



SYNERGY
EDUCATION
TRUST

Complaints Policy

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Statement of intent

This policy is intended to set out how Synergy Education Trust and its academies will deal with complaints from parents, pupils, and the public, who should feel able to express their views knowing that they will be dealt with fairly. Employees wishing to make a complaint should follow the Grievance policy and procedure.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation
- Address all the points at issue and provide an effective and prompt response
- Treat complainants with respect and courtesy
- Make sure any decisions we make are lawful, rational, reasonable, fair and proportionate
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school and trust improvement evaluation processes

Legal framework

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

This policy complies with our funding agreement and articles of association.

This document meets the requirements of section 35 of the schedule to the [Education \(Non-Maintained Special Schools\) \(England\) Regulations 2011](#), which states that non-maintained special schools must have and make available a written procedure to deal with complaints relating to their school.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

Definitions and Scope

Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought"
- A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions - please follow admissions policy on website
- Statutory assessment of special educational needs- please contact the local authority
- Safeguarding matters- please follow academies individual policies or contact the LADO on lado@blackpool.gov.uk or tim.booth@lancashire.gov.uk
- Suspension and permanent exclusion- please follows academies individual policies
- Whistle-blowing- please follow separate policy

Complaints Policy

- Staff grievances- please follow academies individual policy
- Staff discipline and conduct- please follow academies individual policy
- Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

General principles

Definitions;

For the purpose of this policy, a “complaint” can be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action.’

A “concern” can be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’. For the purpose of this policy, concerns will be classed and addressed as complaints.

A “grievance” is an issue raised by a member of staff where they feel the school has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the school’s Grievance Policy.

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 complaint’s procedure. Synergy takes all concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand that there will be occasions when people would like to raise their concerns formally.

In this case, the Trust or Academy will attempt to resolve the issues internally, through the stages outlined within this complaint procedure.

Complaints Policy

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. Please ensure all complaints are marked 'Private and confidential' and addressed to the appropriate person as below.

Complaints about:

- Something that has happened or failed to happen in the school, then contact the Head of School/ Headteacher;
- School staff (except the Head of School/Headteacher) should be made to the Head of School/Headteacher, via the school.
- The actions of the Head of School/ Headteacher, then contact the Synergy Central Team, via admin@seteducation.org.uk
- A local governor or Trustee should be made to the Chair of Trustees, via admin@seteducation.org.uk
- The actions of the Chair of Trustees then contact the Chief Executive Officer, via admin@seteducation.org.uk
- Complaints against Synergy Education Trust, it's policies or practices or an issue with a member of the Synergy central team should be made to the Chief Operating Officer, via admin@seteducation.org.uk
- Complaints about our fulfilment of Early Years requirements should be made in writing to the Trust via the Head of School/Headteacher. We will investigate all written complaints relating to the trust's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. Schools will keep a record of the complaint and make this available to Ofsted on request.

Timescales

Complaints Policy

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The Trust/academy will consider complaints made outside of this time frame where exceptional circumstances apply.

The Trust/academy is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 15 academy days. From time to time, it may not be possible to complete the process in that timescale. Where that is not possible the complainant will be informed of any delays in writing.

Where a complaint leads to criminal proceedings this will always be the case, therefore timescales within this procedure are likely to need to be reviewed.

Trust/academy do not operate during school holiday dates therefore a complaint raised outside of the term time will be considered as having been received on the first school day after the holiday period.

Resolving complaints

In dealing with complaints Synergy will take account of its public sector equality duty and have due regard for the need to:

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share

Confidentiality

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors/trustees on a 'need to know' basis. It is essential that any information shared with any party (including Staff and

Complaints Policy

Governors/Trustees), as a result of this procedure, is kept strictly confidential.

It is essential that Local Governors or Trustees do not discuss any matters disclosed to them with other members of the Governing Body or Trust Board, to ensure that sufficient members have no prior knowledge of the complaint to enable a complaints panel to be convened, if required, at Stage 2. It is also essential that Governing Bodies and Trustees are mindful that details of situations occurring within the school should not be discussed or made reference to at any Trust or Governor Meetings.

