

Complaints Procedure

March 2025

Agreed: March 2025 Review Term: Spring 2026

Introduction

Fielding Primary school endeavours to provide the best education possible for all its pupils in an open and transparent environment. We welcome any feedback that we receive from parents*, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised, the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without prejudice

In order to do so, the Governing Board has agreed and adopted the following procedure which explains what you should do if you have any concerns about the school. Members of staff will be familiar with the procedure and will be able to assist you.

Who can make a complaint?

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

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. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.

^{*} In this Procedure, the term "parent" refers to anyone with parental responsibilities for a pupil enrolled at the school.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head teacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head teacher 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 we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of services or facilities by Fielding Primary school, other than complaints that are dealt with under other statutory procedures, including those listed below.

Complaints are considered on an individual basis.

Exceptions	Who to contact
 Admissions to schools Statutory assessments of Special Educational Needs school re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Ealing Council Admissions Team
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).
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . **complaints about the application of the behaviour policy.
	*complaints about the application of the behaviour policy can be made through the school's complaints procedure.
Whistle-blowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.
	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.
	Volunteers working in school who have concerns about our school should complain through the school'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.

Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.
	You will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, you will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. Providers who are contracted by us, for example specialist clubs, are within the scope of this procedure.
National Curriculum -	Please contact the Department for Education at:
content	www.education.gov.uk/contactus

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.

How to raise a concern or make a complaint

A concern or complaint can be made in person, by telephone, or in writing (either by email or letter). They may also be made by someone on your behalf, as long as they have your clear consent to do so.

Often, concerns can be resolved without resorting to the Complaints Procedure:

- For pupils currently at the school. Parents should raise any concern about any aspect of the school or a child's education or wellbeing, with the child's class teacher. Ideally, your child's class teacher will be able to address your concerns on the spot, or they can arrange a meeting with you to discuss the issue.
- **Any other concerns or complaints**, including involving pupils who have left the school. You should contact the Deputy Head teacher or Head teacher.

If the issue remains unresolved, the next step is to discuss it informally with a more senior member of staff. This could include the Deputy Head teacher or Head teacher. We will attempt to find an informal resolution. See Resolving complaints, below.

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

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

Formal complaints procedure, Stage 1

Formal complaints must be made via the school office. This can be done in person, by telephone, or preferably in writing (either by email or letter) using the 'Complaints Form', below:

• Complaints against school staff (except the Head Teacher) should be made in the first instance, to the Head Teacher via the school office.

- Complaints that involve or are about the Head Teacher should be addressed to the 'Chair of Governors', via the school office.
- Complaints about the Chair of Governors, any individual governor or the whole Governing Board should be addressed to 'the Clerk to the Governing Board' via the school office.

Please mark all communication as 'Private and Confidential'.

Complaints against school staff and/or about an aspect of the school's work are dealt with by the Head teacher. The Head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

Complaints against the Head teacher are dealt with by a suitably skilled member of the governing board. The Chair of Governors will select a governor to deal with the complaint.

Complaints against the Chair of Governors or any individual governors are made to the Clerk to the Governing Board. The Clerk arranges for the complaint to be heard. The Clerk selects a suitably skilled and impartial member of the governing board to deal with the complaint.

Complaints against the entire governing board or complaints involving both the Chair and Vice-Chair should also be sent to the Clerk, who will then determine the most appropriate course of action. This will depend on the contents of the complaint. This may involve sourcing an independent investigator to complete Stage 1.

As appropriate, the Head teacher, Chair of Governors, or Clerk will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by email or letter) within 5 clear school days.

Within this response, they will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome you would like to see. They can consider whether a face-to-face or video meeting is the most appropriate way of doing this.

If a meeting is offered, then the complaint only will be invited to attend:

- for current or former pupils, invitees will be those who have parental responsibility
- there is no recording of meetings at this stage.

During the investigation, the Head teacher, governor or other investigator will:

- if necessary, interview those involved in the matter and/or those complained of
- keep a brief, written record of any meetings / interviews in relation to their investigation

At the conclusion of the investigation:

- you may be offered a meeting to explain the findings and outcome. If a face-to-face or video meeting is offered, then the complaint only will be invited to attend. For current or former pupils, invitees will be those who have parental responsibility.
- you will be sent a formal written response within 15 clear school days of the date of receipt of the complaint.

Our response, sent by email and/or first class post, is deemed to have been received by you on the second weekday after transmission/posting. This date will be identified in our letter/email.

If we are unable to meet this deadline, we will provide you 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 we will take to resolve the complaint.

The investigator will advise you of how to escalate your complaint should you remain dissatisfied with the outcome of Stage 1.

Formal complaints procedure, Stage 2

If you are dissatisfied with the outcome at Stage 1 and/or wish to take the matter further, you can escalate the complaint to Stage 2. This is the final stage of the Complaints Procedure.

Complaints against the entire governing board or complaints involving both the Chair and Vice-Chair will be heard by governors co-opted from other school(s). The Clerk of Governors will arrange a complaint panel meeting of 3 governors from other school(s).

All other complaints will be heard by a committee of members from the school's governing board. The Clerk will arrange a complaint panel meeting of 3 governors from the school.

A written request to escalate to Stage 2 must be sent to the Clerk, via the school office, and be received within 5 clear school days of the date we consider you received our Stage 1 response (see above). Requests for escalation to Stage 2 received outside of this time frame will only be considered if exceptional circumstances apply.

If you wish to submit additional written evidence for the Complaints Committee to consider, this must be received by the school office within 10 clear school days of the date we consider you received our Stage 1 response (see above).

The Clerk will acknowledge your request for escalation to Stage 2, and the receipt (or not) of any additional evidence submitted by you, each within 5 clear school days of the respective deadlines.

The Clerk will inform you of the three proposed Committee meeting dates and ask your preference typically within 10 clear school days of the date we consider you received our Stage 1 response (see above). The Committee will aim to convene a meeting within 20 clear school days of the deadline for your Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep you informed.

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

The Complaints Committee will consist of three non-staff governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If fewer than three governors from the school are available, the Clerk will endeavour to source any additional, independent governors through another local school or through the Local Authority Governor Services. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The Committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representation.

If you are invited to attend the meeting, you may bring someone along to provide support. This can be a relative or friend. Legal representatives are not allowed to the Committee meeting. An exception to this is if a school employee is called as a witness in a complaint meeting, they may wish to be supported by a union and/or legal representation.

Representatives from the media are not permitted to attend.

At least 5 clear school days before the meeting, the Clerk will confirm and notify you of the date, time and venue of the meeting, ensuring that, if you are invited, the dates are convenient to all parties and that the venue and proceedings are accessible.

Any written material will be circulated to all parties at least 5 clear school 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 meeting will be held in private.

The Clerk will make a record of the meeting. No other recording of the meeting is permitted.

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 school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide you and the school with a full explanation of the Committee's decision and the reason(s) for it, in writing (by email or letter), within 5 clear school days.

The letter to you will include details of how to contact the Department for Education if you are dissatisfied with the way your complaint has been handled by the school.

Next Steps

If you believe that the school did not handle your complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, you can contact the Department for Education after you have completed Stage 2.

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

You can refer the complaint to the Department for Education:

web: www.education.gov.uk/contactus,

• phone: 0370 000 2288

writing: Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

Managing the complaints procedure

Resolving complaints

At each stage in the procedure, we would like 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 apology;
- 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 school policies in light of the complaint.

Anonymous complaints

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

Avoiding bias

We aim to treat all complainants fairly, including offering a chance to state their case either in person or in writing, at each stage of the procedure.

Persons who have a conflict of interest should not take part in the complaints process, including governors' meetings. If there is any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint.

Governors who have no prior exposure to the complaint are considered suitably impartial unless the complainant provides us with evidence to the contrary.

Complainants may request an independent complaints committee if you believe there is likely to be bias in the proceedings. Complainants should provide us with evidence of bias in support of their request. The Head teacher or Chair of Governors will consider the evidence. It is our decision whether to agree with the evidence, or not.

If the appearance of bias is sufficient to risk tainting the decision reached, then we are likely to grant the request for an independent complaints committee.

Confidentiality

We acknowledge that complaints may be of a sensitive nature. We respect the privacy of complainants. Complaints will be dealt with confidentially for those involved. We respectfully request that complainants also maintain confidentiality.

This includes avoiding sharing information about the complaint by social media.

Complaint campaigns

Occasionally, the school may become the focus of a campaign and receive a large number of complaints:

- all based on the same subject, and/or
- from complainants unconnected with the school

If the Head teacher considers that the school is subject to a complaint campaign, then we will investigate the complaint by taking a 'best-fit' approach to summarise the concerns and following this procedure. The outcome of the complaint will be shared by:

- sending a template response to all complaints, or
- publishing a single response on the school's website

Complaints received outside of term time

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

Deviation from the complaints procedure

There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure.

The Head teacher and Chair of Governors must discuss and agree any proposed deviation from the published procedure. The Head teacher or Chair of Governors should explain any deviation from the published procedure to the complainant. The Head teacher or Chair of Governors must record any deviation from the published procedure.

In the event that a complaint is escalated to the Department for Education for consideration and the complaint is about any deviation from the published policy, then the school will provide the department with an explanation for doing this. If the department does not consider our explanation reasonable, or the deviation justified, then we will revisit the complaint and comply with the published complaints procedure.

Duplicate complaints

After closing a complaint at the end of the complaints procedure, we could receive a duplicate complaint from:

- a spouse or partner
- a grandparent
- · another child

If the Head teacher considers that the complaint is about the same subject, then we will inform the new complainant that the school has already considered that complaint and the school's process is complete. We will advise the complainant to contact the Department for Education if they are dissatisfied with the school's handling of the original complaint.

The Head teacher will ensure that any new aspects to the complaint are not overlooked. If new aspects are presented, then we will investigate these and dealt with them using the full extent of the complaints procedure.

Electronic recording

Electronic recordings of meetings or conversations are not normally permitted unless your own accessibility 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. If consent is given then we will also record the meeting.

Equality of access

We will consider making reasonable adjustments if required, to enable the complainant to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting you in raising a formal complaint or holding meetings in accessible locations.

Legal action against the school

If a complainant commences legal action against the school in relation to their complaint, the Head teacher and Chair of Governors may decide to suspend the complaints procedure, until those legal proceedings have concluded.

Legal representation

In the event that a complaint progresses to a committee of members of the school's governing board, neither the complainant nor the school will bring legal representation. These committees are not a form of legal proceedings. The aim of the governors' committee should be:

- reconciliation,
- to put things right that may have gone wrong.

There may be occasions where legal representation is appropriate, for example, if a school employee is a witness in a complaint, they may wish to bring union or legal representation.

Serial and/or unreasonable complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact you have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of your contact with the school, such as, if you:

- refuse to articulate your complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuse to co-operate with the complaints investigation process;
- refuse to accept that certain issues are not within the scope of the complaints procedure;
- insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduce trivial or irrelevant information which you expect to be taken into account and commented on:
- raise large numbers of detailed but unimportant questions, and insist they are fully answered, often immediately and to your own timescales;
- make unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced;
- change the basis of the complaint as the investigation proceeds;
- repeatedly make the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

- refuse to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- · seek an unrealistic outcome;
- make excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- use threats to intimidate;
- use abusive, offensive or discriminatory language or violence;
- knowingly provide falsified information;
- publish information on social media or other public forums.

You should try to limit your communication with the school that relates to the complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Head teacher or Chair of Governors will discuss any concerns with you informally before applying an 'unreasonable' marking.

If the behaviour continues, the Head teacher will write to you explaining that your behaviour is unreasonable and ask you to change it. If you excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Fielding Primary school.

Social media

In order for complaints to be resolved as quickly and fairly as possible, we request that complainants do not discuss complaints publicly via social media.

Staff capability or disciplinary

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Head teacher and/or the individual's line manager, and any governors involved in the proceedings.

Complainants are not entitled to participate in the proceedings or receive any detail about them.

Time scales

Complaints must be raised within 3 calendar months of the incident or, where a series of associated incidents have occurred, within 3 calendar months of the last of these incidents. We may consider complaints made outside of this time frame if exceptional circumstances apply.

It is for the Head teacher or Chair of Governors to determine what constitutes exceptional circumstances, on a case-by-case basis.

Any decision made by the school, must be in line with the principles of administrative law.

Withdrawal of a Complaint	
Complainants may withdraw their complaint at any time in writing (by email or letter) to ι	JS.

Complaint Form

Please complete and return to Office Manager who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (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 school about it.

What actions do you feel might resolve the problem at this stage?		
Are you attaching any paperwork? If so, please give details.		
Are you attaching any paperwork: it so, please give details.		
Signature:		
Oignature.		
Date:		
Official use		
Date acknowledgement sent:		
Date acknowledgement sent.		
By who:		
By Willo.		
Complaint referred to:		
Complaint referred to.		
Date:		

Roles and Responsibilities

Complainant

You will receive a more effective response to the complaint if you:

- explain the complaint in full as early as possible
- co-operate with the school 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 the 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 you to establish what has happened and who has been involved
 - o interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - analysing information
- liaising with you and the complaints co-ordinator as appropriate to clarify what you 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 Head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

Complaints Co-ordinator (Data Manager)

The complaints co-ordinator should:

- ensure that you are fully updated at each stage of the procedure
- liaise with staff members, Head teacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information
 - additional support. This may be needed by you when making a complaint including interpretation support or where you is a child or young person
- keep records, including final outcome, until the pupil leaves the school.

Clerk to the Governing Body

The Clerk is the contact point for you 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 school 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 1 paperwork, school 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

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
- you are put at ease. This is particularly important if you are a child/young person
- the remit of the committee is explained to you
- 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.
- notify all parties of the committee's decision.

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 you and the school 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
- you liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the welfare of the child/young person is paramount.
- 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 school and you
- we recognise that you might not be satisfied with the outcome if the meeting does not find in your favour. It may only be possible to establish the facts and make recommendations.
- you may 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 you are 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.
 - o if the complaint is made by a child/young person, the committee should ask in advance if any support is needed to help them present their complaint. A parent should be asked which part of the meeting they would like the child/young person to attend if the child/young person is making the complaint. 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.