



Complaints Policy

Date of review: Autumn 2017

Date of next review: Autumn 2020

Introduction

At Furzeham we value our relationship with parents, carers and our local community. We are happy to receive suggestions and comments to help us to identify areas of success and where we can make improvements. We believe it is important that anyone who raises a concern is treated seriously and that their concerns and complaints are dealt with fairly.

Usually, concerns can be dealt with informally and can be resolved satisfactorily through discussion.

Occasionally, a concern cannot be resolved in this way and it may become a complaint.

When someone raises an issue with a member of staff, a governor, or the clerk to the governing body, it may be easily resolved by the person contacted.

Sometimes, this will not be possible and they will refer the matter to someone else. Before doing so, some details will be recorded about the concern and the person raising it (name, nature of the concern, date, contact address or phone

number). An idea will be given of when a response can be expected. The day to day running of the school is the Headteacher's responsibility, so all concerns about this will be referred to the Headteacher.

Every effort will be made to resolve the matter informally. However if this is not possible the person may wish to take the matter further. The person (from this point referred to as the complainant) should be given clear information about how to proceed and a copy of the school's complaints procedure.

WHO IS THE PROCEDURE FOR?

Every governing body is required by Section 39 Part II of the Schools Standards and Framework Act 1998 to set up a procedure for dealing with complaints. The school's complaints procedure is for **parents, carers** and **members of the public** to use to make complaints about the school and the Governing Body.

Complaints will ONLY be considered following the stated procedure and any complaint must start at Stage

1.

FOR THE PURPOSES OF THIS PROCEDURE, THE DEFINITION OF A COMPLAINT IS 'ANY EXPRESSION OF DISSATISFACTION THAT NEEDS A RESPONSE'.

GENERAL PRINCIPLES

The procedure for handling complaints is intended to

- be easily accessible and well publicised
- be simple for complainants to understand and use and to be used appropriately and confidently by staff and governors
- allow complaints to be dealt with speedily but in a way which is consistent with fairness to all concerned
- ensure a full and fair investigation, addressing the key issues raised, providing an effective response and appropriate action

If a complainant needs some kind of support in order to raise a concern or complaint, then every effort will be made to ensure this is available to enable them to fully participate in the process. This could include provision of help with

writing, provision with a translation of the procedure and any other paperwork in a language other than English, on a tape cassette, in Braille or large print. Provision of interpreters in various languages, including British Sign Language should also be considered.

This procedure provides a staged process to ensure that all complaints are dealt with fairly and effectively. It is clearly stated at each stage who is responsible for what and the timescale. It is important when

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dealing with a formal complaint that it is dealt with correctly. Depending on who is the subject of the complaint, the complaint will be dealt with by different individuals or a committee. This upholds the rights of both the complainant and the person or persons complained against.

The aim is to try and resolve matters fairly and promptly. The formal procedure must be followed, but common sense and interpersonal skills should be used to try and resolve the matter.

COMPLAINTS WHICH ARE NOT COVERED BY THIS PROCEDURE

Some concerns may be about a matter for which there is a separate procedure or arrangements and cannot be dealt with under the school complaints procedure. During the operation of the school complaints procedure, information may become available that indicates that the matter must be dealt with under a different procedure. If this happens, the complainant will be informed and given reasons for the change. They should also be kept up to date with any developments, although it may be inappropriate for details of the outcome of any investigation to be passed on.

The school complaints procedure does not cover complaints about the following:

	FOR MORE INFORMATION
Community Education	contact Community Education ☎01803 208278
The curriculum; collective worship or R.E.	follow separate procedure ☎01803 208224
Exclusion of pupils	follow separate school procedure
School admissions	contact Pupil Services ☎01803 208908
School transport	contact Pupil Services ☎01803 208908
Special Educational Needs (SEN); appeals to SEN tribunals	follow separate school procedure
Disapplication of the National Curriculum	can contact SEN section ☎01803 208274
Staff disciplinary and grievance matters	follow separate school procedure
Torbay Council	follow Council procedure: contact Connections (First Stop Shops) Brixham ☎01803 859782 Paignton ☎01803 665868 Torquay ☎01803 201201

In order to uphold correct procedures in cases where there could be child protection or staff discipline issues it is essential that whoever first receives any concern or complaint asks themselves the following questions before discussing the matter with anyone else.

