

## Complaints Committee – Terms of Reference 2024 - 2025

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

**Membership** Three members of the Governing Board with the exception of the Headteacher. If a governor has a connection with the complainant or knowledge of the complaint that could affect his or her ability to act impartially, he or she should step down. When necessary, the governing board will source governors on an ad hoc basis from Governor Services to sit on complaints panels. Such governors will have the appropriate skills, experience and training to perform this duty. The Governing Board agree to abide by all decisions made by the panel.

**Chair** Either appointed by the Governing Board or elected at each Committee. The Governing Board can remove the Chair at any time.

**Quorum** To consist of a minimum of 3 members

**Clerk to the Committee** To be determined by the Full Governing Board. The Governing Board can remove the clerk at any time.

**Meetings** As required

**Voting rights** Associate governors do have voting rights at this committee.

**Agendas / Papers** The clerk to the committee should be notified upon written receipt of the appeal, when at the formal hearing stage. Agenda to be circulated (together with the accompanying papers), only to the committee members attending the hearing at least 5 working days before the meeting (or less, by mutual agreement of all parties), to take place on a date as arranged by the appointed clerk, and within any statutory timescales and as per relevant policies adopted by the Full 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** The minutes will be approved by the Committee Chair. Only the Clerk to the Committee will keep a set of minutes from a hearing. Minutes are not circulated following the meeting unless a special request by the parents is made.

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 the 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.

Deal with complaints about the school, with the exception of:

- Admissions to schools
- Statutory assessments of Special Educational Needs and Disability (SEND)
- School re-organisation proposals
- Safeguarding
- Allegations of professional abuse
- Staff grievances and disciplinary procedures
- Exclusion of children from school
- Whistleblowing
- Complaints about services provided by other providers who may use school premises or facilities.

To consider and make a decision about any complaint that has not been resolved by stages 1, 2 and 3 of the general school complaints procedure.

The panel has the power to make decisions on behalf of the Governing Board and may:

- 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 if the complaint is upheld

Where appropriate recommend, to the next meeting of the full Governing Board, changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the committee may identify underlying issues that need to be addressed. The committee should make recommendations to the Governing Board for the purpose of school improvement.

#### **Associated Documents:**

The School's Complaints Policy

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

Board meeting.

#### **Committee members**

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

FGB Meeting 10.11.2021: The updated Terms of Reference were agreed by Governors. It was agreed to remove governor names off individual ToRs and keep a live membership list for review as necessary.

Proposed Mrs J Brooks

Seconded Mr D Grounds

Reviewed Autumn 2024 – 2025

Signed – Chair of Governors: