All Saints
Catholic Academy Trust

# Complaints Policy

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**Contents**


- Introduction
- Who Can Make a Complaint?
- The Difference Between a Concern and a Complaint
- How to Raise a Concern or Make a Complaint
- Complaints Raised via Social Media or Public Platforms
- Anonymous Complaints
- Time Scales
- Complaints Received Outside of Term Time
- Scope of this Complaints Procedure
- Exceptions
- Concerns and Complaints from Members of the Public
- Concerns and Complaints from Parents/Carers of Registered Pupils
- Resolving Complaints
- Withdrawal of a Complaint
- Complaints Procedure Stages
- Trust Level Complaints
- Next Steps (Department for Education Referral)
- Managing Persistent, Unreasonable or Vexatious Complaints
- Complaints Campaigns
- Transferring Data
- Availability
- Parent Flow Chart
- Complaint Form
- Roles and Responsibilities


# ASCAT Complaints Policy and Procedure

## Introduction

In a Catholic school, parental/carers' concerns are of particular importance. As the first educators of their children, parents/carers have a duty to take an active interest in their school. "Since parents have given children their life, they are bound by the most serious obligation to educate their offspring." (Gravissimum Educationis). To this end, "there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents and willingly listen to them." (Can.796) In a Catholic School, therefore, dealing with parental/carers' concerns will be an intrinsic part of the school's ethos and mission

No-one likes criticism but an open organisation will always be willing to listen to concerns and anxieties and be ready to learn from them if appropriate. In a school, most concerns are likely to be expressed by the parents or carers of its pupils, though some may come from pupils themselves, former pupils, parishioners, or from other interested parties such as neighbours or users of the premises. It is appropriate for a complaint to be processed from wherever it arises. For the purposes of this policy all references to schools include academies.

Nearly all concerns or questions can be resolved very quickly and informally if parents/carers feel able to voice them as soon as they arise. Obviously, the more information the school gives to them the less scope there is for misunderstanding. As part of this information, parents/carers should be told that feedback is always welcome and that, therefore, they are warmly encouraged to voice any concerns straightaway, preferably to the person concerned. In most cases, discussion, explanation, further information – or an apology, if appropriate – will resolve the issue. Every effort should be made to allay concerns at this level and with the least possible formality. The ideal is that no concern should ever become a formal complaint.

Occasionally, however, a concern will be too serious to be handled in this way, perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate. In such circumstances, the concern will become a complaint and the formal procedure should be rigorously followed. Even in these cases, every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare indeed that a complaint needs to be decided at the Appeal Stage by a Complaints Appeals Panel.

The Trust operates a graduated escalation approach designed to:

- Support early resolution
- Promote positive partnership working with parents/carers
- Ensure fairness, proportionality and transparency
- Protect staff, pupils and the wider community
- Meet statutory expectations under the Education (Independent School Standards) Regulations 2014

Concerns and complaints will normally progress through the following stages:

1. Parent/Carer Code of Conduct and Communication Expectations
2. Informal Resolution
3. Formal Complaints Procedure

**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 or data protection related complaints), we will use this complaints procedure.
The Complaints policy does not apply to

- Members of staff (who should use the School's Grievance Procedure)
- Complaints dealt with under separate statutory procedures (e.g. appeals relating to exclusions or admissions)

See 'Scope of 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*'.**

A complaint may relate to both the substance of an issue and the manner in which concerns are pursued. The Trust distinguishes clearly between:

- The complaint itself; and
- Behaviour or communication associated with the complaint.

Where behaviour becomes unreasonable, the Trust may manage communication separately while continuing to consider the complaint in line with this procedure.

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. <School Name> takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

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

**How to raise a concern or make a complaint**
All complainants are expected to engage with the Trust respectfully and in accordance with the Parent and Carer Code of Conduct and the Unreasonable Conduct and Communications Policy. These policies explain expected standards of behaviour and communication when raising concerns.

Failure to meet these expectations will not invalidate a complaint. However, the Trust may introduce communication management or behavioural safeguards where necessary to ensure that concerns can be considered safely and fairly.

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.
Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

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 2 of the procedure.

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.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

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.

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 third party organisations like the 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.

**Complaints Raised via Social Media or Public Platforms**

The Trust will not normally investigate complaints raised solely via social media or public forums. Complainants will be invited to raise concerns through formal channels to ensure fair and confidential consideration.

- Public commentary that:
- Names or identifies pupils or staff
- Shares confidential or inaccurate information
- Encourages harassment or intimidation

may be managed under the Parent Code of Conduct or Unreasonable Conduct and Communications policies.

**Anonymous complaints**
We will not normally investigate anonymous complaints. However, the headteacher 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<br>• School re-organisation proposals<br>• Statutory assessments of Special Educational Needs | • Appeals procedure<br>• Governing Body<br>• <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.<br><br>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.<br><br>**complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.* |
| • Whistleblowing | We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.<br><br>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.<br><br>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), |

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| | 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.<br>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. |
| • Complaints about services provided by other providers who may use school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. |
| • National Curriculum - content | Please contact the Department for Education at: www.education.gov.uk/contactus |

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

**Concerns and complaints from members of the public**
This includes parents of children no longer on roll at the school. Concerns or complaints will be handled by the relevant school or the Trust central team. Concerns or complaints should be made in writing to the school or Trust (contact details are available on the relevant websites).

The process for concerns or complaints from members of the public is a call or meeting with an appropriate Trust employee who would directly understand the issue. This phone call or meeting will be within ten school days of receipt of the initial complaint. If the matter is not resolved at this stage, an investigating officer will be appointed by either the headteacher of the school (for school related complaints) or the CEO (for Trust-related complaints). Following an investigation, the complainant will receive a formal letter outlining the investigation and its outcomes and any associated actions to be taken. This letter will be sent within 20 school days of the phone call or meeting.

Should this not resolve the matter, the complainant may contact the Department for Education (DfE) (see next steps).

**Concerns and complaints from parents/carers of children that are registered at a school in the trust**

**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 complaints**

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Where appropriate, the School or Trust may offer:

- Facilitated or restorative meetings
- Clarification meetings
- Single point of contact arrangements
- Supported communication or reasonable adjustments

The aim is to resolve concerns constructively and prevent escalation where possible. Concerns should be raised with either the class teacher, year head / subject head or head teacher.

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 informal written response within 10 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 headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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 2 school days.

Within this response, the headteacher 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.

***Note: The headteacher 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 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.

At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the headteacher 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 headteacher 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 governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

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

**If the complaint is:**

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

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

At the conclusion of their investigation, the independent investigator will provide a formal written response.

**Stage 3 – Panel Hearing**

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.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 20 school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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.

**If the complaint is:**

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

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

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.

***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 (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 7 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 Clerk at least 5 school days before the meeting.

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.

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 3 school days.

The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by the School. 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.

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 response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

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

If a complaint is escalated to the All Saints Catholic Academy Trust "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.

Complaints about the CEO or a Director of the Trust should be addressed to the Chair of the Trust Board via the Clerk to the Trust Board. Please mark them as Private and Confidential.

The CEO will write to the complainant acknowledging the complaint within 3 school days of the date that the written request was received. If  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 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 10 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 Trust 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 Trust 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 Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within 5 school days.
The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

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

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.

**If the complaint is:**

- **jointly about the Chair and Vice Chair or**
- **the entire trust board or**
- **the majority of the trust board**

**Stage 3 will be heard by a completely independent committee panel.**

The Complaint Panel will consist of three Trust Directors. None of the three Directors 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, of 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 committee 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 7 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.

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.

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 All Saints Catholic Academy Trust 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 DfE if they are dissatisfied with the way their complaint has been handled by All Saints Catholic Academy Trust.

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 All Saints Catholic Academy Trust 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.

**Next Steps**
If the complainant believes the school or Trust has not handled their complaint in accordance with the published complaints procedure, or has acted unlawfully or unreasonably in the exercise of its duties under education law, they may refer the matter to the Department for Education once all stages of the Trust's complaints procedure have been exhausted.

The Department for Education will not normally reinvestigate the substance of complaints or overturn decisions made by the school or Trust. The Department will consider whether the school or Trust has followed education legislation, statutory guidance and the requirements of Part 7 of the Education (Independent School Standards) Regulations 2014.
Complaints can be referred to the Department for Education via:
**Online:**
https://www.gov.uk/complain-about-school
**By telephone:**
0370 000 2288
**By post:**
Department for Education
School Complaints Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

**Managing persistent or unreasonable or vexatious complaints**

Behaviour associated with complaints will be managed in line with the Parent/Carer Code of Conduct and the Unreasonable Conduct and Communications Policy.
Where behaviour requires management:

- The complaint will continue to be considered where reasonably possible
- Safeguarding concerns will always be prioritised
- Behaviour management will be proportionate and evidence-based

All Saints Catholic Academy Trust is committed to handling all complaints in a fair, transparent and impartial manner and to providing a high-quality service to all who raise concerns. We do not normally restrict the contact complainants have with the school. However, staff are not expected to tolerate behaviour that is abusive, offensive, threatening or otherwise inappropriate. Where such behaviour occurs, the school will take proportionate steps to safeguard staff and maintain a safe and respectful working environment.

The Trust also recognises its duty to protect staff wellbeing. Where the manner, frequency or volume of complaint-related contact places unreasonable or disproportionate demands on staff time or causes distress, the school may introduce appropriate and proportionate adjustments to communication arrangements. Any such measures will be implemented in a way that continues to ensure the complaint itself is considered fairly and in accordance with this procedure.

Unreasonable Conduct and Communications Policy defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school.

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

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

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

## Complaints campaigns

Where the trust becomes the subject of a complaints campaign from complainants who are not connected with the academy, a standard, single response will be published on the academy's website.

If the academy receives a large number of complaints about the same subject from complainants who are connected to the academy, e.g. parents, each complainant will receive an individual response. If complainants remain dissatisfied with the academy's response, they will be directed to the DfE.

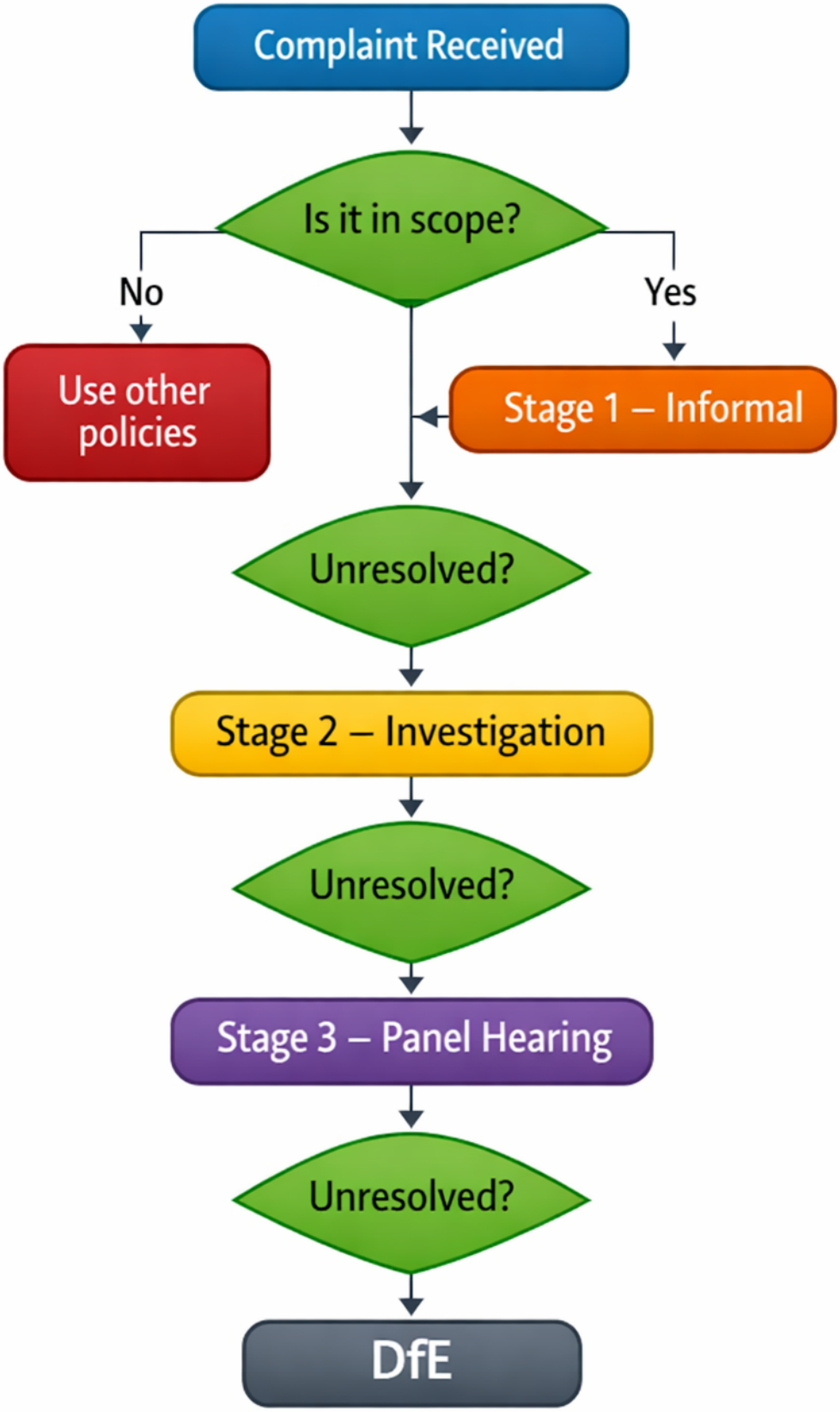
## Transferring data

When a pupil changes school, the pupil's educational record will be transferred to the new school and no copies will be kept. The academy will hold records of complaints separate to pupil records while a complaint is ongoing, so that access to these records can be maintained. Information that the academy retains relating to a complaint will be stored securely and in line with its Records Management Policy.

## Availability

A copy of this policy will be made available on request. It will also be published on the academy's website, as recommended by the DfE.

## Parent Flow Chart




**Complaint Form**

Please complete and return to <…Name> (*either head teacher / Clerk / complaints co-ordinator / designated governor – school to delete 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):** |
| **Address:**<br><br><br>**Postcode:**<br>**Day time telephone number:**<br>**Evening telephone number:**<br>**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:**<br><br>**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, head teacher, 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 Governing Body / Trust Board**

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 (and complaints co-ordinator, if the school has one).

**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.