


<b>MB logo</b> 	<b>Policy name:</b> Complaints procedure		<b>Date adopted:</b> Autumn 2017  <b>By whom:</b> Resources committee
<b>Date for review:</b> Autumn term 2018	<b>Applicable to:</b> Stakeholders for MBS	<b>Staff member responsible:</b> Jane Tailby	<b>Governor committee responsible:</b> Resources

# Complaints Procedure Policy for Middle Barton School

## Introduction

It is in everyone's interest that complaints about our school are resolved at the earliest possible stage. The experience of the first contact between the complainant and Middle Barton School can be crucial in determining whether the complaint will escalate. To that end, we as a school wish to be clear about the procedures we will apply when we receive a complaint.

This guidance, based on county policy, published in June 2010, aims to make the process clearer to our school, parents and others. Revised national guidance is expected at some stage in the future and further revision may be required at that stage but the principles are unlikely to change.

We as a school are clear 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.

The underlying principle is that concerns will be handled, if at all possible, without the need for formal procedures.

In most cases the class teacher will receive the first approach. It is helpful when staff are able to resolve issues on the spot. This may include offering a clear explanation; in some cases accepting that a situation could have been handled better; in other cases an apology may be appropriate.

This complaints procedure policy should also be used for any complaints from parents of children with SEND about the support provided by our school.

## The Responsibility of the School

1. From 1st September 2003 our Governing Body has been required to have in place a procedure to deal with complaints relating to our school and to any community facilities or services that we provide. The law also requires this procedure to be publicised.
2. Our governing body has overall responsibility for our school and for ensuring that all pupils receive an appropriate and high standard of education. Our Headteacher is responsible for making decisions on a daily

basis about the school's internal management and organisation. We wish to make it clear that parents and others should direct complaints to Middle Barton School in most circumstances.

3. Our procedure included as Appendix 1 is a good guide, which will apply to most general complaints received by our school. It is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal.

4. Concerns about allegations of child abuse and staff discipline must be dealt with through the separate agreed procedures that have been adopted for these purposes. (see Oxfordshire County Council's Safeguarding Pupils Policy and the Model Disciplinary Procedure, copies of which are on the County Council's Intranet).

5. Separate procedures also exist for appeals about:

☐ special needs assessments

(<http://www.sendist.gov.uk/Parents/index.htm>)

☐ school admissions

[http://portal.oxfordshire.gov.uk/content/publicnet/council\\_services/education\\_learning/schools/admissions/Admission\\_Appeals\\_Guide.pdf](http://portal.oxfordshire.gov.uk/content/publicnet/council_services/education_learning/schools/admissions/Admission_Appeals_Guide.pdf)

☐ exclusions

[http://www.oxfordshire.gov.uk/wps/portal/publicsite/councilservices?WCM\\_GLOBAL\\_CONTEXT=http://apps.oxfordshire.gov.uk/wps/wcm/connect/occ/Internet%2FCouncil+services%2FEducation+and+learning%2FSchools%2FParent+advice+and+support%2FExclusion%2FEL+-+SC+-+E+-+zAppeals](http://www.oxfordshire.gov.uk/wps/portal/publicsite/councilservices?WCM_GLOBAL_CONTEXT=http://apps.oxfordshire.gov.uk/wps/wcm/connect/occ/Internet%2FCouncil+services%2FEducation+and+learning%2FSchools%2FParent+advice+and+support%2FExclusion%2FEL+-+SC+-+E+-+zAppeals)

6. Guidance on dealing with complaints linked to racism is contained in Oxfordshire County Council's Guidance to Schools on Tackling Racial Harassment

[http://portal.oxfordshire.gov.uk/content/public/LandC/SandPM/Equalities/ra/life/harassment/Tackling\\_Racial\\_Harassment-GuidelinesforSchools\\_Version\\_2\\_2004.pdf](http://portal.oxfordshire.gov.uk/content/public/LandC/SandPM/Equalities/ra/life/harassment/Tackling_Racial_Harassment-GuidelinesforSchools_Version_2_2004.pdf)

7. It is a requirement for Middle Barton School to make all parents aware of the existence of our complaints procedure, as listed in Appendix 2.

