Complaints Policy and Procedure

Document Control

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Complaints Policy – Changes that have been to the policy and this will be removed once ratified

The Complaints Policy has been reviewed against the **DfE / ESFA Model Complaints Procedure for academies within a multi-academy trust**. The policy remains compliant; the amendments made are **clarificatory and strengthening**, rather than structural.

Summary of Key Amendments

- **Use of Independent External Investigating Officers**
  The policy now confirms that where a complaint is particularly complex, contentious, or requires extensive or specialist investigation, the Trust may appoint an independent external investigating officer to carry out all or part of the investigation. This strengthens transparency, impartiality and public confidence, while retaining Trust discretion over when such appointments are necessary.
- **Panel Independence Clarified**
  The policy now states explicitly that the independent member of a complaints panel **must not be a trustee or an employee of the Trust**, removing any ambiguity and strengthening compliance with ESFA expectations.
- **Consistency in Panel Hearing Arrangements**
  The policy has been amended to confirm that **three alternative dates** will be offered for a complaints panel hearing before proceeding in a complainant's absence. This aligns fully with the model procedure and ensures procedural fairness.
- **Stage 2 (Formal Complaint) Clarification**
  The policy now makes explicit that, where appropriate, a **face-to-face meeting may be offered** at Stage 2 to clarify the complaint and the outcome sought. This reflects best practice set out in the model procedure.
- **Safeguarding Signposting Strengthened**
  References to safeguarding complaints have been clarified to ensure that complainants can easily identify **where to find LADO / safeguarding contact details**, improving accessibility and transparency.
- **Terminology and Accuracy Improvements**
  Minor amendments have been made to:
    - Standardise governance terminology (e.g. "Governance Professional")
    - Correct typographical errors
    - Improve consistency across stages of the procedure

Overall Impact

These amendments:

- Do **not** change the substance or escalation structure of the complaints process
- Improve clarity, consistency and legal robustness
- Reduce the risk of procedural challenge at Trust Board or ESFA level
- Strengthen confidence that the policy fully reflects current statutory guidance

1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to any Act Multi Academy Trust (ACT) academy or to the trust 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.

2. The difference between a concern and a complaint

A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. The school and the trust 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, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the school or trust will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

3. 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 on a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the head teacher) should be made in the first instance, to the head teacher via the school office**.** Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of the Local Governing Body, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of the Local Governing Boady, any individual Academy Governor or the whole Local Governing Body should be addressed to the CEO via the school office. Please mark them as Private and Confidential.

Complaints about an Executive Headteacher or a member of the Trust Team should be addressed to the CEO via the trust office. Please mark them as Private and Confidential. Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Chair of Trustees, via the trust correspondence office, ACT Head Office, Buckden CE Primary Academy, School Lane, Buckden, St Neots PE19 5TT. Complaints about the Chair of Trustees, should be addressed to Vice Chair of Trustees, via the trust correspondence office, listed above Please mark them as Private and Confidential.

Complainants should not approach individual governors or trustees to raise concerns or complaints. Those in governance roles have no power to act on an individual basis and it may also prevent them from considering complaints as part of a panel should there be a need at a later stage of the procedure.

Complainants should not approach the Chair of the Local Governing Body until they have exhausted stages 1, 2 and 3 of the process set out below. **Only if the complaint is about the CEO, a Trustee or Chair of Trustees should the Chair or Vice Chair of Trustees be contacted as detailed on above.**

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 or trust office. You can also ask a third-party organisation such as the Citizens Advice to help you.

In accordance with equality law, we will make reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. This includes for instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4. Anonymous complaints

We will not normally investigate anonymous complaints. However, the head teacher, CEO or Chair of the Local Governing Body, if appropriate, will determine whether the complaint warrants an investigation.

5. Time scales

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

Complaints made outside of term time will be considered to have been received on the first school day after the holiday period. For the purposes of this procedure, published teacher training days will be considered as not within term time.

6. Scope of this complaint's procedure

This procedure covers all complaints about any provision of community facilities or services by the school and ACT Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Whom to contact
• Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.
	Any safeguarding concerns should be raised directly with the Designated Safeguarding Lead. 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). The school Child Protection and Safeguarding Policy is on the school website or please see https://www.act-academytrust.com/page/?title=Statutory+Publications&pid=13 Contact details for Designated Safeguarding Leads and LADOs are included in the policy appendix.

• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/schooldisciplineexclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaints procedure.* *<link to school behaviour policy>.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees and volunteers, including temporary staff and contractors. 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. 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. Whistleblowing Procedure is available from the ACT Trust By contacting enquiries@act-academytrust.org
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures. Grievance Procedure is available from the ACT Trust By contacting enquiries@act-academytrust.org
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

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

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

7. Resolving complaints

At each stage in the procedure, the school and the trust want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school or trust policies in light of the complaint
- an apology.

Where a complaint is particularly complex, contentious, or requires extensive or specialist investigation, the Trust may appoint an independent external investigating officer to carry out all or part of the investigation. The investigating officer will be independent of the school and the Trust.

8. Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing to the person dealing with the complaint at the relevant stage.

9a. Stage 1 – Informal complaints about any ACT Trust school

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

Concerns within schools should be raised with either the class teacher, Key Stage Leader / Deputy Head or head teacher. Complainants should not approach individual governors or trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints as part of a panel at a later stage of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within **15 school days** of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

9b. Stage 2 – Formal complaints about any ACT Trust school

Formal complaints must be made to the head teacher (unless they are about the head teacher in which case formal complaints must be made to the Chair of the Governors), via the school office. This should be done in writing and if possible, on the Complaint Form in Appendix 1.

The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The head teacher may delegate the investigation to another member of the school or trust's senior leadership team but not the decision to be taken.

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

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

At the conclusion of their investigation, the head teacher will provide a formal written response within **20 school days** of the date of receipt of the complaint.

Where there are exceptional circumstances resulting in delays, the head teacher will notify the complainant of this and of a revised timetable as soon as possible.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school or trust will take to resolve the complaint. The Headteacher may consider whether a face-to-face meeting is the most appropriate way to clarify the complaint and the desired outcome

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

In cases where the complaint is complex, contentious, or requires further independent scrutiny, the Trust may decide to appoint an independent external investigating officer to undertake the investigation.

If the complaint is about the head teacher, or a member of the Local Governing Body, the Chair of the LGB will complete all the actions at Stage 2.

Complaints about the head teacher or member of the Local Governing Body must be made to the Chair, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Local Governing Boady or
- the majority of the LGB

Stage 2 will be escalated to the CEO.

9c. Stage 3 – Formal Resolution – CEO

The complainant must put the complaint in writing, addressed to the CEO of the Trust, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations. The CEO may delegate this to another member of the Trust Central Team.

The complaint will be acknowledged with **3 school days of receipt during term time** and as soon as practicable during school holidays.

A stage 3 complaint should be resolved within **30 school days of receiving the complaint.** Where there are exceptional circumstances resulting in delays, the complainant will be notified of this and informed of the new timescales as soon as possible.

The CEO may appoint a member of the Trust Directorate to investigate the complaint. The investigation may include the offer of a meeting with the complainant, whenever reasonably possible, and any meeting with the complainant will take place within 15 school days of the written complaint being received. The CEO may determine that an independent external investigating officer is appointed where the nature of the complaint warrants this.

Appendix 2 on p 18 should be used for Stage 3 and 4

9d. Stage 4 – Appeals Panel Hearing (At Academy Level)

If the complainant is dissatisfied with the outcome at Stage 3 and wishes to take the matter further, they can escalate the complaint to Stage 4 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaint's procedure. The independent

panel member will not be a trustee or an employee of the Trust.

The Complaints Panel may include one or more persons from the following categories

(i) A member of the local Governing Body of the school where the complaint emanated from;
(ii) A member of a local Governing Body from another school within ACT Trust;
(iii) A member of ACT Trust's Board of Trustees;

A request to escalate to Stage 4 must be made to the Governance Professional, via the trust correspondence office, ACT Head Office, Buckden CE Primary Academy, School Lane, Buckden, St Neots PE19 5TT within 10 school days of receipt of the Stage 3 response.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

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

The Governance Professional will write to the complainant to inform them of the date of the meeting.

The complainant will be invited to the panel hearing. The Governance Professional will make it clear to the complainant that they may be accompanied at the panel hearing if they wish.

The Governance Professional will aim to convene a meeting within 15 school days of receipt of the Stage 4 request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair of the Local Governing Body or
- the entire Local Governing Body or
- the majority of the Local Governing Body then Stage 4 will be heard by the trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, neither party is encouraged 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, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint's 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 5 school days before the meeting, the Governance professional will:

- confirm and notify the complainant of the date, time and venue of the meeting
- Invite the complainant to the meeting and make it clear to the complainant that they may be accompanied at the panel hearing by one person if they wish.
- Aim to ensure that the dates are convenient to all parties and ensure that the venue and

proceedings are accessible

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place.
Consent will be recorded in any minutes taken.

The panel meeting will normally take place in person. Any DfE or LA Guidance in particular in relation to any restrictions to face to face meetings in place at the time will be followed and the meeting may be held virtually on Microsoft Teams.

The panel will consider the complaint and all the evidence presented. The panel may:

- 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 panel will:

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

The Chair of the Panel will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. The Governance Professional will inform all parties concerned.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the school.

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

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the trust and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

10. Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to the trust or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated at the trust office address, ACT Head Office, Buckden CE Primary Academy, School Lane, Buckden, St Neots PE19 5TT marked private and confidential.

The CEO will write to the complainant acknowledging the complaint within **3 school days** of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 3 of this Complaints procedure and will confirm the date for providing a response

to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 20 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within 20 school days of the date that the letter was received**,** explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation.

NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance Professional at the trust office address asking for the complaint to be heard before a Complaint Panel, within 10 school days of the date that the letter was received.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

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

The Governance Professional will write to the complainant to inform them of the date of the meeting.

The complainant will be invited to the panel hearing. The Governance Professional will make it clear to the complainant that they may be accompanied at the panel hearing if they wish.

The Governance Professional will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of 2 proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board then Stage 4 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three members. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, of have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of ACT Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, neither party is encouraged to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint's 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 5 school days before the meeting, the Governance professional will:

- confirm and notify the complainant of the date, time and venue of the meeting
- Invite the complainant to the meeting and make it clear to the complainant that they may be accompanied at the panel hearing by one person if they wish.
- Aim to ensure that the dates are convenient to all parties and ensure that the venue and proceedings are accessible

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints about the CEO or the trust must be dealt with from Stage 3 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place.
Consent will be recorded in any minutes taken.

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

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

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

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

The Chair of the Panel will provide the complainant and ACT Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Meridian Trust.

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

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

11. Next Steps

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties

under education law, they can contact the ESFA after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by ACT Trust or the school. They will consider whether ACT Trust or the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency Cheylesmore House
5 Quinton Road Coventry
CV1 2WT

12. Serial or persistent complainants

If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaint's procedure, the Chair of Trustees may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence is vexatious and that the trust will not respond to any further correspondence on this issue or a closely related issue.

13. Monitoring, Evaluation and Review

The Trust will review this procedure within two years and assess its implementation and effectiveness.

14. Data Protection

Unless stated elsewhere in this policy the data gathered during this management process is processed in line with our data protection policy which can be found on our website – GDPR

Any data gathered during this process will be held in line with our records retention policy which can be found on our website – https://www.act-academytrust.com/page/?title=Statutory+Publications&pid=13

Privacy notices can also be found on the above link.

If you have any questions about the way your data has been gathered or will be retained, please contact the ACT Trust Data Protection officer at dpo@act-academytrust.org

Appendix 1: Complaint Form – Stage 2

Please complete and return to Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time tel number:** **Evening tel number:** **Email address:**
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: Date:
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Action taken: **Date:**

Appendix 2: Appeals form for stages 3 and 4

Please complete and return to CEO for a complaint at stage 3 and Governance Professoinal for stage 4. For complaints about the trust please contact Governance Profession on clerk@act-academytrust.org who will acknowledge receipt and explain what action will be taken. If you are not sure where to address a stage 3 or 4 complaint, please contact clerk@act-academytrust.org

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time tel number:** **Evening tel number:** **Email address:**
Please tick which stages this complaint has already been through: **Stage 1:** **Stage 2:** **Stage 3:**

I am dissatisfied with the response to the above complaint and would like an appeals hearing for the following reasons:

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature: Date:
Official use **Date acknowledgement sent:** **By whom:**
Complaint referred to: **Action taken:**
Date:

Appendix 3: 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 or trust in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

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

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

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

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, CEO, Chair of the LGB, Chair of Trustees or the Clerk

and to ensure the smooth running of the complaints procedure

- be aware of issues regarding: osharing third party information

  oadditional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person

- keep records.

Clerk to the LGB (Governance Professional for stage 4)

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school or trust 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 panel 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 or trust 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

Panel members should be aware that:

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

  No LGB Member / trustee may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

  We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

  Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The panel 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 panel 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 panel 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 panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.