



St Mary's C E Primary School



St Mary's C E Complaints Policy

"Live, Love and Learn Together in the Light of the Life of Christ"
Rooted in Ephesians 5:8–11, 13–14

Introduction

St Mary's C E Primary School is committed to providing the best possible education and experience for every child and to working positively and respectfully with parents, carers and the wider school community.

We value open communication and encourage concerns to be raised at the earliest opportunity. Wherever possible, concerns should initially be discussed with the member of staff most directly involved, as many issues can be resolved quickly and informally through constructive dialogue.

Where a concern cannot be resolved informally, or where the nature of the concern makes informal resolution inappropriate, this policy provides a clear and fair procedure for making and considering a formal complaint.

The school will consider complaints fairly, impartially and without prejudice, in accordance with relevant legislation and Department for Education guidance. In doing so, we will seek to resolve concerns appropriately while safeguarding the interests and wellbeing of pupils, staff and the wider school community.

Where a complaint raises matters that may need to be considered under another school procedure, such as the staff disciplinary procedure or safeguarding procedures, the school will determine the appropriate process to follow. Employment and disciplinary matters are confidential, and while a complainant may be informed that appropriate action has been taken, the school will not disclose confidential information relating to individual members of staff.

Aims and objectives

St Mary's aims to deal with concerns and complaints fairly, openly, respectfully and as promptly as possible. We recognise that concerns can arise even where strong relationships exist between school and families, and we want members of our school community to feel able to raise concerns without fear of disadvantage.

Wherever possible, we will seek to resolve concerns through constructive dialogue and mutual understanding. Where a formal complaint is made, it will be considered objectively and impartially, with appropriate regard for the wellbeing and interests of pupils, staff and others involved.

This policy aims to:

provide a clear, accessible and fair process for raising and resolving concerns and complaints;

encourage concerns to be addressed at the earliest appropriate stage;

ensure that complaints are considered carefully, objectively and without prejudice;

provide appropriate opportunities for complainants to explain their concerns and for the school to respond;

set out clear roles, responsibilities and timescales for each stage of the complaints process;

respect confidentiality and handle information appropriately;

make reasonable adjustments where necessary to ensure that the complaints process is accessible;

and enable the school to learn from complaints and use feedback, where appropriate, to improve its practice.

Complaints Not Covered by This Procedure

This complaints procedure covers complaints about the school and the facilities or services it provides, except where a separate statutory or other formal procedure applies.

Where a complaint falls outside this procedure, the school will explain this to the complainant and, where possible, provide information about the appropriate route for raising the matter.

Matter	Appropriate route
School admissions	Complaints and appeals relating to admissions will be dealt with through the relevant statutory admissions and appeals procedures.
Suspensions and permanent exclusions	Challenges to a decision to suspend or permanently exclude a pupil will be dealt with through the statutory procedures that apply. Complaints about the school's application of its Behaviour Policy may be considered under this complaints procedure.
Statutory assessment of SEND and Education, Health and Care Plans	Concerns about statutory EHC needs assessments and decisions relating to EHC Plans should be raised with the relevant local authority and, where applicable, through the statutory appeal arrangements. Complaints about the school's own SEND provision or practice may be considered under this complaints procedure where another statutory procedure does not apply
Matters likely to require a child protection investigation	These will be dealt with under the school's Safeguarding and Child Protection Policy and in accordance with statutory safeguarding procedures.
Staff grievances, capability and disciplinary matters	These are dealt with under the school's relevant internal employment procedures. A complaint about the conduct of a member of staff may nevertheless be raised through this complaints procedure; any subsequent employment or disciplinary action will remain confidential.
Whistleblowing	Concerns raised by employees, temporary staff or contractors under whistleblowing arrangements will be dealt with under the school's Whistleblowing Policy.

National Curriculum content	Complaints about the content of the National Curriculum should be directed to the Department for Education. Complaints about the school's delivery of the curriculum may be considered under this complaints procedure.
Collective worship	Complaints specifically about the content of collective worship will be dealt with or referred through the appropriate statutory arrangements. Complaints about the school's handling of a request to withdraw a pupil from religious education or collective worship may be considered under this complaints procedure
Data protection and Freedom of Information	Requests and complaints falling within data protection or Freedom of Information legislation will be handled under the relevant statutory procedures and school policies
Services provided by third parties	Complaints about services provided by an external organisation using the school premises or facilities should normally be made directly to that provider under its own complaints procedure.
Where a complaint contains several different issues, some of which fall within this procedure and some of which are subject to another process, the school will determine the appropriate procedure for each aspect and explain this to the complainant.	