### **Responsibility of other service providers**

With the growth of extended services in and around schools, and community use of school premises our school may not always be directly responsible for something that a parent or member of the public wishes to complain about.

Our governing body ensures that any third party providers offering community facilities or services through the school premises, or using school facilities have their own complaints procedure in place.

We expect other service providers to follow similar procedures to those outlined in this document. If a complaint about something for which our school is not responsible comes to our school, the complaint will be redirected and the complainant informed without delay.

### **Can parents take their complaint further?**

9. For most complaints, parents cannot take their appeal further than our governing body. The LA cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with a complaint. If a parent feels that our school has acted unreasonably or not followed the

correct procedures, they can write to the Secretary of State for Education and Skills, Department for Education and Skills, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

### **Using the Complaints Procedure**

10. The resolution of a complaint can be an opportunity for our school to improve its practice and develop further a strong partnership with parents.
11. Our complaints procedure is easily accessible and well publicised, so that parents know how to raise concerns.
12. It is desirable for any complaint to be addressed by a member of staff at a level closest to the cause of concern.
13. Procedures will be as speedy as possible and ensure fairness to all involved. Time-scales are provided in Appendix 1 flow chart.
14. It should be acknowledged that most complaints are 'genuinely felt' by the complainant.
15. Confidentiality is important in securing the confidence of all concerned. Conversations and correspondence will be treated with discretion. Parents need to feel confident that a complaint will not disadvantage their child. However, the parties to a complaint should realise that some information may have to be shared in order to carry out a thorough investigation.
16. If the investigation of a complaint shows that it is justified, then our School will consider how to make amends in an appropriate way.
17. All complaints will be recorded and monitored to identify issues and allow any lessons to be learned by our school.
18. Staff and governors in schools 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.

### **Dealing with Complaints – Formal Procedures**

19. The formal procedures will 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.
20. A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure will be treated fairly and have an opportunity to put their case. They will be offered support before responding to any investigation into a complaint.
21. If it becomes apparent that the complaint has the potential to be a disciplinary issue or if the complaint is against any member of staff, it is for the Headteacher or designated senior member of staff or, in the case of the Headteacher, the Chair of Governors or designated governor, to determine if it is a disciplinary or capability matter. If this is the case, the matter will be dealt with by following the appropriate (disciplinary or capability) procedure and the complainant will be notified that this is the outcome of their complaint, i.e. "The matter has been referred to the appropriate procedure".

### **Vexatious Complainants**

23. There may be occasions when, despite all stages of procedures having been followed, the complainant remains dissatisfied. If the complainant tries to re-open the same issue, the Chair of the GB is able to inform them

in writing that the procedure has been exhausted and that the matter is now closed. Governor Services will prepare separate guidance to ensure that the rights of complainants are protected, while ensuring that scarce resources are used fairly and effectively, and that governors and staff receive a reasonable degree of protection from the stress that can be caused by vexatious correspondence and complaints. Please contact Governor Services for further advice.

## **APPENDIX 1**

### **Middle Barton School's Complaints Procedure**

**Governors of Middle Barton School have adopted the following procedure to deal with formal complaints from members of the school community or general public.**

#### **Dealing with concerns at the earliest opportunity**

If parents, pupils or members of the public have concerns they should:

1. Discuss their concerns with the member of staff most directly involved *and, if not satisfied...*
2. Discuss their concerns with a member of the leadership team *and, if not satisfied*
3. Discuss their concerns with the Headteacher.

(DfE guidance draws a distinction between informal and formal stages. Points 1 and 2 are informal and Point 3 is the first formal stage).

It may be appropriate to offer one or more of the following:

- ☐ an apology;
- ☐ an explanation;
- ☐ an admission that the situation could have been handled differently or better;
- ☐ an assurance that the event complained of will not recur;
- ☐ an explanation of the steps that have been taken to ensure that it will not happen again;
- ☐ an undertaking to review our school policies in light of the complaint.

