

Trust Policy

Complaints Policy

Approver: Trustees
Review Cycle: Biennial

Revision History			
Date	Version	Short Description of Changes	Approved by:
Sept 16	v1	Policy Adopted	Trustees
Nov 18	V1.1	Reviewed	Trustees
Aug 19	V1.2	Reviewed	Trustees
Sept 20	V1.3	ESFA contact details added	CEO
Oct 21	V1.4	Reviewed by CEO Vexatious section added other minor changes made.	Trustees
Mar 2023	V2.0	DfE model policy adapted and adopted	Trustees

This Policy Applies To:
Secondary Schools Primary Schools Centralised Trust Employees Trustees & Governors

Document Management Information

Applicable to:	All settings
Development and Consultation:	Developed from the DfE Model Policy.
Dissemination:	Available on the Trust Website, staff will be notified by the latest news. Staff will be asked to confirm they have read this out by SendMy
Implementation:	To be used with concerns and compliants from a range of stakeholders, including parents.
Training:	Staff will be given training to recognise a stage 1 informal
Review Frequency:	Biennial
Based on:	DfE Model Policy downloaded Feb 2023
Policy Author:	Trust Compliance Officer
Executive Policy Owner:	Chief Executive Officer
Approval by:	Trust Board
Version:	2.0
Approval Date:	15 March 2023
Next Review Due:	March 2025

If you require this policy in a more accessible format please contact the Trust Compliance Officer on compliance@coastandvale.academy

Executive summary text for current policy version:

Model DfE Policy has been adapted.

This policy should be followed where a concern or a complaint is raised by a stakeholder – this could be a parent or other individual.

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1 Who can make a complaint?

- 1.1 This complaints procedure is not limited to parents/carers of learners that are registered at the school. Any person, including members of the public, may make a complaint 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. This complaints policy applies to all schools within the Coast and Vale Learning Trust (the Trust) as well as the Trust Central Team.

2 The difference between a concern and a complaint

- 2.1 A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.
- 2.2 A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.
- 2.3 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 Trust](#) takes concerns seriously and will make every effort to resolve the matter as quickly as possible.
- 2.4 If you have difficulty discussing a concern with a particular member of staff, 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.
- 2.5 We understand however, that there are occasions when people would like to raise their concerns formally. In this case, [the Trust](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3 How to raise a concern or make a complaint

- 3.1 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.
- 3.2 Complaints against school staff (except the Headteacher) should be made in the first instance, to [the Headteacher](#) via the school office. Please mark them as Private and Confidential.

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- 3.3 Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors (details of who this is are available on the school website), via the school office. Please mark them as Private and Confidential.
- 3.4 Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.
- 3.5 Complaints that involve or are about the Trust Central Team should be addressed to the CEO via the trust office. Please mark them as Private and Confidential.
- 3.6 Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Roger Cannon, Chair of Trustees, via the trust office. Please mark them as Private and Confidential.
- 3.7 Complaints about the Chair of Trustees should be addressed to John Armistead, Chair of Members, via the trust office. Please mark them as Private and Confidential.
- 3.8 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 like the Citizens Advice to help you.
- 3.9 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.

4 Anonymous complaints

- 4.1 We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation. In the case of staff, where the complainant is worried about the consequences of raising the concern they can activate the Whistleblowing Policy.

5 Vexacious Complaints

- 5.1 We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under section 15 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.

6 Time scales

- 6.1 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. The three months' time scale would not include the school holiday period.

7 Complaints received outside of term time

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

8 Scope of this complaints procedure

- 8.1 This procedure covers all complaints about any provision of community facilities or services by [the Trust](#), other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
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). <insert LADO/MASH details> .
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i>
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:

	<p>www.education.gov.uk/contactus.</p> <p>Volunteer staff 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.</p>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the school'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>

8.2 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.

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

9 Resolving complaints

9.1 At each stage in the procedure, **the Trust** 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 school policies in light of the complaint
- an apology.

10 Withdrawal of a complaint

10.1 If a complainant wants to withdraw their complaint, the school or trust will make every effort to make sure there is a written confirmation of the complaint being withdrawn, either in letter or email.

11 Stage 1 – Informal complaints

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

11.2 Concerns should be raised with either the class teacher, head of year / Head of Department/Faculty or Headteacher. It is important that the complaint is normally addressed to the member of staff it involves rather than going to the school leadership team in the first instance. There may be instances where the nature of the complaint means that it is appropriate to immediately go to the Headteacher.

11.3 Complainants should not approach individual governors or trustees 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.

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

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

12 Stage 2 – Formal complaints (school based complaint)

12.1 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 in appendix 1).

12.2 The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Each school will maintain a log of formal complaints received, using the template in appendix 3

12.3 Within this response, the Headteacher (or a suitable member of the SLT) will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

12.4 *Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken. The member of the SLT will be referred to as the Investigating Officer.*

12.5 During the investigation, the Headteacher (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.

12.6 At the conclusion of their investigation, the Headteacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

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

12.8 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 resolve the complaint.

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

12.10 If the complaint is about the Headteacher, 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.

12.11 Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office.

12.12 If the complaint is:

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

12.13 Stage 2 will be escalated to the CEO of the Trust.

13 Stage 3 – Panel Hearing

13.1 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 panel hearing consisting of at least three people who were not directly involved in the

matters detailed in the complaint with one panel member who is independent of the management and running of the school. **This is the final stage of the complaints procedure.**

13.2 A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 15 school days of receipt of the Stage 2 response.

13.3 The Clerk 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.

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

13.5 The Clerk 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 Clerk will provide an anticipated date and keep the complainant informed.

13.6 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.

13.7 If the complaint is:

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

13.8 Stage 3 will be heard by the trustees and an independent panel member.

13.9 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 committee meeting. However, there may be occasions when legal representation is appropriate.

13.10 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.

13.11 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 the Trust's Disciplinary Policy, if appropriate, but outcomes will not be shared with them.

13.12 Representatives from the media are not permitted to attend.

13.13 At least 10 school 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 5 school days before the meeting. It may be possible for previously unsubmitted materials to be brought to the meeting, with the prior approval of the Chair of the committee meeting.

13.14 Any written material will be circulated to all parties at least 3 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.

13.15 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.

13.16 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 complainant is welcome to take their own notes, however, the formal record of the meeting are the minutes produced by the clerk.

13.17 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.

13.18 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.

13.19 The Chair of the Committee will provide the complainant and the school with a

full explanation of their decision and the reason(s) for it, in writing, within **10** school days of the meeting.

13.20 The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by [the Trust](#).

13.21 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 resolve the complaint.

13.22 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 Trust Board and the Headteacher.

13.23 A written record will be kept of all complaints, in line with the Trust's Records Retention Policy, 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.

13.24 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.

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

14.1 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 CEO to be investigated.

14.2 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 Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

14.3 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 **15 school days** of the date that the letter was received, explaining the reason for the delay and providing a revised date.

- 14.4 If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Chair of Members for investigation
- 14.5 *NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.*
- 14.6 If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 15 school days.
- 14.7 The Clerk 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.
- 14.8 Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 14.9 The Clerk 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 Clerk will provide an anticipated date and keep the complainant informed.
- 14.10 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.
- 14.11 If the complaint is:
- jointly about the Chair and Vice Chair or
 - the entire trust board or
 - the majority of the trust board
- 14.12 Stage 3 will be heard by a completely independent complaint panel.
- 14.13 The Complaint Panel will consist of three persons who are the Members of the trust. None of the three persons 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.

14.14 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, Member or an employee of the Trust.

14.15 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 committee meeting. However, there may be occasions when legal representation is appropriate.

14.16 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.

14.17 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.

14.18 Representatives from the media are not permitted to attend.

14.19 At least 10 school 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 5 school days before the meeting. It may be possible for previously unsubmitted materials to be brought to the meeting, with the prior approval of the Chair of the committee meeting.