Accompaniment

Throughout this procedure, all parties will have the opportunity to be represented / supported at meetings. In the case of a member of staff you may bring along a Union representative or work colleague, and in the case of a Parent, you may be represented by a relative or a friend.

It is not appropriate for Solicitors or representatives of similarly professional environments who are not linked to a Professional Trade Union, to be present at any formal meetings.

Recording and Monitoring Complaints

The school/trust will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome
- The records will also include copies of letters and emails, and notes related to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel.

In the case of complaints about the trust or central staff, these records will be managed by the COO and will be stored securely in the trust's offices.

Complaints Policy

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole local governing body of the school (or the entire trust board) in case a review panel needs to be organised at a later point.

Where the local governing body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the local governing body, who will not unreasonably withhold consent.

Resolving Complaints

It is useful to encourage complainants to indicate what actions they feel might resolve the problem.

In this respect it should be noted that complainants' views on this may be unreasonable and they should be made aware of what are reasonable and appropriate outcomes in relation to the specific nature of their complaint.

Identifying areas of agreement and clarifying any issues can also create a positive atmosphere in which to discuss any outstanding issues.

If appropriate, when all information is clarified the school will acknowledge that the complaint is upheld in whole or in part or not upheld. The school may also offer one or more of the following;

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance the matter complained about will not recur
- an explanation of the steps that have been taken 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 the light of the complaint
- an apology where appropriate.

Unreasonable, Malicious and Persistent Complaints

A good complaints procedure which has been properly followed will limit the number of protracted complaints. There will, however, be occasions when the complainant remains dissatisfied even though all stages of the Complaints Procedure have been completed. If the complainant continues to raise the same issue it is reasonable for the Chair of Governors to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following this complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive

Complaints Policy

- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps the school/trust will take

The school/trust will take every reasonable step to address the complainant's concerns, and give them a clear statement of the school's/trust's position and their options. The school/trust will maintain the role of an objective arbiter throughout the process, including when meetings are held with individuals. The school/trust will follow this complaints procedure as normal wherever possible.

If the complainant continues to contact the school/trust in a disruptive way, communication strategies may be put in place.

The school/trust may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary
- Stopping responding

Complaints Policy

The school/trust may stop responding to the complainant when all of these factors are met:

- The school/trust has taken all reasonable steps to help address their concerns
- The complainant has received a clear statement of the school's/trust's position and their options
- The complainant contacts the school/trust repeatedly, and the school/trust believes their intention is to cause disruption or inconvenience

The school/trust will inform the individual that they intend to stop responding and explain that any new complaints will still be considered.

In response to any serious incident of aggression or violence, the school/trust will immediately inform the police and communicate these actions in writing. This may include barring an individual from the school/trust site.

Duplicate complaints

If the school/trust has resolved a complaint under this procedure and received a duplicate complaint on the same subject from a partner, family member or other individual, the school/trust will assess whether there are aspects that we hadn't previously considered, or any new information that needs to be taken into account.

If the school/trust is satisfied that there are no new aspects, it will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with the original handling of the complaint

If there are new aspects, this procedure will be repeated.

Complaint campaigns

Where the school/trust receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school/trust may respond to these complaints by:

- Publishing a single response on the school/trust website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's/trust's response, or wish to pursue the complaint further, the normal procedures will apply.

Serious Allegations or Complaints

If the allegations refer to criminal activity, which may require the involvement of the Police, the Headteacher should inform the Chair of Governors and seek the advice of Human Resources. If allegations refer to safeguarding children, advice should be sought from the Local Authority Designated Officer (LADO) and Human Resources.

If the allegations involve financial or accounting irregularities or circumstances which may suggest irregularities affecting cash, stores, property, remuneration or allowances, the Headteacher should inform the Chair of Governors and seek the advice of Human Resources so that the complaint can be investigated under the procedures normally applied for suspected financial irregularities.

If the allegations relate to the abuse of children, the Headteacher should seek the advice of their Human Resources provider. Serious allegations of this nature must be referred under School's Child Protection Procedures to the Local Authority (It will usually be necessary for a strategy meeting to be convened in order to consider a way forward).

