

Addendum: Complaints Policy and Procedure – COVID-19

January 2020

During any period in which coronavirus restrictions are in place alternative arrangements may be required to enable the school to consider a complaint under the Complaints Policy and Procedure. This addendum sets out the key changes and should be read alongside the Complaints Policy and Procedure.

Formal Stage 2

If the Headteacher wishes to seek clarification of the complaint from the complainant this may be held as a “virtual” meeting or a telephone call.

Formal Stage 3

If the Chair of the Advisory Board wishes to seek clarification of the complaint from the complainant, this may be held as a “virtual” meeting or by telephone.

Formal Stage 4

During any period in which coronavirus restrictions are in place, the panel may choose to convene the hearing by remote access.

When deciding to hold a hearing “remotely” the panel must ensure that:

- all the participants agree to the use of remote access
- all the participants have access to the technology which will allow them to hear and speak throughout the meeting, and to see and be seen,
- all the participants will be able to put across their point of view or fulfil their function
- the meeting can be held fairly and transparently via remote access

Where there are concerns about any of these points, the hearing will be delayed until such time as a face to face meeting can take place. The complainant will be notified about the outcome of the decision on the format of the hearing.

The panel, must comply with relevant equalities legislation and recognise that some participants may find it difficult to participate in a remote access meeting (for example, if someone has a disability or if English is not their first language).

Arranging a remote access meeting

To help meetings run smoothly and ensure they are accessible for all parties the Clerk should:

- provide clear instructions to parties about how to join the meeting virtually, and distribute the relevant papers in a timely manner ahead of the meeting
- ensure the chair is prepared to explain the agenda at the start of the meeting, and to provide clear guidance on how the meeting will be run, for example:
 - how participants should indicate they wish to speak
 - how any ‘chat’ functions should be used or whether there will be any breaks in proceedings
- consider holding a pre-meeting with attendees to check that the available technology is suitable, and all participants understand how to access the meeting

Running the meeting

At the start of the meeting, the panel Chair will check the complainant understands the proceedings and can engage with them, to ensure the meeting is conducted fairly.

If, once the meeting starts, the meeting cannot proceed fairly (for example, because a complainant cannot access the meeting), the panel should adjourn the meeting.

The use of remote access does not alter other procedural requirements for complaints hearings. Parents may bring a friend or representative, as normal.

Referring a complaint to the Education Funding and Skills Agency

The [ESFA will not be considering complaints](#) about schools' compliance with complaints procedures at this time. Complainants will be advised that their complaint will be considered once restrictions are eased.