BATH & WELLS
Multi Academy Trust



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'That they may have life, life in all its fullness' John 10:10

# Complaints & Reconciliation policy

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# Bath and Wells Diocesan Academies Trust

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## Context

The Bath & Wells Diocesan Academies Trust (the Trust) is a complex learning community. In order to ensure that the Trust is a safe, supportive environment where pupils and staff can learn and thrive, there needs to be clear procedures, structures, and expectations in place. Trust policies are a formal way of documenting the procedures and values of the Trust and are designed to provide an instant picture of the principles of the Trust. They form an important framework that will ensure consistency in applying the agreed values and principles across all elements the Trust.

All trusts must have a complaints policy and supporting procedure, which must meet the requirements in the standard at the Education (Independent School Standards (England)) Regulations 2014 Schedule 1, Part 7. As the complaints policy is based upon Part 7 of the Education (Independent School Standards) Regulations 2014, it only applies to complaints from parents/carers of pupils at a Trust school, regarding their child.

As a public body, the Secretary of State for Education expects Trusts to handle complaints from people who are not parents of children at a Trust school respectfully and expediently. In these cases, the Trust is not obliged to follow the complaints policy.

Some types of complaint are covered by other procedures and these are detailed on page 7.

The Complaints and Reconciliation Policy is a statutory policy required by the DfE and is published on the Trust website and each school's website.

## Purpose

The Complaints & Reconciliation Policy and its supporting procedures enable the Trust to ensure that it is meeting its statutory requirements in this area. The duty to establish procedures for dealing with complaints lies with the Board of Trustees and Trustees have ensured that the Trust's policy, whilst ensuring that statutory requirements are met, is tailored to this Trust.

**At the heart of the policy sits the Board's wish to promote reconciliation through early engagement with those who have concerns about Trust or school actions.**

To this end, the Board wishes to fundamentally reframe what a complaint means. Complaints often provide feedback information that should be welcomed rather than being seen as an attack; complaints must not be seen as evidence of failure but rather as opportunities to effect improvement.

The Board hopes that the success of this policy in the future will be measured by early resolution rates and parental satisfaction and not by the numbers of complaints managed.

In order to make the policy accessible to all, Trustees have ensured that the policy and its procedures are:

- simple to understand and use
- impartial

- non-adversarial
- enabling of a full and fair investigation
- respectful of confidentiality as required
- supportive of providing an effective response and appropriate redress.

In order to be compliant with Part 7 of the Education (Independent School Standards) Regulations 2014, Trustees have identified that the complaints procedure will consist of three stages:

- Stage 1: informal.

This will usually involve a meeting with the complainant and allows the school the opportunity to address any dissatisfaction with the actions it has taken, or not taken, in regard to the complainant's area of complaint. This stage allows the complainant to make clear what they would like to see in order to resolve their complaint and achieve reconciliation with the individual school.

Trustees have identified a timescale for Stage 1 that offers greater opportunity for informal/local resolution in the hope that this will remove the need to move to the formal stages of the process.

- Stage 2: formal.

Following a failure to resolve the complaint at Stage 1, the complainant will be asked to put the complaint in writing, and the Head Teacher will arrange for the complaint to be formally investigated.

- Stage 3: Resolution Panel hearing.

If a complainant is not satisfied with the outcome at Stage 2, they can request that their complaint is heard by the Trust's Resolution Panel and the panel will include an independent member.

At any stage in the process, parents/carers will be allowed to escalate to the next stage and be given the opportunity to complete the complaints procedure in full.

**Taking a Positive Approach (taken from *Parentkind: Parent Guide to School Complaints*)**

Resolving a complaint can be an emotional experience for parents/carers and the Trust is pleased to support the guidance offered by ParentKind in relation to behaviours that are not supportive of a speedy resolution:

**I) Targeting people**

Making it personal to individual school staff members can take things too far, keep it to challenging school policy.

**II) Building a crowd**

Other parents may share your views, but your complaint should be specific to you and your child.

**III) Lacking partnership**

Having a good relationship with your school is important and it benefits all to move on after complaints are resolved.

**IV) Only use AI with caution**

AI doesn't always get it right when citing laws and can make a complaint more complex than necessary.

**V) Behaving aggressively**

Abusive and aggressive behaviour will never be tolerated by a school and can lead to consequences for anyone demonstrating this type of behaviour.

**VI) Using social media**

Sharing your complaint on social media can be harmful to those involved and will not lead to a quicker resolution.

## Scope

This policy covers the management and administration of complaints from parents/carers and members of the wider Trust community across all schools in the Trust.

The policy and its supporting procedures cover all complaints about any provision of community facilities or services that the Trust provides, other than complaints for which there are separate (statutory) procedures, including those listed on page 7 of this document.