<p>ARE THERE ANY ISSUES RELATING TO CHILD PROTECTION?</p>	<p>IF YES, the person receiving the complaint must not discuss the matter with anyone until advice has been sought from the LEA designated officer, currently Principal Education Welfare Officer ☎01803 208246</p>
<p>ARE THERE ISSUES DIRECTLY RELATING TO STAFF DISCIPLINE?</p>	<p>IF YES, the person receiving the complaint will have to follow the school's staff disciplinary procedure and inform the complainant that the issue is being dealt with but be unable to give any details. The person receiving the complaint should seek advice from the school's Human Resources Adviser.</p>

COMPLAINTS PROCEDURE

WHO IS THE COMPLAINT ABOUT?	A member of staff
WHO SHOULD THE COMPLAINT BE SENT TO?	The Headteacher
WHO WILL DEAL WITH THE COMPLAINT?	The Headteacher
WHAT WILL HAPPEN NEXT?	

<p>WHAT WILL HAPPEN NEXT?</p>	<p>Within 5 working days of receiving the complaint, the Headteacher will write to the complainant, including a copy of the school's complaints procedure. The letter will</p> <ul style="list-style-type: none"> confirm that the complaint is now at Stage 1 of the complaints procedure; indicate a target date for providing a response (normally within 10 working days but if not, an explanation for the delay and a revised date will be stated); invite the complainant to provide or discuss any supplementary information; s/he may be accompanied by someone – friend, relative, representative or advocate – who can speak on her/his behalf <p><i>(NOTE This is not an opportunity for the complainant to add to the existing complaint or for new complaints to be made).</i></p> <p>The Headteacher¹ will arrange for the complaint to be investigated. Records of all meetings and telephone conversations together with other relevant documentation must be kept securely.</p> <p>Within 10 working days the Headteacher¹ will decide whether or not to uphold the complaint. The decision will be given in a written response, which will include a full explanation of the decision; any action taken or proposed and any request made to the person complained against to take particular actions to resolve the complaint. Copies of this document will be sent to the complainant and the person complained against.</p>
<p>WHAT OUTCOMES ARE POSSIBLE?</p>	<p>The complaint will be resolved to the complainant's satisfaction.</p> <p>OR</p> <p>The complaint will not be resolved to the complainant's satisfaction. S/he should be informed how to pursue the complaint at Stage 2. If s/he wishes to do so, s/he must notify the relevant person within 10 working days of receiving the written response.</p>

WHO IS THE COMPLAINT ABOUT?

The Headteacher

WHO SHOULD THE COMPLAINT BE SENT TO?

The Chair of the Governing Body Complaints Committee via the Clerk to the Governing Body

WHO WILL DEAL WITH THE COMPLAINT?

The Governing Body Complaints Committee

In these circumstances it is strongly recommended that advice is sought from the Local Authority.

It is essential that any governor serving on the Complaints Committee has not been involved in the case in any way. To support a fair process, it is important at the outset for the clerk to check the memberships of the Complaints Committee and the Complaints Appeals Committee, which may be needed at a later stage.

STAGE 1

<p>WHAT WILL HAPPEN NEXT?</p>	<p>Within 5 working days of receiving the complaint, the Chair of the Governing Body Complaints Committee will write to the complainant, including a copy of the procedure for the meeting (see Annex 1). The letter will:</p> <ul style="list-style-type: none">• confirm that the complaint is now at Stage 1 of the complaints procedure;• invite the complainant to a meeting of the Governing Body Complaints Committee and inform the complainant that s/he may be accompanied by someone – friend, relative, representative or advocate – who can speak on her/his behalf. The date of the meeting should normally be within 20 working days of receiving the complaint, but if this is not possible, any reasonable requests made by the complainant of the Head teacher for an alternative date or time should result in an agreed alternative being set at the earliest possible time;• invite the complainant to provide or discuss any supplementary information and inform the complainant that s/he may be accompanied by someone who may speak on her/his behalf (NOTE This is <i>not</i> an opportunity for the complainant to add to the existing complaint or for new complaints to be made); <p>The Chair of the Governing Body Complaints Committee¹ will arrange for the complaint to be investigated. Records of all meetings and telephone conversations together with other relevant documentation must be kept securely.</p> <p>A meeting of the Governing Body Complaints Committee will be convened, to which the complainant, the person/persons who carried out the investigation into the complaint and the Headteacher will be invited. The Headteacher may bring a representative to the meeting.</p> <p>The meeting will follow the format given in Annex 1.</p> <p>Within 10 working days of its meeting, the Governing Body Complaints Committee will decide whether or not to uphold the complaint. The decision will be given in a written response from the Chair of the Committee which will include: a full explanation of the decision; any action taken or proposed and any request made to the person complained against to take particular actions to resolve the complaint.</p> <p>Copies of this document will be sent to the complainant and the Headteacher.</p>
<p>WHAT OUTCOMES ARE POSSIBLE?</p>	<p>The complaint will be resolved to the complainant's satisfaction.</p> <p>OR</p> <p>The complaint will not be resolved to the complainant's satisfaction. S/he should be informed how to pursue the complaint at Stage 2.</p> <p>If s/he wishes to do so, s/he must notify the relevant person within 10 working days of receiving the written response.</p>

¹If the chair of governors has already been involved or is too close to the situation, the vice chair will take on this responsibility.

WHO IS THE COMPLAINT ABOUT?	The Governing Body or The Governing Body and the Headteacher
WHO SHOULD THE COMPLAINT BE SENT TO?	Director of Children's Services
WHO WILL DEAL WITH THE COMPLAINT?	Torbay Council School Complaints Panel or an independent panel

In these circumstances it is strongly recommended that advice is sought from the Local Authority. It is likely that such a complaint will involve the whole governing body and so cannot be dealt with fairly and impartially within the governing body. In these circumstances, the complaint must be dealt with by an independent panel. This will usually be a panel of Torbay Council officers although a governing body may establish an alternative independent panel, for example members of another governing body. It is very likely that other individuals will be called on during the investigation.

STAGE 1

WHAT WILL HAPPEN NEXT?	<p>Within 10 working days of receiving the complaint, the Director of Children's Services (or his/her representative) will write to the complainant. The letter will</p> <ul style="list-style-type: none">• confirm that the complaint is now at Stage 1 of the complaints procedure;• invite the complainant to provide or discuss any supplementary• information and inform the complainant that s/he may be accompanied by someone – friend, relative, representative or advocate – who can speak on her/his behalf; (NOTE This is not an opportunity for the complainant to add to the existing complaint or for new complaints to be made);• invite the complainant and her/his representative to a meeting of the Torbay Council School Complaints Panel. The panel will be made up of three Torbay Council Officers. The date of the meeting should normally be within 20 working days of receiving the complaint, but if this is not possible, any reasonable requests made by the complainant or those complained against for an alternative date or time should result in an agreed alternative being set at the earliest possible time. <p>The Strategic Director of Education Services will arrange for the complaint to be investigated. Records of all meetings and telephone conversations together with other relevant documentation must be kept securely.</p> <p>A meeting of the Torbay Council School Complaints Panel will be convened. The complainant, the person/persons who carried out the investigation into the complaint, members of the governing body and (when the subject of a complaint), the Headteacher, will be invited to the meeting. Those complained against may bring a representative to the meeting.</p> <p>Within 10 working days of its meeting, the Torbay Council School Complaints Panel will decide whether or not to uphold the complaint. The decision will be given in a written response which will include: a full explanation of the decision, any action taken or proposed and any request made to the person/persons complained against to take particular actions to resolve the complaint. Copies of this document will be sent to the complainant and the person/persons complained against.</p>
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WHAT OUTCOMES ARE POSSIBLE?	The complaint will be resolved to the complainant's satisfaction. OR The complaint will not be resolved to the complainant's satisfaction. It must be made clear to the complainant that there is no further right of appeal to the LA (Torbay Council) but the complainant may appeal to the Secretary of State for Education and Skills.
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STAGE 2

This is the final stage of the Complaints Procedure and ONLY available for complaints against a member of staff or the Headteacher. It provides the opportunity for the complainant to appeal against a decision made at Stage 1.

This stage is not a re-hearing of the case.

Stage 2 provides an opportunity for the complainant to make representations to the Governing Body Complaints Appeals Committee. The role of the Committee is to satisfy itself that an adequate investigation took place at Stage 1, that the person complained against was given a chance to make representation and that their response was given fair consideration against the complaint being made.

WHO IS THE COMPLAINT ABOUT?

A member of staff

WHO SHOULD THE COMPLAINT BE SENT TO?

