Heathland Whitefriars Federation

Complaints Policy & Procedure

Approved by:	**Directors**
Last review:	**September 2025**
Next review due by:	**September 2027**

Contents

1 Aims ... 3
2 Legislation and guidance ... 3
3 Definitions and scope ... 4
3.1 Definitions ... 4
3.2 Scope ... 4
4 Stages of complaint (not complaints against the Headteacher or Directors) ... 4
4.1 Stage 1: informal ... 4
4.2 Stage 2: Formal Investigation ... 5
4.3 How to escalate a complaint If the Complainant is not happy with the actions of the Headteacher. ... 6
4.4 Stage 3: review panel ... 7
5 Complaints against the Headteacher, a Director or the Board of Directors ... 8
5.1 Stage 1: informal ... 8
5.2 Stage 2: formal ... 8
5.3 Stage 3: review panel ... 8
6 Referring complaints on completion of the School's procedure ... 8
7 Persistent complaints ... 9
7.1 Unreasonably persistent complaints ... 9
8 Barring from the School Premises ... 11
9 Duplicate complaints ... 11
10 Complaint campaigns ... 11
11 Record keeping ... 11
12 Learning lessons ... 12
13 Monitoring arrangements ... 12
14 Links with other policies ... 12
Appendix 1: Record of complaint ... 13
14.1 Appendix 2: Complaints Procedure– Flowchart ... 14
14.2 Appendix 3: Complaints Panel procedure ... 16
14.3 Appendix 4: Procedure to manage complaints about School Directors ... 16
14.4 Appendix 5: Roles and responsibilities ... 18
14.4.1 The Complainant ... 18
14.4.2 The Complaints Co-ordinator (or Headteacher) ... 18
14.4.3 The investigator ... 19
14.4.4 Company Secretary ... 19
14.4.5 Committee Chair ... 19
14.4.6 The Panel Clerk (this could be the Company Secretary or the Complaints Coordinator) ... 20
14.4.7 The Panel Chair ... 20
14.4.8 Panel Member ... 21
14.4.9 Interviewing Best Practice Tips ... 21
14.4.10 Principles for investigation ... 22
14.4.11 Time scales ... 22
14.4.12 Complaints about our fulfilment of early years requirements ... 22

Foreword

The Heathland Whitefriars Federation is a successful multi-academy trust working closely together in partnership to offer nursery, primary and secondary education. This Complaints Policy reflects and supports our Trusts commitment to restorative approaches, respect for rights, and inclusion, ensuring that complaints are addressed in a way that promotes positive relationships and continuous improvement

1 Aims

We are aware that there may be occasions when people have a concern or complaint that they want to raise. The following procedure should be followed in order to resolve these as promptly, fairly and informally as possible. The Heathland Whitefriars Federation aims to meet its statutory obligations when responding to complaints from parents of pupils at the School, and from others.

When responding to complaints, we aim to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes
- Maintain good relationships between the School and all those involved.

The School intends to resolve complaints informally where possible and at the earliest opportunity. The School will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure that we publicise the existence of this Policy and make it available on the school website. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Where appropriate, the School may offer mediation to resolve a concern or complaint at any stage of the process.

2 Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the School.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3 Definitions and scope

3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

3.2 Scope

The School intends to resolve complaints informally where possible and at the earliest possible stage. Please see our separate policies for procedures relating to the following types of complaint as this policy does **not** cover complaints procedures relating to:

- **Admissions:** please see the School's Admissions Policy or contact Harrow Council Admissions team
- **Safeguarding matters:** The Safeguarding Lead and/or the Headteacher
- **Pupil Exclusion:** please refer to the School's Behaviour Policy
- **Anonymous complaints:** please refer to the School's Whistleblowing Policy
- **Staff grievances, capability or disciplinary:** these are covered by separate school policies and procedures
- **Subject Access Requests and Freedom of Information Requests**: please refer to the School's Data Protection and Freedom of Information Policy
- **Statutory assessments of special educational needs (SEN**): the complainant can use this policy to complain unless the complainant's child has an Education Health and Care Plan and the complainant wishes to appeal against a decision that the Local Authority has taken. If this is the case, the complainant needs to contact the Local Authority. Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the Special Educational Needs Coordinator; they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our School has discriminated against their child.