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that school could have handled the situation better is not the same as an admission of negligence. Equally, an effective procedure will identify areas of agreement between the parties. It is also of importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

**Only where all these avenues have been tried and found unsatisfactory should the complainant take a complaint to the Chair of Governors or Clerk to the Governing Body.**

If the Headteacher considers s/he can do no more to resolve the complaint it will be stated explicitly that the complainant can write to the Chair of Governors if not satisfied. Complainants should be encouraged to take this step because an unresolved complaint can become a festering sore.

## **Principles informing our complaints procedure**

This procedure is designed to:

- ☐ be well publicised and easily accessible
- ☐ be simple to understand and use
- ☐ be impartial
- ☐ be non-adversarial
- ☐ allow swift handling with established time limits for action and keeping people informed of the progress
- ☐ allow a mediation process if agreed by the complainant
- ☐ allow for a hearing of a panel of Governors, where appropriate
- ☐ respect people's desire for confidentiality, wherever possible
- ☐ address all points of issue, provide an effective response and appropriate redress where necessary
- ☐ provide information to the school's leadership team so that services can be improved.

## **Making a Complaint to the Governing Body**

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should write to the Chair of Governors or Clerk to the Governing Body at the school address. The envelope should be marked 'FOR IMMEDIATE ACTION' and staff in the school office must ensure that the letter is forwarded without delay.

The complainant will be asked to complete a complaint form (Annex 1) if they have not already done so. The Chair of Governors or Clerk will offer to help an individual to complete the form if appropriate

On receipt of the complaint form the Chair of Governors (or other governor) will:

- ☐ clarify the nature of the 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 put things right.

At this point the chair of governors will decide whether the complaint should go straight to the governors' complaints panel or whether a mediation stage should be offered. Mediation can only proceed if the complainant and the Headteacher are willing for it to be tried. If mediation is not successful, the complaint will be considered by the governors' complaints panel.

## **Mediation**

Mediation can be a good way to resolve a complaint because:

- ☐ It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- ☐ It gives the third party an opportunity to help Headteacher and complainant identify and build on areas of agreement
- ☐ It gives the Headteacher and complainant a structure within which they can resolve remaining differences.

(This is the second formal stage in the DfE model)

- ☐ If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.

☐ Even if the complaint continues to a governors' panel, the issues to be considered are likely to be much clearer following the mediation. Mediation may elicit one or more of the responses listed below from either party:

- ☐ an acknowledgment that the complaint is valid in whole or in part.
  - ☐ an apology;
  - ☐ an explanation;
  - ☐ an admission that the situation could have been handled differently or better;
  - ☐ an assurance that the event complained of will not recur;
  - ☐ an explanation of the steps that have been taken to ensure that it will not happen again;
  - ☐ an undertaking to review school policies in light of the complaint.
- (See Appendix 3 for Mediation facilitator options)

## **Governors' Complaints Panel**

Where the complainant is still not satisfied that their complaint has been dealt with fully and properly, they may choose to take it to a panel of Governors.

### **Establishing a complaints panel.**

- The governing body will agree the composition of the complaints appeals panel at the first meeting of the governing body each year.
- As governors may not be available at all times governing bodies will agree the names of 4 or 5 possible governors from whom a panel of three may be drawn. The decision about the membership of a particular panel will depend on factors such as availability, whether any governors have prior knowledge etc. and the decision will be made by the chair of governors.
- When the clerk of governors receives a copy of the complaint form he/she will inform the governing body that a complaint has been received and that it has been passed to the panel to deal with. **No further information about the complaint will be shared with other governors.**

### **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.
- b) 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
- c) 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 not intimidating and not adversarial.  
(This is the third formal stage in the DfE model).
- d) Governors sitting on the panel will be aware of the complaints procedure and any other procedures relating to the complaint, e.g. antibullying policy..

The Chair of the Panel will be nominated by the Chair of Governors and is responsible for ensuring that both complainant and Headteacher are given a fair hearing and that the panel arrives at its judgement without fear or favour.

### **Remit of the panel: the complaints panel can:**

- ☐ dismiss 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 school's systems or procedures to ensure problems of a similar nature do not recur.

