

Complaints Policy 2024-27

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August 2024	Rewrite for clarity and greater alignment with DfE model policy for MATs. Wording reflects Trust's current language and narrative, with the Trust being synonymous with reference to an academy.

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1. Scope

The Complaints Policy sets out the procedure if parents/carers, or members of the public wish to raise a concern or complaint, about a matter within their child's academy, or any provision of facilities or services the University of Chichester Academy Trust ('the Trust') provides, with the exception of the Trust's SCITT and, unless there is a separate Policy or other regulation that would supersede this Policy.

This policy complies with the Education (Independent School Standards) (England) Regulations 2014 Schedule 1, Part 7 and takes in to account the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 refers to complaints that are not in scope including policies that statutorily require a separate Policy. This list may not be exhaustive and if you are unsure if this Policy applies, you should email complaints@chimat.uk for clarification.

For clarity, appendix 2 details definitions of key titles detailed within this policy. For the purpose of this Policy, a 'working day' or a 'school working day' is defined as a weekday during term time, when the academy is open. The definition of "working day" excludes weekends, Bank Holidays, school holidays, inset days or other school closure days.

Reference to the Trust is reference to an academy and all academies that form the Trust.

2. Aim and Statement

2.1. Aim

The aim of this policy is to ensure that a concern or complaint is given careful consideration and managed as swiftly as possible within a framework that is robust, open and fair. Doing so is good practice, and helps to promote confidence in our ability to safeguard and promote welfare. The Trust will try to resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner.

2.2. Policy Statement

We believe that our academies provide a good education for all our pupils and students, and that all staff work very hard to build positive relationships with parents and carers. However, if there is a cause for dissatisfaction or concern we need to know as soon as possible. We recognise a concern that is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships, and to our academy culture.

Many issues can be resolved informally, without the need to use the formal stages of the procedure. The Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible

We intend that parents/carers and pupils should never feel, or be made to feel, that raising a concern or complaint will be taken amiss or will adversely affect them or their opportunities at the academy. The policy, however, distinguishes between a concern which can be resolved informally and a formal complaint which will require further investigation.

Verbal and physical aggression will not be tolerated. All parties are entitled to courtesy and respect. In instances of verbal or physical aggression the Trust may restrict further contact to senior staff only, insist that such behaviour stops, and consider reporting the matter to the police. Repeated aggressive contact will be reported to the police.

3. Concern or 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'.

This Complaints Policy distinguishes between a concern or difficulty, which can usually be resolved informally, and a formal complaint which will require further investigation.

We will not normally investigate anonymous complaints. However, the headteacher, CEO or Chair of Trustees, as appropriate, will determine whether the complaint warrants an investigation.

4. Complaint's Procedure

There are three stages:

Stage 1:	Informal
Stage 2:	Formal
Stage 3:	Panel Hearing (Appeal)

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

Where a complainant is unhappy about the decision at Stage 1, the complainant can move to Stage 2 and raise a formal complaint. The complaint should be set out in writing using the form at **Appendix 3**.

If the complainant remains dissatisfied after Stage 2 and wishes to take the matter further, this would be dealt with at Stage 3, being the final stage of the complaint's procedure. The form at **Appendix 4** must be completed.

To ensure an investigation or hearing is undertaken without undue delay, individuals selected to investigate or form part of a panel may or may not be a member of the academy that received the complaint.

In accordance with equity 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 including languages, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

5. Resolving complaints

At each stage in the procedure, the aim is 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 and an estimated timeline for action
- an undertaking to review Trust or academy policies in light of the complaint
- an apology.

6. Withdrawal of a complaint

If you wish to withdraw a complaint, you will be asked to confirm this in writing.

7. 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 only if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period where pupils/students are present.

We aim to resolve any complaints in a timely manner. Timescales for each stage of the Complaints Procedure are set out in the relevant sections and an overview is detailed in appendix 5.

The complaint will not normally be considered if the child is no longer on the roll at the academy or if the member of staff concerned has left the academy.

8. Retention of Records

Records will be retained for the period the pupil, employee, trustee, governor or volunteer remains in a Trust academy. Further information is detailed in the Trust's Retention of Records Policy which adheres to data protection regulations.

The records are not considered to be part of the pupil's educational record and therefore will not be transferred if the pupil leaves the academy.

9. How to raise a concern or make a complaint

You should raise the concern or complaint initially with a member of staff or make an appointment to see a member of the academy's leadership team, who may look to resolve the matter at Stage 1 or refer you to another senior leader to discuss.

If the member of staff directly involved feels unable to deal with a concern or complaint, you may be referred to another member of staff. The member of staff may be more senior and may be the headteacher but does not have to be. The ability to consider the issue objectively and impartially is more important.

