CHANGING LIVES IN COLLABORATION

CLIC Co-operative Trust

Complaints Policy & Procedure



Document Control	
Title	Complaints Policy and Procedure
Date	July 2024
Date of next review	July 2025
Approval Level	Trust Board
Supersedes	Complaints Policy July 2023
Amendments	2024: New policy – adopted DfE model procedure for complaints in an academy within a multi-academy trust
Related Policies/Guidance	
Author	Executive Headteacher Executive Assistant
Policy Category	Statutory Trust Wide: this policy applies to all schools within the Trust

Introduction

This policy statement and procedure sets out the approach of the Changing Lives in Collaboration Trust (the Trust) and its schools in dealing with concerns and complaints. The procedure is intended to allow a concern or complaint relating to the Trust or one of its schools to be raised by parents, carers or other stakeholders.

We value good relationships with parents and carers and our wider communities and we will do everything we can to establish and maintain these. We endeavour to create an environment of mutual respect where stakeholders are listened to and their views respected.

All representatives of the Trust and its schools involved in dealing with complaints have undertaken training where necessary.

We will always seek to resolve any concerns or complaints promptly and with the aim of reaching resolution wherever possible.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the school 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.

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. Our school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

How to raise a concern

Where you have a concern, you should raise this at your earliest convenience with an appropriate staff member. You should express your worries or doubts to this staff member and outline what action(s) you wish to be taken. If you have difficulty discussing the concern with this member of staff, we will respect your views and you are welcome to approach another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they may ask the phase leader to refer you to another staff member (this 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).

How to make a complaint

It is usually possible to resolve the vast majority of concerns at the informal stage. However, that there are occasions when people would like to raise their concerns formally. In this case, our school will attempt to resolve the issue internally, through the stages outlined within this complaints' procedure.

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 (except the head teacher) 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 head teacher should be addressed to the CLIC Complaints Co-ordinator (Clair Travis) for the attention of the Chair of Governors, via ctravis@clictrust.org or 0161 9381751. Please mark any correspondence as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body, or the CLIC Trust should be addressed to the CLIC Complaints Co-ordinator (Clair Travis) for the attention of the CLIC Chief Executive Officer (CEO), via ctravis@clictrust.org or 0161 9381751. Please mark any correspondence as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the CLIC Complaints Co-ordinator (Clair Travis) for the attention of the Chair of Trustees, via ctravis@clictrust.org or 0161 9381751. Please mark any correspondence 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 head teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

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

Complaints received outside of term time

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

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by the school, 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). **Manchester LADO or LA Designated Officer**: 0161 234 1214 **MCC Safeguarding in Education Team**: 0161 245 7171 **Tameside Local Authority Designated Officer:** Tania Brown 01613424398 tania.brown@tameside.gov.uk **Tameside Information Multi-Agency Safeguarding Hub (MASH):** Monday to Wednesday 8.30am to 5pm, Thursday 8.30am to 4.30pm and Friday 8.30am to 4pm Tel 0161 342 4101 Out of hours Tel 0161 342 2222
• 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 procedure.*
• 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 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. 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 the school 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 school 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.

Withdrawal of a complaint

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

Stage 1 – Informal concerns and complaints

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

Concerns should be raised with an appropriate member of staff (for example, the class teacher, phase lead, member of office staff or member of the pastoral team). Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an response, either verbally or an informal 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

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

The head teacher 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.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face-to-face meeting is the most appropriate way of doing this. The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the head teacher (or investigator) will:

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

At the conclusion of their investigation, the head teacher will provide a formal written response within 15 school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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

The head teacher 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 head teacher, 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. Complaints about the head teacher or member of the governing body must be made to the CLIC Complaints Co-ordinator.

If the complaint is: jointly about the Chair and Vice Chair or the entire governing body or the majority of the governing body or the CLIC Trust then Stage 2 will be escalated to the CEO of the Trust.