Anonymous complaints

The school will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, as appropriate, will determine whether an anonymous complaint warrants investigation, taking account of the nature and seriousness of the concerns raised and any safeguarding or other statutory responsibilities.

The complaints process

Complaints should normally be raised within three months of the incident or event giving rise to the complaint. Where a series of related incidents has occurred, the complaint should normally be raised within three months of the most recent incident.

The school will consider complaints made outside this timeframe where there are exceptional circumstances. In deciding whether to accept a late complaint, the school will take account of the circumstances of the individual case and whether it remains reasonably practicable to investigate the matter fairly.

Informal Stage

St Mary's encourages concerns to be raised at the earliest opportunity so that, wherever possible, they can be resolved quickly and informally through open and constructive discussion.

In most cases, a concern about a pupil's education or day-to-day experience at school should initially be raised with the class teacher or other member of staff most directly involved.

Concerns relating to an extracurricular activity or club should normally be raised with the member of staff or provider responsible for the activity. Concerns relating to school meals or administrative matters should normally be raised with the School Office in the first instance.

Where the concern is about the member of staff who would ordinarily be approached, or where there is another reasonable reason why the complainant does not feel able to raise the matter with that person, the concern may be raised with an appropriate senior member of staff or the Headteacher.

The school will seek to understand the concern, clarify what outcome the person raising it is seeking and, where possible, resolve the matter informally.

Informal resolution will not be appropriate in every circumstance. A complainant will not be prevented from making a formal complaint where the nature or seriousness of the concern makes informal resolution inappropriate, or where reasonable attempts at informal resolution have not resolved the matter.

Stage 1 – Formal Complaint

Where a concern has not been resolved informally, or where the nature or seriousness of the concern makes informal resolution inappropriate, a formal complaint may be made.

Formal complaints should normally be made to the Headteacher. Complaints may be made in writing, by email, by telephone or in person. The school encourages complainants to use the Stage 1 Formal Complaint Form provided with this policy where possible, but use of the form is not a requirement.

Where a complainant requires assistance in making a complaint, the school will provide reasonable support and make reasonable adjustments where necessary. This may include assistance with recording the complaint in writing, interpretation or translation support, or agreeing an alternative method of communication.

The school will acknowledge receipt of the formal complaint within **3 school days**.

The Headteacher will investigate the complaint fairly and impartially. Depending on the nature of the complaint, the investigation may include meeting or speaking with the complainant, speaking with relevant members of staff or other individuals, and considering relevant records, correspondence and other evidence.

The Headteacher will seek to establish the facts of the complaint, consider the points raised and, where appropriate, clarify what outcome the complainant is seeking.

The Headteacher will provide the complainant with a written response normally within **15 school days** of receiving the formal complaint. The response will explain the conclusions reached and the reasons for them and, where appropriate, any action the school proposes to take.

Where it is not possible to complete the investigation within this timescale, the school will inform the complainant of the reason for the delay and provide a revised date by which the response will be issued.

The Stage 1 response will also explain how the complainant may escalate the complaint to the next stage of the school's complaints procedure if they remain dissatisfied.

Complaints about the Headteacher

Where the complaint concerns the Headteacher, the complaint should be submitted to the Chair of Governors via the Clerk to the Governing Board. The complaint will be investigated at Stage 1 by the Chair of Governors or another suitably skilled and impartial governor who has had no prior involvement in the matter. The same principles and timescales for acknowledgement, investigation and response will apply.

Stage 2 – Governing Body Complaints Panel

If the complainant remains dissatisfied with the outcome at Stage 1, they may request that the complaint is considered at Stage 2 by a complaints panel.

A request to escalate a complaint should normally be made in writing to the Clerk to the Governing Board within **10 school days** of receiving the Stage 1 response. The complainant should explain why they remain dissatisfied and what outcome they are seeking.

Requests received outside this timescale will be considered where there are exceptional circumstances. The school will not operate a blanket policy of refusing to consider complaints solely because the published timescale has not been met.

The Clerk will acknowledge receipt of the Stage 2 request within **3 school days** and will arrange for a complaints panel to consider the complaint.

The panel will consist of at least **three suitably skilled and impartial governors** who have had no prior involvement in the complaint. Where appropriate, an independent governor or other suitably skilled individual from another school may be asked to serve on the panel.