### **It may:**

- ☐ Consider and, if appropriate, criticise the way in which an operational decision was communicated – **but cannot overturn the decision itself.**
- ☐ Consider the thoroughness with which the Headteacher investigated a complaint about a member of staff – **but cannot expect the Headteacher to provide details about confidential discussions with that staff member.**
- ☐ Consider the manner in which a complaint about any decision was addressed – **but cannot expect the Headteacher to have changed the decision.**
- ☐ Consider and, if appropriate, identify limitations in a policy or procedures – **but cannot make or improve policy.** (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy).
- ☐ Consider whether it should recommend that the governing body offer appropriate redress.

### **Format of a Panel Hearing**

1. Complainant and Headteacher will enter the room where the hearing is taking place together.
2. The chair will introduce the panel members and the clerk and outline the process.
3. The complainant is invited to explain the complaint,
4. The Headteacher may question the complainant
5. The panel will question the complainant
6. The Headteacher is then invited to explain the school's actions
7. The complainant may question the Headteacher
8. The panel will question the Headteacher
9. The complainant is then invited to sum up their complaint.
10. The Headteacher is then invited to sum up the school's actions and response to the complaint.
11. The chair explains that both parties will hear from the panel within five working days.
12. Both parties leave together while the panel decides on the issues.
13. The clerk will remain with the panel to clarify

### **Notes**

The hearing will be made as unthreatening as possible to all parties.

The panel may ask questions at any point. Panel members will find ways to ask probing questions while maintaining an air of impartiality.

The Headteacher will have no contact with members of the governors' complaints panel except when the complainant is present to preserve the principle of neutrality. This means that Headteacher and complainant enter and leave the room where the hearing is held together.

The chair of the panel will discourage the introduction of fresh documentary evidence at the hearing – there should be every encouragement to produce the evidence in advance so that both sides have time to study it. However, if new and relevant evidence is accepted by the chair, the chair will adjourn the hearing for a few minutes to allow everyone to read the document. Both parties will leave the hearing room during the adjournment.

### **Some notes on exceptional circumstances**

For the sake of clarity, the description above does not cover exceptional circumstances which might include:

#### **1. The chair of governors may not be able to find three governors who have no prior knowledge of the case**

If a case has become a major talking point around the community, the chair can nominate three governors with minimal prior knowledge

If there are still insufficient governors able to sit on a panel, the governing body in consultation with the Local Authority or Diocese will put in place an alternative fair process.

Governor Services (01865 797477) will be contacted in the first instance.

#### **2. The complaint may not be against the Headteacher**

A complaint to the governors' complaints panel will never be against a junior member of staff (it may be against the way the Headteacher handled a complaint against a junior member of staff) but it is conceivable that a senior leader will appropriately stand in for the Headteacher. That will need to be considered very carefully but if agreed the senior manager would be 'the Headteacher' for the purpose of the panel.

There may be exceptional circumstances in which the complaint is against the chair of governors – e.g. for wilfully refusing to deal with a complaint. In those circumstances the procedure above would be adapted and every reference to 'Headteacher' would be read as 'chair of governors'.

#### **3. The complainant and/or the Headteacher may wish to call witnesses**

The use of witnesses is discouraged. In nearly every case, a complaints panel will want to work with **written** witness statements if appropriate, but there may be particular circumstances where the presence of witnesses is necessary to establish key facts. In those cases, witnesses must be agreed in advance. They will remain outside the hearing room until called in to give their evidence. They can be questioned by the panel members and the other party. They will leave the room when their evidence is completed.

#### **4. The complainant may be a pupil at the school**

Good schools encourage pupils to raise concerns and would expect to

resolve them before it becomes a formal complaint to the governing body. If it is not resolved it would be very unusual if parents have not picked it up and made it a parental complaint. However, if a pupil is the complainant, panel members will wish to ensure that the same process is followed but special consideration is given to ensuring that the child is supported and does not feel intimidated. The panel will give the views of the child equal consideration to those of adults.

### **Writing the decision letter**

The clerk will ensure that s/he has clear wording stating the panel decision about each of the issues that the panel considered before the panel finishes. The clerk will use that wording to draft the decision letter. This will be sent to all members of the panel for checking. Once approved by all three panel members, it will be sent to the complainant with a copy to the Headteacher.

