



Staffordshire University Academy Trust		<b>St. Edward's Academy Cheddleton Complaints Policy &amp; Procedures (Adapted SUAT Policy)</b>				
Approved by:	SEAC LAC	Issue Date:	September 2024	Review Date:	Following Trust Review	
Policy Owner:	A Hordern					
Audience:	LAC	<input checked="" type="checkbox"/>	Trustees	<input type="checkbox"/>	General Public	<input checked="" type="checkbox"/>
	Staff	<input checked="" type="checkbox"/>	Parents	<input checked="" type="checkbox"/>	Pupils	<input type="checkbox"/>

At St Edward's CE Academy, Cheddleton, we practice in line with our trust (Staffordshire University Academy Trust) Complaints Policy and Procedures. Adaptations have been made to include context and personalisation.

**Ethos and Context of Our Academy**

St Edward's Academy Cheddleton (SEAC) is a Church of England school and has the values promoted by Christ, as shown in the Bible, at its heart. Our Christian Distinctiveness is embodied in what you see, hear and feel through our academy ethos, culture, values and curriculum. We are an inclusive academy where all God's children, and adults, are treated with dignity and respected for difference, diversity and ways of living. We encourage all members of our community to grow and flourish within the context of our Christian belief and practice regardless of challenges, age, ethnicity, gender, identity, learning difficulty, nationality, religion, sexual orientation or disability.

**Our Vision**

We will teach wisdom, model and expect respect for all. We will nurture compassion, responsibility, courage and perseverance, equipping our children for life in all its fullness as honest adults in our diverse and ever-changing world. We aspire to work collaboratively with our academy, MultiAcademy Trust, local, national and global communities as by...

Learning and Caring Together '...they will flourish in the courts of our God' (Psalm 92:13)

**Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at St Edward's. Any person, including members of the public, may make a complaint to the academy about any provision 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.

### **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 complaints procedure. At St Edward's, we 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 Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Principal 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, we will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

### **Concerns**

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

### **How to raise a concern at St Edward's**

#### **Parents/Carers**

In the first instance, parents/carers concerns should be raised with the child's class teacher via Dojo Messenger or by asking to speak with staff at the end of the day (following the safe dismissal of all children). The Home, School, Community Link Lead should be contacted for concerns regarding welfare and The Principal/a member of SLT should be contacted for office related concerns.

In order to address concerns promptly and effectively, we ask that parents/carers make clear reference to the issue and what reassurances they are seeking.

On most occasions, the child's class teacher / appropriate member of staff will invite the person raising the concern into school to offer reassurances regarding issues raised and policy compliance.

If academy policies and procedures have not been followed, apologies will be made and senior leaders will be informed.

Senior leaders will consider further actions needed and communicate these to the person raising the concern.

If the person raising the concern is not reassured, they will be invited to meet with a senior teacher and appropriate staff involved, to discuss a resolution.

If a satisfactory resolution is not agreed, the person raising the concern will be advised to escalate their dissatisfaction as an informal complaint (see 'How to raise a make a complaint at St Edward's' below).

### **Members of the public/others**

In the first instance, members of the public (including visitors and contractors) should raise concerns via the academy office. The person raising the concern should ask to speak with a member of the Senior Leadership Team.

In order to address concerns promptly and effectively, a member of the Senior Leadership Team will establish the issue causing concern and reassurances being sought.

On most occasions, the Senior Leader will be in a position to offer reassurances regarding issues raised and policy compliance.

If academy policies and procedures have not been followed, apologies will be made and the Principal will be informed.

The Principal and the wider Senior Leadership Team will consider further actions needed and communicate these to the person raising the concern.

If a satisfactory resolution is not agreed, the person raising the concern will be advised to escalate their dissatisfaction as an informal complaint (see 'How to raise a make a complaint at St Edward's' below).

### **Complaints**

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

A complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Complainants should not approach individual Local Academy Council members to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

### Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Principal or Chair of the Local Academy Council, if appropriate, will determine whether the complaint warrants an investigation.

### 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 received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### Scope of this Complaints Procedure

This procedure covers all complaints about St Edward's provision, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions	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.  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).
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/schooldiscipline">www.gov.uk/schooldiscipline</a> <a href="http://www.gov.uk/schoolhttp://www.education.gov.uk/contactusdisciplineexclusions/exclusions">http://www.gov.uk/schoolhttp://www.education.gov.uk/contactusdisciplineexclusions/exclusions</a> <a href="http://www.education.gov.uk/exclusions/exclusions">exclusions/exclusions</a> .  <i>*Complaints about the application of the behaviour policy can be made through the complaints procedure.</i>

Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
Staff conduct	<p>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.</p>

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, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### Resolving Complaints

At each stage in the procedure, St Edward's wants 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 policies in light of the complaint
- an apology

## **Withdrawal of a complaint**

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

## **How to raise a complaint at St Edward's**

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

Complaints that involve or are about the Principal should be addressed to **Mrs Sarah StClair, the Acting Chair of the Local Academy Council (LAC)**, via the academy office. Please mark as Private and Confidential.

Complaints about the Chair of the Local Academy Council (LAC), any individual Local Academy Councillor or the whole Local Academy Council (LAC) should be addressed to the Clerk to the Local Academy Council (LAC) via the academy office. Please mark as Private and Confidential. Complaints about SUAT Central staff, the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Mrs M Walker, Chair of Trustees, via the trust office. Please mark as Private and Confidential.

For ease of use, a template complaint form (Appendix 1) is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third party organisation e.g. Citizens Advice to help you.

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

The roles and responsibilities of people involved in the complaints process and procedure are outlined within Appendix 2.

### **Stage 1 – Informal complaints**

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

In the first instance, informal complaints should be raised with the Deputy Principal.

*Note: The **Deputy** Principal may delegate the investigation to another member of the academy's senior leadership team but not decisions to be taken.*

The **Deputy** Principal (or investigator) will contact the complainant and clarify the action or lack of action leading to the complainant's dissatisfaction.

Having clarified the action or lack of action leading to the complainant's dissatisfaction, the **Deputy** Principal (or investigator) should advise the complainant how long it is anticipated that their

investigation will take, depending on the complexity of the complaint, but should be no longer than ten school days. If this timescale cannot be met, then the complainant should be notified of this giving a reason for the delay and providing a revised date.

At the conclusion of their investigation, the Deputy Principal (or investigator) investigating the complaint will arrange a meeting with the complainant and will also provide an informal written response within two school days of the investigation outcome.

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

## **Stage 2 – Formal complaints**

Unless the formal complaint is about the Principal or Local Academy Council Members, formal complaints must be made to the Principal, via the academy office. This may be done in person or in writing (preferably on the Complaint Form – Appendix 1).

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

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

*Note: The Principal may delegate the investigation to another member of the academy's senior leadership team but not the decision to be taken.*

During the investigation, Principal (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.

The Principal (or investigator) should advise the complainant how long it is anticipated that their investigation will take depending on the complexity of the complaint but should be no longer than ten school days. If this timescale cannot be met, then the complaint should be notified of this giving a reason for the delay and providing a revised date.

At the conclusion of their investigation, the Principal (or investigator) will arrange a meeting with the complainant and will also provide the Principal's formal written response within two school days of the date of the investigation outcome.

If the Principal (or investigator) is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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

### **Formal complaints about the Principal and/or LAC Members**

If the formal complaint is about the Principal, or a member of the Local Academy Council (LAC) (including the Chair or Vice-Chair), a suitably skilled Local Academy Councillor will be appointed to complete all the actions at Stage 2.

Complaints about the Principal or member of the Local Academy Council (LAC) must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Local Academy Council (LAC) or
- the majority of the Local Academy Council (LAC) then Stage 2 will be escalated to the CEO of the Trust.

### **Stage 3 – Panel Hearing**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – 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 complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within five school days of receipt of the Stage 2 response.

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

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within at least ten school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Local Academy Council (LAC) or
- the majority of the Local Academy Council (LAC)

Stage 3 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, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least five school days before the meeting.

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

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

The meeting will be held in private. 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 committee will consider the complaint and all the evidence presented. The committee 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 committee will:

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

The Chair of the Committee will provide the complainant and the academy with a full explanation of their decision and the reason(s) for it, in writing, within two 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.

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 academy or 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 academy premises by the proprietor and the Principal.

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.

### **Complaints escalated to / about the Trust, CEO or Trustee**

If a complaint is escalated to Staffordshire University Academies Trust, "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.

The CEO will write to the complainant acknowledging the complaint within five school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

The CEO should advise the complainant how long it is anticipated that their investigation will take depending on the complexity of the complaint but should be no longer than ten school days. If this timescale cannot be met, then the complainant should be notified of this giving a reason for the delay and providing a revised date.

Following the investigation, the CEO will write to the complainant confirming the outcome within two school days of the date that the investigation outcome was received.

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 Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within five school days.

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

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within ten school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the trust board

Stage 3 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, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy 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, we do not encourage either party 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 complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

At least ten school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least five school days before the meeting.

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

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

The meeting will be held in private. 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 committee will consider the complaint and all the evidence presented. The committee 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 committee will:

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

The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within two 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 Staffordshire University Academies 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 Staffordshire University Academies 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 Trust premises by the proprietor and the CEO.

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.

### **Next Steps**

If the complainant believes the academy / 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 Staffordshire University Academies Trust. They will consider whether the academy / Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: [www.education.gov.uk/contactus](http://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

**Appendix 1 - Complaint Form (To be completed for Informal and Formal Complaints)** Please complete and return to The Deputy Principal/Principal who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b> <b>Class:</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b> <b>Email address:</b>

**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 who:**

**Complaint referred to:**

**Action taken:**

**Date:**

**Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible

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

### **Investigator**

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints 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 Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Principal 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 Principal or CEO / designated complaints Local Academy Councillor 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, Principal, CEO, Chair of Local Academy Council, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
  - keep records.

### **Clerk to the Local Academy Council (LAC) / Trust Board**

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 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.

### **Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
  - both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

### **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
  - No Local Academy Councillor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the 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 committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

•

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

