



# Checklist: investigating formal complaints

## Preparation

STEPS TO TAKE	GUIDANCE	MY NOTES
<input type="checkbox"/> Log the complaint formally, as set out by your complaints procedure		
<input type="checkbox"/> Appoint an investigator	<p>This can be the headteacher, or an appropriate member of senior staff, unless the complaint is related to:</p> <ul style="list-style-type: none"><li>• The headteacher – in this case, your investigator should be the chair of governors or another suitably skilled governor</li><li>• A governor – your investigator should be a suitably skilled member of the governing board, as directed by the clerk</li><li>• Your chair – the clerk should decide whether the investigator should be the vice chair or someone external</li><li>• Your whole governing board – your investigator should be appointed externally, as directed by the clerk</li></ul>	

<input type="checkbox"/> Seek external advice, if appropriate	<p>Use your own judgement to decide if you'll seek external support. It's a good idea to do this for complaints that:</p> <ul style="list-style-type: none"> <li>• Are complex</li> <li>• Are technical or require special knowledge, e.g. financial impropriety</li> <li>• Are sensitive</li> <li>• Might lead to staff dismissal</li> </ul> <p>Depending on the nature of the complaint, you might seek advice from:</p> <ul style="list-style-type: none"> <li>• Your LA or academy trust</li> <li>• Appropriate HR or legal experts</li> <li>• The police</li> <li>• External conduct authorities (e.g. exam regulators, financial conduct authorities, the Information Commissioner's Office, etc.)</li> </ul>	
<input type="checkbox"/> Take steps to make sure you preserve any evidence that may be scrutinised	<p>For example:</p> <ul style="list-style-type: none"> <li>• Make copies of electronic or paper records</li> <li>• Make copies of any CCTV footage, especially if it's automatically taped over after a certain period of time</li> </ul>	
<input type="checkbox"/> Acknowledge receipt of the complaint within your stated timeframe	<p>Check your complaints procedure to find out how much time you have to acknowledge a complaint.</p> <p>Your acknowledgement should:</p> <ul style="list-style-type: none"> <li>• Be written and dated</li> </ul>	

	<ul style="list-style-type: none"> <li>• Specify how the complaint will be investigated and by whom</li> <li>• Set out the timescale of the investigation and response</li> <li>• Inform the complainant how they can contact the school to get assistance or clarification through the process of the investigation</li> <li>• Ask what the complainant feels would resolve the issue (if this isn't set out in the complaint)</li> </ul>	
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## Investigating the complaint

STEPS TO TAKE	GUIDANCE	MY NOTES
<input type="checkbox"/> Formally record the complainant's statement	<p>The complainant should get a chance to state their case either in person or in writing, to ensure a fair investigation.</p> <p>If they make a verbal statement, record what was said using the complainant's own language.</p> <p>Ask the complainant to sign a copy of their statement (whether it was a written communication they sent you or a transcript you recorded) to confirm it as their formal account.</p>	
<input type="checkbox"/> Conduct witness interviews and collect statements (if any)	<p>Keep records of interviews:</p> <ul style="list-style-type: none"> <li>• If you record the interview in audio or video form, make sure to get permission first</li> </ul>	

	If you write notes or a transcript of interviews, use the subject's own words rather than summarising.	
<input type="checkbox"/> If the complaint involves a pupil, contact the parents/carers of the pupil(s) involved	<p>If a pupil needs to be interviewed, they should be accompanied by:</p> <ul style="list-style-type: none"> <li>• A parent/carer, if possible; or if not,</li> <li>• A staff member who the pupil feels comfortable with but who is not involved in the complaint</li> </ul>	
<input type="checkbox"/> Examine any evidence / documentation	<p>For example:</p> <ul style="list-style-type: none"> <li>• Emails or text messages</li> <li>• CCTV footage</li> <li>• The contents of a computer</li> <li>• Financial records</li> </ul> <p>Seek help from a limited number of staff, if necessary. For example, you may need support from:</p> <ul style="list-style-type: none"> <li>• Your school business manager</li> <li>• Your head of IT</li> </ul> <p>Remind these staff members of the need to maintain confidentiality throughout the investigation.</p>	
<input type="checkbox"/> Make a note of any evidence you weren't able to obtain, and why not	<p>This might be statements, interviews, or physical evidence.</p> <p>You will be able to prove that you tried to get this information to carry out a full investigation, if the outcome is later appealed.</p>	

<input type="checkbox"/> Inform the complainant of any extensions to the timescale of the investigation (if required)	Offer a brief explanation of why the timescale was extended, to demonstrate that you are taking the issue seriously, for example that someone you need to interview has been unavailable.	
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## Resolving the investigation

STEPS TAKEN	ADVICE	MY NOTES
<input type="checkbox"/> Deliver a written response	<p>Your response should contain:</p> <ul style="list-style-type: none"> <li>• Actions you've taken to investigate the complaint</li> <li>• An explanation of your decision and how you reached it</li> <li>• If applicable, details of actions that the school will take to resolve the complaint</li> </ul> <p>You may also wish to offer the complainant a further meeting to explain how the investigation was carried out and how your decision was reached. Make it clear that this meeting is not an opportunity to appeal the outcome of the investigation.</p>	
<input type="checkbox"/> <b>If complainant is satisfied:</b> formally declare the complaint closed	Keep investigation records in line with your school data retention policy and your data protection requirements.	
<input type="checkbox"/> <b>If the complainant is not satisfied:</b> inform the complainant how they can escalate their	Make sure that the complainant knows about their right to appeal, and any relevant timescales to do so.	

complaint by referring the matter to your governing body		
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