant will be given the opportunity to sum up.
    i) Both parties will leave the room to allow the panel to deliberate but any advisers may remain to offer technical and procedural advice.
4. The Panel will make a decision or judgement on: -
   the validity of the complaint; appropriate action to be taken by the College and/or parent; and where appropriate, recommendations on changes to the College's systems or procedures to ensure similar problems do not arise in the future.
5. The decision or judgement will be confirmed in writing within 5 (five) days.
   NB If there is more than one Complainant this procedure should be followed for each one in turn, unless the Complainants agree to the complaint being about racism.
6. The Chair of the Panel should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
7. The Chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the College and the Complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.

APPENDIX F - Checklist for a Panel Hearing

The Panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the Complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the Complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the College's actions and be followed by the College's witnesses.
- The Complainant may question both the Headteacher and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- The Complainant is then invited to sum up their complaint.

APPENDIX G - Dealing with Complaints about Racism in College

- Racist Behaviour to a Child or Student
    - The procedures to be followed are stipulated in the guidance on reporting bullying as identified by the nine characteristics of the Equality Act 2010.

- Racist Incident Alleged Against College Staff
    - The report/complaint should be made to the Headteacher, or if the Headteacher is the subject of the report/complaint, to the Chair of Governors.
    - As racism is a disciplinary offence, the normal disciplinary procedures are followed.

- Institutional Racism
    - Parents who perceive that racist practice or policies are operated by the College should pursue these through the General Complaints Procedure.

APPENDIX H - What to do if a Complaint is made on Social Networking by a Parent or Carer