The Governing Body Complaints Appeals Committee via the Clerk to the Governing Body

WHO WILL DEAL WITH THE COMPLAINT?
Committee

The Governing Body Complaints Appeals

WHAT WILL HAPPEN NEXT?	<p>Within 10 working days of receiving notification that the complainant wishes to pursue the complaint, the Chair of the Governing Body Complaints Appeals Committee will write to the complainant, including a copy of the procedure for the meeting (see Annex 2). The letter will</p> <ul style="list-style-type: none"> confirm that the complaint is now at Stage 2 of the complaints procedure invite the complainant to a meeting of the Governing Body Complaints Appeals Committee and inform the complainant that s/he may be accompanied to the meeting by someone – friend, relative, representative or advocate – who can speak on her/his behalf. The date of the meeting should normally be within 10 working days of receiving the complaint, but if this is not possible, any reasonable requests made by the complainant or the member of staff for an alternative date or time should result in an agreed alternative being set at the earliest possible time. invite the complainant to provide or discuss any supplementary information. (NOTE This is not an opportunity for the complainant to add to the existing complaint or for new complaints to be made.) <p>A meeting of the Governing Body Complaints Appeals Committee will be convened and it will be conducted as given in Annex 2. The complainant (and her/his representative), the person complained against (and her/his representative) and the person who carried out the first investigation into the complaint (usually the Headteacher) will be invited to the meeting. The Chair of the Governing Body Complaints Appeals Committee will arrange for all documents relating to the complaint to be available at the meeting.</p> <p>Within 10 working days of the meeting, the Governing Body Complaints Appeals Committee will decide whether or not to uphold the complaint. The decision will be given in a written response, which will include: a full explanation of the decision; any action taken or proposed and any request made to the person complained against to take particular actions to resolve the complaint. Copies of this document will be sent to the person complained against.</p>
WHAT OUTCOMES ARE POSSIBLE?	<p>The complaint will be resolved to the complainant's satisfaction.</p> <p>OR</p> <p>The complaint will not be resolved to the complainant's satisfaction. It must be made clear to the complainant that there is no further right of appeal to the LEA (Torbay Council) but the complainant may appeal to the Secretary of State for Education and Skills.</p>

WHO IS THE COMPLAINT ABOUT? The Headteacher

WHO SHOULD THE COMPLAINT BE SENT TO? The Chair of the Governing Body Complaints Committee via the Clerk to the Governing Body

WHO WILL DEAL WITH THE COMPLAINT? The Governing Body Complaints Committee

WHAT WILL HAPPEN NEXT?	<p>Within 10 working days of receiving notification from the complainant that s/he wishes to pursue the complaint, the Chair of the Governing Body Complaints Appeals Committee will write to the complainant including a copy of the procedure for the meeting of the Complaints Appeals Committee (see Annex 2). The letter will</p> <ul style="list-style-type: none">• confirm that the complaint is now at Stage 2 of the complaints procedure;• invite the complainant to a meeting of the Governing Body Complaints Appeals Committee and inform that complainant that s/he may be accompanied to the meeting by someone – friend, relative, representative or advocate – who can speak on her/his behalf. The date of the meeting should normally be within 10 working days of receiving the complaint, but if this is not possible, any reasonable requests made by the complainant or the Headteacher for an alternative date or time should result in an agreed alternative being set at the earliest possible time.• invite the complainant to provide or discuss any supplementary information. (NOTE This is not an opportunity for the complainant to add to the existing complaint or for new complaints to be made.) <p>A meeting of the Governing Body Complaints Appeals Committee will be convened, to which the complainant, the person/persons who carried out the investigation into the complaint and the Headteacher will be invited.</p> <p>The Headteacher may bring a representative to the meeting. The meeting will follow the format given in Annex 2. The Chair of the Governing Body Complaints Appeals Committee will arrange for all documents relating to the complaint to be available at the meeting.</p> <p>Within 10 working days of its meeting, the Governing Body Complaints Appeals Committee will decide whether or not to uphold the complaint. The decision will be given in a written response to the complainant, to include: a full explanation of the decision; any action taken or proposed and any request made to the person complained against to take particular actions to resolve the complaint.</p> <p>Copies of this document will be sent to the complainant and the Headteacher.</p>
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WHAT OUTCOMES ARE POSSIBLE?	<p>The complaint will be resolved to the complainant's satisfaction.</p> <p>OR</p> <p>The complaint will not be resolved to the complainant's satisfaction. It must be made clear to the complainant that there is no further right of appeal to the LEA (Torbay Council) but the complainant may appeal to the Secretary of State for Education and Skills</p>
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STAGE 2

For complaints against the Governing Body or the Governing Body and Headteacher, there is no procedure at Stage 2 as the complaint will already have been dealt with by the Torbay Council Complaints Panel.

The only appeal could be to the Secretary of State for Education and Skills.