You should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at a later stage.

You should not raise the concern or complaint to multiple individuals, as this may also prevent those individuals from considering complaints at a later stage.

To ensure a fair and proper process it is in the best interests for all parties to respect confidentiality and ensure the complaint or concern is limited to those involved. This includes refraining from publicising details of the concern or complaint on social media. Where it is felt any investigation or hearing in respect of the complaint or concern has been significantly compromised, the Academy or Trust may elect to close investigations or end the Complaints procedure early. In such cases the complainant will receive a letter detailing the reason for this.

Appendix 4 details the flow chart for dealing with concerns and complaints.

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to HR, Headteacher and the Disciplinary or Capability panel. The complainant is not entitled to participate in the proceedings or receive any details about them.

10. Stage 1: Informal

Every effort will be made to resolve the concern swiftly and wherever possible within 10 working days. Depending on the complexity of the concern, or the date when the concern was first raised, a response within 10 working days may not always be possible. In such cases the complainant will be advised when they will receive the outcome of Stage 1 and the reason for the delay.

At the conclusion of the investigation, the person investigating the complaint will provide an informal written response. The record of the concern, written response and any file correspondence between the person raising the concern and the respondent will be held securely by the academy or central office depending on the nature of the concern. If the concern has not been resolved by informal means within ten working days, regardless of whether the academy notified the complainant of a delay, the complainant is entitled to move directly to Stage 2.

The person investigating the complaint at Stage 1 may also decide that due to the nature of the concern or complaint it should be addressed at Stage 2 and not at Stage 1. The complainant will be advised in writing and informed of the reason for this decision.

11. Stage 2: Formal

Table 1: Contact and Investigating Officer for Stage 2 and Stage 3 Complaints

	Stage 2 Complaint to be sent to:	Stage 2 Investigation to be conducted by:	Stage 3 Complaint to be sent to	Stage 3 Panel Hearing to be conducted, where relevant, by:
Complaint about a member of staff from Parent/Carer about their child	Headteacher	Headteacher or nominated representative	Company Secretary	Min. 3 people from any of the following groups: Governor, Senior Leader incl. Headteacher, External person
Complaint about a governor	Company Secretary	Governor within the Trust	Company Secretary	Min. 3 people from any of the following groups: Executive, Governor, Trustee
Complaint about a Headteacher or member of the Trust Partnership team	CEO	CEO or delegated representative	CEO	Min. 3 people from any of the following groups: Executive, Senior Leader incl. Headteacher, Chairs of Governors, Trustee
Complaint about the CEO	Chair of Board	Chair of Board or named representative	Chair of Board	2 Trustees and 1 External person
Complaint about a Trustee	Company Secretary	Chair of Board or named representative	Company Secretary	2 Trustees and 1 External person
Complaint that is not about an individual	Headteacher	Headteacher or Senior Leader incl. Executive	No right of appeal	No right of appeal.

11.1. Notification

An unresolved concern under Stage 1, or a complaint that is to be addressed at Stage 2 should be set out in writing using the Stage 2 Complaints Form at **Appendix 3 no later than 10 working days of receipt of Stage 1 informal written response**. The completed form, together with all relevant documents should be sent to the appropriate person, as detailed in **Table 1**.

A disagreement with the way the headteacher, Company Secretary or CEO has dealt with Stage 1 does not constitute a complaint about that person.

11.2. Acknowledgement

The complaint will be acknowledged in writing normally within five working days of receipt. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

11.3. Investigation and resolution

The Headteacher of the academy concerned (or named individual in the case of a complaint about the Headteacher, Executive, Governor or Trustee), may deal with the matter personally or identify a senior member of staff or governor within the Trust to act as “investigating officer”.¹

The “investigating officer” may request additional information from the complainant and will fully investigate the issue. In most cases the Headteacher of the academy concerned, or investigating officer, will meet or speak with the complainant to discuss the matter.

11.4. Record of complaints

Written records will be kept of any meetings and interviews held in relation to the complaint. A written report will be kept of all complaints whether they are resolved through Stage 2 or proceed to Stage 3.

11.5. Outcome

The aim is to inform the complainant of the outcome of an investigation and the resolution to the complaint in writing within twenty working days from the receipt of the completed Stage 2 Complaint form (**appendix 3**). Please note that any complaint received during a school holiday or at the end of term or half term will take longer to resolve.

12. Stage 3: Panel Hearing (Appeal)

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they may appeal and have their complaint considered by an independent Complaints Panel. This is Stage 3 and the final stage of the complaint’s procedure.