The letter will clearly express how seriously the panel considered the complaint.

The clerk will be careful that the letter sticks to the facts and gives no hint of partiality.

The clerk will ensure that the letter reaches the complainant and the Headteacher by the deadline stated in our policy and/or in a statement by the chair at the end of the hearing (usually five working days).

### **Monitoring Complaints**

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to school improvements. When individual complaints are heard, we will identify issues that need to be addressed. The monitoring and review of complaints by the school and Governing Body may be useful to evaluating the school's performance. Any discussion of complaints by the Governing Body or others in the school community will not name or be able to identify individuals.

### **Complaints process from start to finish**

Complaint is made to member of staff

Is complainant satisfied with the informal resolution?

If not...

Complaint is made to Headteacher

☐ Acknowledge complaint received

☐ Inform complainant of outcome

Is complainant satisfied with the resolution?

If not...

Complainant writes to Chair of Governors (or clerk)

Chair of governors clarifies nature of complaint through complaint form completed by complainant – with help if appropriate - **within 5 working days**.

Complaint form passed to Clerk to Governors **within 5 working days** of complainant expressing wish to go to governors' complaints panel.

Panel meets within **15 working days** of Clerk receiving form and makes decision communicated to all parties **within 5 working days**.

Clerk sets up panel of Governors and contacts complainant with details

of hearing and request for any further information. Mediation will then be provided **within 10 working days.**

Is complainant satisfied with mediation resolution?

If not...

Parents cannot take the complaint to the LA but can write to the Secretary of State.

Is complainant satisfied with panel's decision?

If not...

Informal stage in DfE Guidance

First formal stage in DfE Guidance

Second formal stage in DfE Guidance

Third formal stage in DfE Guidance

## Annex 1 Complaint Form

## Notes

The following form can be used by any person making a complaint about the operation of our school which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils/students or members of the public, e.g. school neighbours. Anyone receiving this form will be advised verbally that help in completing it is available from the school. A member of school staff who is familiar with the process will be nominated to give help.

If it is appropriate for a member of staff to look into this complaint, it will be returned to the Headteacher.

If it is appropriate that it should be dealt with by the governing body, it will be returned to the Clerk to the Governors at the school.

# Middle Barton School Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name: .....

Address: .....

Postcode: .....

Daytime telephone number: .....

Evening telephone number: .....

If applicable, name of child(ren) at school:

Your relationship to the school, e.g. parent, carer, neighbour, member of public:

**Please give details of your complaint, detailing what action, if any, have you already taken to try and resolve your complaint? Who did you speak to and what was the response? Please include your relationship to the school, e.g. parent, carer, neighbour, member of public:**

[illegible]

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

Complainant Signature: .....

Date: .....

-----

**For Official School Use Only:**

Date of acknowledgement sent: .....

By Whom: .....

Complaint referred to: .....

Date: .....

## **Appendix 2**

### **Sharing your concerns about your child's education**

#### **A Parents' Guide**

Middle Barton School recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education, you should contact Jane Tailby, the Headteacher, at the school.

The school's governing body has overall responsibility for the school and for ensuring the well-being of pupils and that all pupils receive an appropriate and high standard of education.

The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. So you should contact the school if you are concerned about an issue such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- bullying
- something that has happened in school;

#### **How do I complain to the school?**

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will be the class teacher.

This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak to or write to the Headteacher who will look into your concern.

If you are unhappy with the Headteacher's response you should write with your complaint to the Chair of Governors/Clerk to the Governing Body at the school address. Mark your envelope 'FOR IMMEDIATE ATTENTION'.

#### **This is how your complaint will be handled**

**Within 5 working days** the chair of governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate.

**Within 5 working days of receiving the form** the Chair will decide whether mediation should be offered to help you and the Headteacher explore possible resolution.

If mediation is agreed, the chair of governors will endeavour to set up the Meeting **within 10 working days**. If that timescale is not possible you will be told the reason.

If mediation is not deemed appropriate or if it is not successful, the Chair of Governors or Clerk will set up a panel of governors to meet **within 15**

**working days** to consider your complaint. The clerk will provide details of the hearing and will request any further information you may wish to provide. The complaints panel will consist of three governors who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a clerk who will take notes during the hearing and will stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision without fear or favour.

**Five working days** before the hearing the clerk will send to you, the complainant, the Headteacher and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing.

**At the hearing,**

1. You and the Headteacher will be invited into the room where the panel is being held at the same time.
2. After introductions, you, the complainant will be invited to explain your complaint,
3. The Headteacher may question you.
4. The panel will question you.
5. The Headteacher will be invited to explain the school's actions
6. You, the complainant may question the Headteacher
7. The panel will question the Headteacher
8. The panel may ask questions at any point.
9. You, the complainant will then be invited to sum up your complaint.
10. The Headteacher will then be invited to sum up the school's actions and respond to the complaint.
11. The chair will explain that you and the Headteacher will hear from the Panel **within five working days**.
12. Both you and the Headteacher will leave together while the panel decides on the issues.
13. The clerk will remain with the panel.

**Can I take my complaint further?**

For most complaints, you **cannot** take your complaint to the local authority. The local authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint.

However, if you feel that the school has acted unreasonably or not followed the correct procedures, you can write to the Secretary of State for Education <http://www.education.gov.uk/help/contactus/dfe>

## **Appendix 3 Mediation**

### **The benefits of mediation**

Mediation can be a good way to resolve a complaint because:

- ☐ It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating).
- ☐ It gives the third party an opportunity to help Headteacher and complainant explore and build on areas of agreement.
- ☐ It gives Headteacher and complainant a structure within which they can resolve remaining differences.
- ☐ If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- ☐ Even if the complaint continues to a governors' panel, the issues to be considered should be much clearer.

Mediation may elicit one or more of the responses listed below from either party:

- ☐ an acknowledgment that the complaint is valid in whole or in part.
- ☐ an apology;
- ☐ an explanation;
- ☐ an admission that the situation could have been handled differently or better;
- ☐ an assurance that the event complained of will not recur;
- ☐ an explanation of the steps that have been taken to ensure that it will not happen again;
- ☐ an undertaking to review school policies in light of the complaint.

Recourse to mediation must be with the agreement of both parties and is intended to help arrive at a mutually agreeable solution – it is not possible to impose this on either party. Nor does it prevent a complainant having recourse to formal appeals procedures as detailed in paragraphs 5 and 6.

### **In-house mediation**

Many chairs of governors and other governors already have the skills – or can acquire the skills – to conduct a mediation process between their Headteacher and a complainant. The skills and attributes include:

- ☐ ability to listen impartially to both sides
- ☐ ability to control a dialogue so that both sides listen to each other
- ☐ ability to summarise the arguments and focus the dialogue
- ☐ ability to identify areas of agreement that might form a basis for resolving one or more of the issues relating to the complaint
- ☐ understanding that solutions cannot be imposed and that both parties need to be satisfied with whatever is resolved.
- ☐ understanding that mediation does not always work and there is a further step available to complainants.

Governor Services will offer training in mediation skills to give governors confidence that they can conduct a mediation process.

### **If the governing body requires outside help**

Governor Services offers a mediation service where a trained clerk, governor or adviser acts as mediator.

The mediation 'package' consists of the following elements:

- familiarisation with the background and nature of the complaint (including the reading of supporting documentation and interviews with the complainant, staff and governors as appropriate. These may be 'face to face' or by telephone);
- a mediation meeting between the complainant and a representative of the school;
- a written summary of the mediation meeting including, where appropriate, recommendations in relation to school policies, procedures and actions.

Mediation will be undertaken by a trained clerk, governor or adviser not directly linked to the school in order to ensure complete impartiality.

This service can be accessed on a consultancy basis. The standard cost of the above package is a half day unit. The cost to schools which subscribe to Governor Services will be discounted by 10%. Where the process of familiarisation with the background to the complaint indicates that a half day of consultancy is likely to be inadequate, the school will be advised of this fact before proceeding further.

**To access the mediation service contact Governor Services on 01865 797320**