14.20 Any written material will be circulated to all parties at least 3 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.

14.21 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.

14.22 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 complainant is welcome to take their own

notes, however, the formal record of the meeting are the minutes produced by the clerk.

14.23 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.

14.24 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.

14.25 The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

14.26 The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by [the Trust](#).

14.27 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 resolve the complaint.

14.28 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 Trust Board and the CEO.

14.29 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.

14.30 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.

15 Unreasonably persistent complainants and unreasonable complainant behaviour

15.1 There are rare circumstances where we will deviate from the Complaints Procedure set out above.

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15.2 These include, but are not necessarily limited to:

- where the complainant's behaviour or language towards staff, members of the academy council or trustees is abusive, offensive, discriminatory or threatening;
- where the complaint's behaviour is hindering our consideration of complaints and/or the proper running of the academy because of the frequency or nature of the complainant's contact, such as, if the complainant:
 - refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
 - refuses to cooperate with the complaints investigation process
 - refuses to accept that certain issues are not within the scope of the complaints procedure
 - insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
 - introduces trivial or irrelevant information which they expect to be taken into account and commented on
 - raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
 - makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
 - changes the basis of the complaint as the investigation proceeds
 - seeks an unrealistic outcome, such as the inappropriate dismissal of staff
 - makes 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
 - knowingly provides falsified information
 - publishes unacceptable information on social media or other public forums
- where the complainant's complaint is clearly frivolous, vexatious and/or has patently insufficient grounds. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:
 - complaints which are obsessive, persistent, harassing, prolific, repetitious
 - insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason

- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value
- where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full.

15.3 In these circumstances, we may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- restrict the complainant's access to the academy e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the academy's premises. This will be reviewed after six months;
- conduct the complaints panel on the papers only i.e. not hold a hearing;
- refuse to consider the complaint and refer the complainant directly to Stage 4.

15.4 In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

15.5 We may take the decision not to respond to any further correspondence where:

- we have taken every reasonable step to address the complainant's concerns the complainant has been given a clear statement of our position and their options and the complainant contacts us repeatedly, making substantially the same points each time

15.6 The case for ceasing further correspondence is stronger where:

- letters, emails, or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff
- we have reason to believe the complainant is contacting us with the intention of causing disruption or inconvenience

15.7 Where the behaviour is so extreme that it threatens the immediate safety and welfare of any member of the Trust community, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

16 Next Steps

- 16.1 If the complainant believes the school / 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 ESFA after they have completed Stage 3.
- 16.2 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by [the Trust or one of our schools](#). They will consider whether we [have](#) 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](#).
- 16.3 The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

17 Appendix 1: Complaint Form

Please complete and return to the relevant person, depending on who the complaint is about 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: 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:

18 Appendix 2: Roles and Responsibilities

18.1 Complainant

18.1.1 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.

18.2 Investigator

18.2.1 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.

18.2.2 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 complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher 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.

18.3 Complaints Co-ordinator

(this could be the Headteacher or CEO / designated complaints governor or trustee or other staff member providing administrative support)

18.3.1 The complaints co-ordinator 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 Clerk and 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

18.4 Clerk to the Governing Body / Trust Board

18.4.1 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 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 committee's decision.

18.5 Committee Chair

18.5.1 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 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
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

18.6 Committee Member

18.6.1 Committee members should be aware that:

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

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- No governor / trustee 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 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 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.

19 Appendix 3: Template Complaints Log

Schools may choose to keep these logs as a spreadsheet, and are welcome to expand on this template which is considered a minimum.

The Trust's Records Management Policy stipulates a 3-year retention period for complaints. This should be confirmed at the point the complaint is resolved and in some cases it may be necessary to review the retention at the end of the normal period, if for instance, there are Child Protection elements to the complaint.

Complaint Number	Date Complaint Received	Addressed to	Nature of Complaint	Summary of actions	Date Acknowledgment Letter sent	Date of full response (letter or meeting)	Resolved Yes/No date	Retention date (3 years)