12.1. Notification

A request for a Panel Hearing must be made in writing, using the Stage 3 Complaint Form, **appendix 4**, within ten working days of the date of receiving the outcome at Stage 2. The complainant should complete and submit the form, together with all other relevant documents, to the appropriate person named in **Table 1**.

12.2. Acknowledgement

Within five working days of receiving the request for an appeal, a Clerk will be assigned to support the Panel Hearing and acknowledge, in writing, receipt of the appeal, advising the complainant of the process. The Clerk will be the contact point for the complainant. If there is a delay in appointing a Clerk, the Company Secretary will take on the role of Clerk until such time as a Clerk is appointed.

12.3. Date of Hearing

If the request is submitted within time, the Panel Hearing will be scheduled as soon as possible and normally no later than twenty working days from the date of receiving the Stage 3 request. 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.

12.4. Panel Members

The Panel will consist of at least three members, including one governor which may or may not be the governor of the academy concerned and one independent panel member in line with ESFA guidelines. All members of the Panel must not have previously been involved in the complaint.

The Panel will select its own Chair in advance of the Hearing. The role of Chair and Panel Member is detailed in **appendix 5**.

12.5. Panel Hearing

The aim of the hearing will always be to resolve the complaint and achieve reconciliation between the academy leaders and the complainant. The Chair of the Panel will ensure that the proceedings are as informal as possible.

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

- Uphold the complaint in whole or in part

¹This includes the central team and may or may not be employees or governors of the academy concerned.

- Dismiss the complaint in whole or in part

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

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

The Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The Hearing will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a request for a reasonable adjustment is considered and deemed appropriate by the Chair. 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.

12.6. Written Evidence

All parties will be given the opportunity to submit written evidence to the Panel in support of their position including:

- Documents
- Chronology and key dates
- Written statements setting out further detail
- The documents pertaining to any meetings or outcomes in Stage 2 may be used

The evidence will be considered by the Panel along with the initial submission.

All written evidence must be received by the Clerk no later than five working days in advance of the Panel Hearing. The Clerk will distribute the evidence to all parties no later than three working days in advance of the Panel Hearing.

The role of the Clerk and Chair of the Panel Hearing is detailed at **appendix 6**.

12.7. Attendance

The following are entitled to attend a hearing, submit written evidence and address the Panel:

- Complainant
- Headteacher
- CEO
- Any other person who the Complaints Panel considers to have a reasonable and just interest in the Appeal and whose contribution would assist the Panel in their decision making.

The complainant, headteacher and CEO can be accompanied at a hearing for support, but the person must not be a legal representative, unless exceptional circumstances allow and permission is sought from the Panel Chair at least five days in advance of the hearing.

12.8. Decision

The Panel will reach a decision, and the Chair of the Panel Hearing will provide the complainant, Headteacher and CEO with a full explanation of their decision and the reason(s) for it, in writing, within five working days of the hearing. The decision is final.

The written 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 academy or Trust will take to resolve the complaint. In addition, it will include details of how the complainant can contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

It should be noted that the ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the academy or Trust. They will consider whether the academy/Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

In respect of complaints regarding Early Years Foundation Stage (EYFS), if the complainant is dissatisfied with the outcome and believes the Trust is not meeting EYFS requirements, the complainant can choose to notify Ofsted by calling 0300 123 1231 or by email at enquiries@ofsted.gov.uk. DfE Early years foundation stage statutory framework provides further guidance.

The Clerk will ensure 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 Chair of the Board, any member of the Executive and the headteacher.

A written record will be kept of all concerns or complaints related to the academy concerned. Centrally, a written record of all complaints managed at Stage 2 or Stage 3 will be kept. The record will include the outcome at each stage, along with what actions have been taken, regardless of the decision.

A copy of the minutes will be issued to the complainant on request, subject to necessary redactions under the Data Protection Act 2018 and GDPR.

12.9. Record keeping

Written record of the Appeal, decision and recommendations of the Hearing Panel and action taken as a result of the complaint (regardless of whether the complaint is upheld) will be held securely either at the academy or central office and will comply with data protection regulations.

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.

13. Other Complaints

13.1. Complaint about a Chair of Governors, individual Governor or an LGB

A concern or complaint escalated to or about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Company Secretary via the academy or email complaints@chimat.uk. Please mark as Private and Confidential.

The concern or complaint will be managed in line with the complaint's three stage procedure and **Table 1** details the contacts for Stage 2 and Stage 3. However, if the concern or complaint is a matter that would not be appropriate to escalate, should be dealt with under a different Policy, or would be an inappropriate and ineffective way to deal with the complaint, the complainant will be advised in writing of the change to the three-stage procedure and the reason/s for the change.

