Summary of Governor Training – Managing Complaints

This governor's training session focused on the governance role in managing school complaints, ensuring compliance with statutory requirements, maintaining fairness, and operating an effective complaints procedure.

Main Themes

1. Schools must have a clear complaints policy

Governors are responsible for ensuring the school has a written complaints policy that:

- Complies with legal requirements.
- Is publicly available and accessible to parents and the wider community.
- Clearly explains what can and cannot be dealt with through the complaints process.
- Sets out all stages and timescales.

2. Standard complaints process

The training outlined a typical three-stage process:

1. Informal resolution.
2. Formal investigation by the HT (or by CoG when complaint is about the HT)
3. Review by a governor panel

Complaints should follow the published procedure, and complainants should not bypass stages. Schools should require complainants to engage with earlier stages before escalating.

3. Maintaining impartiality

Governors involved in complaint investigations or appeals must:

- Be unbiased.
- Have no prior involvement.
- Have no conflicts of interest.
- Possess appropriate skills and experience.

Where independence cannot be achieved internally, schools may use governors from other schools, trust boards, or independent investigators.

4. Complaints that sit outside the complaints policy

Some matters are dealt with under separate procedures, including:

- Staff grievances.
- Whistleblowing concerns.
- Suspensions and exclusions.
- Staff conduct matters.
- Certain faith school curriculum and collective worship matters.

5. Importance of evidence and record keeping

Strong emphasis was placed on:

- Accurate records.
- Evidence-based decision making.
- Thorough investigation notes.
- Retention and confidentiality of records.
- Compliance with data protection requirements.

6. Timescales matter

Schools should:

- Acknowledge formal complaints promptly.
- Follow published timescales.
- Communicate delays with reasons.
- Keep complainants informed throughout the process.

7. Managing vexatious or malicious complaints

Schools should have:

- A separate vexatious complaints policy or section within the complaints policy.
- Clear communication protocols.
- A mechanism for addressing repeated complaints that have already been investigated and resolved.

8. Governance principles

Governors should act in accordance with:

- The Nolan Principles of Public Life.
- Natural justice principles, including fairness, impartiality, transparency, and confidentiality.

9. Parent governor conflicts of interest

The session discussed challenges where parent governors:

- Become directly involved in complaints.
- Have personal interests in issues under investigation.
- It may sometimes not be appropriate for a parent governor to be on a panel as prior knowledge or impartiality cannot be guaranteed.

10. Safeguarding takes precedence

Safeguarding concerns always take priority over complaints procedures and must be addressed through safeguarding processes first.

Key Actions for Governors and Clerks

✅ Ensure the school's complaints policy is:

- Up to date.
- Publicly available on the website.
- Fit for purpose – Clear and easy to understand with explicit time frames.
- Includes escalation routes beyond the school.

✅ Review whether there is:

- A vexatious/unreasonable complaints policy.
- A section within the complaints policy covering this area.

Governance actions

✅ Identify governors on the board who have suitable skills/experience for complaints panels.

✅ Ensure complaints panel members:

- Have received training.
- Are independent of the complaint.
- Have no conflicts of interest

✅ Consider using external governors where independence may be difficult. Governor Services are available to support in finding additional governors.

Overview of School Complaints

✅ Ask for complaints data in the Headteacher's report, including:

- Number of complaints.
- Themes and trends.
- Informal concerns raised.
- Actions taken to address recurring issues.
- Monitor complaints to identify patterns that may indicate weaknesses in school systems or processes.

Clerk actions

✅ Ensure complaint records are:

- Accurate.
- Complete.
- Securely retained.
- Compliant with GDPR and retention policies.
- Ensure published timescales are monitored and adhered to.
- Annual review actions

✅ Review complaints policies annually. ✅ Update policies for legislative changes.

✅ Ensure governors receive refresher training on complaints handling.

Key Takeaway

The strongest message from the training was that governors should ensure complaints are handled **fairly, transparently, impartially, within published timescales, and supported by thorough evidence and record-keeping**, while always keeping **the best interests of children and safeguarding** at the centre of decision-making.