



Complaints Committee – Terms of Reference

The Governing Board must act as a corporate Board. They must act with integrity, objectivity and honesty and in the best interests of the school. They must be open about, and be prepared to explain, their decisions and actions.

The Governing Board shall act as “critical friend” to the Executive Headteacher/Headteacher, that is to say, they shall support them in the performance of their functions and give constructive criticism.

Membership

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To consist of at least 5 (named) Governors (the Governing Board should appoint more to the committee to allow for illness/unavailability/declaration of interests etc. when a panel hearing is required), one of whom will act as chair. The chair or any governor with previous knowledge of the case, or who knows the complainant well, may not sit as a member of the panel for the case in question. In this case any other Governors can be included on the panel with the exception of the Chair of Governors, Executive Headteacher /Headteacher or staff governor. (At any panel hearing it is recommended that either 3 or 5 members sit, to allow majority decisions to be possible).

Chair

Either appointed by the Governing Board or elected by the committee (to be determined by the Full Governing Board). The Governing Board can remove the chair at any time.

Clerk to the Committee:

To be elected by the Committee (to be determined by the Full Governing Board). The Governing Board can remove the Clerk at any time.

Quorum

To consist of 3 members or more.

Meetings

As required and within statutory timescales.

Agenda

The clerk to the committee should be notified upon written receipt of the complaint, when at the formal hearing stage of the complaint, agendas to be circulated (together with any accompanying papers), only to the committee members attending the hearing, at least 5 working days before the meeting (less by mutual agreement of all parties), to take place on a date as arranged by the appointed clerk, and within any timescales as per the complaints policy adopted by the Governing Board.

(The complainant and the person presenting the case for the school – usually the Headteacher – also receives a full set of papers from both

parties)

Confidential minutes

To be circulated to those in attendance at the panel hearing, as soon as possible after the date of the meeting, and in appropriate accordance with the adopted complaints procedures. Minutes to include a brief summary of items discussed, and a record of any proposals/recommendations for the Governing Board to consider. Only the general issues and recommendations should be reported to the Governing Board from a hearing, and this should be done at the earliest opportunity. All efforts should be made to keep the names of the parties involved confidential. Only the clerk will keep a set of minutes from a hearing.

Advice on Procedures

The Strategic Director for Children's Services, or his/her appointed Customer First Officer, or Governor Services Officer, will be consulted for advice as appropriate.

The Complaints Committee is responsible for hearing and resolving (where possible) complaints at a formal stage, which have not been dealt with to the satisfaction of the complainant at the earlier, and informal, stages of the adopted complaints procedure. It will only be able to hear complaints that are within the remit of the Governing Board.

Specifically, the terms of reference of the Complaints Committee are:

- To arrange for a hearing to take place at the earliest opportunity, or as otherwise specified in the procedures adopted by the Governing Board, following the receipt, in writing, of the details of the complaint, and the reasons why the complainant was dissatisfied with previous responses to their complaint.
- To ensure that any hearings are administered justly, without prejudice, and in accordance with the principles of natural justice.
- To formally hear the case for the complaint against the school, and the case, in response, that is put forward by the school, in accordance with the formally adopted Complaints Policy.
- To decide whether to uphold, or dismiss, the complaint.
- To instruct, or to make the appropriate recommendations, if any, to the Headteacher and Governing Board, at the earliest opportunity following the hearing.
- To convey the decision to all parties concerned in the timescales noted and agreed at the hearing and/or as laid down in the complaints procedures adopted by the Governing Board.
- To contribute to the school improvement plan where appropriate

Associated Documents:

The school's Complaints Policy

Any/all school policies deemed relevant to the issue (the list is not exhaustive)

Committee Members:

The Chair of Governors, Executive Headteacher/Headteacher or staff governor **should not** be a member of this committee

