

# **Complaints Policy and Procedure**

# Contents

Section	Page
<b>1.0</b> Policy statement	<b>4</b>
<b>2.0</b> Scope and purpose	<b>4</b>
<b>3.0</b> General principles	<b>4</b>
<b>4.0</b> Serial or persistent complaints	<b>5</b>
<b>5.0</b> Unreasonable complaints	<b>5</b>
<b>6.0</b> Stage 1: informal discussion	<b>6</b>
<b>7.0</b> Stage 2: complaint against the academy	<b>8</b>
<b>8.0</b> Stage 3: complaints about the principal	<b>11</b>
<b>9.0</b> Stage 4: referral to trustees for review	<b>14</b>
<b>10.0</b> Stage 5: referral to the Department for Education	<b>16</b>
<b>11.0</b> Policy ownership, monitoring and review	<b>16</b>
<b>12.0</b> Complaints log, record keeping and information sharing	<b>16</b>
<b>Appendix 1 - Complaint form</b>	<b>17</b>
<b>Appendix 2 - Roles and responsibilities</b>	<b>18</b>



## Policy document provenance

<b>Approver</b>	Trust board
<b>Date of approval</b>	10 October 2023
<b>Policy owner</b>	Chief executive
<b>Policy authors</b>	Head of governance
<b>Date of next review</b>	September 2024
<b>Summary of changes in this review</b>	<ul style="list-style-type: none"><li>• Updated flow chart to clearly identify responsibilities at each stage</li><li>• Clearer guidance on stage 2 to highlight the different steps of mediation and investigation</li><li>• Clearer guidance on investigation officers</li><li>• Inclusion of a panel hearing agenda</li><li>• Details of who can attend the panel hearing</li><li>• Local governing bodies have changed to local academy boards</li><li>• Clerk to governors changes to governance department / governance officer / head of governance</li></ul>
<b>Related policies and documents</b>	<ul style="list-style-type: none"><li>• Exclusions policy</li><li>• Whistleblowing policy</li><li>• Grievance procedure</li></ul>

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed Choose an item. Should no substantive change be required at this point, the policy will move to the next review cycle.



## 1.0 Policy statement

The Dixons Academies Trust recognises that at times things can and do go wrong believe that it is in everyone's best interest to resolve complaints at the earliest possible stage.

For the purposes of this policy, a 'complaint' is to be interpreted as 'the expression of concern over any subject connected with the education and / or welfare of any student at the school,' this policy therefore, seeks to help parents / carers understand how to resolve concerns about their child's education.

## 2.0 Scope and purpose

The scope of this policy covers most complaints that the academies are likely to receive from parents / carers or students. However, it is not intended to cover aspects for which there are specific statutory requirements, in particular, complaints about the delivery of the curriculum or the provision of collective worship or religious education.

In addition:

- parents who are not satisfied with a special needs assessment may appeal to a SEN Tribunal
- concerns about admissions or exclusions have specific appeal rights to the governors and are detailed in the relevant policies
- allegations of child abuse will be dealt with through the Safeguarding and Child Protection policies
- complaints of financial improprieties or other criminal activities will be dealt with through the Whistleblowing Policy
- the policy complies with Part 7 of the Education (Independent School Standards) Regulations 2014
- the complaints procedure is not intended to cover complaints raised by members of the public. Public complaints raised with an academy or the Trust will be handled respectfully and expediently by an appropriate member of staff
- complaints from staff will be dealt with under the trust's internal grievance procedures
- complaints about staff conduct will not generally be handled under this complaint 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
- 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

## 3.0 General principles

### 3.1 The Dixons Trust complaints procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person, where necessary
  - respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to senior leadership so that services can be improved

### 3.2 Timescales

Complaints must be raised 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 in exceptional circumstances.

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

If other bodies are investigating aspects of the complaint, for example, the police, local authority, safeguarding teams, Tribunals, this may impact on our ability to adhere to the timescales within the 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.

## 4.0 Serial or persistent complaints

- 4.1 If the complainant contacts the academy repeatedly about the same matter, then such communication may be viewed as 'serial' or 'persistent' and the academy may choose not to respond. The academy will not mark a complaint as 'serial' before the complainant has completed the procedure.
- 4.2 The decision to stop responding will not be taken lightly and will only be taken on the advice of the chief executive and / or the chair of the trustees if they believe that all reasonable steps have been taken to address the complainant's needs and that the academy's position has been stated clearly and despite this, the complainant is refusing to accept the decision making the same points repeatedly.

## 5.0 Unreasonable complaints

- 5.1 The majority of people with complaints or concerns behave reasonably in pursuing their complaint. This means that they:
- treat all staff and property with courtesy and respect
  - engage with staff to resolve concerns
  - respect the needs of students and staff
  - do not use intimidating / aggressive behaviour or inappropriate language towards staff
  - recognise the time constraints under which members of staff work and allow a reasonable time for the academy to respond to a complaint
  - recognise that resolving a specific problem can sometimes take some time
  - follow the trust's complaints procedures

Unreasonable behaviour may be seen in a single incident or through a persistent approach that interferes with the consideration of the complaint and / or ability of staff to undertake legitimate academy business including:

- malicious, aggressive, intimidating, threatening, offensive language or actions which appear to be targeted and / or cause ongoing distress to staff
- complaints where the complainant has no view about what would constitute a satisfactory outcome and / or no intention to resolve the complaint
- seeking an unrealistic outcome
- making excessive demands on time and resources by frequent and lengthy and complicated contact whilst a complaint is being dealt with and expecting immediate responses
- changing the basis of the complaints as it proceeds or changing statements made at an earlier stage and use of falsified information
- making unjustified personal comment or complaint about staff who are trying to assist and / or seeking to have them replaced
- refusing to accept that certain issues are not within the remit of the academy or scope of the complaints procedure
- refusing to cooperate with the investigation process to resolve a complaint or insisting a complaint is dealt with in ways which are incompatible with the policy
- submitting repeat complaints with minor amendments to make them new complaints
- use of Subject Access Request (SAR) and Freedom of Information Act (FOIA) requests excessively and unreasonably
- publishing unacceptable information in a variety of media such as on social media websites and in newspapers

The principal may assess a complainant as unreasonable and will ensure that there is sufficient evidence to justify the decision. Wherever possible, the principal will discuss concerns with the complainant before applying any further sanctions. If the behaviour continues or is more serious, the principal will put in writing their decision and the way that future complaints will be dealt with. Any restrictions imposed will be appropriate and proportionate. A serious incident or threat of violence or aggression will normally constitute a ban from academy premises and may involve police. This will be put in writing immediately.

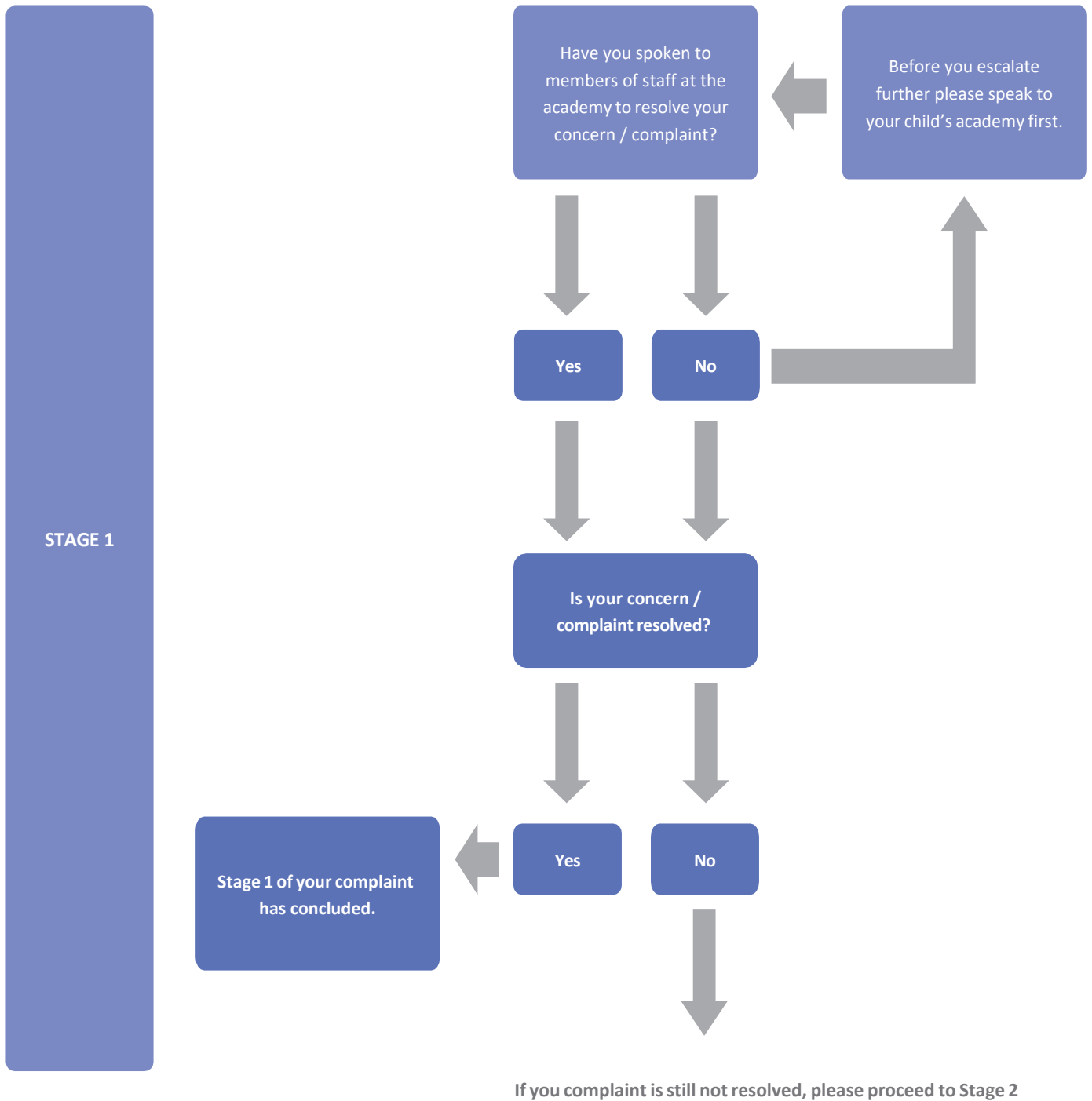
The following actions may be taken singularly or in combination, depending on the particular circumstances of the case:

- insisting that no member of staff should meet the complainant on his / her own or notes will be taken and agreed in the meeting in the interest of all parties
- restricting telephone calls from the complainant to specified days and times, possibly to a nominated contact
- requiring that all future contact with the academy is in writing, except in emergencies
- banning the complainant from the academy premises where the complainant's behaviour constitutes a nuisance or disturbance, with any appointments to be agreed in writing via the principal
- Consideration of legal action

New and substantive issues from people who have been deemed unreasonably persistent complainants will be treated on their merits and a reply will be sent to the complainant.

## 6.0 Stage 1: informal discussion

The following diagram outlines the key stages of our complaints procedure at stage 1.



## 6.1 Stage 1: informal discussion

Our experience is that the vast majority of complaints can be resolved informally to the full satisfaction of those who raise them. There are many occasions where complaints can be resolved straight away and the complainant can be provided with the benefit of an immediate response avoiding the need to submit a formal complaint.

Complaints may be raised with any member of the academy staff depending on the type of issue to be discussed. Complainants should not approach individual governors 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.

Parents / carers have an opportunity to discuss their complaint with the appropriate member of staff who clarifies with the parent the nature of the complaint and reassures them that the academy wants to hear about it. It can be helpful to identify at this point what sort of outcome the parent is looking for.

If the first member of staff to be contacted regarding a complaint is unable to deal with it, they should make a note of the date, the name, contact number and address and pass this information onto the relevant person. They should check later to make sure the referral has been successful.

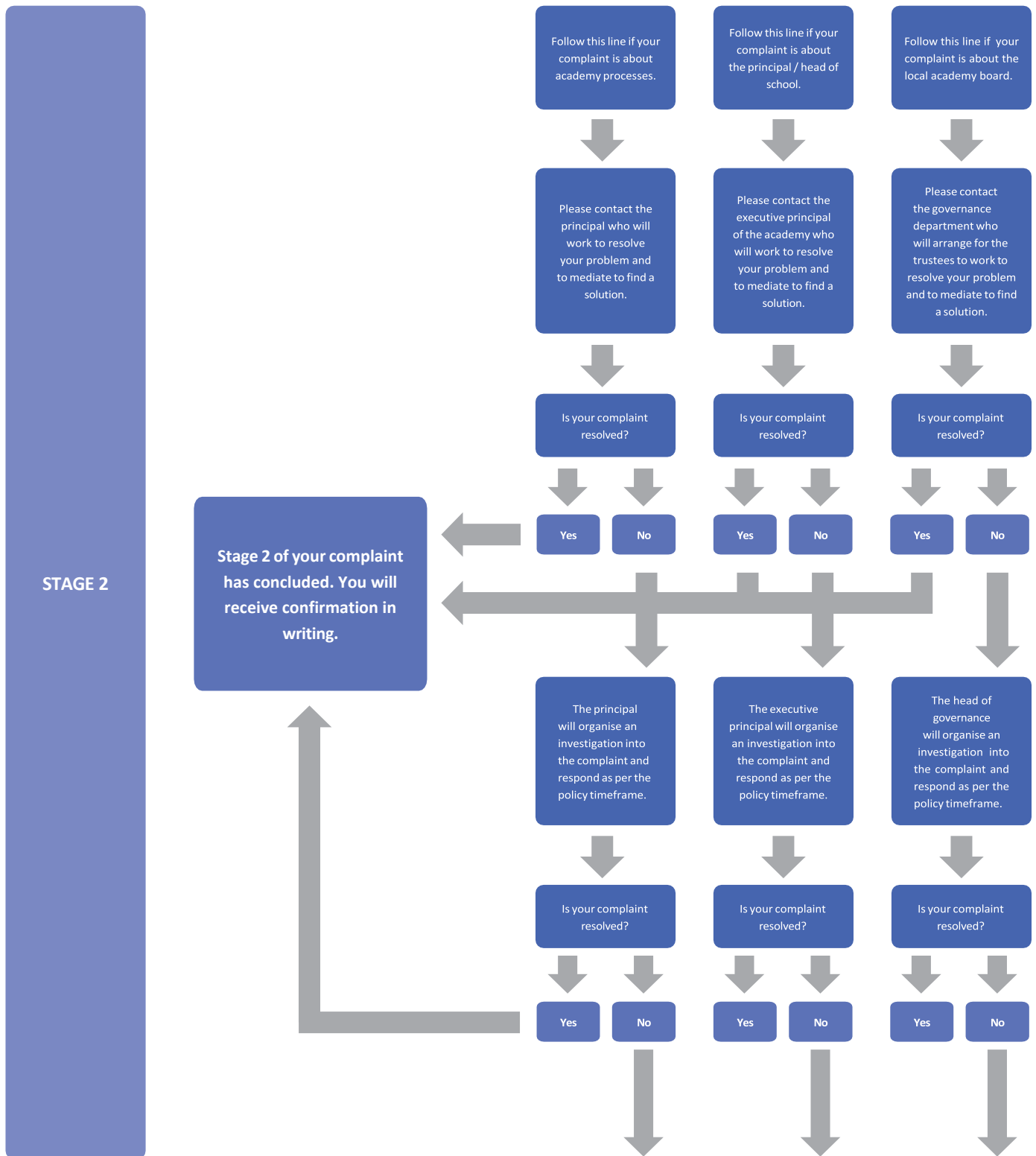
The staff member dealing with the complaint will make sure that the parent knows what action (if any) or monitoring of the situation has been agreed.

If the complaint relates to the principal, the parent should be advised to contact the chair of governors.

If the person who raised the complaint is dissatisfied with the response given they should contact the academy and refer to stage 2 'below' within 7 school days of the response from stage 1.

## 7.0 Stage 2: complaint against the academy

The following diagram outlines the key stages of our complaints procedure at stage 2.



If your complaint is still not resolved, please proceed to Stage 3





### **7.1 Stage 2: complaint against the academy**

If a complainant is unhappy with the response from stage 1, they will be offered, an informal meeting with the principal or vice principal to discuss their complaint. They will be offered this within 7 working days of the stage 2 complaint being received and sooner if possible. It may still be appropriate for this mediation process to reach an informal resolution at this point.

However, if mediation fails to resolve the complaint a formal written complaint should now be provided to the principal. Preferably the complaint will be made using the complaint form at Appendix 1 to this policy. The principal will record the date the complaint is received and will acknowledge the complaint in writing within 3 schools days of its receipt. 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 will appoint somebody to carry out an investigation. The investigation officer will either be independent of the academy who has the necessary skills to deal with a particular type of complaint or will be an executive principal.

The investigating officer will interview witnesses and take statements from those involved. An opportunity will be given for the complainant to meet the investigating officer to provide any supplementary information. The complainant may be accompanied by a friend or relative as a representative. If the complaint centres around a student, the student will also be interviewed, normally with the parents present. If a member of staff is complained against, the needs of that person should be borne in mind.

The investigating officer will keep written records of meetings, telephone conversations and other documentation.

The investigating officer will report to the principal who will send a formal written response detailing the actions taken to investigate the complaint and providing a full explanation of the decision made and the reason for it including recommendations (if necessary) to the complainant within 15 school days of the initial acknowledgement. Where appropriate it will include details of actions the academy will take to resolve the complaint.

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

The complainant will be advised that, should they wish to take the complaint further, they should contact the governance department within 10 working days of receiving the outcome letter.

### **7.2 Stage 2: complaints about the principal**

If a complainant is unhappy with the conduct of the principal, they will be offered, an informal meeting with the Executive Principal to discuss their complaint. They will be offered this within 7 working days of the stage 2 complaint being received and sooner if possible. It may be appropriate for this mediation process to reach an informal resolution at this point.

However, if mediation fails to resolve the complaint, a formal written complaint should be provided to the Executive Principal. Preferably the complaint will be made using the complaint form at Appendix 1 to this policy. The Executive Principal will record the date the complaint is received and will acknowledge the complaint orally or in writing within 3 school days of its receipt. The Executive Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The executive principal will appoint somebody to carry out an investigation. The investigation officer will either be independent of the academy who has the necessary skills to deal with a particular type of complaint or will be an executive director

The investigating officer executive director will interview witnesses and take statements from those involved. An opportunity will be given for the complainant to meet the investigating officer / executive director to provide any supplementary information. The complainant may be accompanied by a friend or relative as a representative.

The investigating officer / executive director will keep written records of meetings, telephone conversations and other documentation.

The investigating officer / executive director will report to the executive principal who will send a formal written response detailing the actions taken to investigate the complaint and provide a full explanation of the decision made and the reason for it including recommendations (if necessary) to the complainant within 15 school days of the initial acknowledgement. Where appropriate it will include details of actions the academy will take to resolve the complaint.

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

The complainant will be advised that, should they wish to take the complaint further, they should contact the governance department within 10 working days of receiving the outcome letter.

### **7.3 Stage 2: complaints about the trust**

If the complaint concerns the trust, the complaint must be made to the CEO of the trust who will carry out an investigation.

Preferably the complaint will be made using the complaint form at Appendix 1 to this policy. The CEO will write to the complainant acknowledging the complaint within 3 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 15 school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the complainant within 10 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 governance department asking for the complaint to be heard before a complaint panel within 10 school days.

#### **7.4 Stage 2: complaints about the chief executive**

If the complaint concerns the chief executive or trust, the complaint should be investigated by the chair of the trust board.

Preferably the complaint will be made using the complaint form at Appendix 1 to this policy. The chair of trustees will write to the complainant acknowledging the complaint within 3 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under stage 2 of this complaints policy and will confirm the date for providing a response to the complainant.

The chair of the trust board will appoint somebody to carry out an investigation. The investigation officer will either be independent of the academy who has the necessary skills to deal with a particular type of complaint or will be in a position higher than the person being investigated.

Following the investigation, the chair of trustees will write to the complainant confirming the outcome within 15 school days of the date that the letter was received. If this time limit cannot be met, the chair of trustees will write to the complainant within 10 school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

Where the chair of the trust board has investigated the complaint, they will write the letter of outcome to the complainant.

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the governance department asking for the complaint to be heard before a complaint panel within 10 school days.

#### **7.5 Stage 2: complaints about chair of trustees or trustees**

If the complaint concerns the chair of trustees, the complaint will be referred to the vice chair for investigation. If the complaint is jointly about the chair and vice chair or the entire trust board or the majority of the trust board, the complaint will be sent to the chief executive for investigation.

The vice chair / chief executive will write to the complainant acknowledging the complaint within 3 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under stage 2 of this complaints policy and will confirm the date for providing a response to the complainant.

The vice chair of the trust board / chief executive will appoint somebody to carry out an investigation. The investigation officer will either be independent of the academy who has the necessary skills to deal with a particular type of complaint or will be in a position higher than the person being investigated.

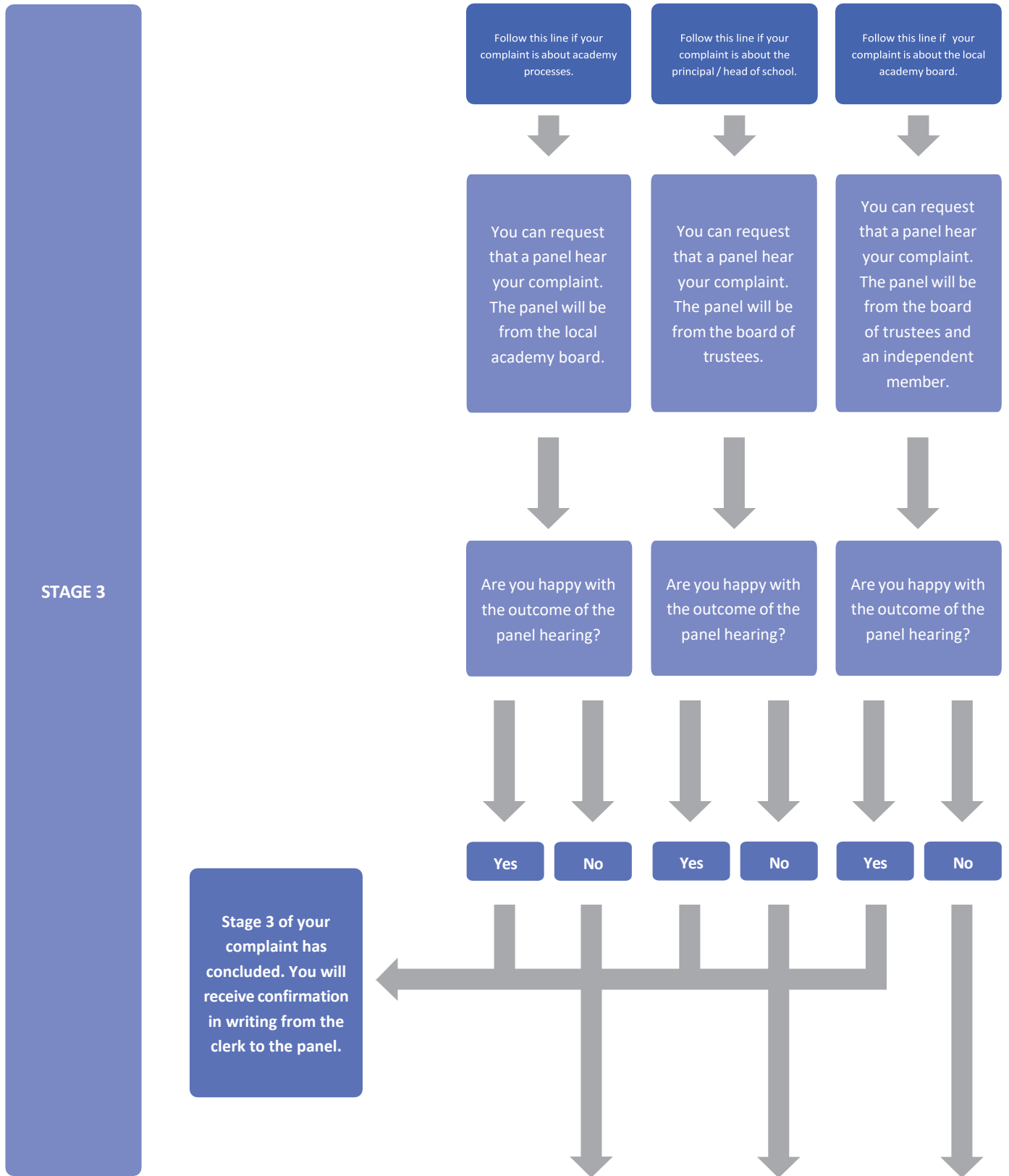
Following the investigation, the vice chair / chief executive will write to the complainant confirming the outcome within 15 school days of the date that the letter was received. If this time limit cannot be met, the vice chair / chief executive will write to the complainant within 10 school days of 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 governance department asking for the complaint to be heard before a complaint panel within 10 school days.



## 8.0 Stage 3: complaints about the principal

The following diagram outlines the key stages of our complaints procedure at stage 3.



If you complaint is still not resolved, please proceed to Stage 4



### 8.1 Stage 3: review by complaint panel

If the complainant is dissatisfied with the outcome of stage 2 and wishes to take the matter further, they can escalate the complaint to stage 3 where the complaint will be heard by a complaint panel consisting of at least three people who were not directly involved in the matters detailed in the complaint. One panel member will be independent of the management and running of the academy.

The request to escalate to stage 3 must be made to the governance department on [governance@dixonsat.com](mailto:governance@dixonsat.com) within 10 days of receipt of the stage 2 response.

The governance officer will record the date the complaint is received and acknowledge receipt of the complaint in writing within 3 school days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

### 8.2 The complaint panel hearing

The aim of the panel hearing will be to resolve the complaint and achieve a reconciliation between the academy / trust and the complainant. However, it has to be recognised that it may only be possible to establish facts and make recommendations which will satisfy the complainant. The hearing proceedings will be as informal as possible.

The complaint panel will 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 records 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 the minutes.

### 8.3 Who can attend:

For complaints about the academy those who can attend are: The complainant, the investigation officer and the principal / vice principal.

For complaints about the principal those who can attend are: The complainant, the executive principal and the investigation officer. The principal may be invited to the panel hearing. Involvement of other staff is subject to the discretion of the chair of the complaint panel

For complaints about the trust those who can attend are: The complainant, the investigation officer and the chief executive.

For complaints about the chief executive those who can attend are: The complainant and the chair of trustees. The chief executive may be invited to the panel hearing. Involvement of other staff is subject to the discretion of the chair of the complaint panel.

For complaints about the chair of trustees or trustees those who can attend are: The complainant and the independent investigations officer.

The complainant may be accompanied to the hearing of the complaint panel by a friend or relative to provide support. Generally, it is not encouraged for either party to bring legal representatives to the complaint panel meeting. However, there may be occasions when legal representative is appropriate. For instance, if an academy employee is called as a witness in a complaint committee meeting, they may wish to be supported by union and / or legal representation.

Representatives from the media are not permitted to attend.

### 8.4 The agenda for the hearing will be:

- the chair welcomes all parties and explains the process of the hearing
- the complainant is invited to explain their complaint
- the investigation officer will be invited to explain the outcome of the investigation
- the academy / trust will be invited to explain the academy / trust's response
- the complainant and representative from the trust will have the opportunity to question each other and members of the complaint committee will also have the opportunity to ask questions
- any party has the right to call witnesses (subject to the approval of the Chair) and all parties have the right to question all the witnesses
- the complainant and the academy / trust representative will be invited to provide their final statements
- the complainant and the academy / trust representative will leave the meeting whilst the complaint committee make their decisions. The clerk to the complaint committee will remain with the panel to record the deliberations.

### 8.5 After the hearing

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; and
- where appropriate, recommend changes to the academy's systems or procedures to prevent similar issues in the future.



The chair of the complaint panel will provide the complainant and the academy with a full explanation of the decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reasons for it. Where appropriate, it will include details of actions the academy 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's premises by the proprietor and the principal.

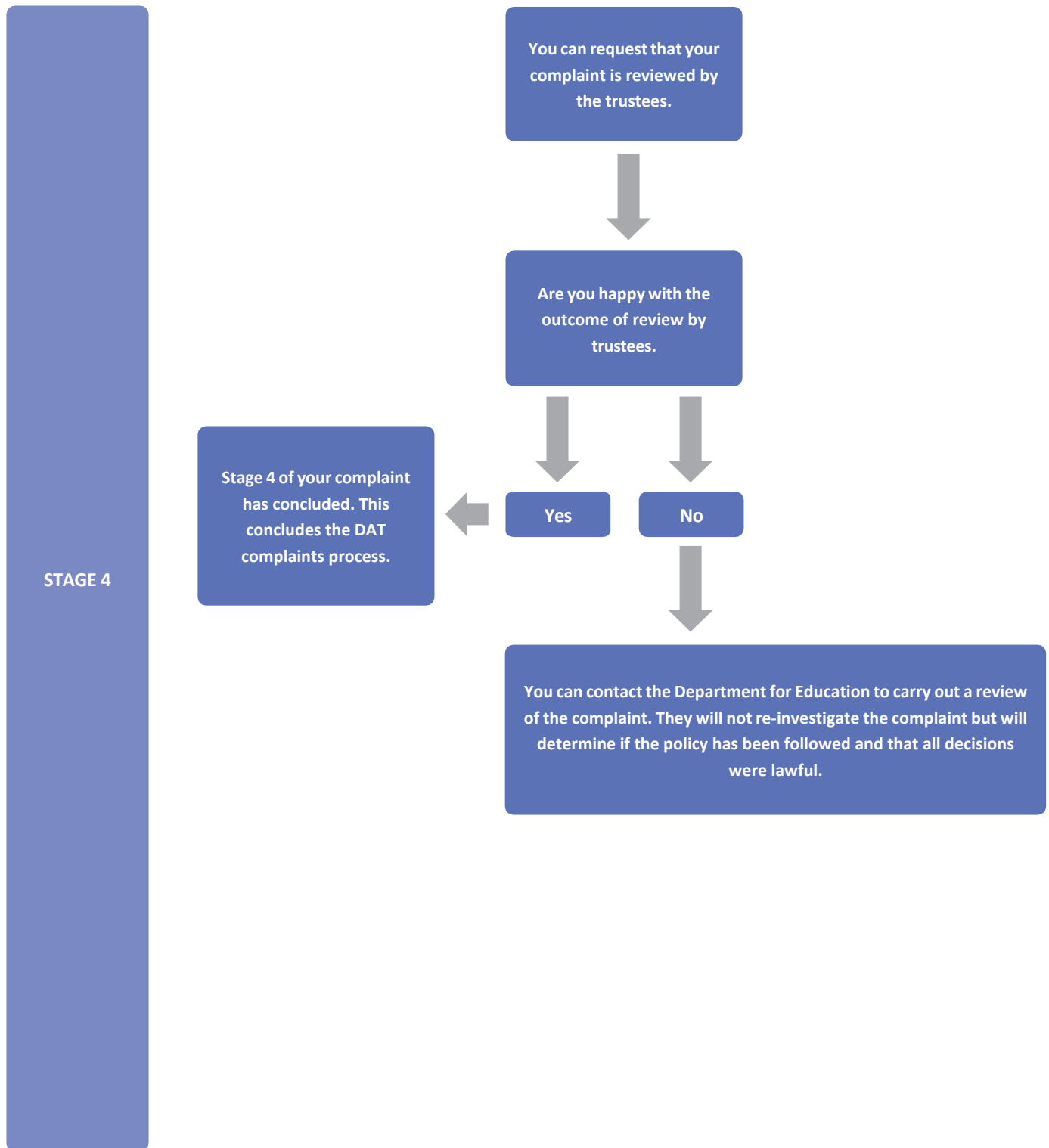
A written record will be kept of all complaints and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

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.



## 9.0 Stage 4: referral to trustees for review

The following diagram outlines the key stages of our complaints procedure at stage 4.



## 9.0 Stage 4: referral to trustees for review

In very rare instances a complainant may judge that the findings of a stage 3 panel hearing have not resolved their complaint on matters of procedure set out according to this policy or in exceptional circumstances the conduct in relation to the panel hearing. In these rare instances a complaint can be escalated to the trustees via the head of governance. This should be in writing and within five working days of the letter setting out the outcome of the stage 3 hearing panel. Requests received outside of this time frame will only be considered if exceptional circumstances apply with written supporting evidence provided.

The head of governance will write to the complainant acknowledging the complaint within five working days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be reviewed under stage 4 of the trust's complaints policy and procedure and will confirm the date for providing a response to the complainant. The complaint will be delegated to a trustee to review the

At stage 4, the trustees will not consider any new complaints or consider evidence unrelated to the initial complaint to be included. Any new complaint must be dealt with from stage 2 of the procedure.

Following the investigation, the trustees will write to the complainant confirming the outcome within 20 working days of the date that the letter was received. If this time limit cannot be met, the head of governance will write to the complainant explaining the reason for the delay and providing a revised date. The letter to the complaint will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Dixons Academies Trust.

This represents the conclusion of Dixons Academies Trust's complaints procedure. If the complainant remains dissatisfied with the outcome of the stage 4 process and the way the complaint has been handled, they may choose to contact the Department for Education, as set out in Section 12 of this complaints policy.



## 10.0 Stage 5: referral to the Department for Education

### 10.1 Stage 5: referral to the Department for Education

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 Department for Education after they have completed stage 4.

10.2 A complainant can only contact the Secretary of State once they have completed stage 4 of the complaints procedure.

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

10.4 The investigating officer will interview witnesses and take statements from those involved. If the complaint centres around a student, the student will also be interviewed, normally with the parents present. If a member of staff is complained against, the needs of that person should be borne in mind.

10.5 The complainant can refer their complaint to the DfE online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or writing to:

The Department for Education 2nd Floor

Piccadilly Gate

Store Street

Manchester

M1 2WD

### 11.0 Policy ownership, monitoring and review

The trustees and the executive are responsible for ensuring that our trust adheres to this policy and that this policy is periodically reviewed.

### 12.0 Complaints log, record keeping and information sharing

12.1 The academy will keep records and report stage 2 and stage 3 complaints to the local academy board, so that trends can be identified and reported to the trust board.

12.2 The academy / trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, the final outcome and action taken by the school as a result of the complaint (regardless of whether the complaint was upheld).

12.3 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 stored securely on school premises. The material will only be viewed by members, trustees, other appropriate authorities and where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

12.4 Records of complaints will be kept for a minimum of 6 years.





## Appendix 1 - Complaint form

Please complete and return to the principal\* who will acknowledge receipt and explain what action will be taken.

Your name:			
Name of student:			
Your relationship to the student:			
Address:			Postcode
Daytime telephone no.		Evening telephone no.	
Please give details of your complaint. (use a separate sheet if required)			
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)			
Signature:			
Print name:		Date:	

\*If your complaint relates to the principal you should return this form to the chair of governors



## Appendix 2 - 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 academy 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 when 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 panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details

### Governance officer

The governance officer should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, principals, the chief executive, chair of complaints committee and trustees 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 the complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records

The governance officer is the contact point for the complainant and the complaint 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 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



### **Complaint committee chair**

The complaint 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 information 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 Data Protection Act 2018 or the UK 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 submission ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- the key findings of facts 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 academy has one)

### **Complaint committee member**

Complaint committee members should be aware that:

- the meeting must be independent and impartial and should be seen to be so. No governor or 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 academy and the complainant. We recognise that the complainant might 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 can 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 are 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