If the complaint is about the Chief Executive Officer (CEO) or a trustee of the Trust then Stage 2 will be escalated to the Chair of Trustees via the CLIC Complaints Co-ordinator.

If the complaint is about the Chair of Trustees, the complaint will be referred to the Vice Chair of Trustees for investigation.

If the complaint is: jointly about the Chair and Vice Chair of Trustees or the entire Trustees Board or the majority of the Trustees Board then Stage 2 will be escalated to an independent investigator.

In all cases, the individual to whom the complaint is escalated 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.

Following the investigation, the individual to whom the complaint is escalated 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 individual

will write to the Complainant explaining the reason for the delay and providing a revised date. Where the Chair of the Trustees has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

Stage 3 – Panel Hearing

Where Stage 2 of the complaint related to the school, school leaders or individual governors and was managed by leaders or governors:

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 Governors 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 could be a Governor from another school within the Trust). This is the final stage of the complaints procedure. Panel members are determined at the first meeting of the Local Governing Committee in each school at the start of each academic year.

A request to escalate to Stage 3 must be made to the CLIC Complaints Co-ordinator (Clair Travis) via ctravis@clictrust.org or 0161 9381751. Please mark any correspondence as Private and Confidential. Requests must be made within 10 school days of receipt of the Stage 2 response.

The CLIC Complaints Co-ordinator 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 CLIC Complaints Co-ordinator will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the CLIC Complaints Co-ordinator will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the CLIC Complaints Co-ordinator 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 of governing committee or
- the entire or majority of the governing committee

Stage 3 will be heard by the trustees and an independent panel member (see section below).

If the complaint is:

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

Stage 3 will be heard by independent panel (see section below).

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. 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. 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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the CLIC Complaints Co-ordinator 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.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not 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. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

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

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

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 15 school days.

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 school.

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

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.

Where Stage 2 of the complaint related to the chair and vice chair of governors, the entire or majority of the governing committee, the Trust, the Chief Executive Officer (CEO), or the Chair of Trustees and was managed by the CEO, the Chair or Vice Chair of Trustees:

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. 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. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the CLIC Complaints Co-ordinator (Clair Travis) via ctravis@clictrust.org or 0161 9381751. Please mark any correspondence as Private and Confidential. Requests must be made within 10 school days of receipt of the Stage 2 response.

The CLIC Complaints Co-ordinator 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 CLIC Complaints Co-ordinator will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the CLIC Complaints Co-ordinator will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the CLIC Complaints Co-ordinator 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 committee meeting. However, there may be occasions when legal representation is appropriate. 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. 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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the CLIC Complaints Co-ordinator 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.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not 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. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

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

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

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 15 school days.

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 school.

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

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.

Where Stage 2 of the complaint related to the chair and vice chair of Trustees, the entire or majority of the Trustees and was managed by an independent investigator:

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 three entirely independent members. 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. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the CLIC Complaints Co-ordinator (Clair Travis) via ctravis@clictrust.org or 0161 9381751. Please mark any correspondence as Private and Confidential. Requests must be made within 10 school days of receipt of the Stage 2 response.

The CLIC Complaints Co-ordinator 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.

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If the complainant rejects the offer of three proposed dates, without good reason, the CLIC Complaints Co-ordinator 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 committee meeting. However, there may be occasions when legal representation is appropriate. 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. 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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the CLIC Complaints Co-ordinator 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.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not 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. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

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

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

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

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to prevent similar issues in the future.

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

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.

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

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 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.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the school or the Trust. They will consider whether the school and / or 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 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

Complaint Form – Stage 3

Please complete and return to the CLIC Complaints Co-ordinator (Clair Travis) 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:

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

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the 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 the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

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

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, 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.

Clerk to the Panel Hearing

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.

Committee Chair

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

  If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the 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/Complaints Co-ordinator

Committee Member

Committee members should be aware that:

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