If the allegations refer to maladministration of tests, the appropriate authority should be contacted (in the case of Primary Schools, the Standards and Testing Agency, in the case of Secondary Schools, the

appropriate examination board). Advice can be sought from the Local Authority School Improvement Officer with responsibility for assessment.

In all the above, consideration will be given under the appropriate procedures where necessary.

Anonymous complaints will only be considered where the Headteacher or Chair of Governors determines that the complaint warrants investigation, in these cases an outcome of any findings will be recorded in the schools recording systems.

Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing/email. The individual of whom the complaint refers will be informed that the complaint has been withdrawn.

SECTION 1

Stages of complaint (not complaints against the trust, CEO or trustees)

During the stages of this procedure, it is important that only the Headteacher or the Chair of Governors is involved as the Investigating Officers, and that members of the Governing Body are not involved as they may be required to support any complaints panel hearing at Stage 2. N.B. The Headteacher may delegate the investigation to another member of the schools senior leadership team but not the decision to be taken.

In exceptional circumstances, an independent investigator may be asked to carry out the investigations by the School and a request may be made by the complainant for this to be considered at the earliest opportunity. *In these circumstances please contact your HR Adviser who may be able to provide alternative options for your Governing Body to consider, this will be at an additional cost and resourced externally to the authority.*

Stage 1: Informal Resolution

Complaints Policy

The trust will take informal concerns seriously and make every effort to resolve that matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact their school office

The school will acknowledge informal complaints by email or phone, within 5 school days, and investigate and provide a response by email or phone, within 10 school days.

The informal stage will involve a meeting between the complainant and the teacher/SLT member and the subject of the complaint, if appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

NB. If a School Governor is directly approached by a complainant it is important that the Governor emphasises that they can only give general advice about how their complaint might be dealt with. The Governor should encourage the complainant to talk to the Headteacher who will attempt to resolve their complaint. The Governor should also inform the Headteacher or Chair of Governors (whichever is appropriate) about the complaint as soon as possible. It would be good practice for any Governor in this circumstance to make a note of the conversation which took place.

Stage 2: Formal Investigation

Where the complainant is dissatisfied with the outcome of Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

The formal stage involves the complainant putting the complaint in writing (unless the complainant has a sufficient reason to request a reasonable adjustment be made to amend this). This letter should provide details such as:

Complaints Policy

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

The letter should be submitted alongside copies of any relevant documents.

Addressing the complaint

Complaints not involving the headteacher or a member of the local governing body should be directed to the headteacher.

This can be done by:

- Email: School office
- Letter addressed to the headteacher, delivered to the school office

Complaints involving the headteacher or a member of the local governing body should be directed to the chair of the local governing body. This can be done by:

- Email: school office for the attention of the Chair of Governors
- Letter addressed to the chair of the local governing body, delivered to the school office

Complaints involving the chair of the local governing body should be directed to the chair of the board of trustees.

This can be done by:

- Email: admin@seteducation.org.uk
- Letter: Synergy Central Office, The Water Tower, Stanley Primary School, Wordsworth Ave, Blackpool FY3 9UT

If complainants need assistance raising a formal complaint, they can contact the school office [details of how to contact school office – by phone/email].

Investigation

The complainant will receive written acknowledgement of their complaint within 5 school days.

The headteacher or the chair of the local governing body will then conduct their own investigation.

The Headteacher/Chair of Governors (Investigation Teams) will:

- Record the date the complaint is received and acknowledge in writing within 5 School days of the receipt of the complaint
- Seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. (The Headteacher/ Chair of Governors (investigation team) can consider whether a face to face, virtual or telephone interview is the most appropriate way to do this).

During the investigation, the Headteacher/Chair of Governors (Investigation Team) will:

- If the complaint concerns a member of staff inform them and provide them with a copy of the complaint;
- 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 the investigation.
- Prepare a report as a result of the investigation and consider actions to be taken;
- Advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised, in writing. They should also be informed of their right to request a move to Stage 3

Complaints Policy

- Make a record of the complaint and its outcome; this should be retained for Schools/Academy's records.

This stage would normally be expected to take no more than 10 School days of the 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.

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 actions at Stage 1.

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

If the complaint is:

- o Jointly about the chair and vice-chair or
- o The entire local governing body or
- o The majority of the local governing body

The CEO or trust board will conduct the investigation.

