

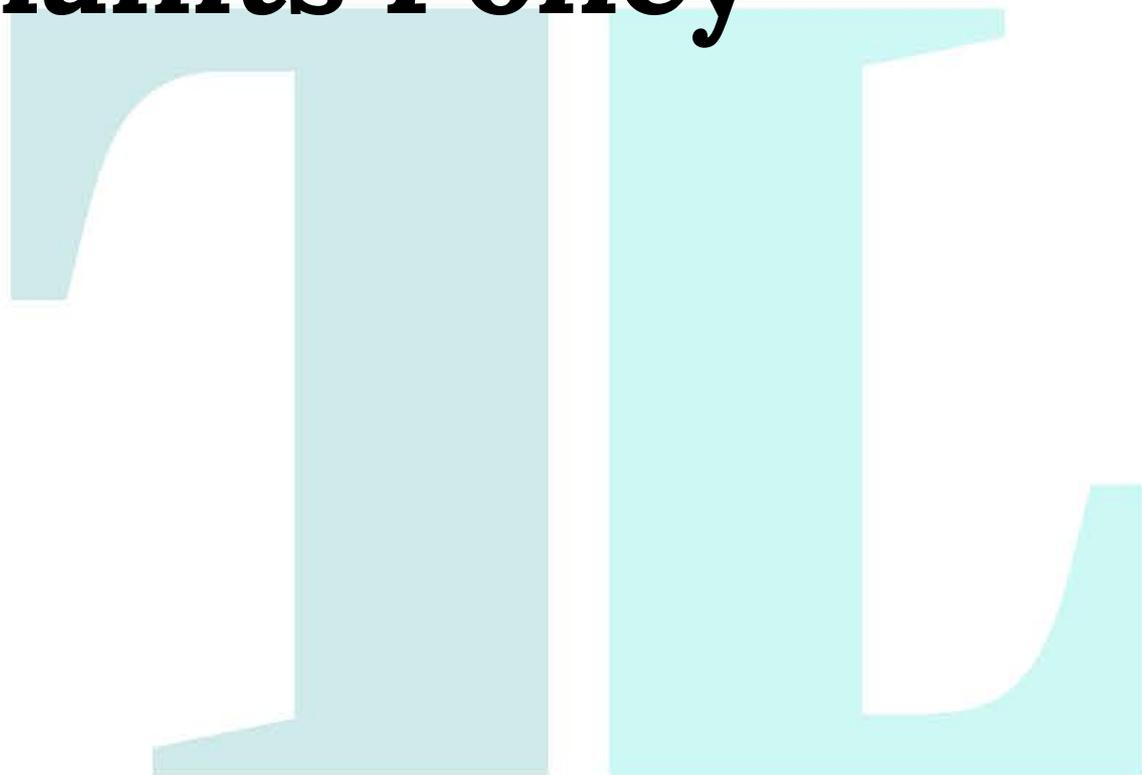


Transforming Lives

EDUCATIONAL TRUST

# Complaints Policy

April 2022



## Version Control

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# Contents

Section	Page
1. Scope	<a href="#">4</a>
2. Policy Statement	<a href="#">5</a>
3. Principles	<a href="#">5</a>
4. Definition of Terms	<a href="#">6</a>
5. Procedure	<a href="#">6</a>
6. Roles and Responsibilities	<a href="#">12</a>
7. Monitoring of Policy	<a href="#">14</a>
Appendix 1 – Complaint Form Template	<a href="#">15</a>

## 1 – Scope

- 1.1 This procedure covers all complaints about any provision of community facilities or services by a TLET academy, 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	<p>Complaints about child protection matters are handled under the <b>TLET Child Protection and Safeguarding Policy</b>, which is adapted for use by all TLET academies. and is in accordance with relevant statutory guidance.</p> <p>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).</p> <p><b>LADO contact details:</b></p> <p><a href="mailto:lado@warwickshire.gov.uk">lado@warwickshire.gov.uk</a> 01926 745376</p> <p><b>MASH contact details:</b></p> <p>01926 414144</p> <p>01926 886922 (Out of hours)</p>
Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of a TLET academy's Behaviour Policy can be made through this complaints procedure. Individual academy Behaviour Policies are available on academy websites or from the academy office.</i></p>
Whistleblowing	<p>Please see the <b>TLET Whistleblowing Policy</b>, which provides information regarding our internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p>

	Volunteers who have concerns about a TLET academy/the Trust should complain through this complaints procedure. Volunteers 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 contracted staff will be dealt with under the <b>TLET Staff Grievance Policy</b> .
Staff conduct	All TLET staff and volunteers are bound by the <b>TLET Staff &amp; Volunteer Behaviour (Code of Conduct) Policy</b> .  Complaints about staff will be dealt with under the <b>TLET Staff Disciplinary Policy</b> , if appropriate.  Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

N.B. 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 a TLET academy/the Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

1.2 This complaints procedure is not limited to parents or carers of children that are registered at a TLET academy. Any person, including members of the public, may make a complaint to the Trust about any provision of facilities or services provided by its academies. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## 2 – Policy Statement

2.1 This policy is based on the [Department of Education model complaints policy for academies within a multi-academy Trust](#).

## 3 – Principles

### 3.1 The difference between a concern and a complaint

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

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

3.1.3 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. TLET and its academies take concerns seriously and will make every effort to resolve the matter as quickly as possible.

- 3.1.4 If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Academy Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Academy Principal will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- 3.1.5 We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## 4 – Definition of Terms

- 4.1 **Academy/School**, for the purpose of this policy, means a school, which has academy status and is part of a multi-academy trust group.
- 4.2 **Complainant**, for the purpose of this policy, means the person or organisation making the complaint.
- 4.3 **Academy Improvement Management (AIM) Board**, for the purpose of this policy, means a sub-committee of the Trust Board. The Trust Board delegates the day-to-day management and running of the academy to the AIM Board.
- 4.4 **Chair of the AIM Board**, for the purpose of this policy, means the person elected by the AIM Board to be their chairperson.
- 4.5 **Parent**, for the purpose of this policy, means the natural or adoptive mother or father of a pupil/student, prospective pupil/student or former pupil/student, irrespective of whether they are or ever have been married, together with persons with parental responsibility for the pupil/student, and persons with care of the pupil/student.
- 4.6 **CEO**, for the purpose of this policy, means the Chief Executive Officer of the Transforming Lives Educational Trust.
- 4.7 **Working Day**, for the purpose of this policy, means weekdays excluding weekends and bank holidays.
- 4.8 **TLET**, for the purpose of this policy, means the Transforming Lives Educational Trust.
- 4.9 **Trust**, for the purpose of this policy, means a multi-academy trust company, which is a charitable company responsible for the management and running of all of the academies within the multi-academy trust group.

## 5 – Procedure

### 5.1 How to raise a concern or make a complaint

- 5.1.1 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, as long as they have appropriate consent to do so.
- 5.1.2 Complaints against academy staff (except the Principal) should be made in the first instance, to the Principal via the Academy office. Please mark them as Private and Confidential.
- 5.1.3 Complaints that involve or are about the Principal should be addressed to the Chair of the Academy Improvement Management Board via the Academy office. Please mark them as Private and Confidential.
- 5.1.4 Complaints about the Chair of the Academy Improvement Management (AIM) Board, any individual AIM Board (Governing) Partner or the whole AIM Board should be addressed to the Clerk to the AIM Board via the Academy office. Please mark them as Private and Confidential.
- 5.1.5 Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of Trustees, and should be sent to the Trust Office (Transforming Lives Educational Trust, c/o Houlton School, Houlton Way, Rugby, Warwickshire, CV23 1ED). Please mark them as Private and Confidential.

5.1.6 For ease of use, a template complaint form is included in **Appendix 1** of this policy. If you require help in completing the form, please contact the Academy office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

5.1.7 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.

## 5.2 **Anonymous Complaints**

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

## 5.3 **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.

## 5.4 **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.

## 5.5 **Resolving Complaints**

At each stage in the procedure, <Academy Name> 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 Academy/Trust policies in light of the complaint;
- an apology.

## 5.6 **Withdrawal of a complaint**

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

## 5.7 **Stage 1 – Informal Complaints**

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

5.7.2 Concerns should be raised with either the class teacher, Head of Year, Head of Subject, Head of Faculty or Principal.

5.7.3 Complainants should not approach individual Partners 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.

5.7.4 At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 5 school days of the date of receipt of the complaint.

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

## 5.8 **Stage 2 – Formal Complaints**

5.8.1 Formal complaints must be made to the Principal (unless they are about the Principal), via the academy office. This may be done in person or in writing (preferably on the Complaint Form found in **Appendix 1**).

- 5.8.2 The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 5.8.3 Within this response, the Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can consider whether a face-to-face meeting is the most appropriate way of doing this.
- Note: The Principal may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*
- 5.8.4 During the investigation, the Principal (or investigator) will:
- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
  - keep a written record of any meetings/interviews in relation to their investigation.
- 5.8.5 At the conclusion of their investigation, the Principal will provide a formal written response within 10 school days of the date of receipt of the complaint.
- 5.8.6 If the Principal is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- 5.8.7 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the academy will take to resolve the complaint.
- 5.8.8 The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.
- 5.8.9 If the complaint is about the Principal, or a member of the AIM Board (including the Chair or Vice-Chair), a suitably skilled AIM Board (Governing) Partner will be appointed to complete all the actions at Stage 2.
- 5.8.10 Complaints about the Principal or the AIM Board must be made to the Clerk to the AIM Board via the academy office.
- 5.8.11 If the complaint is:
- jointly about the Chair and Vice Chair or;
  - the entire governing body or;
  - the majority of the governing body;
- Stage 2 will be escalated to the CEO of the Trust.

## **5.9 Stage 3 – Panel Hearing**

- 5.9.1 If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.
- 5.9.2 A request to escalate to Stage 3 must be made to the Clerk to the AIM Board, via the academy office, within 10 school days of receipt of the Stage 2 response.
- 5.9.3 The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.
- 5.9.4 Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 5.9.5 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 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.
- 5.9.6 If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

- 5.9.7 If the complaint is:
- jointly about the Chair and Vice Chair or;
  - the entire governing body or;
  - the majority of the governing body
- Stage 3 will be heard by the trustees and an independent panel member.
- 5.9.9 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.
- 5.9.10 For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*
- 5.9.11 Representatives from the media are not permitted to attend.
- 5.9.12 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 committee at least 5 school days before the meeting.
- 5.9.13 Any written material will be circulated to all parties at least 7 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 5.9.14 The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 5.9.15 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.
- 5.9.16 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.
- 5.9.17 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.
- 5.9.18 The Chair of the Committee will provide the complainant and <Academy Name> with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.
- 5.9.19 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 academy.
- 5.9.20 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the academy will take to resolve the complaint.
- 5.9.21 The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the academy premises by the proprietor and the Principal.
- 5.9.22 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.

5.9.23 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.

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

5.10.1 If a complaint is escalated to the Transforming Lives Educational Trust, or if a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO to be investigated.

5.10.2 The CEO 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.

5.10.3 Following the investigation, the CEO will write to the complainant confirming the outcome within 10 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.

5.10.4 If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

*NB. Where the Chair of the Trust Board has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.*

5.10.5 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 10 school days.

5.10.6 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.

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

5.10.8 The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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

5.10.10 If the complaint is:

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

Stage 3 will be heard by a completely independent committee panel.

5.10.11 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.

5.10.12 One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

5.10.13 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.

5.10.14 For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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

- 5.10.15 Representatives from the media are not permitted to attend.
- 5.10.16 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 committee at least 7 school days before the meeting.
- 5.10.17 Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 5.10.18 The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 5.10.19 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.
- 5.10.20 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.
- 5.10.21 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.
- 5.10.22 The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.
- 5.10.23 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.
- 5.10.24 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.
- 5.10.25 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 Principal.
- 5.10.26 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.
- 5.10.27 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.

## **5.11 Next Steps**

- 5.11.1 If the complainant believes the academy/Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.
- 5.11.2 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the academy/Trust. They will consider whether the academy/Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

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

Academy Complaints and Customer Insight Unit  
Education and Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

## 6 – Roles and Responsibilities

6.1 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.

6.2 The **Investigator** will:

- establish the facts relevant to the complaint by:
  - liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
  - 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.

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 notetaker to record minutes of the meeting;
- ensure that any papers produced during the investigation are kept securely pending any appeal;
- be mindful of the timescales to respond;
- prepare a comprehensive report for the Principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Principal or complaints committee will then determine to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

6.3 The **Complaints Co-ordinator** (this could be the Principal or CEO, a designated Complaints AIM Board (Governing) Partner or Trustee, or other staff member providing administrative support) should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff members, Principal, CEO, Chair of the AIM Board, Chair of the Trust Board or the relevant Clerk;

- 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.

6.4 The **Clerk to the AIM Board/Trust Board** 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.

6.5 The **Committee 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 or a 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 2019 or GDPR;
- in the event of a new issue arising, it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment or the meeting;
- both the complainant and the academy/Trust 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 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 complaints procedure;
- the meeting is minuted;
- they liaise with the Clerk and Complaints Co-ordinator.

6.6 The **Committee Member** should be aware that:

- the meeting must be independent and impartial, and should be seen to be so;
- no AIM Board (Governing) Partner or Trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it;

- whilst recognising that the complainant might not be satisfied with the outcome if the meeting does not find in their favour, as it may only be possible to establish the facts and make recommendations, the aim of the meeting should be to resolve the complaint and achieve reconciliation between the academy/Trust and the complainant;
- 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.

## 7 – Monitoring

7.1 It is the responsibility of the Trust Board and those to whom it delegates the authority, to ensure that the principles and procedures of this policy are adhered to. The use of this policy will be subject to routine monitoring to ensure its fidelity in practice. The evidence gathered from monitoring shall inform any reviews and future revisions to the policy, which will be carried out at regular intervals and no later than as stated on Page 2 of this policy.

### Related Documents

TLET Child Protection and Safeguarding Policy (and academy-specific adaptations)

TLET Staff & Volunteer Behaviour (Code of Conduct) Policy

TLET Staff Disciplinary Policy

TLET Staff Grievance Policy

TLET Whistleblowing Policy

## Appendix 1 – Complaint Form Template

Please complete and return to the designated recipient as outlined in **paragraph 5.1** of this policy, who will acknowledge receipt and explain what action will be taken.

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

**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:**