13.2. Complaint about a Headteacher or member of the Executive Team

A concern or complaint escalated to, or involves, or is about the Headteacher or a member of the Trust Executive, should be addressed to the Chief Executive Officer (CEO) via the academy or email complaints@chimat.uk. Please mark as Private and Confidential. The CEO may refer the matter to an individual, selected to ensure the concern will be considered objectively and impartially.

The concern or complaint will be managed in line with the complaint's three stage procedure and **Table 1** details the contacts for Stage 2 and Stage 3. However, if the concern or complaint is a matter that would not be appropriate to escalate, should be dealt with under a different Policy, or would be an inappropriate and ineffective way to deal with the complaint, the complainant will be advised in writing of the change to the three-stage procedure and the reason/s for the change.

13.3. Complaint about the CEO or Trustee of the Trust

A concern or complaint about the CEO or a trustee of the Trust, should be addressed to the Chair of Trustees, via the central office or email complaints@chimat.uk. Please mark as Private and Confidential.

The concern or complaint will be managed in line with the complaint's three stage procedure and **Table 1** details the contacts for Stage 2 and Stage 3. However, if the concern or complaint is a matter that would not be appropriate to escalate, should be dealt with under a different Policy, or would be an inappropriate and ineffective way to deal with the complaint, the complainant will be advised in writing of the change to the three-stage procedure and the reason/s for the change.

14. Unreasonable Complaints

The Trust is committed to dealing with all complaints fairly and impartially. However, staff should not be expected to tolerate unacceptable behaviour that is abusive, offensive, threatening, intimidating, vexatious or

impacts their wellbeing. Expectations of conduct and behaviour is set out in the Trust's Code of Conduct.

In such cases and where the intention of the behaviour is to cause disruption or inconvenience, we may decide to stop responding and you will be advised of this. However, such a decision will not be taken lightly and will be in line with government guidelines.

15. Persistent Complaints

When all stages of the complaint procedure have been followed and the complainant continues to try to pursue the same issue, they will be informed, in writing, that the procedure has been completed and the matter considered closed. No further correspondence will be entered into on the issue.

15.1. Duplicate Complaints

After closing a complaint, if a duplicate complaint is received from:

- A partner
- A grandparent
- A child
- A known person to the complainant

the Trust/Academy will inform the new complainant that it has already considered that complaint and the complaints procedure is complete. The new complainant will be advised to contact the Department for Education (DfE) if they are dissatisfied with the handling of the original complaint.

Every effort will be made to ensure no new aspects to the original complaint are overlooked that may not have been previously considered. If it is identified that there are new aspects these will be investigated and dealt with to the full extent of the procedure.

16. Vexatious complaints

The characteristics of a 'frivolous' or 'vexatious' complaint are:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

Where all steps have been taken to address the complainant's concerns and the complainant has been given a clear statement, in writing, of the position and options, but continues to repeatedly to make substantially the same points, the Trust may choose to stop or restrict communication.

The restriction would be through formal letter only and the complainant be directed to a named individual member of staff. This decision would not be taken lightly and in all such cases the Trust would draw on DfE guidance.

17. Complaint Campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the academy, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- send the same response to all complainants; or
- publish a single response on the school's website.

Appendix 1

Complaints not in Scope

Detailed below are policies that are outside of the scope of this Policy, but which statutorily requires a separate policy.

All academies within the Trust must adhere to the Policies listed below.

Policy Description	Refer to:
Admissions	Admissions Policy
Statutory Assessments of special educational needs	Special Needs Code of Conduct
Matters likely to require a child protection investigation including safeguarding referrals	Child Protection and Safeguarding Policy
Allegations against a member of staff or abuse must be reported to the Headteacher immediately. Allegations against the Headteacher or abuse must be reported to the CEO of the Trust immediately.	Local Authority Safeguarding Children Board Arrangements for Managing Allegations of Abuse against People Who Work with Children or Those Who Are in Positions of Trust
Suspensions and Exclusions of Pupils/Students	Suspensions and Exclusions Policy
Withdrawal from the curriculum	Academy's RE and/or Relationships and Sex Education Policy
Whistleblowing	Public Interest Disclosure Policy
Staff Grievances	Grievance Policy
Staff conduct complaints	Disciplinary Policy

Other Complaints outside of the scope of this Policy

- Complaints about services provided by other suppliers who may use academy premises or facilities.