The panel will consider the complaint **afresh**, taking account of the original complaint, the Stage 1 investigation and response, the reasons given by the complainant for remaining dissatisfied and any other relevant evidence. Its role is not limited to reviewing whether Stage 1 was conducted correctly.

The complainant will be given a fair opportunity to explain their complaint and may do so in person or in writing. Where a meeting is held, the complainant may be accompanied by a friend, relative, representative or interpreter.

The school will make reasonable adjustments where necessary to enable the complainant to participate fully in the process.

The Clerk will provide the complainant with reasonable notice of the panel meeting and will circulate relevant papers to the parties and panel members in advance.

The panel may:

- uphold the complaint in whole or in part;
- reject the complaint in whole or in part;
- recommend appropriate action to resolve the complaint;
- recommend changes to school systems, policies or procedures where this may help to prevent similar concerns arising in future.

The panel will provide its conclusions and the reasons for its decisions in writing. The written outcome will also set out any recommendations arising from the panel's consideration of the complaint.

The written outcome will normally be issued to the complainant and the school within **5 school days** of the panel meeting. Where this is not possible, the complainant will be informed of the reason for the delay and given a revised date.

The Stage 2 decision represents the completion of the school's complaints procedure. The outcome letter will explain how the complainant may refer the matter to the Department for Education if they believe that the school has acted unlawfully or unreasonably in exercising its education functions or has failed to follow its published complaints procedure.

Complaints about Governors and the Governing Body

Where a complaint concerns an individual governor, it should be submitted in writing to the Clerk to the Governing Board. The Clerk will arrange for the complaint to be considered at Stage 1 by the Chair of Governors or another suitably skilled and impartial governor who has had no prior involvement in the matter.

Where a complaint concerns the Chair of Governors, it should be submitted in writing to the Clerk to the Governing Board. The complaint will be considered at Stage 1 by the Vice-Chair of Governors or another suitably skilled and impartial governor who has had no prior involvement in the matter.

Where a complaint concerns both the Chair and Vice-Chair of Governors, a majority of the Governing Body, or the Governing Body as a whole, it should be submitted to the Clerk to the Governing Board. The Clerk will arrange for the complaint to be considered by suitably skilled and impartial individuals who have had no prior involvement in the matter. This may include governors from another school or, where appropriate, an independent investigator.

The principles and timescales set out for Stage 1 of this complaints procedure will apply, as far as reasonably practicable, to complaints concerning governors.

If the complainant remains dissatisfied following the Stage 1 response, they may request consideration at Stage 2. The Clerk will arrange for the complaint to be considered by a panel of at least three suitably skilled and impartial individuals who have had no prior involvement in the complaint. Where necessary to ensure impartiality, the panel may include governors from another school.

No governor who is the subject of a complaint, or who has had prior involvement in the circumstances giving rise to it or its consideration, will take part in investigating, determining or reviewing that complaint.

The Stage 2 panel's decision will represent the completion of the school's complaints procedure.

After the School's Complaints Procedure

The Stage 2 panel represents the final stage of St Mary's complaints procedure.

If the complainant remains dissatisfied after completing the school's complaints procedure, they may refer their complaint to the Department for Education.

The Department for Education will not normally reinvestigate the substance of a complaint or overturn the school's decision simply because the complainant disagrees with it. It may consider whether the school has acted unlawfully or unreasonably in the exercise of its education functions or has failed to follow its published complaints procedure.

Information about how to refer a complaint to the Department for Education will be provided with the Stage 2 outcome and is available through GOV.UK.

Records of Complaints

The school will maintain an appropriate written record of formal complaints and their outcomes, including whether complaints were resolved following the formal procedure or proceeded to a Stage 2 panel.

Following a Stage 2 panel, a written record of the panel's findings, conclusions and any recommendations will be produced. The outcome will be provided to the complainant and

relevant school representatives and will be reported to the Governing Body where appropriate, having regard to confidentiality and data protection requirements.

Complaint records will be stored securely and retained in accordance with the school's Records Management and Retention arrangements and applicable data protection legislation.

Records relating to individual complaints will be treated confidentially and shared only with those who have a legitimate reason to access them, except where disclosure is required or permitted by law.

Records of complaints will be made available to the Secretary of State or Ofsted where required.

Accessibility and Equality

St Mary's is committed to ensuring that its complaints procedure is fair, accessible and inclusive.

The school will make reasonable adjustments where required to enable people to access and participate fully in the complaints process, in accordance with the Equality Act 2010.

