



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 10

SCHOOLS

CHAPTER 2

COMPLAINTS: ENGLAND

209 Procedure in respect of investigations

- (1) A Local Commissioner who proposes to investigate a complaint to which this Chapter applies must give the following an opportunity to comment on the matter—
 - (a) the respondent;
 - (b) any other person who is alleged in the complaint to have done or authorised the act which would be the subject of the investigation;
 - (c) any person who otherwise appears to the Local Commissioner to have done or authorised the act.
- (2) Every investigation under this Chapter is to be conducted in private.
- (3) Subject to subsection (2), the procedure for conducting an investigation is to be such as the Local Commissioner considers appropriate in the circumstances of the case.
- (4) The Local Commissioner may, in particular—
 - (a) obtain information from such persons and in such manner as the Local Commissioner thinks fit;
 - (b) make such inquiries as the Local Commissioner thinks fit; and
 - (c) determine whether any person may be represented (by counsel, solicitor or otherwise) in the investigation.

Status: This is the original version (as it was originally enacted).

- (5) The Local Commissioner may, if the Local Commissioner thinks fit, pay to the complainant, and to any other person who attends or provides information for the purposes of an investigation under this Chapter—
- (a) sums in respect of the expenses properly incurred by them;
 - (b) allowances by way of compensation for the loss of their time.
- (6) In this Chapter a reference to the “respondent” is a reference to the governing body or head teacher about whose act a complaint to which this Chapter applies was made.