

DIOCESE OF
ST ALBANS
MULTI-ACADEMY TRUST

Trust Policy Complaints

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Author/Responsible Officer	Head of Governance
To be ratified by	Trust Board
Approved by	Jenny Jenkins
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This policy is a mandatory policy for all DSAMAT Academies and must be implemented without any amendments

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Our mission, vision and values

The Trust has a clear **mission** at its core, ensuring that all pupils are enabled to flourish, rooted in God's Love - academically, socially, spiritually, physically and mentally. This is central to our work and rooted in our Christian foundation (John 10 v 10). Our commitment to mutual flourishing within the school community is built upon our shared belief in Church of England principles. In our Trust, just as in the wider Church of England community, 'flourish' refers to prospering, thriving and growing. It means prayerfully encouraging all within our schools so that they might prove fruitful, successful and contented in the longer term. We seek to provide space generously for all to flourish in life and all of its structures. Equitable treatment for all pupils, staff and the wider community is a core part of enabling this long term, holistic flourishing.

We have a clear **vision** about creating successful schools for the benefit of their communities and we expect every school in the Trust to continuously improve. All schools provide rich and diverse curricula which evolve to meet the needs of their children and local communities, as well as delivering educational excellence to enable them to continue to flourish in later life.

The way we work and deliver against our mission is critical to our Trust. We have shared, agreed **values** of:

Hope; Nurture; Equality; Respect; Collaboration

The Trust's vision is underpinned by a Christian values framework which is adopted by all schools. It provides clear expectations for all Trust employees on how we wish our values to impact on all areas of school life. It draws on, and is informed by, the National Church of England Vision for Education and the Diocesan Board of Education Vision.

Each school within the Trust has a personalised vision for education, developed locally to reflect the individual character and needs of the school community. This vision is underpinned by the Trust's wider vision, and agreed with the Trust, but it is owned and driven by the headteacher and their LGB.

Our community

The Trust are dedicated to delivering education that serves local communities. Our schools are inclusive, welcoming those from all and no faiths, from all abilities and backgrounds. We believe in providing a high-quality education, underpinned by Christian values, which enables every child to flourish.

Underpinning all of the Trust's work is a belief in educational excellence. The Trust serves all stakeholders by providing schools with the highest levels of academic rigour and pastoral care.

Our schools are places where children and young people develop and thrive intellectually, socially, culturally, and spiritually. All of the Trust's schools teach a broad and balanced curriculum within national guidelines focusing on core skills. This is designed to ensure that all pupils reach their academic potential and seek to enrich their experience along the way. Pupils will be enabled to succeed in an atmosphere of high expectation, aspiring to educational excellence with a firm foundation of values.

This policy forms part of our Trust governance and ensures that we are held to the highest standards as we carry out our duties.

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Statement of Intent

This is the Diocese of St Albans Multi-Academy Trust (DSAMAT) over-arching Complaints policy and must be implemented and adhered to in each of the academies within the Diocese of St Albans Multi Academy Trust along with those working within the central team.

This policy will also be implemented and adhered to from the first day of any other school joining the Trust.

For the remainder of this document, the Diocese of St Albans Multi Academy Trust will be referred to as DSAMAT.

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1. What is a Complaint?

- 1.1 The Diocese of St Albans Multi Academy Trust (DSAMAT) appreciates all feedback about our schools and organisation and encourages open dialogue within our communities. We take all concerns and complaints seriously, whether these are regarding education or other services we provide, or about the conduct of our staff. The Trust believes that, by tackling concerns at the earliest possible stage, it allows us to improve relationships, enhance learning, prevent issues escalating, and reduce the number of formal complaints received.
- 1.2 The aim of this policy is to resolve complaints or concerns about DSAMAT, any Academy within the Trust or any individual connected with the Trust, in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future.

DSAMAT defines a concern as follows:

"An expression of dissatisfaction made verbally about any aspect of the Academy or Trust".

DSAMAT defines a complaint as follows:

"An expression of dissatisfaction made in writing about the standard of service, actions, or lack of action by the Academy or Trust, affecting an individual or group".