Depending on individual circumstances, support may include assistance in putting a complaint in writing, providing information in an accessible format, arranging interpretation or translation support, adapting communication methods or making reasonable adjustments to meetings or other aspects of the complaints process.

Where a complainant has difficulty making a complaint in writing, the school will provide appropriate assistance to ensure that this does not prevent them from raising their concerns.

Complaints will be considered fairly and without unlawful discrimination. No complainant or pupil will be treated less favourably because a concern or complaint has been raised in good faith.

Withdrawal of a Complaint

A complainant may withdraw their complaint at any stage of the process. Where possible, the school will ask for the withdrawal to be confirmed in writing.

The school may nevertheless need to consider or take further action in relation to matters raised in a withdrawn complaint where it has a safeguarding, legal, regulatory or other duty to do so.

Confidentiality and Data Protection

Complaints will be handled sensitively and with appropriate confidentiality. Information relating to a complaint will only be shared with those who need it in order to investigate, consider or respond to the complaint, or where disclosure is otherwise required or permitted by law.

Personal information relating to complaints will be processed in accordance with applicable data protection legislation and the school's Data Protection Policy.

Information arising from a complaint will not be disclosed more widely than necessary. However, the school cannot guarantee absolute confidentiality where information must be shared in order to investigate a complaint fairly, fulfil a safeguarding or legal obligation, or protect the rights of others.

Records of complaints will be managed in accordance with the **Records of Complaints** section of this policy and the school's records retention arrangements.

Serial, Persistent and Unreasonable Complaints

St Mary's is committed to considering concerns and complaints fairly, thoroughly and in accordance with this procedure. The school recognises that complainants may feel strongly about the matters they raise and that persistence, disagreement with the school or the raising of complex concerns does not, in itself, constitute unreasonable behaviour.

Complainants will normally be given the opportunity to complete the school's complaints procedure in full. A complaint will not be treated as serial or persistent simply because the complainant remains dissatisfied with the outcome or exercises their right to refer the matter to the Department for Education, Ofsted, their Member of Parliament or another appropriate body.

Once the school's complaints procedure has been completed, the school is not required to reconsider substantially the same complaint repeatedly. Where a complainant seeks to reopen a matter that has already completed the complaints procedure and raises no materially new issues or evidence, the school may confirm that the matter is closed and refer the complainant to the previous final response.

In a small number of cases, the frequency, nature or manner of a complainant's contact may become unreasonable and significantly interfere with the school's ability to consider the complaint, carry out its normal duties or support pupils and staff.

Examples of unreasonable behaviour may include:

- repeatedly raising substantially the same points after they have been fully considered and the complaints procedure has been completed;
- refusing to identify clearly the issues being complained about despite reasonable attempts by the school to clarify them;
- making excessive demands for contact, meetings or responses that place an unreasonable burden on staff;
- repeatedly changing the substance or basis of a complaint as it progresses without reasonable justification;
- insisting on outcomes that are not within the school's power to provide;
- submitting large volumes of repetitive or irrelevant correspondence that significantly hinder the school's consideration of the complaint;
- using abusive, threatening, discriminatory, intimidating or seriously offensive language or behaviour; or
- contacting numerous members of staff or governors about substantially the same matter in a way that causes significant and unnecessary disruption.

The school will not restrict communication simply because a complainant is persistent, difficult to deal with, asks complex questions or disagrees with the school's response.

Where behaviour or contact is considered unreasonable, the Headteacher or, where appropriate, the Chair of Governors may introduce proportionate arrangements for managing future communication. Depending on the circumstances, these may include:

- identifying a single point of contact;
- requiring communication to be made through a specified method, such as email;
- agreeing reasonable limits on the frequency of contact;
- arranging for communication to take place at specified times;
- declining to respond further to matters that have already completed the complaints procedure and where no materially new information has been provided; or
- in exceptional circumstances, requiring contact to be made through a nominated representative.

Any decision to introduce restrictions will be made carefully and proportionately. The complainant will normally be informed in writing of the reasons for the decision, the arrangements that will apply and, where appropriate, how long they will remain in place. Restrictions will be reviewed periodically and will be lifted or amended where they are no longer necessary or proportionate.

Nothing in this section prevents the school from responding appropriately to new and materially different concerns, safeguarding matters or other issues which the school has a legal or statutory duty to consider.

Where correspondence or behaviour involves threats, harassment, abuse or other conduct that may constitute a criminal offence or present a risk to the safety of pupils, staff or others, the school may take appropriate action, including seeking advice from or reporting the matter to relevant authorities.

