



CENTRAL POLICIES

COMPLAINTS PROCEDURE

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Group Responsible	TGAT Board of Trustees
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1. AIMS

Our Trust aims to meet its statutory obligations when responding to complaints. This policy applies to all existing parents and employees of the Temple Grove Academy Trust (permanent, fixed term and casual). Complaints from individuals who are not parents will not be dealt with under this Policy.

When responding to complaints, we aim to:

- Encourage resolution of problems by **informal** means wherever possible
- Ensure this policy is easily **accessible** and **publicised**
- Ensure this policy is **simple** to understand and use
- Be **impartial** and **non-adversarial**
- Handle all matters **swiftly**, within agreed **time-limits** for action
- 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** and courtesy
- Ensure that any decisions we make are **lawful**, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants **informed** of the progress of the complaints process
- Consider how the complaint can feed into the academy improvement **evaluation** processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust/academy 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 the Trust/academy website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. LEGISLATION AND GUIDANCE

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 in the Trust/academy.

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).

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.

3. DEFINITIONS AND SCOPE

3.1 Definitions

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

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

3.2 Scope

The Trust/academy intends to resolve complaints informally where possible, at the earliest possible stage.

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

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint. See Appendix 1 for further information.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the academy's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (SENCO)/Headteacher; they will then be referred to this complaints policy. Our SEN 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.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. ROLES AND RESPONSIBILITIES

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- a) Follow these procedures

- b) Co-operate with the Trust/academy throughout the process, and respond to deadlines and communication promptly
- c) Treat all those involved with respect
- d) Not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to investigate the complaint and establish the facts. They will:

- a) Interview all relevant parties, keeping notes
- b) Consider records and any written evidence and keep these securely
- c) Prepare a comprehensive report to the Headteacher or complaints committee which includes the facts and potential solutions

4.3 Clerk to the governing board

The clerk will:

- a) Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- b) Arrange the complaints hearing; setting the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- c) meet and welcome the parties as they arrive at the hearing
- d) Record the proceedings and circulate the minutes and outcome of the hearing

4.4 Committee chair

The committee chair will:

- a) Chair the meeting, ensuring that everyone is treated with respect throughout
- b) Make sure all parties see the relevant information, understand the purpose of the committee, and can present their case
- c) Explain the remit of the panel to the parties and ensure each party has the opportunity of putting their case without undue interruption
- d) Ensure the issues are addressed
- e) Ensure that key findings of fact are made
- f) Put parents and others, who may not be used to speaking at such a hearing, at ease
- g) Conduct the panel in an informal manner with each party treating the other with respect and courtesy
- h) Ensure the panel is open minded and acting independently
- i) Ensure no member of the panel has any involvement in an earlier stage of the procedure
- j) Allow each side the opportunity to state their case and to ask questions
- k) Ensure written material is seen by all parties.

5. PRINCIPLES FOR INVESTIGATION

When investigating a complaint, we will try to clarify:

- what has happened
- who was involved
- the nature of the complaint and what remains unresolved
- what the complainant feels would put things right

We will conduct the investigation with an open mind, interviewing all relevant individuals (including the complainant) and we will keep all parties informed of progress.

5.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next academy term time day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.2 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 4234 or 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.

5.3 Resolving Complaints

At each stage in the procedure the Trust/academy will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review Trust/academy policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Trust/academy could have handled the situation better is not the same as an admission of negligence.

6. STAGES OF COMPLAINT (NOT COMPLAINTS AGAINST THE HEADTEACHER OR GOVERNORS)

6.1 Stage 1: Informal

It is important to be clear about the difference between a concern and a complaint. The Trust/academy will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

The policy which follows deals with complaints, but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended academy provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

The complainant should raise their informal concern/complaint as soon as possible with the relevant member of staff or the Headteacher as appropriate, either in person or by letter (Appendix 2 can be used), telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the academy office by phone or email.

The academy will acknowledge informal concerns/complaints within 2 school days and investigate. There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days.

The informal stage will involve a meeting between the complainant and the headteacher and/or the subject of the complaint, as appropriate.