- 1.3 If a concern is expressed verbally, staff within DSAMAT will try to resolve it using the procedures set out below for dealing with concerns. If a complaint is made in writing, the formal complaints procedure will be used, also set out below.
- 1.4 Anyone can make a complaint, but a different process applies depending on whether the person raising the complaint is a parent /carer¹ of a current pupil at an Academy within the Trust. Please refer to Part A below if you are a parent of a current pupil, otherwise please see Part B.
- 1.5 Please note that complaints about matters where an alternative complaints / appeal process exists will not be generally dealt with under this policy. These are set out below in Part C.
- 1.6 Requests for reasonable adjustments to the process set out below will be considered to ensure that complainants can access and complete the process.

2. DSAMAT's Principles for Dealing with Concerns and Complaints

2.1 DSAMAT will:

- take all concerns and complaints seriously
- make every attempt to resolve concerns by informal means without the need to use formal procedures (for example, mediation may be offered)
- publish this complaints procedure, make it easily accessible and simple to understand and use
- be fair, open and honest when dealing with any concern or complaint
- give careful consideration to all concerns and complaints and deal with them as swiftly as possible, keeping people informed of progress
- resolve any concern or complaint through dialogue and mutual understanding and, wherever possible, put the interests of the child above all others and provide sufficient opportunity for any concern or complaint to be resolved
- deal with concerns or complaints in an impartial and non-adversarial manner

¹ References to 'parents' in this policy include carers



- ensure a full and fair investigation of a complaint is undertaken by a person who has not been directly involved in the matter
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- respect peoples' desire for confidentiality
- use the outcome of a complaint to reflect on the services provided by the Academy/Trust so that, if necessary, they can be improved.

Part A – Complaints Procedure for parents / carers of current pupils²

3. Stage 1 – Informal Resolution

- 3.1 The Trust recognises that parents and carers will, from time to time, have reasonable and legitimate concerns about the progress, achievement, behaviour or welfare of their child, or about other matters connected with the Academy or Trust
- 3.2 The Trust encourages parents and carers to make those concerns known to the relevant member of staff so that they can be addressed in partnership with the Academy. Almost invariably, the sooner such concerns are raised, the easier it is for an appropriate resolution to be found.
- 3.3 A concern may be raised as an informal complaint with any member of staff in accordance with the table below. For parents/carers, this would typically be your child's tutor, teacher, or Head of Year (or equivalent) and for others, this would normally be the Headteacher. If parents/carers have a concern with the operation of the Local Governing Body, it should be raised with the Head of Governance.
- 3.4 That person will try and resolve the matter in accordance with the guidance set out in Appendix B or will refer you to the appropriate person who will do the same. Many concerns will be possible to respond to immediately. If this is not possible, a member of staff will endeavour to respond to you in writing within fifteen school days³, unless the nature of the investigation is such that the complaint cannot be resolved within these timescales in which case a holding response will be sent giving an indication of the date on which a response will be made.

Concern relating to:	Raise concern with:
Progress, achievement, behaviour or welfare of child	Teacher / tutor or Head of Year
Operation of the Academy	Headteacher
Local Governing Board or a member thereof	Head of Governance
Professional conduct of the Headteacher	Trust Leadership Team via complaints@stalbandsmat.co.uk

- 3.5 The concern or complaint should be raised with the Academy or Trust within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. Complaints made outside of this time frame will not be considered unless exceptional circumstances apply.

² Where the complaints process has been started (but not completed) whilst parents/carers have children at the Academy, but the children have since left, the procedure for current parents should continue to be used.

³ School days in this policy refers to days when the Academy is open to pupils for teaching, and does not include INSET days



3.6 Where the matter is not resolved amicably at the informal stage, it may be elevated to the formal stage as set out below.

4. Stage 2 – Formal Resolution: Investigated by a Nominated Individual

4.1 Should a complainant feel that their concern has not been resolved through the informal complaints stage, they can escalate that complaint to Stage 2. This should be done within ten school days of the response having been received from the member of staff investigating it at Stage 1, otherwise the complaint will be closed.

4.2 The formal complaint can be made in writing by letter, email or by using the Complaint form (Appendix A) available on the Academy/DSAMAT website, or in person, if written notes are made and countersigned as a formal complaint by the complainant.

4.3 The complaint should set out briefly the grounds of the complaint, stating what it is that the parent considers should have been done or where the Academy or Trust has not met reasonable expectations and confirming the outcome sought.

4.4 All Stage 2 complaints sent to the Academy/DSAMAT will be acknowledged in writing within five school days. Any complaints received outside of term time will be acknowledged within five school days of the term recommencing.

4.5 An investigation will be carried out by a nominated individual identified by the Head / Trust as appropriate, who will acknowledge the complaint within 5 school days and may offer the parent a meeting. In some circumstances they may commission an external investigating officer. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the parent will take place within 15 school days of the written complaint being received.

4.6 The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the parent; if no meeting is arranged it will be within 25 school days of the written complaint being received.

4.7 Where the parent remains dissatisfied he/she may request the complaint is escalated to Stage 3.

5. Stage 3 – Formal Resolution: Complaints Panel Meeting

5.1 The request for Stage 3 Complaints Panel Meeting should be made in writing, or in person, if written notes are made and countersigned as a formal complaint by the complainant. The complainant should identify what aspects of their complaint remain unresolved and why, and what steps would resolve this. The request should be addressed to the Headteacher marked Private & Confidential, via the School office, or in the case of a complaint against the professional conduct of the Headteacher or Governor(s), to the Trust Leadership team via complaints@stalbandsmat.co.uk. This should be done within ten school days of the Stage 2 response having been received, otherwise the complaint will be closed.

5.2 All stage 3 complaints will be acknowledged in writing within five school days.

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- 5.3 Any complaints received outside of term time will be acknowledged within five school days of the term recommencing.
- 5.4 The Academy/Trust reserves the right not to consider certain unreasonable or persistent complaints (section 16) but will confirm in writing their reason for not investigating the complaint within 5 school days.
- 5.5 The aim is to convene a panel hearing meeting within 30 school days of receipt of the stage 3 request. If this is not possible the complainant will be advised in writing and will be provided with an anticipated date. Confirmation of the date, time and venue of the hearing will be sent to all parties at least 10 school days before the meeting.
- 5.6 All evidence should be received at least 7 school days before the meeting and the papers circulated to all parties 5 school days before the meeting.
- 5.7 The complainant and, where relevant, the person complained about will be notified of the Panel's findings and recommendations, in writing within 10 school days.
- 5.8 Further information about the Panel hearing is contained in Appendix C.

6. Department for Education

- 6.1 Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 3 Complaints Panel Meeting within the time stated in the policy) the matter is closed. If the Complainant is still not satisfied then they may contact the Department for Education (DfE). There is an online procedure at: <https://www.gov.uk/complain-to-dfe>
- 6.2 The Complainant may also write to the DfE at:
Ministerial and Public Communication Division
Department for Education
2nd Floor, Piccadilly Gate
Manchester M1 2WD

7. Where to send your Complaint

Complaints should be sent in accordance with the following table:

Complaints Relating to:	Send Complaint to:	Stage 1 (informal) investigation to be led by:	Stage 2 (formal) investigation to be led by:
Progress, behaviour or welfare of a child	Academy Office marking 'Private & Confidential'	Teacher, Tutor or Head of Year	Headteacher or appropriate senior leader
Individual academy	Headteacher	Headteacher or appropriate senior leader	Headteacher
Member of the LGB	Head of Governance complaints@stalbandsmat.co.uk	Trust Governance Officer	Head of Governance

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Chair of the LGB	Head of Governance complaints@stalbandsmat.co.uk	Trust Governance Officer	Head of Governance
Member of the Trust Board	Clerk to the Trust Board via complaints@stalbandsmat.co.uk	Trust Governance Officer	Head of Governance
Professional conduct of the Headteacher	Trust Leadership Team via complaints@stalbandsmat.co.uk	N/A	Member of Trust Leadership Team
Work of the Trust	Trust Leadership Team via complaints@stalbandsmat.co.uk	N/A	Member of the Trust Leadership Team
Chief Executive Officer (CEO) or Executive Leadership team	Chair of the Trust Board via complaints@stalbandsmat.co.uk	N/A	Head of Governance in association with the Chair of the Board

In the case of a complaint against the either Chair or the Trust Board as a whole, then it should be put in writing to the Clerk to the Trust Board via complaints@stalbandsmat.co.uk who will refer it to the Members. In such cases the Members will investigate the complaint or appoint an appropriate person to do so in the same way as in the first stage of the formal process at Stage 2.

Where the complaint moves to Stage 3 the Members will determine how the Complaint Panel is to be constituted but will ensure that at least one person is independent of the management and running of the Trust.

Part B – Complaints raised by those who are not parents / carers of current pupils

8. Complaints made by those who are not parents of current pupils, which includes complaints made by parents of former pupils after they have left the Academy, will be dealt with as follows:

- 8.1 Complainants should first attempt to address their complaint to the relevant Academy or the Trust (as appropriate) informally by raising the matter with a relevant member of Academy or Trust staff, within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. The Academy/Trust (depending on the nature of the complaint) will seek to resolve the matter informally within 15 school days.
- 8.2 If it is not possible to resolve the matter informally, the complaint may be submitted in writing, using the form available at Appendix A, to the Head of Governance, or where the complaint relates to the Head of Governance, to the Chief Operating Officer.
- 8.3 The complaint will be acknowledged within 5 school days and a final written response will be issued within 15 school days.
- 8.4 The general provisions set out below in Part C below apply.

Part C - General provisions

9. Complaints that will not be considered under this policy

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9.1 Usually complaints relating to the matters set out in the table below will not be considered under this policy as they have their own appeal or complaint processes. Where necessary the Trust will exercise its discretion.

9.2 Complaints may be raised under this policy about staff conduct, however such complaints will be dealt with under the Trust's internal disciplinary procedures, if appropriate, and complainants will not be informed of any disciplinary action taken as a result.

Exceptions	Policy / Who 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.
School re-organisation proposals	Contact the Local Authority or diocese, as appropriate, in the first instance and then escalate to DSAMAT if dissatisfied.
Statutory assessments of special educational needs	Concerns about statutory assessments of special educational needs should be raised directly with local authorities.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters should be escalated to the Local Authority rather than the school. 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). Central Bedfordshire LADO – 0300 300 4833 Childrens Services – 0300 300 8585 SOOHS (Out of Hours- Childrens Services) – 0300 3008123 Bedfordshire Borough Council LADO-01234 276693 lado@bedford.gov.uk MASH-- 01234 718700 multiagency@bedford.gov.uk MASH (Out of Hours) 0300 300 8123 Hertfordshire County Council LADO – 01992 555420 LADO.Referral@hertfordshire.gov.uk Childrens Services – 0300 1234043 SOOHS (Out of Hours children's services)- 0300 1234043 Luton LADO - 01582 548069 or via secure email LADO@luton.gov.uk MASH – 01582 547653 mash@luton.gov.uk Out of Hours : 0300 3008123
National curriculum content	This is the responsibility of the Department for Education at www.education.gov.uk/contactus
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>

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Whistleblowing	The Trust has an internal whistleblowing procedure for all its employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about a 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.
Staff grievances ⁴	Complaints from staff will be dealt with under the Trust's Grievance Policy.
Staff conduct	Complaints about staff will be dealt with under the Trust's Disciplinary Policy. 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.
Data protection / FOIA	Information Commissioner's Office
Third party contractors / suppliers	Third party complaints process

10. Complaints Relating to Fulfilment of the Early Years Foundation Stage ("EYFS") Requirements

10.1 In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- (i.) The written concern/complaint will be acknowledged within 5 school days;
- (ii.) The Head will investigate the concern or complaint which may include meeting with the Complainant and the Early Years Leader. A written response notifying the Complainant of the outcome of the investigation will be sent within 28 school days of the complaint being received.
- (iii.) Where the Complainant remains dissatisfied, the Trust will ensure that a formal Complaints Panel will be convened in accordance with Stage 3 of this policy.

