

LT2 Complaints Policy

Name of Policy	COMPLAINTS POLICY	
Policy Level (Trust/School)	Trust	
Document Control		
Date	Revision Amendment Details	By whom
November 2021	Review and internal consultation	Executive Team
December 2021	Adopted by Trust Board	Trustees
December 2023	Proposed date for review subject to statutory update as required	Executive Team

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Our Learning Today Leading Tomorrow Multi-Academy Trust Vision

Vision

Our vision is to build a group of outstanding schools across phases, including specialist provision, to become (a mid-size) trust that provides vibrant and inclusive learning environments in which every member of the learning community is passionate about learning. The trust is led by a CEO who works closely with headteachers who lead the two schools supported by a central team to support finance, HR, estates and governance.

Mission

LT2 Trust and schools will have a relentless focus on high achievement, supported by robust organisational structures and governance. We aim to give children and young people in our care the knowledge, skills and experiences to expand their minds and world view to enable them to develop a naturally inquisitive approach to learning and life, fit for an ever-changing world.

Ultimately, we will educate and support all children attending LT2 schools to grow into capable and contributing citizens who have developed the personal attributes and characteristics that will enable them to become considerate, self-reliant and confident young people who are ready for the next stage of their lives.

Values

The trust values underpin the mission and provide the basis on which LT2 schools can articulate the key behavioural characteristics that promote a positive philosophy. Our six values are unseen drivers of our behaviour as experienced by others and are designed to create a shared organisational culture:

Kindness – The quality of friendliness, generosity, and consideration

Collaboration – The belief that working and learning with others will lead to greater success

Curiosity – A strong desire to know and to learn

Resilience – The ability to recover quickly and learn from the difficulties we face

Respect – To appreciate the importance of understanding and admiration for others and self, honesty

Endeavour – The belief that hard work is needed to achieve something of which we can be proud

Definitions

- Where the word 'trust' is used in this document it refers to The Learning Today Leading Tomorrow Trust.
- Where the words 'trust board' are used it refers to the board of trustees who set the vision for the trust and hold the executive leadership team to account for delivering the trust's strategic plan.

1. Organisation and Responsibilities

1.1 Introduction

LT2 Trust has a strong commitment towards working in positive partnership with the whole community. Our schools are busy places where there are many interactions between pupils, parents/carers and staff as part of the everyday life of the schools. We share an ethos of respecting the rights of all members of the school communities and as part of our curriculum teaching we work to instil this in our pupils.

From time to time something may go wrong. Where any concerns are raised we aim to resolve these as quickly and as efficiently as possible. Usually concerns that are raised can be resolved very quickly through the relevant school's day-to-day communication between parents and the school staff, without anxiety, and in the knowledge that concerns and complaints will be treated seriously, impartially and, except where disclosure is legally required, confidentially.

Where a parent may feel that an issue has not been dealt with appropriately it is important, for all involved, that there is a clear and transparent process for a complaint to be looked at and followed up.

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 an LT2 School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

1.2 Aims

Learning Today Leading Tomorrow Academy Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at our academies, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Addresses all points at issue and provides effective response and appropriate redress, where necessary
- Consider how the complaint can feed into school improvement evaluation processes by providing information to the school's senior management team so that services can be improved.

Anyone can make a complaint about any provision of facilities or services that the trust/schools provide. This policy may be used by:

- A parent/carer whose child attends or who has recently left a Learning Today Leading Tomorrow School
- Members of the public or other organisations
- A governor, trustee or member about a member of staff at an academy or in the central MAT team

- A member of staff against an individual staff member, governor, trustee or member
- Stakeholders for Data Protection and Freedom of Information related matters

This policy is not intended to apply to concerns or complaints related to certain aspects of the MAT's work as these are covered under separate policies and procedures, e.g. child protection & safeguarding, admissions and staff grievances. We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The trust and schools will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on each school and the Learning Today Leading Tomorrow website.

1.3 Legislation and Guidance under this Policy

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. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

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

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.

The trust legal advisors are responsible for providing advice and guidance under this policy and reviewing and updating the policy as required.

1.4 Board of Trustees

The LT2 Board of Trustees, as a corporate body, has the responsibility to set the strategic direction and objectives of all matters across the Trust.

The board of trustees is responsible for ensuring that high standards of corporate governance are maintained

The chair of the trust is responsible for managing the CEO, trustees and governors under this policy.

1.5 The Chief Executive Officer (CEO)

The CEO of Learning Today leading Tomorrow Trust (LT2):

- Takes overall responsibility for the implementation of policies and procedures
- Must provide reports as appropriate to trustees in relation to this policy
- Ensure that sufficient resources are allocated and authorised within the organisations budget to meet statutory procedures and standards across the trust
- Is responsible for managing the headteachers and centrally appointed staff under this policy

1.6 Headteachers

headteachers of LT2 schools are responsible for:

- The implementation of and compliance with this policy within their school ensuring competence in those staff who are responsible for and involved in the operation of this policy and associated guidance
- Identifying training needs
- Communicating this policy to all relevant people within the school
- Managing school-based teaching and associate staff under this policy.

1.7 Senior and Middle Leaders (and other Supervisory Roles)

Although the headteacher is responsible overall for the implementation of this policy in their school, managers have some specific responsibilities:

- Applying this policy within their own department and area of work
- Resolving any issues members of staff refer to them, informing the headteacher of any issues to which they cannot achieve a satisfactory solution with the resources available to them
- Where required, conduct formal meetings, undertake relevant training in relation to this policy and ensure effective and competent operation of this policy.

1.8 Other Employee Duties

All employees have a responsibility to:

- Comply with this policy and to co-operate with the schools' leadership and management on all matters relating to it
- Undertake any training recommended by their line manager

1.9 Related Policies and Procedures

- LT2 Grievance and Disciplinary Policies
- LT2 Whistleblowing Policy
- LT2 Safeguarding Statement
- LT2 Data Protection Policy
- School Safeguarding and Child Protection Policies.

1.10 Review

This policy will be reviewed every two years subject to statutory updates.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

The CEO 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 can make to its procedures or practice

to help prevent similar events in the future. The CEO will inform the chair of trustees and executive leadership team of any proposed changes to procedures or practices.

2. The Complaints Procedure

This procedure is available to all parents and members of the public via every school's website. Parents of prospective pupils registered for entry to a LT2 school are provided with a copy. This policy can also be made available in a different language or more accessible format, on request.

In accordance with equality law, the schools will make such reasonable adjustments as necessary to the complaints procedure (rather than policy) to ensure it is readily accessible to those people with a disability. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

3. 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'. Examples of concerns might include dissatisfaction about some aspect of teaching or pastoral care, allocation of privileges or responsibilities, a timetable clash, an issue with the school's systems or equipment, or a billing error.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints policy. All LT2 schools take 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 will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the LT2 school will attempt to resolve the issue internally, through the stages outlined within this complaints policy.

4. How to raise a concern or make a complaint

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. The trust will ensure to have written consent from the complainant before disclosing information to a third party.

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 3 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher (or acting headteacher) via the school office. Please mark them as Private and Confidential. The headteacher will be the complaints co-ordinator in these instances.

Complaints that involve or are about the headteacher or a member of the trust central team should be addressed to Brenda Mullen (the CEO), via either:

- The LT2 registered office address at Rugby Free Secondary School; or,
- Via email to ceo@learningleading.org

Please mark any communications as Private and Confidential. The CEO will be the complaints co-ordinator in these instances.

Complaints relating to any governors should be addressed to the chair of the LGB/EEC and sent to the clerk to the governing boards who is contactable via lt2clerk@learningleading.org or via the relevant school office. Please mark them as Private and Confidential.

Complaints about the chair of LGB/EEC should be addressed to the chair of trustees and sent to the clerk to the governing boards who is contactable via the lt2clerk@learningleading.org or via the relevant school office. Please mark them as Private and Confidential.

Complaints that relate to the CEO, a trustee, or a member should be addressed to the chair of the trustees and to the clerk to the governing boards who is contactable via the lt2clerk@learningleading.org or via the relevant school office. Please mark them as Private and Confidential.

Complaints that relate to the chair of trustees should be addressed to the CEO. 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 Bureau 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.

5. Anonymous Complaints

We will not normally investigate anonymous complaints. However, the headteacher, CEO, or chair of governors/trustees, if appropriate, will determine whether the complaint warrants an investigation.

6. Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right.

We also aim to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage. Although every effort will be made to comply with these time limits, it may not always be possible to do so, for example due to the complexity or number of matters raised and where further investigations are necessary. Where new time limits will be set, the complainant will be sent details of the new deadline with an explanation for the delay.

7. Timescales

You must raise the complaint as soon as possible after an incident arises and no later than 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.

8. 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.

9. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by LT2 schools. The kinds of issues that might lead to a formal complaint being made may include:

- The school environment
- Staff conduct
- Bullying
- Discrimination e.g. on the grounds of race or gender.

In each of these cases the responsibility for action lies locally with the school. The trust will not become involved while due process remains available at school level. In some cases, a complaint may lead to a disciplinary hearing or an appeal against a decision in which case it may be appropriate for the issue to be dealt with separately from the complaints procedure. This complaints procedure does not deal with complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Warwickshire County Council.</p> <p>Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school’s support are within the scope of this policy. Such complaints should first be made to the class teacher, the special educational needs co-ordinator (SENDCO) or the headteacher]; they will then be referred to this complaints policy. The individual school’s SEND policy and Information Report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation or related to safeguarding matters 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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).</p> <p>lado@warwickshire.gov.uk</p> <p>01926 745376</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions</p> <p>*complaints about the application of the behaviour policy can be made through this complaints procedure.</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus</p> <p>Volunteer staff who have concerns about our school should complain through the school’s complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>

<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the trust’s internal grievance procedures.
<ul style="list-style-type: none"> • Staff Conduct 	Complaints about staff will be dealt with under the trust’s internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
<ul style="list-style-type: none"> • 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 directly.
<ul style="list-style-type: none"> • National Curriculum - content 	Please contact the Department for Education at: http://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 an LT2 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.

10. Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school’s fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

11. Resolving Complaints

At each stage in the procedure, LT2 schools will want to resolve the complaint. All LT2 schools are required to provide a written record of all complaints that are made in writing whether they are resolved following a formal procedure, or proceed to a panel hearing. Action taken by the school as a result of those complaints (regardless of whether they are

upheld); and will provide that correspondence, including statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection requests access to them.

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.

12. Withdrawal of a Complaint

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

Stage 1: Informal Resolution

Parents or carers and other complainants should wherever possible seek an early and informal resolution of all concerns. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. The relevant school will wish to take whatever measures are necessary to sort out any problems effectively before they turn a concern into a complaint; such measures will include some or all of the following:

- Giving advice or reassurance
- Explaining the context of an incident or decision
- 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
- Gathering information from other staff or from pupils
- Finding information from other sources
- Referring the concern or potential complaint to a senior colleague
- Reviewing or amending policy and/or practice in light of the complaint
- Giving feedback to parents
- Apologising for a mistake or oversight

An individual with a concern or potential complaint should raise the issue as soon as possible with the relevant member of staff either in person or by letter, phone or email. This may be their child's form teacher or the headteacher, though other members of staff may need to be involved or consulted, as an informal resolution may be possible that is acceptable

to both parties. If the complainant is unclear as to who they should contact or how to contact them, they should contact the relevant school or trust office via the following email addresses:

- Rugby Free Primary School – office@rugbyfreeprimary.co.uk
- Rugby Free Secondary School – info@rugbyfreesecondary.co.uk
- LT2 Trust – info@learningleading.org

Informal complaints will be acknowledged within five school days. They will be investigated and responded to within 10 school days.

Each school and the trust will keep a written record of concerns raised with them and the date on which they were received. In common with other correspondence from parents, details of concerns made in this way are kept in pupils' confidential files.

In the event that a complainant remains dissatisfied that an acceptable resolution has not been reached through their school's response and within a reasonable time of 15 school days unless otherwise notified, then the parent is entitled to proceed with a formal written complaint in accordance with the procedure below.

Stage 2: Formal Complaints

Stage 2 (i) – Formal resolution by a member of the school's management team

If the concern or complaint has not been resolved informally, a formal complaint must be made to the school's headteacher (unless they are about the headteacher), via the school office. The complaint should be submitted in writing (preferably on the Complaint Form). The complainant should state that a complaint is being made and provide details including relevant dates, times, names of witnesses of events and the desired outcome alongside copies of any relevant documents. This should be addressed to their school's headteacher, who will decide on the appropriate course of action to take.

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 five school days. Where appropriate the headteacher may delegate the tasks of investigation and response to a member of the senior leadership.

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).

Where necessary, the relevant headteacher will meet with the complainant, within 10 school days of receiving the complaint, to discuss the matter and if possible, to reach a resolution at this stage.

In all instances it may be necessary to carry out further investigations.

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 and once the headteacher is satisfied that all the relevant facts have been established, a formal response to the complainant will be made in writing, within 10 school days. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The nature of the response will depend on the nature of the complaint but it will always include the following:

- Detail any actions taken to investigate the complaint
- Give a judgement whether and to what extent, if at all, the complaint is justified
- Give a full explanation of this decision and the reasons for it reasons
- Details of actions the school will take to resolve the complaint.

The headteacher will advise the complainant how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1. A complainant who is not satisfied should proceed to the next stage.

If the complaint is about the headteacher, the CEO will be appointed to complete all the actions of Stage 2.

