



Complaints Procedure Policy

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3.2. The headteacher or CEO will nominate a complaints co-ordinator to support with any complaint, they will:

- Ensure that all parties involved in the complaint are fully updated throughout each stage of the procedure.
- Guarantee that all parties involved in the procedure are aware of any relevant legislation, including the Equality Act 2010, GDPR, Data Protection Act 2018 and Freedom of Information Act 2000.
- Keep up-to-date records throughout the procedure – these records will be kept securely and retained in line with the Trust's policies.
- Liaise with all parties involved to ensure the complaints procedure runs smoothly, including the headteacher, clerk and chair of the Local Governance Committee.
- Be aware of issues with regards to sharing third party information.
- Understand the role of the Local Governance Committee in providing interpretation support, and will be aware of any issues concerning this.

3.3. The investigator is involved in stages one and two of the procedure. Their role includes:

- Providing a sensitive and thorough interviewing process of the complainant in order to establish what has happened and who is involved.
- Considering all records, evidence and relevant information provided.
- Interviewing all parties that are involved in the complaint, including staff and children.
- Analysing all information in a comprehensive and fair manner.
- Liaising with the complainant and complaints co-ordinator to clarify an appropriate resolution to the problem.
- Identifying and recommending solutions and courses of actions to take.
- Being mindful of timescales and ensuring all parties involved are aware of these timescales.
- Responding to the complainant in a clear and understandable manner.

3.4. The panel chair will:

- Ensure that minutes of the meeting are taken.
- Explain the remit of the panel to the complainant.



- Ensure that all issues are addressed and that outcomes are reached based on facts and evidence.
- Help to put at ease and console individuals involved who are not used to speaking at such hearings, particularly any children involved.
- Conduct the hearing in an informal manner, ensuring that everyone is treated with respect and courtesy.
- Ensure that the hearing is not adversarial, yet still sets the appropriate tone.
- Confirm that no member of the panel has previously been involved in the earlier stages of the procedure or has an external interest in the outcome of the proceedings.
- Give both the complainant and the school the opportunity to state their case and seek clarity without undue interruption.
- Provide copies of any written material or evidence to everyone in attendance of the meeting, ensuring that every



- Complainants may feel nervous or inhibited in a formal setting and, therefore, the proceedings should be as welcoming as possible.
- When a child is present at the hearing, extra care needs to be taken to ensure that the child does not feel intimidated, as if the child is not represented equally.

3.6. The panel clerk will:

- Continuously liaise with the complaints co-ordinator.
- Record the proceedings.
- Set the date, time and venue of all hearings, ensuring that this is appropriate, convenient and accessible to all parties involved.
- Collate all written material or evidence involved and send it to the parties involved in timely advance of the hearing.
- Greet all parties as they arrive at the hearing.
- Ensure that the minutes of the panel hearing are circulated.
- Ensure that the minutes of the panel hearing are taken.

4. Making a complaint

4.1. Complaints are not restricted to parents of attending pupils. The Trust will consider all complaints.

4.2. The school will ensure that all aspects of the complaints procedure are:

- Easily accessible and publicised.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using information gathered during the process to improve the SLT.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues in order to provide appropriate and effective responses where necessary.

4.3. Complaints are expected to be made as soon as possible after an incident arises in order to amend the issue in an appropriate timescale.



- 4.4. The Trust upholds a two-month time limit in which a complaint can be lodged regarding an incident.
- 4.5. Complaints made outside this time limit will not be automatically refused and exceptions will be considered.
- 4.6. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.
- 4.7. All complaints shall be considered, whether they are made in person, by telephone, in writing, electronically via email, dg kV V i] gY eVgn (hj X] Vh i] Z C↑bZc h AYkXZ Bureau).
- 4.8. A complaint can progress to the next stage of the procedure even if it is not viewed Vh jhi↑ZY . Aæ Xdb eVcVcih Vre given the opportunity to fully complete the complaints procedure.
- 4.9. Any complaint made against a member of staff will be initially dealt with by the headteacher, and then by a panel of the Local Governance Committee.
- 4.10. Any complaint made against the headteacher shall be initially dealt with by a suitably skilled member of the Local Governance Committee agreed by the CEO and then by a committee as appointed by the CEO.
- 4.11. Any complaint made against the CEO shall be initially dealt with by a suitably skilled member of the Trustee agreed by the chair of Trustees and then by a committee as appointed by the Chair.
- 4.12. Any complaint made against the chair of governors, chair of Trustees or any other member of the Local Governance Committee or Trustees should be made in writing to the Company Secretary.
- 4.13. Any complaint made against the entire Local Governance Committee or Trustees, or complaints involving the chair and the vice chair or the associated committee, should be made in writing to the Company Secretary. The Company Secretary will then determine the most appropriate course of action, depending on the nature of the complaint. This action may involve sourcing an independent investigator to initially deal with the complaint and then getting the complaint to be heard by co-opted governors or Trustees from another school or Trust.
- 4.14. Under some circumstances, it may be necessary to deviate from the complaints procedure. Any deviation will be documented.
- 4.15. Information about a complaint will not be disclosed to a third party without written consent from the complainant.



Complaints procedure

Stage one Informal concern rer24d10(de(c))Tf1 0 011.04gs)724d10(e5(r4d10(b)72er)9(11.7(



- 4.40. If the complainant is not satisfied with the manner in which the process has been followed, considers the decision to be perverse, or believes that the chair has acted unreasonably, they may request that Trustees review the complaint (stage four).

Stage four Complaints appeal panel (CAP)

- 4.41. Following receipt of a stage three outcome, the complaint should be made in writing to the chair of Trustees within 10 school days.
- 4.42. Where there are communication difficulties, the complaint may be made in person or via telephone.
- 4.43. In order to prevent any later challenge or disagreement over what was said, brief notes



- Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned.

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6. Recording a complaint

- 6.1. A written record shall be kept of any complaint made, whether made via phone, in person or in writing, detailing:



- 12.2. The school is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.
- 12.3. The school will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff.
- 12.4. If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the complaints procedure outlined in section 5 of this policy.
- 12.5. For the purpose of this policy, a **complaint** is one which is about the accent, dialect, manner or tone of communication are not considered legitimate complaints.
- 12.6. All legitimate complaints regarding the fluency duty will be handled in line with the processes outlined in this policy.
- 12.7. In addition to the processes outlined in this policy, the school will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question.
- 12.8. To assess the merits, the school will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question.
- 12.9. If the complaint is upheld, the school will consider what action is necessary to meet the fluency duty; this may include:
 - Specific training
 - Specific re-training
 - Assessment
 - Re-deployment
 - Dismissal
- 12.10. Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.
- 12.11. Records of complaints regarding fluency will be kept in accordance with the processes outlined in section 7 of this policy.

13. Role of the Education & Skills Funding Agency (ESFA)

- 13.1. If a complainant remains dissatisfied once the complaints procedure has been completed, they have the right to refer their complaint to the Secretary of State.



13.2. If a complainant wishes to escalate a complaint of bias, the DfE will require evidence



Document history

Version	Author	Dated	Status	Details
1	BMa	March 2019	Approved	New policy adopted from SchoolBus in line with DfE changes
2	BMa	03-Jul-19	Approved	Addition of complaints flowchart
3	LWr	26-Aug-20	Approved	Addition of addendum re grades awarded Summer 2020
4	LWr	13-Jul-22	Approved	General review

5



- 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

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone,



Appendix B
Sample Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the headteacher. (If your complaint is against the headteacher, you will need to send the form to the chair of the Local Governance Committee.)

Name:	Address:
Pj e 'ah cVb Z:	
Pj e 'ah YViZ d[Wg] :	
Daytime telephone number:	
Evening telephone number:	
Email:	Postcode:
What is your complaint concerning, and what action would you like the headteacher to take?	
When did you discuss your concern/complaint with the appropriate member of staff?	
What was the result of the discussion?	
Signed:	Date:

