



COMPLAINTS POLICY

Approved: November 2020
Date of Review: November 2021

As a Church of England Academy we are inclusive of all regardless of creed, colour, race, gender, sexual orientation or ability. We hope to transform the lives of our pupils, students and our wider community by putting our core values of love, integrity, generosity, hope and tolerance (LIGHT) into action. As such, all should feel welcome and respected. Schools are, in part, measured by academic success. Pupils and students know this. We must help and enable each pupil and student to succeed to the best of their ability by providing high quality lessons and an appropriate curriculum for our pupils and students.

Principles

This complaints procedure is not limited to parents or carers of children that are registered at The John Wallis Church of England Academy (the Academy). Any person, including members of the public, may make a complaint to the Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

All complaints will be dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled.

All complaints will be investigated fully, fairly and carefully and complainants will be informed of progress during, as well as at the end of each stage.

At each stage, the aim will be to secure the resolution of the complaint to the satisfaction of the complainant. Where this is not possible, a decision will be made promptly, either to provide an outcome to the complaint or to refer the complaint to the next stage.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Academy takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Principal will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Representation

At each stage, the complainant may be accompanied by a friend, colleague or other representative. In this case, the complainant should make their own arrangements for such representation. The representative may ask questions, confer with the complainant and make summary statements but may not answer questions on behalf of the complainant.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Principal or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first Academy day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints made by staff, students, parents or other stakeholders, including any provision of community facilities or services by the Academy, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to Academy• Statutory assessments of Special Educational Needs• Academy re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or Academy re-organisation proposals should be raised with Kent County Council.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). < LADO/MASH >.
<ul style="list-style-type: none">• Exclusion of children from Academy*	Further information about raising concerns about exclusion can be found at: www.gov.uk/Academy-discipline-exclusions/exclusions . <i>*complaints about the application of the Behaviour for Learning Policy can be made through the Academy's complaints procedure. [Behaviour for Learning Policy]</i>

<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our Academy should complain through the Academy's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the Academy's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the Academy's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use Academy premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>
<ul style="list-style-type: none"> Centre Assessed Assessment Grades in the event that GCSEs and A levels are cancelled in 2021. 	<p>In such a scenario the Department for Education alongside the JQC and Ofqual would issue guidance on how to complain about any school based decision which impact on final grades.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the Academy in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, the Academy wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur

- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review Academy policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1: Informal Procedure

Concerns should, where possible, be raised informally with either the class teacher or Principal in the first instance.

The Principal will normally direct the complainant to the most appropriate member of staff to deal with it effectively. This will be a member of staff whom the complainant indicates they feel comfortable discussing the complaint with, and someone who is able to deal with the complaint objectively. This will be a member of staff with whom the complainant indicates they feel comfortable discussing the complaint with, and someone who is able to deal with the complaint objectively.

The member of staff to whom the complainant is referred will carry out an investigation and decide on the outcome. The complainant and the Principal will be informed of the decision and any further action that will be taken in consequence.

In certain circumstances, the Principal may choose to deal with the complaint informally in person.

If the complaint has been made in writing, the Principal may choose to invoke Stage 2 of the procedure, thereby omitting Stage 1.

If the complainant remains dissatisfied with the outcome of this informal stage, they should inform the Principal in writing, including details of their complaint. The Principal will then invoke Stage 2 of the procedure.

If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Stage 2: Formal Complaint

Complaints against Academy staff (except the Principal) should be made in the first instance, to the Principal via the Academy office. Please mark them as Private and Confidential.

Complaints that involve or are about the Principal should be addressed to the Chair of Governors, via the Academy office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the Academy office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Stage 2 Process:

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 Academy days.

Within this response, the Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can consider whether a face to face meeting is the most appropriate way of doing this.

The Principal may at this stage identify an Investigator to consider the complaint on his behalf.

Note: The Principal may delegate the investigation to another member of the Academy's senior leadership team but not the decision to be taken.

During the investigation, the Principal (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal will provide a formal written response within 20 Academy days of the date of receipt of the complaint.

If the Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Academy will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Principal, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be considered by an independent investigator appointed by the governing body or Diocese. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 3: Appeal

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the Academy office, within 20 Academy days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 Academy days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 Academy days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. They will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from the Academy available, the Clerk will source any additional, independent governors through another local Academy or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend an appeal hearing meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if an Academy employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

Appeal Hearing

The appeal will be heard by a Governors' Appeal Committee comprising at least three governors, one of whom will act as Chair of the hearing, and a member who is independent of the management and running of the Academy. No governor may hear the appeal if he or she has had a prior involvement in the complaint or in the incident to which the complaint refers.

The complainant may be accompanied during the hearing by a friend, colleague or other representative.