If the complaint is about a Local Governing Body (LGB)/Educational Excellence Committee (EEC) member, the chair of the LGB/EEC will be appointed to complete all the actions of Stage 2.

If the complaint is about a chair of the governors, CEO, trustee or member, the chair of the trustees will be appointed to complete all the actions in Stage 2.

If the complaint is about the chair of the trustees or an entire/majority of a governing body, Stage 2 will be considered by an independent investigator appointed by the trust board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2 (ii) – Formal resolution by appeal to the headteacher

If Stage 2(i) has not resolved the complaint satisfactorily, the complainant should write to the Headteacher within 10 school days, stating why an appeal for resolution by the headteacher is requested and, wherever possible, the action which the complainant wishes the school to take to resolve the problem. The procedure to be followed by the headteacher will involve the same steps, timescale, record keeping and form of response as set out for resolution by the headteacher in Stage 2(i). A complainant not satisfied, after receiving the headteacher's decision should proceed to Stage 3.

Stage 3: Independent Resolution – Panel Hearing

If Stage 2 has not resolved the complaint to the satisfaction of the parent or carer, they should write within 10 school days to their school's headteacher, requesting a hearing before the complaints panel. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The headteacher will record the date the

complaint is received and acknowledge the letter of complaint within five (5) school days in writing (either by letter or email).

The headteacher will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within fifteen (15) school days of receipt of the Stage 3 request. If this is not possible, the headteacher will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the trust 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.

A panel of three, consisting of two members of the LGB/EEC and a third independent member will be convened to hear the complaint, within 15 school days. This independent member will not be associated in any way with the management of the school or trust to which the complaint pertains to and will be a person with professional competence (usually a serving or retired Head) or failing that through the appointment of an Independent Person, who would meet the standard for independence, as defined by the requirement that is laid down in The Children Act 1989 Representations Procedure (England) Regulations and Guidance, "Getting the Best from Complaints". None of these members will have been involved in the matters detailed in the complaint. It is important that the complaint panel not only be independent but be seen to be so. The full LGB/EEC will not consider individual complaints in case the investigation leads to a disciplinary hearing that would need to be heard by a separate group of LGB/EEC members. Similarly, some LGB/EEC members may have prior knowledge of a problem, which might make them unable to give fair and unbiased consideration to the issue.

The panel will decide amongst themselves who will act as the chair of the Complaints Panel. If there are fewer than two LGB/EEC members from the school available, the headteacher will source any additional, independent governors through another local school, in order to make up the panel. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The headteacher of the school which received the complaint will appoint the Trust Clerk to the panel.. Members of the panel will have access to all relevant documentation and will be able to ask the school and the complainant for any other relevant information or documentation.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. It is intended that the process will not be legalistic. Complainants may be accompanied at this meeting by another family member, if appropriate and by another person (e.g. relative, friend or a relevant specialist). Generally, we do not encourage either party to bring legal representatives to the panel 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.

Please 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 five school days before the meeting, the appointed 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 school days before the meeting.

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

If possible, the panel will resolve the complainant's concern without further investigation. Where further investigation is needed, the panel will decide how to carry out the investigation.

The panel's task is to establish the facts surrounding the complaints that have been made. If the panel considers that the complaint is valid, it will uphold the complaint. If the panel consider that the complaint is without foundation, it will dismiss the complaint. The panel will make these decisions on the balance of probability. It is not within the powers of the panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The panel may make recommendations on these or any other issue to the headteacher.

After due consideration of all relevant facts, the panel will give written findings and recommendations in response to the complaint: the finding will depend on the nature of the complaint but the panel will always give a judgement whether and to what extent, if at all, the complaint is justified, and the panel's reasons. The written response will explain if the panel decided to:

- 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 finding of the panel will be final.

The chair of the panel will provide a copy of the findings and the minutes (with any necessary redactions) to the complainant, headteacher, school and where relevant, the person who is the object of the complaint by electronic mail. Where electronic mail is not appropriate, a copy will be given or sent in the post. A written response to the complainant will be made as soon as possible but in any case within 10 (ten) school working days of the panel. 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 school will take to resolve the complaint.

The letter containing the findings sent to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the school.

If the complaint is about:

- The chair and vice chair of an LGB/EEC
- The entire LGB/EEC or
- The majority of the governing board

Stage 3 will be heard by a committee of trustees.

If the complaint is about:

- The CEO
- The chair and vice chair of the trust
- The entire trust
- The majority of the trust board

Stage 3 will be heard by a committee of independent trustees

13. Appeal to the Department for Education

If the complainant is unsatisfied with the outcome of the Trust's complaints procedure, they can refer their complaint to the ESFA . The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation.

If the Trust did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the Trust's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

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

14. Serial and Unreasonable complaints

The trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The trust/schools will not normally limit the contact complainants have with the trust/school. However, the trust does not expect its staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The trust 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, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the trust/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 complaints co-ordinator will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the complaints co-ordinator will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school/trust causing a significant level of disruption, the school/trust may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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

15. Duplicate Complaints

After closing a complaint at the end of the complaints procedure, a duplicate complaint may be received. A duplicate complaint may be received from:

- A spouse
- A partner
- A grandparent
- A child

If the complaint is about the same subject, the school will inform the complainant that the local process is complete. The complainant should contact the Department for Education if they are dissatisfied with the handling of the original complaint.

Any new aspects to the complaint which had not been previously considered will be investigated and dealt with to the full extent of the complaints procedure.

16. Persistent Complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which the school/trust will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, and
- The complainant has been given a clear statement of the school's position and their options (if any), and
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience
- The individual's letters/emails/telephone calls are often or always abusive or aggressive
- The individual makes insulting personal comments about, or threats towards school staff
- Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

17. Monitoring Complaints

Each school along with the chair of the LGB/EEC and board of trustees will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The complaints records are logged and managed by the schools. Details will include:

- Name of complainant
- Details of the complaint
- How the complaint was investigated and by whom
- When the complaint was made
- The results and conclusions of the investigation(s)
- Any action taken as a result.

Each area of the trust has designated an individual who is responsible for maintaining records of complaints and ensuring that the data is kept secure.

18. Confidentiality and Record-Keeping

A record will be kept by all schools of all complaints received, including:

- Whether the complaint was resolved at stage two or whether it progressed to a stage three panel hearing
- Information about actions taken at all stages including any action taken by the academy as a result of the complaint (whether the complaint was upheld or not)
- The stage at which the complaint was resolved
- The final outcome.

The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

All complaints resolved at the formal stage will be recorded by the school. A copy of the panel's findings and recommendations will be available on the school premises for inspection by the headteacher and trustees.

Copies of any written responses will be added to the complaint record.

Any records will be kept securely and encrypted where appropriate.

Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act, as amended, requests due access to them.

A record of complaints will be kept by the school and the trust for three years. The details of the complaint, including the names of individuals involved, will not be shared with the whole trust/LGB/EEC in case a review panel needs to be organised at a later point. An exception to this will be when the complaint is against the whole governing body and they need to be made aware of the allegations made against them, to respond to any independent investigation.

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 improve this request is made by the governing board, who will not unreasonably withhold consent.

Details of our complaint procedure will be available on each school's website and also on request through the main school office at any school. All of the trust's school staff and LGB/EEC members must be aware of the complaints procedure, to ensure a consistent approach in dealing with concerns. A copy of this complaints procedure is available on request in large print.

Appendix A – Formal Complaint Form

Please complete and return to the designated complaints co-ordinator who will acknowledge receipt and explain what action will be taken.

Your Name:	Student's Name (If Applicable):
Your Relationship to Student (If Applicable):	Student's DOB, School and Form/Class (If Applicable):
Address and Postcode:	Daytime Telephone Number:
	Evening Telephone Number:
<p>Full details of complaint (please include the names of all involved, dates of the incidents referred to, and actions already taken by the school to try and resolve the situation):</p> <p>(If you run out of space, please use extra paper)</p>	
<p>What action, if any, have you taken to try and resolve your complaint (for example, who did you speak to and what was the response)?</p> 	
<p>What would you like as an outcome from your complaint?</p> 	
<p>What actions do you feel might resolve the problem at this stage?</p> 	

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

For Official Use:

Date Acknowledge Sent:

Name of Person Complaint Referred to:

Signature:

Date:

Appendix B – 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 coordinator as appropriate to clarify what the complainant feels would put things right.

The investigator will:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

This could be the headteacher, the CEO or designated complaints LGB/EEC member/trustee or other staff member providing administrative support. The complaints co-ordinator will:

- Ensure that the complainant is fully updated at each stage of the procedure

- Liaise with staff members, headteacher, chair of governors, clerk and LAs (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 or where the complainant is a child or young person
- Keep records

Trust Clerk to the Complaints Panel

The clerk is the contact point for the complainant and the committee and will:

- 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.

Panel Chair

The committee's chair, who is nominated in advance of the complaint meeting, will 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).

Panel Member

Committee members will be aware that:

- The meeting must be independent and impartial, and will be seen to be so no governor 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 will 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 will ensure that the child/young person does not feel intimidated.

The committee will 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 will 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 will give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent will 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.