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

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

6.2 Stage 2: Formal

The formal stage involves the complainant putting the complaint to the Headteacher and/or the subject of the complaint:

- In a letter or email (Appendix 2 can be used)
- Over the phone
- In person
- Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the academy office by phone or email.

The Trust/academy will try to respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the matter will be referred to the Headteacher who may, if they feel it appropriate, refer the complainant to another staff member. Alternatively, they may not feel this is necessary.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Headteacher may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor or Trustee, the next step would be to refer the complainant to the appropriate person who would then deal with the complaint. Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

The Headteacher (or other person appointed by the Headteacher for this purpose) will ensure that a written or oral acknowledgement is provided to the complainant within 5 academy term time days of receiving a complaint. The acknowledgement will give a brief explanation of the Academy's complaints procedure and will give a target date for providing a response to the complaint which should normally be within 10 academy term time days. If the target cannot be met a letter should be written within 10 academy term time days explaining the reason for the delay and providing a revised target date.

The person dealing with the complaint will seek to meet or speak with all the appropriate people in order to establish the facts relating to the complaint, if the information given within the written complaint necessitates this. This may include the complainant, staff and any other person.

Once all the facts have been established the person dealing with the complaint will then produce a written response to the complainant, or they may wish to meet the complainant to discuss/resolve the matter directly. The Headteacher must be consulted at this stage and agree with the proposed course of action.

A written response should contain an outline of the complaint and a summary of the response to the complaint including the decision reached and the reasons for it. Where appropriate this should also include what response the Academy will take to resolve the complaint. This may be by way of a general description e.g. 'Action taken within the Disciplinary Procedure.'

When the investigation has been concluded the complainant and the member of staff concerned will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern was not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of the action the Trust/academy may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures will not be released.
- The matter has been fully investigated and that appropriate procedures are being followed which may be strictly confidential (e.g. where staff disciplinary procedures are being followed)

This letter or report must be endorsed by the Headteacher. It should also inform the complainant that should he/she wish the complaint to progress to the third stage of this procedure then he/she should send a written request to the clerk to the local governing body within 10 academy term time days.

If no further communication is received from the complainant within 10 academy term time days, it is deemed that the complaint has been resolved and should end.

6.3 Stage 3: Review Panel

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

The complainant needs to write to the clerk to the local governing body as directed by the Headteacher giving details of the complaint.

The clerk should write to the complainant acknowledging receipt of the written request for the complaint to be heard. This acknowledgement must be sent within 5 working days and should inform the complainant of the arrangements for hearing the complaint within 20 academy term time days of receiving it. The letter should explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received within 5 working days of the date of the hearing to allow adequate time for the documents to be circulated.

The review panel is the last academy-based stage of the complaints process and is not convened to merely rubber-stamp previous decisions. Individual complaints would not have been heard by all the governors at any stage, as this could compromise the impartiality of any hearing set up for disciplinary purposes against a member of staff following a serious complaint.

The panel will be appointed by or on behalf of the Trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the academy. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the school. The panel will typically be chaired by the CEO of the Trust.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. The clerk will write and inform the complainant and any witnesses, the panel members etc. of the date and location of the meeting 5 working days in advance. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/ interpreter. The letter should explain how the meeting will be conducted (see Appendix 4 for guidance). The Headteacher has the right to bring representation if so desired.

Intervention of parallel investigations relevant to the complaint by the Police or social services may cause variation to these time scales. Any such variation will be notified to the complainant.

At the review panel meeting, the complainant and representatives from the academy, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

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

In the interest of natural justice, the introduction of previously undisclosed evidence or witnesses would be a reason to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

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

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trust and Headteacher.

The school will inform those involved of the decision in writing within 5 academy term time days.

7. COMPLAINTS AGAINST THE HEADTEACHER, A GOVERNOR OR THE LOCAL GOVERNING BODY

7.1 Stage 1: Informal

Complaints made against the Headteacher or any member of the local governing body should be directed to the clerk to the local governing body in the first instance.

If the complaint is about the Headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

7.2 Stage 2: Formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in Stage 2 (set out in section 6 above). They will be appointed by the Trust Board and will write a formal response at the end of their investigation.

If the complaint is about the Headteacher, the CEO of the Trust will lead the steps detailed in Stage 2 (set out in section 6 above).

If the complainant is unhappy and wishes the complaint to progress to the third stage of this procedure, then he/she should send a written request to the clerk to the Trust Board within 10 academy term time days.

If no further communication is received from the complainant within 10 academy term time days, it is deemed that the complaint has been resolved and should end.

7.3 Stage 3: Review Panel

If the complaint is about the Headteacher a panel of three to five Governors/Trustees (not previously involved) will hear the complaint. They will carry out the steps at Stage 3 (set out in section 6 above).

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or the Trust and will carry out the steps at stage 3 (set out in section 6 above).

8. REFERRING COMPLAINTS ON COMPLETION OF THE TRUST'S/ACADEMY'S PROCEDURE

If the complainant is unsatisfied with the outcome of the Trust's/academy'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 academy. The ESFA will not overturn an academy's decision about a complaint. However, it will look into:

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

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

9. PERSISTENT COMPLAINTS

9.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, there are rare circumstances where we will deviate from the Complaints Procedure set out above. These include, but are not necessarily limited to, circumstances where the person:

- Demonstrates behaviour or language towards staff, members of the local governing body, Trustees or Trust executives that is abusive, offensive, discriminatory or threatening;
- Has made the same complaint before, and it has already been resolved by following the Trust's/academy's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refused to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on academy time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Where the complainant's complaint is clearly frivolous, vexatious and/or has patently insufficient grounds. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

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

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the Trust/academy in a disruptive way, we may put communications strategies in place. We may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it
- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term; or banning the complainant from the academy's premises. This will be reviewed after six months
- Conduct the Review Panel on the papers only i.e. not hold a hearing
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary, including refusal to consider the complaint and refer the complainant directly to Section 8 above.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, making substantially the same points each time

The case for ceasing further correspondence is stronger where:

- letters, emails, or telephone calls are often or always abusive or aggressive or make insulting personal comments about or threats towards staff
- we have reason to believe the complainant is contacting us with the intention of causing disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, governors, Trustees or Trust executives, we will consider other options, for example: barring an

individual from our school site; reporting the matter to the police; or taking legal action. In such cases, we may not give the complainant prior warning of that action.

9.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint (see Section 8 above).

If there are new aspects, we will follow this procedure again.

9.3 Complaint campaigns

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

- Publishing a single response on the Trust/academy website
- Sending a template response to all of the complainants

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

10. RECORD KEEPING

The Trust/academy will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

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

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

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

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing body in case a review panel needs to be organised at a later point.

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

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

11. LEARNING LESSONS

The local governing board will review any underlying issues raised by complaints with the Headteacher, senior leadership team or individual staff member, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the Trust/academy can make to its procedures or practice to help prevent similar events in the future.

12. MONITORING ARRANGEMENTS

The local governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The local governing body will track the number and nature of complaints, and review underlying issues as stated in section 11.

13. PUBLICISING THE COMPLAINTS POLICY AND PROCEDURE

The Trust/academy will publicise the complaints policy and procedure in:

- the information given to new parents when their children join the Academy
- any home-academy agreement
- the Trust & academy websites.

APPENDIX 1- MATTERS EXCLUDED FROM SCOPE OF THIS POLICY

EXCLUDED MATTERS	SIGNPOSTING
Admissions	The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance
Child protection matters	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding
Exclusions	The process for challenging exclusions decisions is set out in the DfE's statutory guidance and information can be found at https://www.gov.uk/school-disciplineexclusions/exclusions
National Curriculum content	Please contact the Department for Education at www.education.gov.uk/contactus
School re-organisation proposals	Where concerns are not adequately addressed by the trust complaints can be raised direct with the Department for Education
Complaints about services provided by other providers who may use academy premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct
Staff grievances	Complaints from staff will be dealt with under the academy's internal grievance procedures
Staff conduct	Complaints about staff will be dealt with under the academy'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
Statutory assessments of Special Educational Needs (SEN)	Concerns about statutory assessments of special educational needs should be raised direct with the local authority
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person 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 should complain through the academy's complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of the complaint.

APPENDIX 2 – COMPLAINTS FORM

Your name:
Pupil name:
Your relationship to pupil:
Your address and postcode:
Your daytime telephone number:
Your evening telephone number:
Your email address:
Your complaint is: (if you have more than one complaint, please number these)
What action have you already taken to try and resolve your complaint(s)? (Who did you speak to and what was the response?)

<p>What would you like as an outcome from your complaint(s)?</p>
<p>Are you attaching any paperwork? If so, give details here:</p>

Your signature.....

Date

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the academy office in a sealed envelope addressed to the Headteacher/Chair of Governors/Clerk to the local governing body/ CEO of the Trust

Office use Date received

Date acknowledgement sent

Responsible member of staff

APPENDIX 3 – SUMMARY OF COMPLAINTS PROCEDURE

Stage 1: Informal concerns	Parent brings complaint to attention of member of staff
	Issue to be resolved within 15 academy term time days if possible
	Where no satisfactory solution has been found, parent to be advised that they should proceed to Stage 2
Stage 2: Formal Written Complaint	Parent to put complaint in writing using Complaint Form if they so choose
	Complaint to be acknowledged within 5 academy term time days
	Response to the complaint sent within 10 academy term time days
Stage 3: Referral to Review Panel	Parent to request hearing within 10 academy term time days of receiving notice of the outcome of Stage 2
	Request to be acknowledged within 5 academy term time days
	Hearing to take place within 20 academy term days of receipt of request
	Notification of date, time and place of the hearing and details of the panel members present sent at least 5 academy term time days before the hearing
	Academy representative and parents to submit evidence in support of their case to clerk at least 5 academy term time days before the hearing
	Review Panel decision sent not more than 5 academy term time days after the hearing

APPENDIX 4 – CONDUCT OF THE REVIEW PANEL

There are several points which any governor sitting on a complaints review panel needs to remember.

It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor/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 hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the Trust/academy and the complainant. However, it must be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour.

It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible.

The recommended conduct of the meeting is as follows:

- a. The Chair of the panel will welcome the complainant, introduce the panel members and explain the procedure.
- b. The Chair of the panel will invite the complainant to explain the complaint.
- c. The panel members may question the complainant about the complaint and the reasons why it has been made.
- d. The Headteacher will be invited by the Chair of the panel to question the complainant about the complaint and why it has been made.
- e. The Chair of the panel will invite the Headteacher to make a statement in response to the complaint. At the discretion of the Chair of the panel the Headteacher may invite members of staff directly involved in the complaint to supplement his/her response.
- f. The panel members may question the Headteacher and/or members of staff about the response to the complaint.
- g. The Chair of the panel will allow the complainant to question the Headteacher and/or members of staff about the response to the complaint.
- h. Any party has the right to call witnesses, subject to the approval of the Chair of the panel. Pupils may not appear as witnesses but they may provide statements. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- i. The panel, the Headteacher and the complainant have the right to question any such witness.
- j. The Headteacher will be invited by the Chair of the panel to make a final statement.

- k. The complainant will be invited by the Chair of the panel to make a final statement.
- l. The Chair of the panel will explain to the complainant and the Headteacher that the decision of the panel will now be considered and a written decision will be sent to both parties within **5 academy term time days**.
- m. The Chair of the panel will then ask all parties to leave except for members of the panel.
- n. The panel will then consider the complaint and all the evidence presented and reach a decision on the complaint and the reasons for it. This could be to:
 - i. Dismiss the complaint in whole or in part.
 - ii. Uphold the complaint in whole or in part.
 - iii. Decide upon the appropriate action to be taken to resolve the complaint
 - iv. Recommend changes to the Trust's/academy's systems or procedures to ensure that problems of a similar nature do not recur.