Complaint Campaigns

Where the school receives a large volume of complaints about substantially the same issue, particularly where complaints arise as part of an organised campaign, the school may adopt a proportionate approach to responding.

This may include providing a standard response to complainants or publishing a response on the school's website where appropriate. The school will ensure that any individual complaint raising materially different issues, safeguarding concerns or matters requiring separate consideration is dealt with appropriately.

Monitoring and Review

The Headteacher will ensure that appropriate records of formal complaints received by the school are maintained in accordance with this policy.

The Governing Body will maintain strategic oversight of the effectiveness of the school's complaints arrangements. It may receive anonymised information about complaints, including the number and general nature of complaints received, the stages at which they were resolved, recurring themes and any learning or improvements arising from them.

Information provided for monitoring purposes will not normally identify individual complainants, pupils or members of staff. Details of individual complaints will not be shared with the whole Governing Body while a complaint is being considered where doing so could prejudice the impartiality of governors who may subsequently be required to consider the complaint at Stage 2.

Where appropriate, learning arising from complaints will be used to inform improvements to school practice, policies, procedures or communication.

The school will ensure that staff are aware of the complaints procedure and understand their responsibilities within it. The current Complaints Policy will be published on the school website and made accessible to parents, carers and other members of the school community.

This policy will be reviewed annually by the Governing Body and sooner where required following changes to legislation or Department for Education guidance, or where experience of operating the procedure indicates that amendments are necessary.

Approved by: Governing Body

Date approved:

Review cycle: Annual, or sooner if required

Next review due:

APPENDIX A – Stage 1 Formal Complaint Form

You may use this form to make a formal complaint under Stage 1 of St Mary's C E Primary School's Complaints Policy. Use of this form is not compulsory. If you require help to make your complaint or need information in another format, please contact the School Office.

Your details

Name: _____

Address: _____

Telephone number: _____

Email address: _____

If your complaint relates to a pupil, please provide the following details:

Pupil's name: _____

Class: _____

Your relationship to the pupil: _____

Your complaint

Please describe your complaint as clearly as possible. Please include relevant dates, people involved and what happened.

Have you already raised this concern informally with the school?

☐ Yes ☐ No

If yes, please tell us who you spoke to and what happened as a result.

What outcome are you seeking?

Please explain what you would like the school to consider doing to resolve your complaint.

Supporting information

Please list or attach any documents or other information that you would like the school to consider.

Accessibility or communication support

Please tell us if you require any reasonable adjustments, interpretation, translation or other support to participate in the complaints process.

Signature: _____

Date: _____

Please return this form to the Headteacher at St Mary's C E Primary School.

If the complaint concerns the Headteacher, it should instead be submitted to the **Chair of Governors via the Clerk to the Governing Board**.

If the complaint concerns a governor or the Governing Body, please follow the arrangements set out in the **Complaints about Governors and the Governing Body** section of the Complaints Policy.

For school use only

Date received: _____

Received by: _____

Date acknowledgement sent: _____

Person responsible for Stage 1 investigation: _____

Stage 1 response due by: _____

Date Stage 1 response issued: _____

APPENDIX B – Request for Stage 2 Review

This form may be used if you have received a Stage 1 response to your formal complaint and remain dissatisfied with the outcome.

A request for Stage 2 should normally be made within **10 school days of receiving the Stage 1 response**, in accordance with St Mary's C E Primary School's Complaints Policy.

Use of this form is not compulsory. If you require help to make your request or need information in another format, please contact the School Office.

Your details

Name: _____

Address: _____

Telephone number: _____

Email address: _____

If the complaint relates to a pupil:

Pupil's name: _____

Class: _____

Your relationship to the pupil: _____

Stage 1 complaint

Date you submitted your Stage 1 complaint: _____

Date of the Stage 1 response: _____

Who provided the Stage 1 response? _____

Why are you requesting a Stage 2 review?

Please explain why you remain dissatisfied following the Stage 1 response. You do not need to repeat your original complaint in full.

Please identify the aspects of the complaint or Stage 1 response that you would like the panel to consider.

Is there any new or additional information you would like the panel to consider?

☐ Yes ☐ No

If yes, please explain what the information is and, where relevant, why it was not available during Stage 1.

What outcome are you seeking?

Please explain what you would like the Stage 2 panel to consider doing to resolve your complaint.

Supporting information

Please list any documents or other evidence you are providing with your Stage 2 request.