Key role definitions for the purpose of the Complaints Policy**Parent / Carer**

Includes the natural or adoptive parent of a pupil, irrespective of whether:

- They are or ever have been married;
- They are separated or divorced;
- The pupil lives with them
- The father has parental responsibility for the pupil
- They have contact with the pupil

A Parent / Carer will also include a non-parent who has parental responsibility for the pupil, an adult non-parent with whom the pupil lives, and an adult who is involved in the day-to-day care of the pupil (e.g. collecting or dropping off the pupil from school).

Pupil

Any reference to a 'pupil' should also be read as reference to a 'student' and will also include a prospective or former pupil of an academy within the Trust family.

Trust Executive team

This may change from time to time but will include the CEO, Director of Standards & Effectiveness, Director of Finance and Director of Operations.

Trust Leadership team

This may change from time to time but will include the Executive team, Headteachers, Head of Training and Development, SCITT Coordinator and Leaders of Academy Improvement.

Trust Partnership team

This may change from time to time but will include those individuals within the Trust Leadership team that are linked to one of three partnership areas within the Trust.

Academy's Leadership team

This may change from time to time but will comprise an employee that is part of an academy's senior leadership team.

Complainant

A person making a complaint will be referred to as a 'Complainant' throughout this Complaints Policy.

Appendix 3
Stage 2 Complaint Form

Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Preferred contact details:	
Please give details of your complaint (use a continuation sheet if necessary).	
What action/s have you already taken to try to 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?	

Are you attaching any paperwork? If so, please give details:	
Signature:	Date:

Official Use	
Date received Request:	
Is the date within the accepted time frame?	
Date sent acknowledgement:	
Name of Clerk appointed:	
Date and Action/s taken:	
Outcome:	
Date notified complainant of outcome:	

Request for Stage 3 Complaint Panel Hearing

This form should be completed and sent for the attention of the Company Secretary, via the school office, or emailed to complaints@chimat.uk marked as Private and Confidential. A request must be received no later than ten school working days from the date the outcome of Stage 2 was received. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

In signing this form, you agree to all documents and correspondence referred to in the Stage 2 investigation to be passed to the Complaint's Panel Hearing.

Your Name:	
Preferred Contact details:	
Date Stage 2 outcome was received:	
Please state why you are dissatisfied with the outcome at Stage 2	
Please outline in your own words why you believe the complaint needs to be taken to a Panel	

What outcome are you seeking?

Since the Stage 2 Investigation has any further action been taken by either you or the academy to try to resolve the complaint?

Are you attaching any paperwork? If yes, please give details

Signature:

Date:

Official Use	
Date received Request:	
Is the date within the accepted time frame?	
Date sent acknowledgement:	
Name of Clerk appointed:	
Date and Action/s taken:	

Process Flowmap of Concern or Complaint Procedure and Timeline

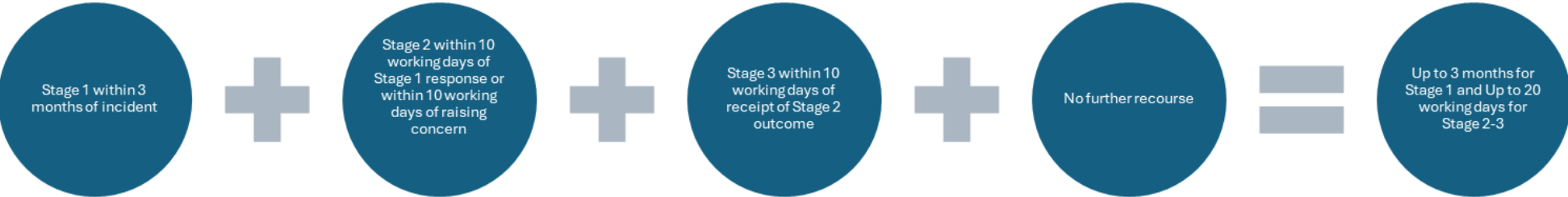


There is no further recourse through the Trust's Complaints Policy after Stage 3.

Estimated Response Time to Complainants



Response Time required from Complainants



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.

Investigating Officer

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 and analysis of records and other relevant information.
- liaising with the complainant and the complaints coordinator as appropriate to clarify what the complainant feels would put things right.

The investigating officer 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 Academy/Trust that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The individual who appointed the investigating officer or Complaints Panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints coordinator

This individual will provide administrative support. The complaints coordinator should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff members, the head teacher, chair of governors, clerk and local authorities (if appropriate) 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;
- keep records.

For Stage 3 Panel Hearing

Clerk

The Clerk is the contact point for the complainant and the Complaints Panel and should:

- ensure that all people involved in Stage 3 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 hearing, 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, academy 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.

Panel Chair

The Panel'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 academy 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 applicable).

Panel Member

Panel 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 academy 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.