WHERE COMPLAINTS SHOULD BE SENT

Furzeham Primary School
Higher Furzeham Road
Brixham
TQ5 8BL

AT STAGE 1 ABOUT A MEMBER OF STAFF

- Send to the Headteacher at the school

AT STAGE 1 ABOUT THE HEADTEACHER

- Send to the Chair of the Governing Body Complaints Committee c/o the school

AT STAGE 2 ABOUT THE HEADTEACHER

OR

AT STAGE 2 ABOUT A MEMBER OF STAFF

- Send to the Chair of the Governing Body Complaints Appeals Committee c/o the School

AT STAGE 1 ABOUT THE GOVERNING BODY

OR

AT STAGE 1 ABOUT THE GOVERNING BODY AND THE HEADTEACHER

- Director of Children's Services
Town Hall, Torquay, TQ1 3DS
Telephone: 01803 208200

Complaints that are unresolved at the end of the procedure can be referred to the Secretary of State for Education

Department for Education, Sanctuary Buildings, Great Smith Street, Westminster, London SW1P 3BT

PROCEDURE FOR THE CONDUCT OF A GOVERNING BODY COMPLAINTS COMMITTEE MEETING

The role of the Committee is to make a decision about a Stage 1 complaint against the Headteacher. The Committee must consider the investigation into the complaint, ensure that the complainant is given an opportunity to describe the complaint; and that the Headteacher is given a chance to make representation about the complaint and that their response is given fair consideration against the complaint being made. The Governing Body should ensure that the meeting is clerked by someone appropriate, who is not a governor.

CONDUCT OF THE MEETING

1. The Chair of the committee will welcome and introduce all those present and explain the procedure for the meeting.
2. The complainant (who may be assisted by a friend, relative, representative or advocate who can speak on her/his behalf if appropriate) will describe the nature of the complaint to the committee.
3. The complainant may be asked questions by members of the committee on matters of fact.
4. The chair will invite the headteacher (and/or her/his representative) to explain the school's action. Any school witnesses will follow the headteacher.
5. A statement may be made by the person who has conducted the investigation into the complaint.
6. The person who has conducted the investigation may be asked questions by the complainant and members of the committee on matters of fact.
7. The chair will invite the complainant to sum up his/her complaint.
8. The chair will invite the headteacher to sum up her/his response to the complaint.

At the conclusion of this stage, everyone except members of the committee and the person clerking the meeting will withdraw.

9. In closed session the members of the committee will deliberate on their findings and conclusions and make a decision. The standard of proof, which should be applied, is the civil standard of "balance of probabilities" and not the criminal standard of "beyond reasonable doubt."

As this may take some time, it is suggested that the complainant and the headteacher leave the premises rather than waiting for the committee's decision.

10. The committee can:

- decide the complaint/appeal in whole or in part is valid
- decide the complaint/appeal in whole or in part is not valid
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

The clerk should record the committee's decision together with reasons

Sufficient time should be allowed for the committee to agree the wording of the statement of the decision. This will include:

- the committee's decision
- reasons for the committee's decision
- any future actions or changes that the committee proposes should be taken

11. The Clerk to the committee will, within 10 working days of the committee's meeting, write to the complainant confirming the committee's decision, the reasons for the decision and any action proposed. The letter will also include information about how the complainant may pursue their complaint further if s/he remains dissatisfied.

PROCEDURE FOR THE CONDUCT OF A GOVERNING BODY COMPLAINTS APPEALS COMMITTEE MEETING

The role of the Committee is to make a decision about a Stage 2 complaint against either a member of staff or the Headteacher. The role of the Committee is to satisfy itself that an adequate investigation took place at Stage 1, that the person complained against was given a chance to make representation and that their response was given fair consideration against the complaint being made. The Governing Body should ensure that the meeting is clerked by someone appropriate, who is not a governor. This stage is not a re-hearing of the case.

CONDUCT OF THE MEETING

1. The Chair of the committee will welcome and introduce all those present and explain the procedure for the meeting.
2. The complainant (who may be assisted by a friend, relative, representative or advocate who can speak on her/his behalf if appropriate) will describe to the committee the nature of their dissatisfaction about the resolution of the complaint at Stage 1.
3. The complainant may be asked questions by members of the committee on matters of fact.
4. A statement may be made by the person who conducted the investigation into the complaint.
5. The person who has conducted the investigation may be asked questions by the complainant and members of the committee on matters of fact.
6. The headteacher and/or the chair of the complaints committee (as relevant) will explain how the decision at Stage 1 was made.
7. The chair will invite the complainant to sum up the reasons why they were dissatisfied with the outcome at Stage 1.