The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the headteacher / chair of the local governing body / CEO / trust board is unable to meet this deadline, they will provide the complainant with an update and revised response date.

Complaints Policy

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

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within 10 school days.

Stage 3: Local Governing Body Panel Hearing

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The panel will be appointed by or on behalf of the Trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school.

The panel cannot be made up solely of local governing body members, as they are not independent of the management and running of the school.

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire local governing body or
- The majority of the local governing body

The panel will be made up of trustees and an independent panel member.

The panel will have access to the existing record of the complaint's progress.

Complaints Policy

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. This will include:

- A copy of the original complaint.
- An outline of any investigation (report) carried out by the Investigation Officer at Stage 2.
- A copy of the letter sent to the complainant about the outcome at Stage 2.
- A copy of the letter requesting that the complaint is heard at Stage 3 by the Governors Complaints Committee.
- A copy of the Schools current adopted Complaints Procedure

The committee will decide whether to deal with the complaint by inviting the parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainants needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Legal representation is not normally granted but there may be exceptional circumstances when legal representation is appropriate.

If a school employee is called as a witness to a complaint meeting, they may wish to be accompanied by a Trade Union Representative and/ or work colleague.

N.B 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.

At the meeting

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 will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. NEW complaints must be dealt with in line with the Model School Policy, Complaints Procedure.

The panel will:

- Consider the written materials;
- Consider the complaint and the Headteachers (or Chair's) action(s) to date;
- Where determined, invite the Headteacher or Chair of Governors (as appropriate) and the complainant to the meeting
- Where the relevant parties are in attendance, the Panel will have an opportunity to question them when they have stated their cases.
- Seek advice and support as necessary from Human Resources ,as appropriate

When the Complaints Panel is satisfied that it has all the information it needs it will consider all the evidence and decide an outcome.

Complaints Policy

N.B. In the event that further information is needed and it is not available at the time the meeting may be adjourned and reconvened at a mutually convenient time.

The outcome

At the end of their consideration the panel/committee can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the appropriate action to be taken to resolve the complaint.
- Where appropriate recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

And will:

- Advise the complainant of the Complaints Panel's decisions in writing within 5 School days.
- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

The school will inform those involved of the decision in writing within 10 school days.

This is the final stage of the complaints procedure. If the complainant is dissatisfied with the outcome it can be referred to the Trust for a review of the Complaints Procedure.

Review Stage by the Trust Board

Where the school-based complaints procedure has been completed, and the complainant does not feel their complaint has been addressed to their satisfaction, they may contact the trust in writing to request a review of the complaint investigation.

They can do this by:

Complaints Policy

- Email: admin@seteducation.org.uk
- Letter: Synergy Central Office, The Water Tower, Stanley Primary School, Wordsworth Ave, Blackpool FY3 9UT

The written request should include a summary of the complaint, along with any relevant dates, times and evidence.

The trust cannot overturn decisions on complaints made during the school's complaints procedure. However, it can assess whether the school considered the complaint appropriately.

Complaints about the trust, CEO or trustees

Stage 1: informal resolution

We make every effort to address any concerns or complaints early through informal measures.

The complainant should raise any concerns as soon as possible with the relevant member of the trust's central team, or the chief executive officer (CEO).

If the concern regards the CEO, the complainant should contact the chair of the board of trustees.

If the complainant is unsure who to contact, or needs to contact the chair of the board of trustees, they should contact the trust office

- Email: admin@seteducation.org.uk
- Letter: Synergy Central Office, The Water Tower, Stanley Primary School, Wordsworth Ave, Blackpool FY3 9UT

The process for responding to and investigating an informal complaint about the trust or central staff is the same as that set out in section 1.

Stage 2: formal

Complaints Policy

If the complaint is not resolved satisfactorily at the informal stage, the complainant must submit a formal complaint in writing.

The complainant will receive written acknowledgement of their complaint within 10 school days.

The investigating officer will then conduct an investigation, in line with the process set out in Section 1, providing a written response to the complainant within 10 school days.

Stage 3: panel hearing

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

A panel will be appointed by the trust, and will consist of 3 members of the board not involved in investigating the complaint in the formal stage.