Attending the Stage 2 panel meeting

I would prefer to:

- ☐ Attend the panel meeting in person
- ☐ Have the complaint considered on the written information provided

If attending, I intend to be accompanied by:

Name: _____

Relationship/role: _____

Accessibility or communication support

Please tell us about any reasonable adjustments, interpretation, translation or other support you require to participate fully in the Stage 2 process.

Signature: _____

Date: _____

Please return your Stage 2 request to the Clerk to the Governing Board.

For school use only

Date Stage 2 request received: _____

Date acknowledgement sent: _____

Date request referred to Clerk: _____

Panel members: _____

Date of panel meeting: _____

Date papers circulated: _____

Date written outcome due: _____

Date written outcome issued: _____

APPENDIX C – Stage 2 Complaints Panel Procedure

Purpose of the panel

The purpose of the Stage 2 Complaints Panel is to consider the complaint fairly, impartially and afresh, taking account of the original complaint, the Stage 1 investigation and response, the reasons why the complainant remains dissatisfied and any other relevant evidence.

The panel meeting is not a disciplinary hearing or a court proceeding. It should be conducted in a respectful, non-adversarial manner, with the aim of establishing the relevant facts and reaching a fair and reasoned decision.

Before the panel meeting

The Clerk to the Governing Board will:

- arrange a suitable date and time for the panel meeting and give the complainant reasonable notice;
- appoint a panel of at least three suitably skilled and impartial governors or other appropriate individuals who have had no prior involvement in the complaint;
- ensure that no panel member has a conflict of interest or prior knowledge that could compromise their impartiality;
- invite the complainant and the school to provide any relevant written information by a reasonable deadline;
- circulate relevant papers to the complainant, the school and panel members sufficiently in advance of the meeting;
- make arrangements for any reasonable adjustments, interpretation or other support that has been agreed; and
- ensure that all parties understand the arrangements for the meeting.

The complainant may attend the meeting and may be accompanied by a friend, relative, representative or interpreter. Alternatively, the complainant may ask for the complaint to be considered on the basis of the written information provided.

At the panel meeting

The Chair of the Panel will:

- welcome those present and introduce the panel members and Clerk;
- explain the purpose of the meeting, the procedure that will be followed and the possible outcomes;
- confirm that everyone has received the relevant papers and understands the process;
- remind those present of the need for respectful conduct and appropriate confidentiality; and
- ensure that both the complainant and the school have a fair opportunity to present their views and respond to relevant matters.

The complainant will normally be invited to explain why they remain dissatisfied with the Stage 1 response and to highlight the matters they wish the panel to consider.

The school representative will then be invited to explain the school's position, including the Stage 1 investigation, conclusions and response.

The panel may ask questions of either party at any appropriate point in order to clarify the issues and establish the relevant facts.

Where witnesses have been invited, they will normally attend only for the part of the meeting in which they are required to provide information. The panel may ask questions of witnesses as necessary.

The Chair may allow either party to suggest questions or matters that they would like clarified. Questions will normally be directed through the Chair, who will determine how they should be put in order to maintain a fair, respectful and non-adversarial process.

Before the meeting concludes, both the complainant and the school representative will be given an opportunity to summarise their position.

The Chair will explain what will happen next and remind those present of the timescale for receiving the panel's written decision.

Panel deliberations and decision

After the complainant and school representatives have left, the panel will consider the complaint in private. The Clerk may remain to advise the panel on procedure and to record its decision but will not take part in deciding the outcome.

The panel will consider the complaint on the information and evidence available to it and may:

- uphold the complaint in whole or in part;
- reject the complaint in whole or in part;
- recommend appropriate action to resolve the complaint; and/or
- recommend changes to school systems, policies or procedures where this may help to prevent similar concerns arising in future.

The panel's decision will be based on the **balance of probabilities**.

The panel will record its conclusions, the reasons for its decision and any recommendations arising from its consideration of the complaint.

After the panel meeting

A written record of the panel meeting will be maintained. A copy of the minutes will be provided to the complainant, subject to any necessary redactions in accordance with data protection legislation and the rights of others.

The written outcome will normally be issued within **5 school days** of the panel meeting, in accordance with the school's Complaints Policy.

The outcome will explain:

- the panel's decision and the reasons for it;
- whether the complaint has been upheld, upheld in part or rejected;
- any recommendations or actions arising from the panel's consideration; and
- that the Stage 2 decision completes the school's complaints procedure and how the complainant may refer the matter to the Department for Education if they believe that the school has acted unlawfully or unreasonably in exercising its education functions or has failed to follow its published complaints procedure.