



Complaints Procedure

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Introduction

The Good Shepherd Trust is dedicated to delivering a high standard of education and services to all students, parents, staff, and stakeholders. We recognise that, from time to time, there may be concerns or complaints that require attention. This Complaints Policy ensures that complaints are addressed fairly, efficiently, and transparently, while providing a clear process for reporting and resolution.

Scope of the Policy

This policy applies to all complaints made by students, parents, guardians, staff, and other stakeholders. Complaints may relate to:

- The quality of education
 - The conduct of staff members
 - Facilities, resources, or services provided by the Trust
 - Disputes between students, staff, or other individuals
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Aims of the Policy

- To address complaints in a fair, consistent, and transparent manner
 - To ensure a timely resolution of complaints
 - To protect all parties involved from unfair treatment or retaliation
 - To use complaints as a tool for improving the educational experience and services offered
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Principles

- **Confidentiality:** Complaints will be handled in confidence to the extent possible.
 - **Fairness:** Every complaint will be investigated thoroughly and impartially.
 - **Transparency:** The process will be clear, and outcomes will be communicated to all relevant parties.
 - **Timeliness:** Complaints will be resolved as quickly as possible, keeping all parties informed along the way.
 - **No Retaliation:** Complainants will not face retaliation for raising concerns.
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Values

In keeping with our Trust vision, every member of the Trust family of schools will be valued and encouraged to fulfil their potential. In our Trust we believe:

- Everyone has something to offer
- Trust, honesty, empathy and social responsibility are the Christian values that frame our work
- We are here for the whole person, spiritually, morally, educationally and socially
- In working with transparency and openness

Definitions

This is a Trust wide policy designed to cover all operations.

The **‘Trust’**: refers to The Good Shepherd Multi Academy Trust and all its member schools.

‘Child’, ‘children’ and ‘Pupil(s)’: refer to children and young people under the age of 18 years. ‘Child’ should be read to mean any pupil in the setting.

Employees, adults and staff: refer to **all** those who work across the Trust in any setting, with or without direct contact with pupils and in either a paid or unpaid capacity and includes staff/volunteers who may be under 18. This will also include, for example, volunteers and those who are not directly employed by the Trust e.g., Local Authority staff, sports coaches, independent supply staff and agency staff.

The term **‘parent’** is used, this includes any person with parental authority of the child concerned e.g. carers, legal guardians etc.

The term **‘setting’** is used, this refers to any workplace within the Trust.

The term **‘Headteacher’** is used, this refers to anyone with the equivalent responsibility such as an Executive Headteacher or other member of staff with similar line management responsibilities.

The term **‘complainant’** is used, this refers to anyone who makes a complaint under this procedure.

Roles and terminology within the Good Shepherd Trust

Throughout this document the following terminology is used to describe the roles within the Trust.

Role/Term	Alternatives, description and meaning
Members	Members appoint the Directors. Membership is described in the Trust’s Articles of Association
Directors	Also ‘the Trust board’ or ‘the board’ The Trust Directors are accountable in law for all decisions about member schools and are accountable to the Secretary of State for Education for the performance of each school within the Trust.
LGB	Also ‘Local Governing Bodies’ or ‘LGB Members’ The local governing body is a standing committee of the Trust which has delegated powers to oversee the running of its individual school. The LGB may choose to delegate some of these powers to smaller committees or the Headteacher as it deems fit to fulfil its responsibilities. Where the document refers to the LGB this might be through some committees or further delegation but with the understanding that the ultimate responsibility remains with the LGB.
CEO	Chief Executive Officer A significant number of responsibilities under the scheme of delegation lie with the CEO. It is recognised that the CEO may choose to delegate some of their duties to the Chief Finance Officer and School Improvement Consultants and other staff in their team.

Central Team	Refers collectively to the: Business Manager, Finance Support Officers, School Improvement Consultants, Admin Support Officers and Development Officer Any other staff appropriate to the responsibility or task who work from the Trust's central administration office in Penrith rather than being based in a school.
SLT	<p>Senior Leadership Team The Headteacher/Executive Headteacher, Head of School, Deputy Headteacher or other Senior staff member as appropriate to the individual school's senior leadership structure</p> <hr/> <p>'Headteacher' in policies will usually refer to the Headteacher or Executive Headteacher as appropriate for the leadership structure of the school</p>

Part A: Background

Introduction

Every day across the Trust decisions are made in the best interests of all pupils and staff members. Your comments, positive or negative, about operations at either a school or Trust level are helpful for future planning.

Sometimes decisions made at a Trust or school level will not align with your wishes, and occasionally mistakes will be made. If you are dissatisfied or have questions about the way your child is being treated, or any action or lack of action by Trust staff, please contact the school setting in the first instance. 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 this Complaints Procedure.

Settings within the Trust are dedicated to continuing to provide the highest quality of education possible throughout the process. This Complaints Procedure (the "Procedure") has been created to deal with any complaint against a member of staff, individual setting or the Trust as a whole, relating to any aspect of the setting, the provision of facilities or services (other than complaints covered by statutory procedures as outlined in Appendix A). Any person, including a member of the public can make a complaint about the provision of facilities or services that the Trust provides. The Procedure outlines the steps to be followed by the complainant and the setting at each stage.

Please be aware that if other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this Procedure or result in the Procedure being suspended until those public bodies have completed their investigations.

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

Once a complaint has been made, it can be resolved or withdrawn at any stage.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at a Good Shepherd school.

Any person, including members of the public, may make a complaint to **The Good Shepherd Multi Academy Trust** ("the Trust") about any provision of facilities or services that we provide:

- Ambleside CE Primary School
- Braithwaite CE School
- Dean CE School
- Ellenborough Academy
- Gilsland CE Primary School
- Kirkland CE Academy
- Lazonby CE School
- Lorton School
- Penny Bridge CE Academy
- Threlkeld CE Primary School
- Whitfield CE Primary School
- Wreay CE School
- Central Team

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. The Trust takes 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, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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

How to raise a concern or make a complaint

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

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like the 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.

Complaints against school staff (except the Headteacher)

In the first instance such complaints should be made to the setting's Headteacher/Executive Headteacher via the school office. Please mark them as Private and Confidential.

Details of the Headteacher/Executive Headteacher can be found on each setting's website.

Complaints that involve or are about the Headteacher

Such complaints should be addressed to the Chair of the setting's Local Governing Body, via the school office. Please mark them as Private and Confidential.

Details of the Local Governing Body's Chair can be found on each setting's website.

Complaints about the Chair, or members of the Local Governing Body

Complaints about any individual LGB Member or the whole local governing body should be addressed to the Clerk via the school office. Please mark them as Private and Confidential.

Details of the Clerk to the Local Governing Body can be found on each setting's website.

Complaints about the Chief Executive Officer (CEO), a Director of the Trust or central team staff

Such complaints should be addressed to Mr Peter Ballard Chair of the Board of Directors, via the Trust office. Please mark them as Private and Confidential.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of the Local Governing Body, 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 complaint's procedure

This procedure covers all complaints about any provision of community facilities or services by The Good Shepherd Multi Academy Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	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.
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: www.gov.uk/school-discipline-exclusions/exclusions . <i>*Complaints about the application of the Behaviour Policy can be made through the Complaints Procedure. The Behaviour Policy can be found on each setting's website.</i>
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 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 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.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.

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

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

Resolving complaints

At each stage in the procedure, the Trust 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 considering 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.

Your complaint

Stage 1 – Informal complaints

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

Concerns should be raised with either the class teacher, year head / subject head or Headteacher. Complainants should not approach individual LGB 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.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 10 school days (2 weeks) of the date of receipt of the complaint.

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

Stage 2 – Formal complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Complaint Form).

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days (1 week).

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

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

During the investigation, the Headteacher (or investigator) will:

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

At the conclusion of their investigation, the Headteacher will provide a formal written response within 15 school days (three weeks) of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 individual setting or Trust will take to resolve the complaint.

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

Complaints about the Headteacher/Local Governing Body

If the complaint is about the Headteacher, or a member of the Local Governing Body (including the Chair or Vice-Chair), a suitably skilled LGB Member will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the LGB must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire LGB or
- most of the LGB

Stage 2 will be escalated to the Complaints co-ordinator – Sam Scott

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 individual setting.

This is the final stage of the complaint's procedure.

A request to escalate to Stage 3 must be made to the Clerk of the individual school or via the central Trust office, within 20 school days (4 weeks) 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 5 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 20 school days (4 weeks) of receipt of the Stage 3 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 based on written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire LGB or
- most of the LGB

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 panel hearing. 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 complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.

At least 10 school days (2 weeks) 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 5 school days (1 week) before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

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

The panel 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 panel will:

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

The Chair of the Panel will provide the complainant, Trust leaders' and individual setting leaders' as appropriate, with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days (three weeks).

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

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 the Good Shepherd Trust “the Trust” or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the complaints co-ordinator to be investigated.

The complaints co-ordinator will write to the complainant acknowledging the complaint within 5 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.

Following the investigation, the complaints co-ordinator will write to the complainant confirming the outcome within 20 school days of the date that the letter was received. If this time limit cannot be met, the complaints co-ordinator will write to the Complainant within 15 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

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 20 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 5 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 20 school days of receipt of the Stage 3 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 based on written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trust Board or
- most of the Trust Board

Stage 3 will be heard by a completely independent 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 director 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 complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 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 panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

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

The 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 Panel Committee will provide the complainant and Trust leaders with a full explanation of their decision and the reason(s) for it, in writing, within 15 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 the 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 the Trust will take to resolve the complaint.

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

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 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 The Good Shepherd Multi Academy Trust. They will consider whether the Trust and setting has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

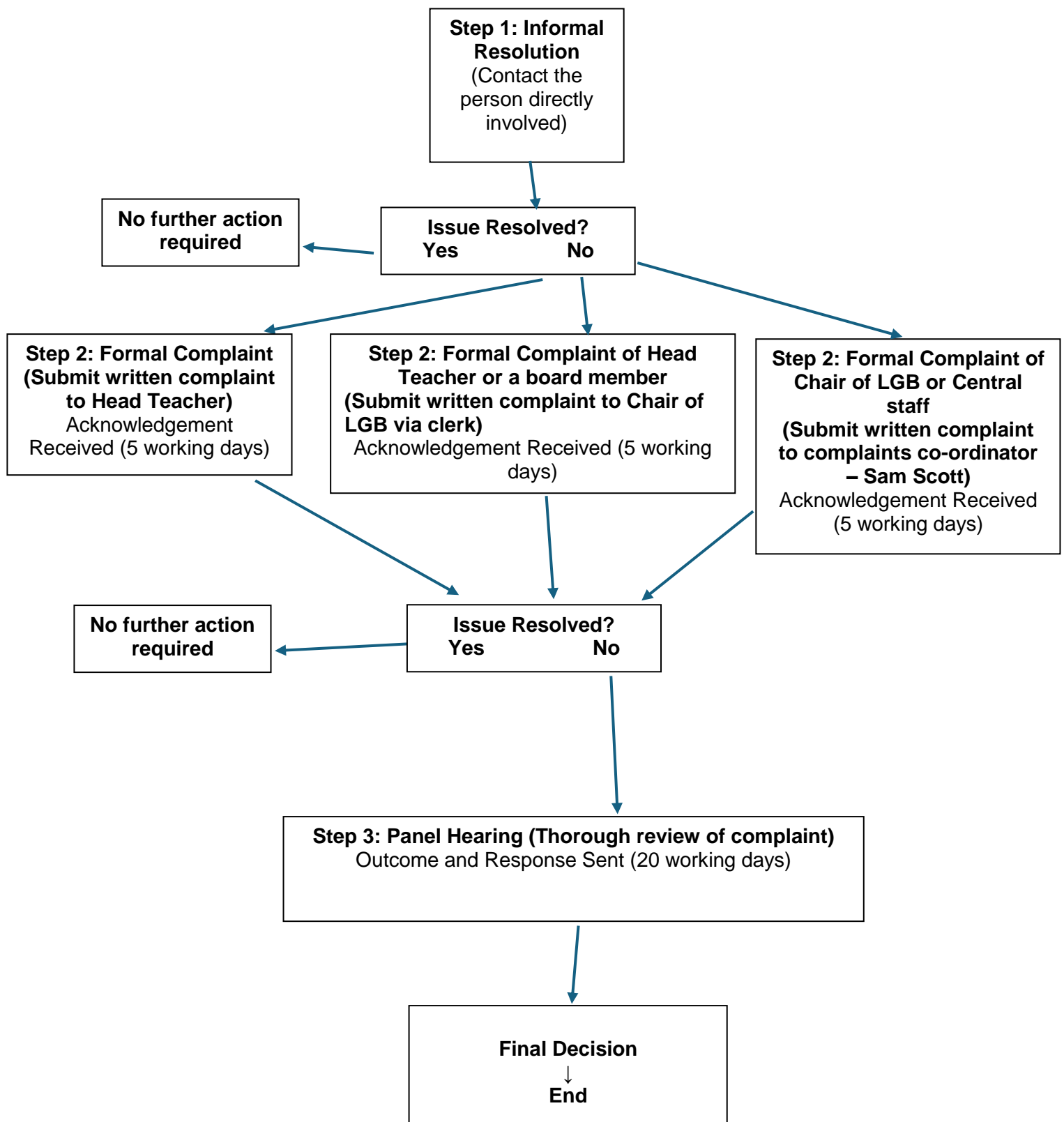
The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit

Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Flowchart of the Complaints Process

Below is the visual flowchart outlining the steps for reporting and resolving complaints:



Record Keeping

All complaints and their resolutions will be logged by the Complaints Coordinator. This log will include:

- The nature of the complaint
- The actions taken to resolve the issue
- The outcome of the investigation
- Any necessary follow-up actions

These records will be kept confidential and used to monitor trends and improve services.

Monitoring and Review

The Complaints Policy will be reviewed regularly to ensure its effectiveness. The Trust will also monitor the complaints process to ensure fairness and that all complaints are being handled appropriately.

Complaint Form

Please complete and return to the appropriate person as identified on page 4 of the Complaints Policy for The Good Shepherd Trust.

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

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date:

Roles and Responsibilities

Complainant

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

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

Investigator

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints 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 Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(this could be the Headteacher or CEO / designated complaints governor 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, Headteacher, CEO, Chair of LGB, 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 Governing Body / 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.

Panel 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
- minutes of the meeting are created
- they liaise with the Clerk (and complaints co-ordinator if the school has one).

Panel Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No LGB Member / director 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.

Appendix 3: Policy for managing serial & unreasonable complaints

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

The Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the Procedure
- insists on the complaint being dealt with in ways which are incompatible with the Procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the ESFA.
- seeks an unrealistic outcome
- makes excessive demands on staff time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Knowing it to be false
- Using falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers or other public forums.

Complainants should limit the number of communications with the Trust while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of the Local Governing Body will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

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

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Trust sites.

Appendix 4: Example Hearing Format

Section	What will happen	Who
Welcome	Introductions including clarification of roles Clarification of complaint lodged Expectations: as informal and relaxed as possible, non-confrontational, request breaks if needed etc Has everyone had sight of and happy with this running order	Chair of Panel
Presentations	Complainant to present summary of complaint highlighting points made in their Complaint Form and supporting documentation. Witnesses are called as and when required. Panel questions complainant/witnesses to clarify the points they make.	Complainant
	Respondent presents the facts as they perceive them - highlighting points made in the written response and other documentation. Witnesses are called as and when required. Panel questions respondent/witnesses to clarify the points they have made.	Respondent
Summaries	Complainant to summarise their case highlighting evidence including anything that has emerged in the questioning.	Complainant
	Respondent summarises the case for the individual setting or Trust as a whole highlighting evidence. This should include the response and actions in relation to the complaint before the hearing and anything that has emerged in the questioning.	Respondent
Close	Panel Chair thanks Complainant and Respondent for attending and explains what will happen next. Complainant and Respondent leave.	Chair of Panel
Decision	Panel considers all the evidence and comes to its conclusion.	Panel

- Witnesses should only be required to attend for the part of the hearing in which they give their evidence.
- The Panel may ask questions at any point or adjourn the meeting.
- The Panel may ask to hear the presentations individually, this will be at the discretion of the panel.