You can access some of these policies on the School website or ask for a copy from the School office.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4 Stages of complaint (not complaints against the Headteacher or Directors)

4.1 Stage 1: informal

The School will take informal complaints and concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The Complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher as appropriate, either in person or by letter, telephone or email. If the Complainant is unclear who to contact or how to contact them, they should contact the appropriate Main School Office:

Main Office: **Heathland School** Eastcote Lane Harrow HA2 9AG **Phone:** 020 8422 4503 **Email:** office@heathland.harrow.sch.uk	**Main Office:** **Whitefriars School** Whitefriars Avenue Harrow HA3 5RQ **Phone:** 020 8427 2070 **Email:** office@whitefriars.harrow.sch.uk

The School will acknowledge informal complaints within 2 school working days and aim to provide a response within 10 school working days. If a resolution takes longer, the complainant will be informed promptly with an updated timeline

Any complaints involving the Governing Body may take longer due to availability.

The informal stage will involve a meeting between the Complainant and the Headteacher or the person appointed by the Headteacher to manage the complaint, as appropriate. The person looking into the complaint will try and obtain as much information as possible and seek to find a resolution. The meeting may involve the class teacher or the subject of the complaint if it is felt that it is relevant.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

4.2 Stage 2: Formal Investigation

The formal stage involves the complainant putting the complaint to the Headteacher and/or the subject of the complaint:

Formal complaints can be raised:

- By letter or email
- Over the phone
- In person
- By a third party acting on behalf of the complainant

The Complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint. (Please see Appendix 1 for guidance).

If complainants need assistance raising a formal complaint, they can contact the appropriate Main School Office:

Main Office: **Heathland School** Eastcote Lane Harrow HA2 9AG **Phone:** 020 8422 4503 **Email:** office@heathland.harrow.sch.uk	**Main Office:** **Whitefriars School** Whitefriars Avenue Harrow HA3 5RQ **Phone:** 020 8427 2070 **Email:** office@whitefriars.harrow.sch.uk

The Headteacher (or designated member of the Senior Leadership Team) will call a meeting to clarify concerns, and seek a resolution. The Complainant may be accompanied to this meeting, and should inform the School of the identity of their companion in advance.

In certain circumstances, the School may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the School will notify the Complainant as soon as they are aware, so that the Complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation.

The Headteacher will consider the complaint and in doing so will:

- Establish what has happened so far, and who has been involved
- Meet or contact the Complainant if they need further information
- Clarify how the Complainant may feel things could be put right, if this has not been set out in their letter or included on the Complaints form
- Interview those involved in the matter and those complained of, allowing them to be accompanied if they wish
- Conduct any interviews with an open mind
- Keep notes of any interview for the record.

The Headteacher will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better (please note this is not an admission of negligence)
- an assurance that the situation complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review policies and practice in light of the complaint

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The Headteacher will send a detailed written response within 20 school working days of receiving the formal complaint. If this is not possible, the complainant will be notified in writing with reasons and a revised deadline

Where the Complainant is unhappy about the decision the Headteacher has made about their complaint, this does not become a complaint about the Headteacher or staff member concerned. However, the Complainant will be advised of their entitlement to take their original complaint to the next stage by writing to the Company Secretary as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a Complaints Panel is convened.

The written conclusion of this investigation will be sent to the Complainant within 10 school days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the Company Secretary within 15 school days or within 5 days of receipt of the letter.

4.3 How to escalate a complaint If the Complainant is not happy with the actions of the Headteacher.

If the Complainant is not satisfied with the response from the Headteacher at stage 2 they should be advised that the next stage is to put their complaint in writing to the Chair of Directors care of the Company Secretary.

Complaints can be escalated by contacting the Chair of Directors via the Company Secretary:

- By letter or email- this should be sent to the Main School Office and addressed to the attention of the Company Secretary.

The Company Secretary will need the details of the complaint as set out above, as well as details from the Complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The Chair of Directors will contact the Complainant within 5 school working days of receipt of their letter, setting out who is conducting the investigation and that the investigator will write to the Complainant within a further 20 school working days setting out the actions taken to investigate the complaint and their findings

However, the investigation period for a more complex complaint could be longer than 20 school working days. The Complainant will be advised if this is the case.

The Chair of Directors will be responsible for carrying out an investigation or appointing another Director to carry out the investigation who will then reach a conclusion based on the investigation. Notes should be kept of any interviews held as part of the investigation. In order to clarify the specific details of the complaint, the nature of the complaint and any background to the complaint the investigating Director may feel it necessary to meet with the Complainant. The Investigating Director should produce notes of this interview.

Before the Investigating Director interviews any member/s of Staff, they must be informed that they may be accompanied by a Colleague.

At the conclusion of their investigation the Investigating Director will compile a report detailing their findings and any recommendations or proposed actions.

Once satisfied that the investigation has been concluded and they have reached a decision on the complaint the Investigating Director or in the case of an independent investigation, the Chair of Directors, will notify the Complainant in writing of their conclusions and any actions that will be taken as a result of the complaint (except where this would involve taking any formal action against individual members of staff which would remain confidential). This should be done no later than 20 school working days as set out above. The Investigating Director may feel it appropriate to meet with the Complainant to communicate their findings.

The outcome of the investigation would usually be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld and an apology given
- The complaint was substantiated in part or in full which may include details of how the school may improve future practice (some details would be given of the actions the school will take in response to the complaint except where they may be of a disciplinary or other such nature relating to an individual member of staff)
- There is insufficient evidence to reach a conclusion so the complaint is inconclusive
- The complaint is not substantiated by the evidence and therefore not upheld.

At this stage the Complainant will be told that consideration of the complaint by the Chair of Directors at Stage 2 is now concluded. Where the Complainant is unhappy about the decision the Chair of Directors or Investigating Director has made about their complaint, this does not become a complaint about the Chair of Directors/ Investigating Director. The Complainant will be advised of their entitlement to take their original complaint to the next stage by writing (marked urgent, private and confidential), to the Company Secretary within 5 school working days briefly outlining the content of the complaint and requesting that a Complaints Panel is convened. See Stage 3 below. Requests received outside of this time frame will be considered in exceptional circumstances.

4.4 Stage 3: review panel

If the Complainant is not satisfied with the response of the Headteacher or Chair of Directors (for a complaint specifically about the Head Teacher) which has not been resolved in the stage above then they must write to the Company Secretary as soon as possible after receiving the decision, briefly outlining the content of the complaint and requesting that a Complaints Panel is convened and marking any envelope or email “urgent, private and confidential”

A letter can be handed into the Main School Office marked for the attention of “The Company Secretary”

The Company Secretary will acknowledge receipt of the letter within 5 school working days. The acknowledgement will inform the Complainant that three members of the School’s Board of Directors will hear the complaint within 20 school working days of receiving the complaint. The letter will invite the Complainant to attend and also explain that they have the right to submit any further documentation relevant to the complaint. The Complainant may bring a friend or someone else for support.

A meeting of the Complaints Panel will be convened. The Complaints Panel will include at least three people, one of whom is independent of the management and running of the School. Panel members will receive training on complaints handling and equality considerations to ensure a fair, unbiased process.However, the panel cannot be made up solely of Director members, as they are not independent of the management and running of the School. An experienced Director will chair the panel meeting. The Clerk of the Complaints Panel will contact the Complainant with the arrangements.

The panel will have access to the existing record of the complaint's progress at least 5 school working days prior to the panel meeting.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the Complainant. At the review panel meeting, the complainant and representatives from the School, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the Complainant and the school representative(s) will be given the opportunity to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the Complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Headteacher.

The School will inform those involved of the decision in writing within 5 school working days. If it is not possible to meet these timescales then the Clerk of the Panel will contact both parties to discuss a mutually convenient date. Further information on how the Panel operates and the process is attached at Appendix 3.

5 Complaints against the Headteacher, a Director or the Board of Directors

5.1 Stage 1: informal

Complaints made against the Headteacher or any member of the Governing Body should be directed to the Company Secretary in the first instance.

If the complaint is about the Headteacher or one member of the Board of Directors (including the Chair or Vice-Chair), a suitably-skilled and impartial Director will carry out the steps at stage 1 (set out in section 4 above).

5.2 Stage 2: formal

If the complaint is jointly about the Chair and Vice-Chair, the entire Board of Directors or the majority of the Board of Directors, an independent investigator will carry out the steps in stage 2 (set out in section 4 above). They will be appointed by the Board of Directors, and will write a formal response at the end of their investigation.

5.3 Stage 3: review panel

If the complaint is jointly about the Chair and Vice-Chair, the entire Board of Directors or the majority of the Board of Directors, a committee of independent Directors will hear the complaint. They will be sourced from local schools and will carry out the steps at stage 3 (set out in section 4 above).

6 Referring complaints on completion of the School's procedure

If the complainant is unsatisfied with the outcome of the School's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the School. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the School did not comply with its own complaints procedure
- Whether the School was in breach of its funding agreement with the Secretary of State
- Whether the School has failed to comply with any other legal obligation

If the School did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the School's complaints procedure is found to not meet regulations, the School will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

https://www.gov.uk/complain-about-school

This information will be included in the outcome letter to complainants.

7 Persistent complaints

Where a complainant tries to re-open the issue with the School after the complaints procedure has been fully exhausted and the School has done everything it reasonably can in response to the complaint. The Chair (or other appropriate person in the case of a complaint about the Chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the School again about the same issue, the School can choose not to respond. Where a complainant's behaviour is deemed persistent or unreasonable, the School will communicate its decisions clearly in writing and may implement a communication plan specifying contact methods and frequency, reviewed every six months.

The normal circumstances in which the School will not respond are if:

- The complaint has already been resolved by following the School's complaints procedure
- The School has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the School's position and their options (if any), *and*
- The complainant is contacting the School repeatedly but making substantially the same points each time

This list is not intended to be exhaustive.

The School will be most likely to choose not to respond if:

- It has reason to believe the individual is contacting the School with the intention of causing disruption, inconvenience or distress, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour, which is abusive, offensive or threatening, may constitute an unreasonably persistent complaint.

Once the School has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The School will ensure when making this decision that complainants making any new complaint are heard, and that the School acts reasonably.

7.1 Unreasonably persistent complaints

Steps we will take

Our Schools are committed to taking every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

We will not normally limit the contact complainants have with the School. 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 School defines unreasonable complaints as '*those who, because of the frequency or nature of their contacts with the School, hinder our consideration of their or other people's complaints*'.

Examples: A complaint may be regarded as unreasonable when the person making the complaint:

- 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 while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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 Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- Unnecessarily or repeatedly involves other agencies regarding the complaint

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.

Complainants should limit the numbers of communications with the School 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 Directors 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 asking them to change it. For complainants who excessively contact the School, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include barring an individual from school premises.

8 Barring from the School Premises

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 our school site In cases of serious incidents, barring decisions will be coordinated with safeguarding leads to ensure the safety of pupils and staff, and appropriate safeguarding procedures will be followed

Although fulfilling a public function, the Schools in the Federation are private places. The public has no automatic right of entry. The Federation will therefore act to ensure the safety of pupils, staff and other members of the community.

If a parent's behaviour is a cause for concern, the School may ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make.

The Federation will always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed, the parent will be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Directors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

9 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we had not previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

10 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the School, we may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all the complainants

If complainants are not satisfied with the School's response, or wish to pursue the complaint further, the normal procedures will apply.

11 Record keeping

The School will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

Records of complaints will be retained for a minimum of 6 years in line with data protection and record retention policies. Complainants have the right to request access to their complaint records under data protection legislation

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a Freedom of Information (FOI) request or through a subject access

request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Governing Body in case a review panel needs to be organised at a later point.

Where the Governing Body is aware of the substance of the complaint before the review panel stage, the School will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Board of Directors, who will not unreasonably withhold consent.

12 Learning lessons

The Chair of Directors will review any underlying issues raised by complaints with the Headteacher/Senior Leadership Team where appropriate, and respecting confidentiality, to determine whether there are any improvements that the School can make to its procedures or practice to help prevent similar events in the future.

13 Monitoring arrangements

The Board of Directors will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Board of Directors will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Headteacher.

This policy will be reviewed by the Headteacher every 2 years.

At each review, the Policy will be approved by the appointed Trustees (Board of Directors).

14 Links with other policies

Policies dealing with other forms of complaints include:

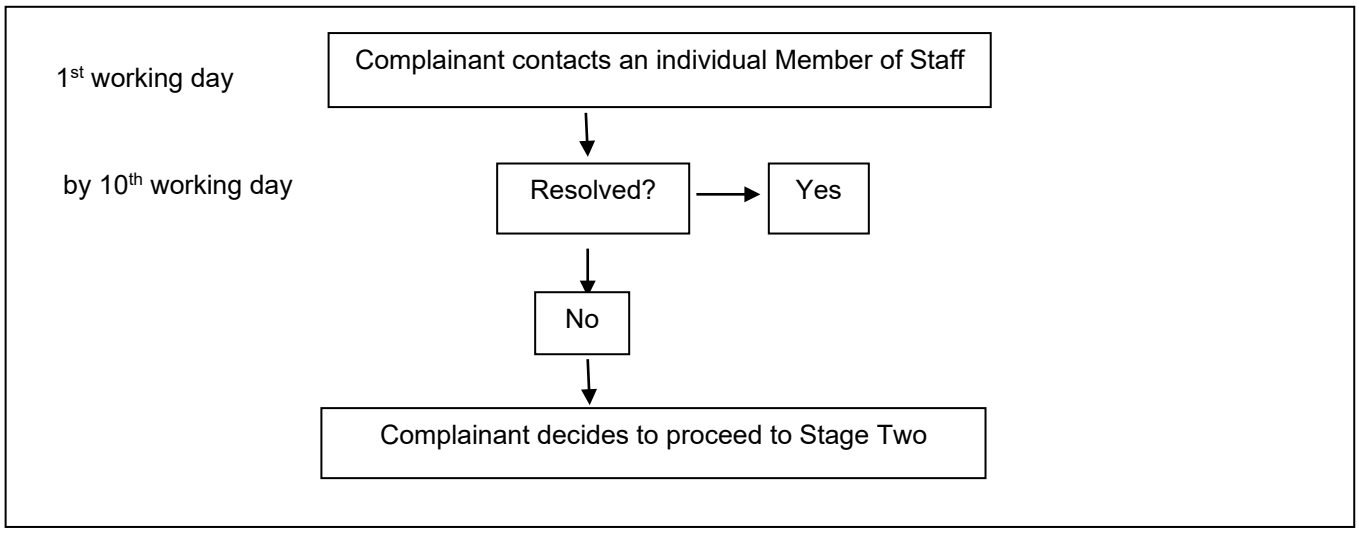
- Child Protection and Safeguarding Policy and procedures
- Admissions Policy
- Exclusions Policy
- Staff Grievance Procedures
- Staff Disciplinary Procedures
- SEN Policy and Information Report
- Privacy notices

Appendix 1: Record of complaint

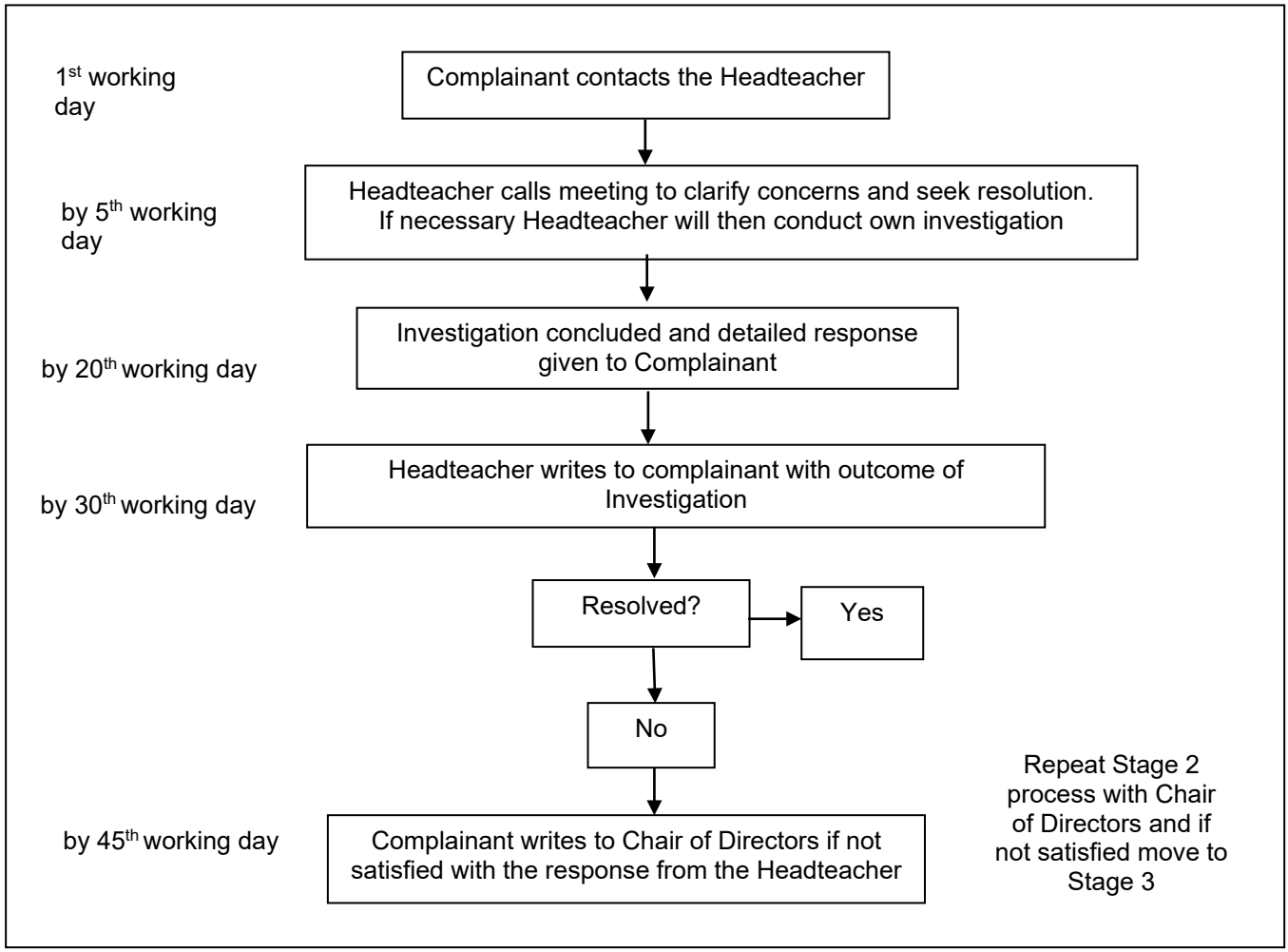
Please complete and return to …… who will acknowledge receipt and explain what action will be taken	
Your Name	
Pupil's Name	
Your relationship to the Pupil	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here	
What actions, if any, have you taken to try and resolve your complaint	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork?	
Signature	
Date	
For Office Use only	
Date acknowledgement sent By Whom Complaint referred to: Date:	

14.1 Appendix 2: Complaints Procedure– Flowchart

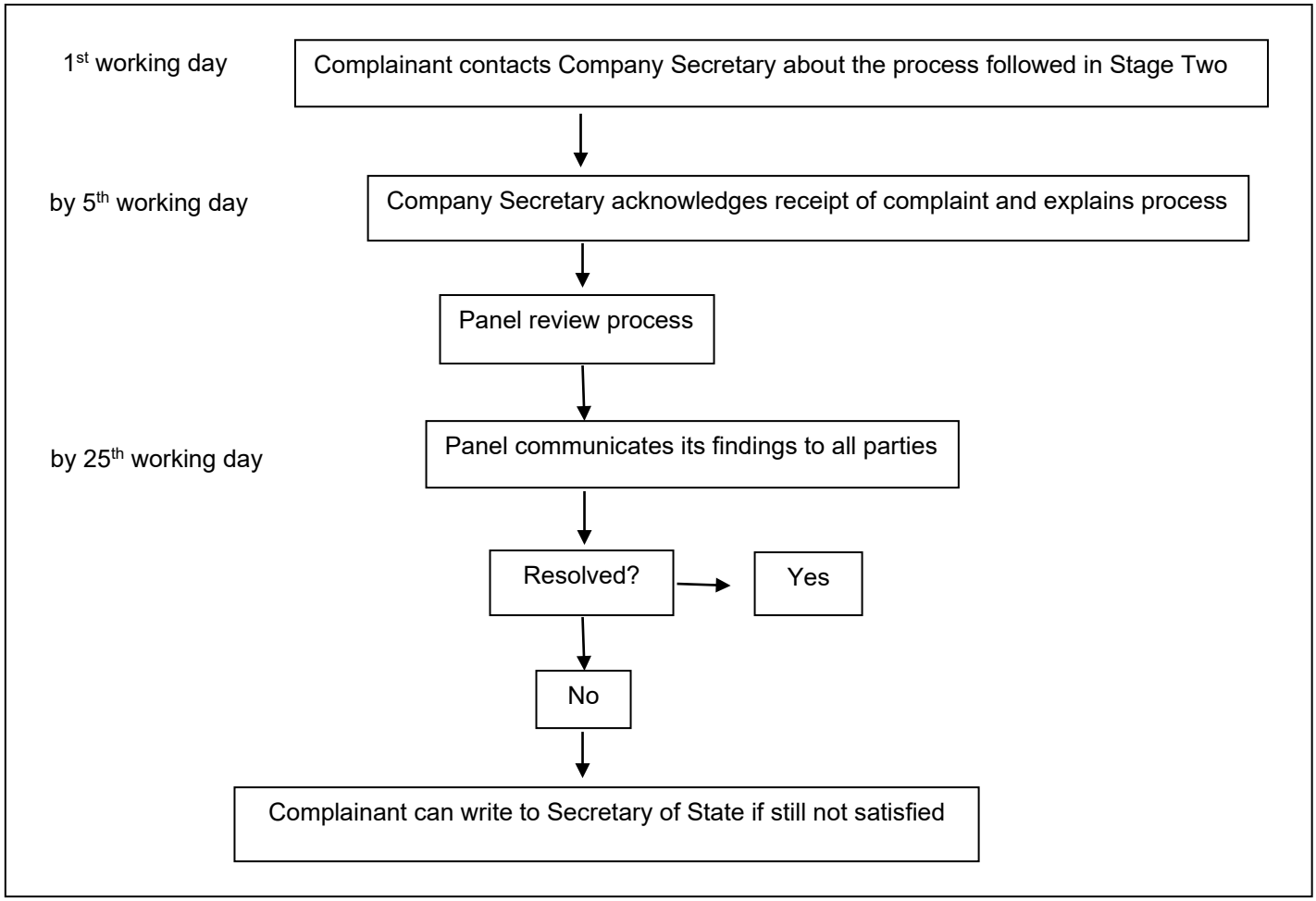
Stage One: Informal Stage



Stage Two: Formal Stage



Stage Three: Review Panel



Note:- If the complaint is about the actions of the Headteacher then the Chair of Directors carries out the Headteacher's role as indicated above.

14.2 Appendix 3: Complaints Panel procedure

At the Panel hearing:

- The Complainant will have the opportunity to present their complaint.
- The Head Teacher (or Investigating Director) will explain the School's position.
- Those present will have the opportunity to ask questions.
- Panel members will have the opportunity to ask questions of the complainant and the Head Teacher.
- The Head Teacher (or Investigating Director) will be given the opportunity to make a final statement to the Panel.
- The Complainant will be given the opportunity to make a final statement to the Panel.
- The Chair of the Panel will ask the Complainant if he or she feels they have had the opportunity to say everything they wish to say.

The Chair of the Panel has responsibility to ensure that detailed minutes are taken.

The Chair of the Panel will explain to the complainant and Head Teacher (or Investigating Director) that the Panel will consider its decision and that a written decision will be sent to both parties within 15 working days. The complainant, Headteacher, other members of staff and witnesses will then leave.

The Panel will then consider the complaint and all the evidence presented and:

- Agree a decision on the complaint
- Decide upon the appropriate action to be taken to resolve the complaint, and
- Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

A written statement clearly setting out the decision of the Panel must be sent to the Complainant and Head Teacher or Investigating Director. The letter to the Complainant should also advise how to take the complaint further.

The School will ensure that a copy of all correspondence and notes are kept on file in the School's records. These records should be kept separately from the pupil's personal records.

14.3 Appendix 4: Procedure to manage complaints about School Directors

General principles

The principles of a complaint should include the following:

- resolution should be sought at the least formal level in the first instance
- complaints should be resolved as quickly as possible

- the process of resolving a complaint should not undermine the work of the governing body
- where help and support is needed in managing a complaint against a Director, this could be sought from another school's academy trust or governing body.

A Board of Directors should conduct its workings with a clear set of expectations of their role and behaviour.

Categories of complaints

Complaints against Directors can be categorised:

(i)) those from other Directors on the Board of Directors,

(ii) those from members of the public which includes parents.

NB: members of the school staff – See Staff Grievance Policy.

Irrespective of the category of complaint the responsibility for dealing with the complaint is that of the Board of Directors, which would normally fall to the Chair to manage.

Where the complaint is made against the Chair then:

(i) it could be passed to the Vice-Chair, or

(ii) by agreement of the Board of Directors at an Extraordinary Full Board of Directors Meeting, passed to the Chair of another Academy Trust or School Governing Body with whom the Board of Directors has made a prior collaborative agreement to investigate and then forward the recommended outcomes to the Vice Chair.

(iii) by agreement of the Board of Directors at an Extraordinary Full Board of Directors Meeting, passed to an experienced Director who will forward the recommended outcomes to the Vice Chair.

The Board of Directors will need to consider to what extent the internal investigation of a complaint against a Director by another Director generates a conflict of interest or prejudice.

No member of the school staff, including the Head Teacher, should be involved in the investigation of a complaint against a Director other than as a witness.

Procedure

This procedure is for complaints from members of the public, parents and Directors.

- All complaints must be in writing to the Company Secretary, which includes email. For complaints against the Chair the procedure below will be undertaken either by the Vice Chair or an Independent Investigator
- The Chair must inform the Director against whom the complaint is made, the content of the complaint and how it is to be managed.
- All complaints must be reported to the Board of Directors as soon as is practicable, however the information must be restricted to: (a) the date the complaint was received; and (b) against which Director the complaint is made.
- Unless otherwise agreed by the Board of Directors, the Complaint should be managed by the Chair.

- The Chair may wish to seek advice from the Local Authority.
- The Chair should arrange a meeting with the complainant to determine the nature of the complaint. To substantiate the complaint the complainant should be able to supply evidence.
- It may be that due to the nature of the complaint, the Chair can resolve the issue at the initial meeting and no further action be taken.
- This outcome should be reported immediately to the Director who the complaint is against and the Board of Directors.
- Where the complaint cannot be resolved at the initial meeting with the Complainant, the Chair will need to meet with the Director concerned and put to them the complaint in order for them to make a response.
- The Chair or Vice Chair will write a letter to the complainant providing an outcome to their complaint.
- The outcome of the complaint could be that:
    - the complaint is dismissed;
    - the complaint is upheld in part or whole and a letter of apology is sent to the Complainant;
    - the Complaint is detrimental to the reputation of the Board of Directors and the Board of Directors refers to its Code of Conduct for next steps in line with regulations.
- The outcome of the complaint needs to be recorded in the minutes of the Board of Directors meeting, for example:

  Complaint was resolved, or;

  A complaint was made against a Director and investigated with the outcome being x.
  Where possible the time lines of the Complaints Policy should apply to this Appendix.

14.4 Appendix 5: Roles and responsibilities

14.4.1 The Complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the School throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Do not publish details about the complaint on social media.

14.4.2 The Complaints Co-ordinator (or Headteacher)

The complaints co-ordinator should:-

• ensure that the complainant is fully updated at each stage of the procedure

• ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 2018

• liaise with staff members, Headteacher, Chair of Directors and Company Secretary to ensure the smooth running of the complaint's procedure

- keep records
- be aware of issues regarding:-
    - sharing third party information
    - additional support - this may be needed by complainants when making a complaint, including interpretation support.

14.4.3 The investigator

An individual will be appointed to look into the complaint and establish the facts. The Investigator is the person involved in Stages 1 and 2 of the procedure. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Provide 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
    - consideration of records and other relevant information
    - interviewing staff and children/young people and other people relevant to the complaint
    - analysing information
    - effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right
    - identifying solutions and recommending courses of action to resolve problems
    - being mindful of the timescales to respond, and
    - responding to the complainant in plain and clear language.

    The person investigating the complaint should make sure that they:

    - 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.
- Prepare a comprehensive report to the Headteacher or Complaints Panel which includes the facts and potential solutions.

14.4.4 Company Secretary

The Company Secretary will:

- Be the contact point for the Complainant and the Complaints Panel, including circulating the relevant papers and evidence before Complaints Panel Meetings
- Arrange the Complaints Hearing
- Record and circulate the minutes and outcome of the Hearing

14.4.5 Complaints Panel Chair

The Complaints Panel Chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout

14.4.6 The Panel Clerk (this could be the Company Secretary or the Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected to:-

• set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible

• collate any written material and send it to the parties in advance of the hearing

• meet and welcome the parties as they arrive at the hearing

• record the proceedings

• circulate the minutes of the panel hearing

• notify all parties of the panel's decision

• liaise with the complaints co-ordinator.

14.4.7 The Panel Chair

The Panel Chair has a key role in ensuring that: -

• the meeting is minuted

• the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption

• the issues are addressed

• key findings of fact are made

• parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person

• the hearing is conducted in an informal manner with everyone treated with respect and courtesy

• the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial

• the panel is open-minded and acts independently

• no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

• both the complainant and the school are given the opportunity to state their case and seek clarity

• written material is seen by everyone in attendance – 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

• liaise with the Clerk and complaints co-ordinator.

• Make sure all parties see the relevant information, understand the purpose of the Panel meeting, and are allowed to present their case.

14.4.8 Panel Member

Panellists will need to be aware that:-

- it is important that the review panel meeting is independent and impartial, and that it is seen to be so.
- no Director may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the School and the Complainant. However, it must be recognised that the Complainant might not be satisfied with the outcome if the Panel do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the Complainant that his or her complaint has been taken seriously. Many Complainants will feel nervous and inhibited in a formal setting.
- parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. Extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;
- careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel 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 panel 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 panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- the parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests. The welfare of the child/young person is paramount.

14.4.9 Interviewing Best Practice Tips

Children/young people

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a Local Authority Designated Officer (LADO) or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people should be told what the interview is about and that they can have someone with them.

Staff/Witnesses

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.
- Staff are allowed a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.

- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the complaints co-ordinator/ Headteacher/ Chair of Directors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

14.4.10 Principles for investigation

When investigating a complaint we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

14.4.11 Time scales

We intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the Complainant will be sent details of the new deadline with an explanation for the delay.

The School expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school working day.

14.4.12 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the School's fulfilment of the Early Years Foundation Stage requirements, and notify the Complainant of the outcome within 28 days of receiving the complaint. The School will keep a record of the complaint (see section 13) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the School is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at https://www.gov.uk/government/organisations/ofsted#org-contacts.

We will notify parents and carers if we become aware that the School is to be inspected by Ofsted. We will also supply a copy of the Inspection Report to parents and carers of children attending the setting on a regular basis.