## Trust Alignment

This policy is linked to Pledge 1 of the Trust's Strategic Plan and the strategic priority: *High quality and inclusive education that ensures excellent outcomes for all children.*

## Other Related Policies

This policy reflects the guidance within:

- *Education (Independent School Standards (England) Regulations* (2014 Schedule 1, Part 7)
- *Best practice guidance for academies complaints procedures* (DfE 2021)
- *Setting up academies complaints procedures* (DfE 2021)
- *Parent guide to school complaints* (Parent Kind 2026)

## Monitoring

This policy is owned by the Director of Governance (DoG) and will be subject to annual review and approval by the Board of Trustees. As part of this annual review, the DoG will present an update to the Audit & Risk Committee who will review the update and make a recommendation to the Board about approval.

# Complaints & Reconciliation Policy – Supporting Procedures

**The outcome of a formal complaint is often a resolution, where parents and the school have worked together to listen and take action to support the child's education.**

**Reconciliation requires both parties to work together.**

## Working to reduce complaints

The Trust is very aware that handling a complaint can be an emotional process for all concerned. This is because everyone wants the best for a child but sometimes it may not feel like that. Schools in the Trust work very hard to reduce those factors that might lead to parental complaints.

Those schools that are successful in doing this are those schools where parents feel that:

- the school respects parents
- they trust their child's teachers to act in their child's best interests
- teachers and school leaders are approachable
- are satisfied with communication around what is being taught in classes.

## Who can make a complaint?

This complaints procedure identifies how parents/carers of pupils registered at any Trust school can make a complaint. It identifies what will happen at each stage of the complaints and reconciliation process.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions, admissions, data protection), this complaints procedure will be used to address any complaint made.

In order to meet the Secretary of State for Education's expectations that Trusts will also handle complaints from people who are not parents of children at a Trust school, the Trust will use its complaints and reconciliation policy as the basis for this but may vary the process if the context of the complaint requires this. It will, however, deal with any such request respectfully and expediently and will make clear any variation to the policy in its first discussions with non-parents/carers who raise a complaint.

## The difference between a concern and a complaint

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

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

The Trust believes that it is in everyone's best interests if 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. All schools in the Trust take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a member of staff in a school, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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 Headteacher will attempt to resolve the issue internally, through the stages outlined within this complaints and reconciliation 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 of a complainant, as long as they have appropriate consent to do so.

Complaints against school staff of individual schools (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve, or are about, the Headteacher should be addressed to the Regional Hub Governance and Compliance Lead, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of the TLC, any individual member of the TLC or the whole TLC should be addressed to the school's Regional Hub Governance and Compliance Lead via the school office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of the Board of Trustees, via the trust office at governance@bwmat.org 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 school office. You can also ask a third-party organisation for example 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.

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher will determine whether the complaint warrants an investigation.

## Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with a school or the Trust) which are all based on the same subject.

Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the school/Trust's website (as applicable)

## 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 school day after the holiday period.

## Scope of this complaints and reconciliation procedure

This procedure covers all complaints about any provision of community facilities or services by the Trust and all schools in the Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

## Exceptions - Who to contact

### i) Data

Concerns about data should be handled through the data protection policy – available on the Trust and school websites.

### ii) Admissions to schools

Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.

### iii) 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 email **LADO@bathnes.gov.uk**. **01225 396810** or the Multi-Agency Safeguarding Hub (MASH) **Children's Social Care / Duty & Assessment: 01225 396111** or **01225 477929 Email:** <ChildCare_Duty@bathnes.gov.uk>
- **Out of hours Emergency Duty Team: 01454 615165**

### iv) 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 can be made through the school's complaints and reconciliation procedure.

**iv) Whistleblowing**

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.

Volunteer staff who have concerns about our school should complain through the school's complaints and reconciliation 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.

**v) Staff grievances**

Complaints from staff will be dealt with under the school's internal grievance procedures.

**vi) Staff conduct**

Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.

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.

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 this happens, we will inform you of a proposed new timescale.

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

## Resolving complaints

At each stage in the procedure, the Trust wants to resolve the complaint as this can only be of benefit to the child/ren involved. 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 school 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.

## Complaints Process

**Stage 1 – Informal complaints**

It is hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the class teacher, a senior leader or Headteacher. Complainants should not approach individual TLC members 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 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide a written response within 15 school days of the date of receipt of the complaint.

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

**Stage 2 – Formal complaints**

Complaints will only progress to Stage 2 if the school can confirm that it has had the opportunity to address the complaint at Stage 1. In certain circumstances, the Trust may decide that a complaint is escalated straight to Stage 2 due to subject of the complaint.