At the conclusion of this stage, everyone except members of the committee and the person clerking the meeting will withdraw.

8. In closed session the members of the committee will deliberate on their findings and conclusions and make a decision. The standard of proof, which should be applied, is the civil standard of "balance of probabilities" and not the criminal standard of "beyond reasonable doubt."

As this may take some time, it is suggested that the complainant and the headteacher leave the premises rather than waiting for the committee's decision.

9. The committee can:
 - decide the complaint/appeal in whole or in part is valid
 - decide the complaint/appeal in whole or in part is not valid
 - decide on the appropriate action to be taken to resolve the complaint
 - recommend changes to the school's systems or procedures to ensure that
 - problems of a similar nature do not recur

The clerk should record the committee's decision together with reasons.

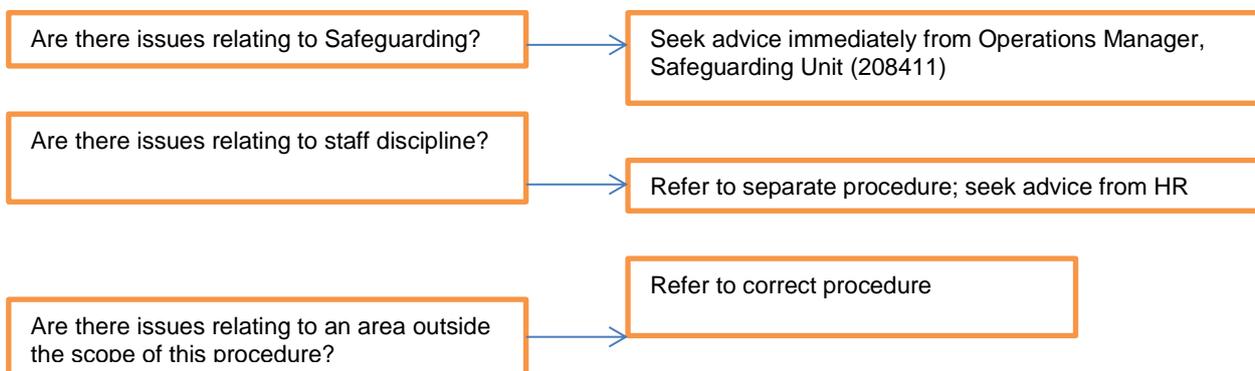
Sufficient time should be allowed for the committee to agree the wording of the statement of the decision. This will include:

- the committee's decision
- reasons for the committee's decision
- any future actions or changes that the committee proposes should be taken

10. The Clerk to the committee will, within 10 working days of the committee's meeting, write to the complainant confirming the committee's decision, the reasons for the decision and any action proposed. The letter will also include information about how the complainant may pursue their complaint further if s/he remains dissatisfied.

EXPRESSION OF CONCERN to a member of school staff, governor or clerk to the governing body

The person first receiving the concern must ask themselves all of the following:

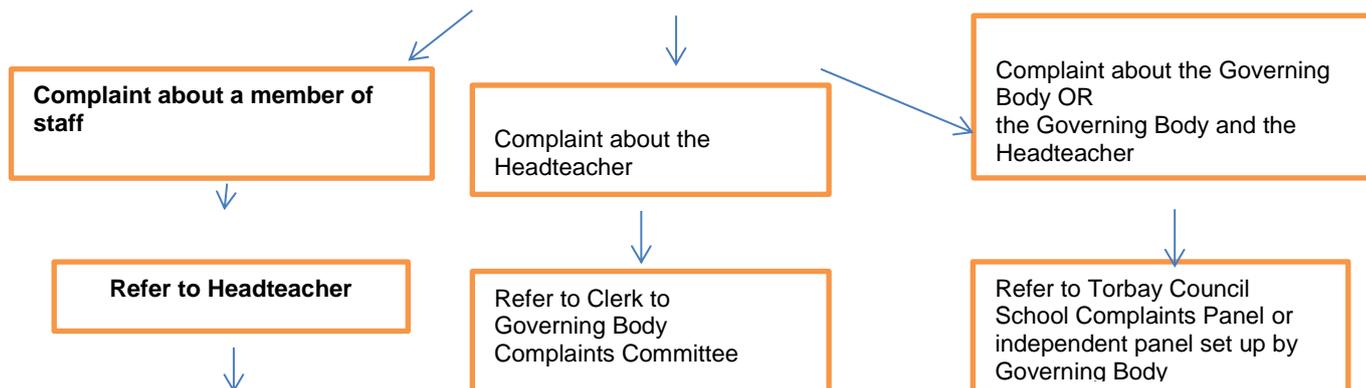


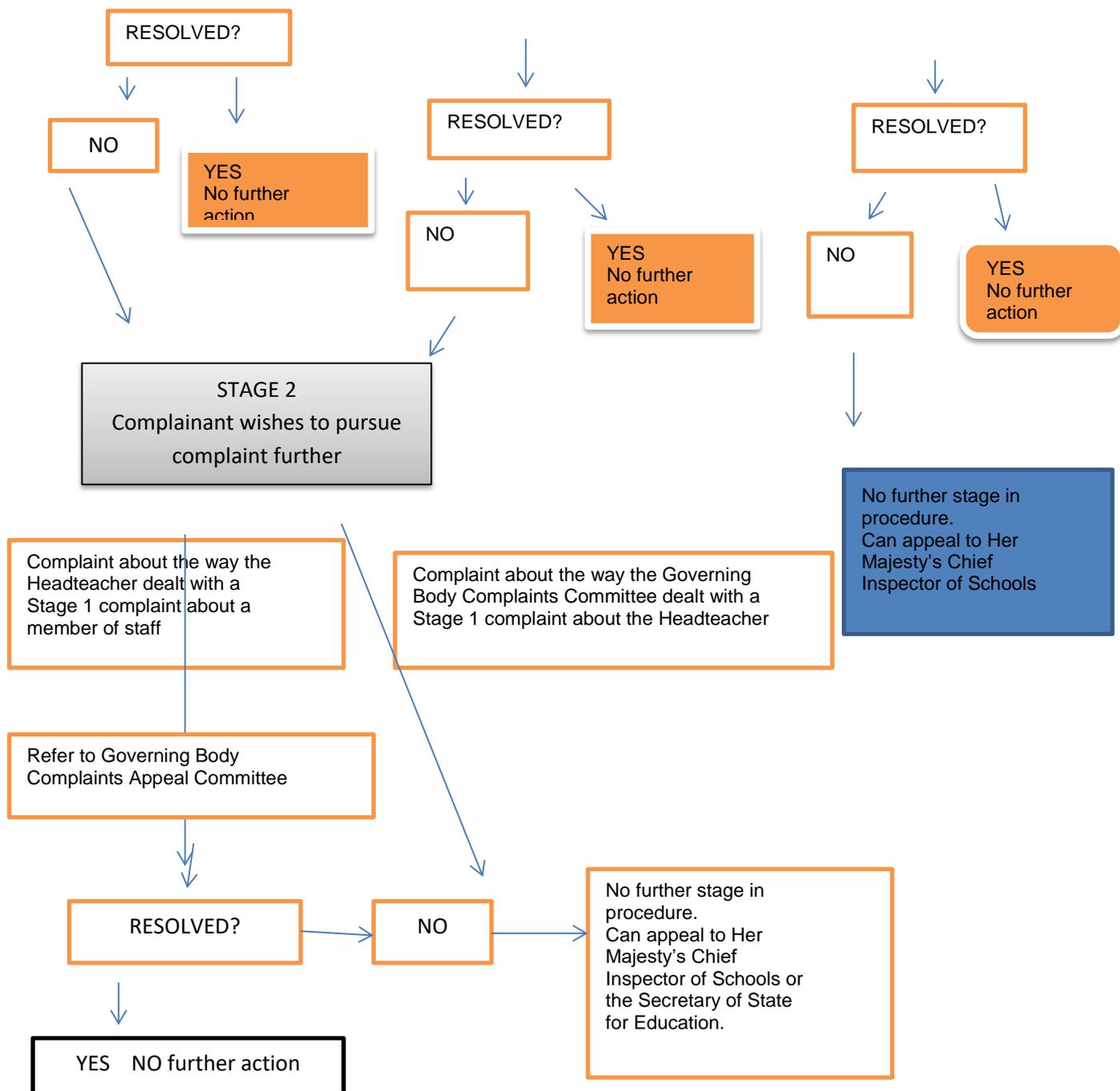
IF NO TO ALL

Concern is considered and dealt with (refer to procedure)



NO → **STAGE 1**
Complainant makes formal complaint





ANNEX 4

GOOD PRACTICE FOR INVESTIGATORS

This following guidance is based upon Annex 2 of “Getting the Best from Complaints” published by the DfE.

The person investigating the complaint should:

- 1 establish what has happened so far, and who has been involved
- 2 refer to any existing records or documents
- 3 clarify the nature of the complaint and what remains unresolved
- 4 meet with the complainant or contact them (if unsure or further information is necessary)
- 5 clarify what the complainant feels would put things right
- 6 interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- 7 conduct the interview with an open mind and be prepared to persist in the questioning;
- 8 keep notes of the interview

General Points

- 9 be aware of the timescale and the importance of providing a thorough investigation
- 10 keep the person who commissioned the investigation and the complainant informed of progress
- 11 maintain strict confidentiality
- 12 consider the environment the investigations are conducted in – some places may be intimidating or distressing for children and young people in particular
- 13 adhere to relevant conventions and legislation such as Data Protection Act, Health and Safety Act and the Human Rights Act
- 14 check if there have been any previous complaints made by, or on behalf of, the person making the complaint

Getting Started

- 15 contact the complainant, ideally by phone, to offer a meeting in person. This meeting should explain the investigation procedure and:
 - (a) allow the complainant to explain how s/he feels and express any strong emotions – s/he should feel as if his complaint has been accepted
 - (b) clarify the complaint and all its individual parts and produce a written record
 - (c) ask what the complainant wants in terms of solution or outcome
 - (d) check whether the complainant needs support of any kind, in order to understand the discussion properly
 - (e) determine whether the complainant needs support during the process e.g. an advocate
- 16 read background on the complaint and any relevant legal and administrative policies and procedures
- 17 consider whether the complaint could be resolved without further investigation

Planning the Investigation

- 18 obtain all documentation needed including original versions of documents such as files, log books and timesheets
- 19 produce a chronology of the sequence of events from the files and identify the names of the individuals most directly involved in the content of the complaint
- 20 analyse and categorise the complaint into its different elements
- 21 identify any gaps or discrepancies
- 22 identify a list of interviewees and give them as much notice as possible of the intention to interview them. Supply them with relevant information on the complaint in advance of the interview.
- 23 arrange the order of interviews in a logical sequence as relevant to the particular complaint
- 24 inform all those to be interviewed that they may be accompanied by a friend or trades union representative,

provided that this person is not within normal line management arrangements with the interviewee and that there are no issues of confidentiality.

25 consider whether a witness is needed for interviews which may be particularly difficult

26 prepare the line of questioning for each interviewee

Interviewing

27 explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it

28 conduct the interviews in a friendly, professional and relaxed a manner, while ensuring that due process is adhered to:

- a. use open not leading questions;
- b. do not express opinions in words or attitude
- c. ask single not multiple questions, i.e. one question at a time

29 try to separate hearsay evidence and opinion from fact by asking interviewees how they know a particular fact

30 persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.

31 deal with conflicting evidence by seeking corroborative evidence.

32 at the end of the interview summarise the main points and ask the interviewee if they have anything to add

33 make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if they have anything to add, and to sign the record as accurate.

34 keep the complainant informed of the progress of the investigation

The Investigation Report

35 the report should include:

- a. chronology
- b. list of interviewees
- c. the complaints set out in a numbered list
- d. your analysis and findings for each point of complaint
- e. a record of relevant policy, practice and legislation
- f. your recommendations and response to the complainant's desired outcomes
- g. any other relevant information
- h. a separate addendum for any other issues for the school/college

42 a copy of the draft report should be sent to the person who commissioned the investigation, who will advise as to how this will be released

Report Writing Guidance for Investigators Preparation

- Assemble all the notes taken during the investigating process.
- Consider the investigation brief carefully. The report should be written so that the elements of this brief follow sequentially.

Note: It is absolutely essential that reports are written clearly and accurately. Careful attention needs to be paid to the use of language – especially the use of jargon or phrases/initials which only a few people would understand.

Allow plenty of time for report writing.

Structure of the Report

All reports should include the following elements:

The complaint copy of the original complaint

The introduction	will describe the main features of the report and any relevant information with regard to the background of the investigation
The main body	will describe the main elements of the investigation sequentially. It will contain timescales of events with regard to the investigation being reported; list of interviewees; the complaints set out in a numbered list; factual evidence; references, quotations from key personnel; record of relevant policy, practice and legislation and any other relevant information.
The findings	your analysis and findings for each element of the complaint. They will be evidenced in the content of the main body of the report.
The recommendations	your recommendations and response to the complainants desired outcomes. Any other issues should be set out in a separate addendum
The acknowledgements	will be to demonstrate the contribution made by any other people in the compilation of the report.

All reports are to be marked 'personal and confidential'