10.2 A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

10.3 Parents are further advised that where they have concerns regarding the Academy meeting EYFS requirements they may contact Ofsted on 0300 123 4666 or by using the online contact form available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>

⁴ Note that where complaints relate to staff conduct, these may be dealt with under both this Complaints Policy and the Staff Grievance & Disciplinary Policy. In such circumstances complainants will not be informed of the outcome of any Staff disciplinary investigation or processes.



11. Complaints received outside of term time

The Academy/Trust (as appropriate) will consider complaints made outside of term time to have been received on the first school day after the holiday period.

12. Withdrawal of a Complaint

If a Complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

13. Record keeping and confidentiality

13.1 A written record will be kept of all complaints that reach the formal stage, whether they are resolved following Stage 2, or proceed to a panel hearing (Stage 3) and any action taken by the school as a result (regardless of whether they are upheld). Complaint records will be maintained securely and in line with the Trust's Data Protection Policy, Privacy Notices, Data Retention Schedule, and in line with the requirements of current Data Protection Legislation.. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests access to them.

13.2 The Complainant should also keep all correspondence, statements and records relating to their complaint confidential, and should not disclose (by way of electronic communication, social media or otherwise) any information or documents relating to their complaint. If they do so, then the complaint may be dealt with under section 16.

14. Anonymous Complaints

Where an anonymous complaint is received, the Academy/Trust will use its reasonable endeavours to consider the complaint as best as it reasonably can. However the Academy/Trust will not be required to consider the complaint pursuant to any specific process and will handle anonymous complaints on a case by case basis.

15. Complaint Campaigns

15.1 Where the Academy/Trust receives a number of complaints all based on the same subject which in its reasonable opinion may be deemed a 'complaint campaign' it will deal with the complaints in the following way : individual responses will not be sent to complainants in such cases. Instead, either a template response will be sent to all complainants, or a single response will be published on the Academy/Trust's website at the discretion of the Head/Chair of Trust Board.

15.2 Where the complaint campaign involves complainants who are parents they will be entitled to escalate the complaint to a panel hearing if they are dissatisfied with the Academy/Trust's response. The Academy/Trust will consider how best to manage panel hearings in such circumstances.

16. Unreasonably Persistent Complainants and Unreasonable Complainant Behaviour

There are rare circumstances where the Academy/DSAMAT will deviate from the Complaints Procedure. These include, but are not necessarily limited to:

- where the complainant's behaviour towards staff, members of the Academy Local Governing Board or Trust Board is unacceptable, for example, is abusive, offensive or threatening;
- where, because of the frequency of their contact with the Academy, the complainant is hindering the consideration of their or other people's complaints, and/or the proper running of the Academy;
- where the complainant's complaint is clearly vexatious and/or has patently insufficient grounds;
- where the complainant's complaint is the same, similar to, or based on the same facts of a complaint which has already been considered in full by the Academy or Trust;
- where the complainant pursues a valid complaint, but in an unreasonable manner e.g., refuses to articulate the complaint, refuses to co-operate with the complaint procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and time frames set out;

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- where the complainant seeks unrealistic outcomes, or a solution that lacks purpose or value.

In these circumstances, the Academy/DSAMAT may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- restrict the complainant's access to the Academy, e.g. requesting contact in a form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times, or banning the complainant from the Academy's premises;
- conduct the Complaints Panel on the papers only, i.e. not hold a hearing;
- write to the Complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the Trust will not respond to any further correspondence on this issue or a closely related issue.