The Chair of the hearing will decide the procedure to be followed, ensuring that:

- i the remit of the Committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- ii members of the Committee are objective and open minded, and act independently;
- iii the complainant and any others who may not be used to speaking at such a hearing are put at ease;

- iv the hearing is conducted in an informal though clearly structured manner with each party treating the other with respect and courtesy;
- v each side is given the opportunity to state their case and to ask questions;
- vi any written material is seen by all parties. If a new issue arises all parties should be given the opportunity to consider and comment on it;
- vii any witnesses are only required to attend for the part of the hearing in which they give their evidence;
- viii the issues are addressed;
- ix key findings of fact are made.

At least 5 Academy days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 2 Academy days before the meeting.

Any written material will be circulated to all parties at least 2 Academy days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The hearing should generally proceed as follows:

- i introductions and introductory comments from the Chair;
- ii the complainant explains the complaint, followed by questions;
- iii any witnesses to support the complaint give evidence and are questioned;
- iv the Principal explains the outcomes at Stage 1 if applicable and Stage 2, followed by questions;
- v any witnesses to support the Principal give evidence and are questioned;
- vi the complainant sums up;
- vii the Principal sums up;
- viii with the exception of the Committee members and any independent adviser they may have, all persons withdraw while the Committee reviews the evidence and decides the outcome;
- ix The panel will report its findings and recommendations.
- x The complainant and the Principal are informed of the decision and will receive a copy of the Panel's report.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the Academy's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Academy with a full explanation of their decision and the reason(s) for it, in writing, within 10 Academy days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the Academy.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 3 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Academy will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Reporting and Recording Complaints

A written record of all formal complaints will be held centrally by the Academy, including which stage of the complaints procedure they were resolved, and any action taken by the school as a result of the complaint (regardless of whether it was upheld or not).

Where a complaint progresses to stage 3 (Review Panel), the findings and recommendations made by the panel will be sent in writing to all parties and made available for inspection on the school premises by a representative of the Academy and the Principal.

All correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Serial, Unreasonable and Duplicate Complaints

Serial Complaints

Where a complainant raises an issue that has already been dealt with via the complaints process in this policy, and the procedure has been completed, the issue will not be reinvestigated unless in exceptional circumstances, such as where new and relevant evidence has been provided.

If a complainant persists in raising the same, or substantially similar, issue the Director of Governance will confirm in writing that their complaint has been dealt with fully in line with this policy and the case is now closed. They will also provide details of how to raise the issue with the Department for Education if they wish to take the matter further.

Unreasonable Complaints

The Principal will use their discretion to choose not to investigate complaints which are deemed to be unreasonable. Where this decision has been made, they must inform the Chair of Governors of this decision, explaining the nature of the complaint and their reasons for choosing not to investigate. If the

Chair of Governors deems it appropriate they may redirect the Principal to investigate the complaint. The full complaints procedure will then commence from stage 1.

Unreasonable complaints include, but are not limited to, the following scenarios:

- The complainant refuses to cooperate with the school's relevant procedures.
- The complainant changes the basis of their complaint as the investigation progresses.
- The complainant seeks an unrealistic outcome.
- Excessive demands are made of the time of staff and governors which are clearly intended to aggravate and/or cause disruption.
- The complainant acts in a way that is offensive, abusive or discriminatory.

If the Chair of Governors upholds the decision not to investigate an unreasonable complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made this decision, then the complainant may write to the Department for Education (see Next Steps for contact details).

Duplicate Complaints

When a complaint has been through the full complaints process and is closed, any subsequent complaint received from a spouse, partner, grandparent or child (where the child is a subject in the complaint) about the same subject matter will be deemed a duplicate complaint. In this instance, the complainant will be informed that the matter has already been considered and the full complaint process completed. The Academy will therefore not reinvestigate the matter. The complainant will be advised to contact the Department for Education if they are unhappy with the Academy's handling of the original complaint. Before deciding that a complaint will be treated as 'duplicate', the Academy will take care to ensure there are no new aspects to the complaint that have not previously been considered. Any new aspect identified will be investigated through the full complaint process as a new complaint.

Next Steps

If the complainant believes the Academy did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Academy. They will consider whether the Academy has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.



COMPLAINT FORM

Please complete and return to the Director of Finance and Operations (DFO@thejohnwallisacademy.org) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil/Student's name (if relevant):
Your relationship to the pupil/student (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the Academy about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Co-operate with the Academy in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Principal or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Principal / designated complaints governor or other staff member providing administrative support).

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members, Principal, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- Be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to Academy complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example; stage 2 paperwork, Academy and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- Record the proceedings
- Circulate the minutes of the meeting
- Notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the committee is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- Both the complainant and the Academy are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The committee is open-minded and acts independently
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- The meeting is minuted
- They liaise with the Clerk (and complaints co-ordinator, if the Academy has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. The meeting must be independent and impartial, and should be seen to be so.
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the Academy and the complainant. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the Academy and the complainant.
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting. Many complainants will feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.