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire trust board or
- The majority of the trust board

The panel will be entirely made up of independent members.

The complainant will have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Complaints Policy

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

The complainant and representatives from the trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be The board will ensure that the hearing is properly minuted.

At the meeting

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and trust representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case.

The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust.

The panel will inform those involved of the decision in writing within 10 school days.

Referring complaints on completion of the school and trust procedures

If the complainant is unsatisfied with the outcome of the school or trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly. The ESFA will not overturn the school or trust's decision about a complaint but will intervene if a school or trust has:

Complaints Policy

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found not to meet regulations, the trust will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

www.gov.uk/complain-about-school

We will include this information in the outcome letter to complainants.

Learning lessons

The local governing body will review any underlying issues raised by complaints with the headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school/trust can make to its procedures or practice to help prevent similar events in the future.

The CEO will receive regular reports on the types of complaints received in each school in order to support the development of appropriate support structures, and to inform any improvements to procedures or practice.

Monitoring arrangements

- The local governing body will monitor the effectiveness of the school complaints procedure in ensuring that complaints are handled properly.
- The local governing body will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.
- The complaints records are logged and managed by The School Business Manager or The COO.

Complaints Policy

- The COO will monitor the effectiveness of the complaints procedure trust-wide.
- This policy will be reviewed by COO and CEO at least once every 2 to 3 years.
- At each review, the policy will be approved by the trust board.

APPENDIX 1 – PROCEDURE FLOWCHARTS

Complaint Raised about School Procedures or staff

- In the case of a complaint against a staff member – complaints should be raised with Headteacher
- In the case of a complaint against the Headteacher – complaints should be raised with the Chair of Governors
- Consideration for using an Independent Investigator should be given – this will be at an additional cost

Stage 1 – Informal Resolution

- Acknowledge the complaint
- Update relevant staff members
- Arrange relevant meetings or calls to establish the facts and information from all concerned
- Advise complainant of the outcome and provide relevant outcome
- Make a record of the complaint and its outcome in the Complaints register/record

YES: no further action needed

Issue Resolved

No: Advise to move to Stage 2

Stage 2 – Formal Investigation

- Formally acknowledge the complaint
- Update relevant staff members
- Arrange relevant meetings to establish the facts and information from all concerned
- Prepare a report as a result of the findings of the investigation and consider any actions necessary
- Advise complainant of the outcome and provide relevant outcome in writing to the complainant
- Advise complainant of next steps if they remain dissatisfied with the outcome
- Make a record of the complaint and its outcome in the Complaints register/record

YES: no further action needed

Issue Resolved

No: Advise to move to Stage 3

Stage 3: Local Governing Body Panel Hearing

- Formally acknowledge the complaint
- Clerk to Governors will arrange a meeting of the Governors Complaints Committee
- Consideration of all written materials and investigations undertaken
- Determine whether to dismiss or uphold the outcome of investigations
- Communicate the outcome of the meeting to all parties
- Advise complainant of further recourse should they remain dissatisfied

Decision Final

Complainant dissatisfied: Advise to move to Review Stage

Review Stage: The Trust Board

Where the school-based complaints procedure has been completed, and the complainant does not feel their complaint has been addressed to their satisfaction, they may contact the trust in writing to request a review of the complaint investigation.

The written request should include a summary of the complaint, along with any relevant dates, times and evidence.

The trust cannot overturn decisions on complaints made during the school's complaints procedure. However, it can assess whether the school considered the complaint appropriately.

Complaints about the Trust, CEO or Trustees – Flowchart

Stage 1 – Informal Resolution

- The Central Team will acknowledge the complaint
- Update relevant staff members
- Arrange relevant meetings or calls to establish the facts and information from all concerned
- Advise complainant of the outcome and provide relevant outcome
- Make a record of the complaint and its outcome in the Complaints register/record

YES: no further action needed

Issue Resolved

No: Advise to move to Stage 2

Stage 2 – Formal Investigation

- The CEO or Trust Board will formally acknowledge the complaint
- Update relevant staff members
- Arrange relevant meetings to establish the facts and information from all concerned
- Prepare a report as a result of the findings of the investigation and consider any actions necessary
- Advise complainant of the outcome and provide relevant outcome in writing to the complainant
- Advise complainant of next steps if they remain dissatisfied with the outcome
- Make a record of the complaint and its outcome in the Complaints register/record