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The school's Regional Hub Governance and Compliance Lead will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

The Headteacher and Regional Hub Governance and Compliance Lead will identify an appropriate person to undertake an investigation of the complaint. The investigator will meet with the complainant and seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

During the investigation, the investigator will:

- if necessary, interview those involved in the matter and/or those complained about, 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 investigator will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the investigator 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 to be taken to resolve the complaint.

The investigator 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 Headteacher, or a member of the TLC (including the Chair or Vice-Chair), a suitably skilled investigator will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the TLC must be made to the Regional Hub Governance and Compliance Lead, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire TLC or
- the majority of the TLC

Stage 2 will be escalated to the Chair of the Board of Trustees at governance@bwmat.org

**Stage 3 – Resolution Panel Hearing**

If the complainant is dissatisfied with how the complaint was handled at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 where a Resolution Panel hearing, consisting of at least three people who were not directly involved in the matters detailed in the complaint. One of these panel members will be independent of the management and running of the school and trust. The DfE identifies that within a multi academy trust, this can be a TLC Member from another trust school. This is the final stage of the complaints procedure.

**The panel hearing will review the whole complaints process again and will concern itself with the reasons why the complainant was unhappy with how their complaint was handled. It will not reinvestigate the complaint.**

A request to escalate to Stage 3 must be made to the Regional Hub Governance and Compliance Lead, via the governance mailbox (governance@bwmat.org) within 15 school days of receipt of the Stage 2 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Regional Hub Governance and Compliance Lead will record the date the appeal request was received and acknowledge receipt of the request in writing (by email) within 3 school days.

The Regional Hub Governance and Compliance Lead will write to the complainant to inform them of the date of the panel hearing. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, they will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Regional Hub Governance and Compliance Lead 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.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate and will be discussed beforehand with the Director of Governance.

For instance, if a school 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 and reconciliation 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.

At least 5 school days before the meeting, the Regional Hub Governance and Compliance Lead 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 Panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Panel will 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. 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 meeting may be recorded for the purposes of the minutes, with prior consent from all parties.

The panel will consider the complaint and all the evidence presented. The panel 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 panel will:

- decide on the appropriate action to be taken to resolve the complaint

- where appropriate, recommend changes to the school's or trust's systems or procedures to prevent similar issues in the future.

The Chair of the panel will provide the complainant and Headteacher with a full explanation of their decision and the reason(s) for it, in writing, within 3 school 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.

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 to be taken to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Board of Trustees and the Headteacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

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.

## Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to the Trust or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the Chair of Board to be investigated.

The CEO will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under the appropriate stage of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 15 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 5 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the Chair of the Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance Professional to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 5 school days at governance@bwmat.org

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional 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.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Board or
- the majority of the Board

Stage 3 will be heard by a completely independent panel.

The Complaint Panel will consist of three Chairs of TLCs within the Trust. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a trust 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.

At least 5 school days before the meeting, the Governance Professional 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 panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel 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. 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 meeting may be recorded for the purposes of the minutes and consent will be obtained by all parties prior to the meeting.

The panel will consider the complaint and all the evidence presented. The panel 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 panel 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 Panel will provide the complainant and the CEO with a full explanation of their decision and the reason(s) for it, in writing, within 3 school days.

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

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 to be taken to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection in the Trust offices by the proprietor and the CEO.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

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.

**Next Steps**

If the complainant believes the trust 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 DfE after they have completed Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the DfE online at: Contact the Department for Education - GOV.UK - Contact type

**Complaint Form**

Please complete and return to the Headteacher or Regional Hub Governance and Compliance Lead as appropriate, 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):

Day time telephone number:

Evening telephone number:

Email address:

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.

Signature:

Date:

*Official use*

*Date acknowledgement sent:*

*By who:*

*Complaint referred to:*

*Action taken:*

*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 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 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:

o sensitive and thorough interviewing of the complainant 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

o analysing information

- liaising with the complainant 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 Headteacher or resolutions team panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or panel 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 Headteacher or CEO / Regional Hub Governance and Compliance Lead or Governance Professional, or other staff member providing administrative support)

The complaints coordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust or the governance professional and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:

o sharing third party information

o 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.

Governance Professional and / or Regional Hub Governance and Compliance Lead

The Regional Hub Governance and Compliance Lead or Governance Professional are the contact point for the complainant and the panel 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
- notify all parties of the panel's decision.

Panel Chair

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

- both parties are asked (via the Regional Hub Governance and Compliance Lead or Governance Professional) 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 panel 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 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 panel is open-minded and acts independently
- no member of the panel 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 Regional Hub Governance and Compliance Lead or Governance Professional (and complaints coordinator, if the school has one).

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No panel member may sit on the panel 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 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

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

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The panel 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 panel 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 panel 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 panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.