In all cases, the Academy/Trust will write to advise the complainant why their behaviour is believed to be unacceptable or unreasonably persistent, what action the Academy/Trust are taking, and the duration of that action.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff the Headteacher/Trust Executive Leadership team members will consider other options, for example, reporting the matter to the police or taking legal action. In such cases, the Trust may not give the complainant prior warning of that action.

17. Legal Proceedings

If a Complainant threatens or commences legal action against the Academy/Trust (including the issuing of a letter before claim) 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.



Appendix 1 – DSAMAT Complaints Form

This form should be used to raise a formal complaint only after a matter has been raised informally under either Part A or Part B of the Complaints Policy and you are not satisfied with the response. Please refer to the Complaints Policy when completing this form

Your Full name:
Your email address:
Pupils Full name (if relevant):
Pupils School:
Your relationship to the pupil (if relevant)
Address: Postcode: Contact Telephone number:
Please give details of your complaint
What steps have been taken to resolve the complaint informally (<i>including details of who the matter was raised with, when and what solution was offered</i>)
Why have the steps taken so far failed to resolve the complaint? (<i>including what you consider should have been done / where the Academy or Trust has not met reasonable expectations in its response</i>)

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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:
Date:

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Appendix B – Guidance for Staff for Dealing with Concerns/Complaints at Stage 1

Staff who are approached by parents or carers, students or others with matters of concern must assess the seriousness of the issue and if subject to specific Academy policies (for example over a child protection issue), follow those policies.

If a parent or carer of a child or someone else expresses a concern that is within the remit of that member of staff, the member of staff should deal with the concern, resolving it where possible. If the member of staff feels unable to deal with the concern, they should listen to the concern, note it down and refer it to the relevant senior member of staff, indicating to the complainant that this is what will happen.

Each situation will be different and staff members should do all they can to:

- allay the other persons' fears;
- take the concerns seriously;
- remain calm and composed at all times;
- be fair, open and honest when dealing with any concern or questions;
- give careful consideration to all concerns and deal with them as swiftly as possible;
- enter into dialogue that encourages mutual understanding and, wherever possible, puts the interests of any child above all other issues;
- respect peoples' desire for confidentiality.

If it is not possible to respond immediately, written confirmation should be sent of the outcome to the person expressing the concern as soon as possible but not later than 15 after school days (should this not be possible due to the complexity of the concern / complaint, the complainant should be notified of a revised timeframe within which they should be able to expect a response).

If the matter has not been resolved amicably by these means, the member of staff should advise the complainant they can escalate that complaint to Stage 2. This should be done within ten school days of the response having been received from the member of staff investigating it at Stage 1, otherwise the complaint will be closed.



Appendix C - Complaints Panel Guidance

1. The Complaints Panel must comprise at least three people, which will include one person who is independent of the management and running of the Trust.
2. The Complaints Panel may include, but is not limited to, one or more persons from the following categories:
 - (i) a member of the Local Governing Body of the Academy where the complaint emanated from;
 - (ii) a member of a Local Governing Body from another Academy within the Trust;
 - (iii) a member of the Trust Board;
 - (iv) a member of a Local Governing Body or Trustee / Director of another Academy Trust; and/or
 - (v) a person not connected with the Academy or the Trust.
3. None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint or have been involved in dealing with the complaint at previous stages.
4. The panel will appoint a Chair from amongst their members.
5. The independent panel member may be a member of a Local Governing Body from another Academy within the Trust as long as they have no conflict and no prior knowledge of the complaint.
6. The Clerk will invite the Academy to put in writing its response to the Stage 3 complaint within 15 school days of receiving the request. Whether or not the Academy has responded, the Clerk will convene a meeting of the Complaints Panel. That meeting will, wherever possible, be held on Academy premises as quickly as practicable given the need to find a date that is reasonably convenient for the parent, the Academy and the members of the Complaints Panel. Whenever possible, the meeting will be held within 15 school days of the end of the Academy's response time. The meeting date, time and location will be confirmed to all parties at least 10 school days in advance. Remote access is a possibility, and any request will be considered by the panel, but this must not compromise fairness and transparency.
7. The complainant may ask for the complaint to be heard in their absence. If a meeting is convened in the absence of the complainant, the panel will proceed on the basis of written submissions from both parties to ensure fairness.
8. If the complainant rejects three proposed dates, without good reason, the Clerk will decide the date of the hearing. It will then proceed in the complainant's absence, if necessary, on the basis of written submissions from all parties.
9. The meeting is not a court case, it will be held in private and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a parent's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place. Consent will be recorded in any minutes taken.
10. The parent will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The Complaints 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 parent and the Academy/Trust will have the opportunity to put forward their respective version and views of events and each side, and the

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Complaints Panel members will be able to ask questions. The parent will have the opportunity to make final comments to the Complaints Panel.

11. Any material additional to that relevant to Stage 2 should be provided to the Clerk no later than seven school days before the panel hearing for distribution to relevant parties. The papers for the Hearing will be circulated by the Clerk at least five school days prior to the Panel Hearing. These papers will include, where appropriate, an agenda, a list of attendees and all relevant records such as the original complaint, witness statements, decisions made with rationales at previous stages and correspondence between the complainant and the school.
12. The panel may also invite any persons who could provide relevant information relating to the complaint and/or its handling at the previous stage of the procedure (notably the person who investigated it).
13. Where the complaint relates to a pupil at the school and their attendance is requested by the panel, parental permission must be sought if they are under the age of 18. The panel will consider how the pupil could be supported to attend, for example by being accompanied by an unconnected staff member.

Procedure for the hearing

1. The panel's role is to give fresh scrutiny of the complaint and the previous stages of the process. This will lead to the panel deciding whether the complaint should be upheld, upheld in part or dismissed, as well as recommending remedial action as appropriate.
2. The hearing provides the panel with the opportunity to look at the evidence, establish facts and hear from relevant parties through the following procedure:
 - a) Complainant and school's representative enter the room together, chair introduces all parties and outlines the process.
 - b) Complainant explains their complaint and answers questions from the panel, including any further questions from the school's representative (usually the headteacher).
 - c) Any witnesses for the complaint give their account and answer questions.
 - d) School's representative makes their case and answers questions from the panel, including any further questions from the complainant.
 - e) Any witnesses for the school give their account and answer questions.
 - f) School's representative sums up their case.
 - g) Complainant sums up their case.
 - h) Parties leave for the panel to deliberate and make its decision. The clerk remains with the panel during its deliberations to clarify any issues and to take notes that will be used to draft the decision letter.
3. While the procedure is structured to ensure fairness, the approach taken will be informal and non-adversarial. Sufficient time will be given for all parties to speak. However, it is reasonable for the chair to intervene and move the meeting on if they feel this is necessary and in the interests of all concerned.
4. During deliberation, (point 8 above) the panel will revisit what was discussed and the responses to questions asked, where appropriate referring back to the notes taken by the clerk to reach conclusions and inform their decision.

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5. Having reached a decision, the panel will consider carefully and seek the advice of the clerk on the wording of the letter to the complainant and relevant parties, notifying them of the decision and the basis upon which it was reached. If the complaint is upheld in whole or in part, then the letter should set appropriate action/s recommended by the panel to resolve the complaint and or prevent similar issues in the future – for example, changes to relevant policies or practices. Note that recognising issues and apologising is not an admission of liability in a legal sense and panels are not required to engage with legal arguments.
6. A copy of the findings and recommendations will be:
 - (a) sent by electronic mail or otherwise provided in writing to the parent and, where relevant, the Academy or person complained about; and
 - (b) available for inspection on the Academy premises by the Trust, the Head and the Chief Executive Officer.
7. The Complaints Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Clerk will notify all concerned.
8. At any meeting, the parent will be entitled to bring a companion along to provide support. Legal representation will only be permitted in exceptional circumstances. Representatives from the media are not permitted to attend
9. If the parent fails to attend the Complaints Panel Meeting on the day without compelling reasons, the Complaints Panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the “Unreasonably Persistent Complainants and Unreasonable Complainant Behaviour” section 16.