YES: no further action needed

Issue Resolved

No: Advise to move to Stage 3

Stage 3: Panel Hearing

- Formally acknowledge the complaint
- Clerk to Governors will arrange a meeting of the Governors Complaints Committee
- Consideration of all written materials and investigations undertaken
- Determine whether to dismiss or uphold the outcome of investigations
- Communicate the outcome of the meeting to all parties
- Advise complainant of further recourse should they remain dissatisfied

Referring complaints on completion of the school and trust procedures

If the complainant is unsatisfied with the outcome of the school or trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly. The ESFA will not overturn the school or trust's decision about a complaint but will intervene if a school or trust has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found not to meet regulations, the trust will be asked to correct its procedure accordingly.

APPENDIX 2 – ROLES AND RESPONSIBILITIES

Complainant	<p>The complainant will receive a more effective response to the complaint if they:</p> <ul style="list-style-type: none">• Explain the complaint in full as early as possible and provide all relevant evidence• 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.
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Investigator	<p>The investigator's role is to establish the facts relevant to the complaint by:</p> <p>Providing a comprehensive, open, transparent and fair consideration of the complaint through:</p> <ul style="list-style-type: none">• Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved, (this may be face to face, virtual or telephone based).• Interviewing staff and children/young people and other people relevant to the complaint• Consideration of records and other relevant information• Analysing information <p>Liaising with the complainant as appropriate to clarify what the complainants feels would put things right.</p> <p>The investigator should:</p> <ul style="list-style-type: none">• 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• 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.
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	<p>The Headteacher or complaints committee will then determine whether to uphold or dismiss the complainant and communicate that decision to the complainant, providing the appropriate escalation details.</p>
<p>Clerk to the Governing Body</p>	<p>The Clerk is the contact point for the complainant and the committee and should:</p> <ul style="list-style-type: none"> ● Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relation 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

<p>Committee Chair</p>	<p>The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:</p> <ul style="list-style-type: none">• 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.• 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
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<p>Committee Member</p>	<p>Committee members should be aware that:</p> <ul style="list-style-type: none">• The meeting must be independent and impartial, and should be seen to be so, no governor may sit on the committee if they have had a prior involvement in the complaint or the circumstances surrounding it.• The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. <p>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</p> <ul style="list-style-type: none">• 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. <p>The committee should respect the views of the child/young person and give them equal consideration to those of adults.</p> <p>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.</p> <p>Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which part of the meeting, if any, the child/young person needs to attend.</p> <p>However, the parent should be advised that agreement might not always be possible if the parent wishes the</p>
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Complaints Policy

	<p>child/ young person to attend a part of the meeting that the committee considers in not in the child/young person's best interests.</p> <ul style="list-style-type: none">• The welfare of the child/young person is paramount
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APPENDIX 3 – COMPLAINTS PROFORMA STAGE 2 SUBMISSION

Please complete and return to (Head of School/
Headteacher)

who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupil's Name:
Your Relationship to the Pupil:
Address:
Post Code:
Daytime Telephone Number:
Evening Telephone Number:
Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response):
What actions do you feel might resolve the problem at this stage:
Please provide any evidence or information to support your complaint. Please list attachments that you are providing.
Signature: Date:

OFFICIAL USE
Date Acknowledgement Sent:
By Whom:
Complaint Referred to:
Date:

APPENDIX 4 – COMPLAINTS APPEAL PROFORMA STAGE 3 SUBMISSION

Please complete and return to (Clerk of Governors) who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupil's Name:
Your Relationship to the Pupil:
Address:
Post Code:
Daytime Telephone Number:
Evening Telephone Number:
Please give details of the grounds for your complaint:

What concerns still remain outstanding from your initial Stage 1 complaint submission.

What actions do you feel might resolve the outstanding concerns at this appeal stage:

Please provide all supporting evidence in regard to this appeal which you wish to be considered by the panel:

Signature:

Date:

OFFICIAL USE
Date Acknowledgement Sent:
By Whom:
Complaint Referred to:
Date: