

## Complaints Policy

<b>Member of Staff Responsible</b>	Chief Executive Officer
<b>Relevant guidance/advice/legal reference</b>	Part 7 of the Education Regulations 2014.  Best practice guidance for school complaints procedures 2020
<b>Approved by</b>	The 3-18 Education Trust Board
<b>Adviser</b>	Trustee (secondary)
<b>Date of Policy</b>	September 2021
<b>Review Cycle</b>	3 years
<b>Date of Next Review</b>	September 2024
<b>Website</b>	Yes

# **1. Introduction**

## **Statement of Intent**

This policy has been generated to apply to all schools in the trust, as well as the trust itself, in the event of a complaint being raised.

The Chief Executive Officer, the headteachers, the local governing bodies (LGB) and the board of trustees are fully committed to the sustained improvement of our schools and our trust. Where concerns are raised by interested parties or simply through the continual and thorough self-evaluation process, we will investigate these matters thoroughly. We welcome feedback from parents/carers and other stakeholders and will always try to resolve any concerns as quickly as possible. This policy is intended to allow complaints to be made relating to the schools in The 3-18 Education Trust (henceforth referred to as the trust) and the trust itself, with respect to their provision. The formal nature of this policy enables the complainant to progress the level at which the complaint is made.

The policy serves to provide transparency for the process of addressing a complaint, to ensure this is done consistently and fairly, in a balanced, measured way and without prejudice. Whilst this policy and process does not guarantee to uphold the complaint, it is written to ensure a fair and consistent process is followed in addressing the complaint.

## **Remit of this policy**

During school operations, staff will have conversations with parents/carers and students, and where complaints arise, this policy is written to support those conversation and to enable a formal process to take place. Some complaints fall outside this policy, and these are listed in Appendix A. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use the procedures in this policy.

This policy therefore covers complaints by any party, made against

- an individual/individuals at a school in the trust
- a process or procedure at a school/the trust.
- an individual/individuals working in the trust office.
- a governor, a trustee/trustees, a local governing body, the Chairs of LGBs, the Chair of the Trust.

At any point in time, should the conduct of the complainant be judged as unacceptable, including through vexatious conduct, or harassment, or where the complainant pursues a complaint to an excessive level because they have not had a satisfactory outcome, then the trust reserves the right to take action to prevent any further incidence of such conduct. If it is judged the complaint meets the serial complaints procedure, the school/trust reserves the right to cease the complaints procedure. See Appendix B.

This policy covers both day and boarding contexts (Thomas Adams has a boarding house). For any Complaints specifically relating to that boarding context, please see Appendix F.

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

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

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

With concerns or complaints, such issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Very frequently, a phone call or face to face meeting enables the issue to be resolved. The trust and the schools within it take concerns seriously and will make every effort to resolve the matter as quickly as possible. We understand however, that there are occasions when people would like to raise their concerns formally.

Complainants should not approach individual governors or trustees to raise concerns or complaints. Individual governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

### **Anonymous complaints**

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

### **Time scales**

A complaint should be raised within three months of an incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

### **Complaints received outside of term time.**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period. Term dates and holidays are published on the schools' website. A school day (in either day or boarding context) is defined as a weekday during term time. The headteacher or Chair of the LGB, if appropriate, will determine whether the complaint warrants an investigation.

### **Resolving complaints**

We will acknowledge if the complaint is upheld (or not) in whole or in part. In addition, we may offer one or more of the following:

- an apology.
- an explanation.
- relevant reflection on whether the matter might have been handled differently.
- an assurance that we will try to ensure the event complained of will not recur (and the steps we may decide to take).
- an undertaking to review school policies and procedures in light of the complaint.

### **Withdrawal of a Complaint**

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

### **Complaint Campaigns**

In the event of large volumes of complaints being raised on the same issues, or unconnected to the trust/school then we may decide to send a template response to all complainants or publish a single response on the website.

### **Social Media (See Appendix B and C for further detail)**

For a fair and balanced investigation and to ensure confidentiality, we request that the complaint is not be discussed on social media platforms such as Facebook or twitter.

### **Meetings and Recording**

The meeting will be held in private. Electronic recordings (on any device) 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 take place. Consent will be recorded in any minutes taken.

## **2. Complaints Procedure (For summary, see Appendix E)**

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

Please see Appendix C for roles and responsibilities within the procedure.

Concerns should be raised with either the subject teacher, form tutor, Head of Department, Head of House, Head of Year, member of the Senior Leadership Team (including the school business Manager for support staff) or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

### **Informal Stage 1**

Complaints should be raised with the same people listed above for Concerns. A response (of acknowledgement) will be sent within 5 school working days of receiving the complaint. An investigation will take place and a written response issued within 15 school working days of receiving the complaint (if this needs to be delayed, the complainant will be informed and reasons provided). Many concerns/complaints can be resolved by simple clarification or the provision of information. It is therefore anticipated that most complaints will be resolved by this informal stage.

The school/trust may decide that a meeting may be the most appropriate method of finding a solution. It is hoped that the procedure will stop at this informal stage if the concern has been explained satisfactorily, or a shared understanding has been reached on the issue being raised and actions, where appropriate, agreed. Time scales of actions can be agreed at this stage which will be followed as part of the resolution.

### **Formal Stage 2**

If the matter cannot be resolved to the complainant's satisfaction, the concern or complaint should be put into writing, preferably by completing the Complaint form (see Appendix D), by email, or in writing. (Complaints may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.) Please see below for the relevant places to send complaints, depending on the subject of the complaint.

For all complaints, please mark your communication as Private and Confidential.

Please note: Complaints about staff conduct will be investigated initially using this procedure; where it is deemed necessary, this may result in them not being handled under this complaints procedure. In such situations, the complainants will be informed that staff conduct complaints will be considered under staff disciplinary procedures. Outcomes of this will not be shared with complainants.

<b>Complaint made against</b>	<b>Complaints Co-ordinator</b>	<b>Arbiter in the event of possible conflict of interest</b>	<b>Send complaint form/letter to</b>
Process or procedure in school	Headteacher,	Chief Executive Officer	School office
Process or procedure in trust	Chief Executive Officer	Chair of Trust Board	Trust office
Member of staff (not headteacher)	Headteacher	Chief Executive Officer	School office
Headteacher	Chair of Local Governing Body or governor appointed by Chair/CEO	Chief Executive Officer	LGB Clerk
Chair of Local Governors, any individual governor or number of governors,	Chief Executive Officer	Chief Executive Officer	LGB Clerk
Trust staff	Chief Executive Officer	Chair of Trust Board	Trust office
CEO	Chair of Trust Board or trustee appointed by Chair	Member	Trust office
Trustee(s), not Chair	Chair of Trust Board	Member	Chair of Trust Board
Chair of Trust Board	Individual appointed by Members	Member	Chair of Members

The Complaints Co-ordinator 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 working days. Within this response, they may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see, although the opportunity to clarify expectations can be made on the complaints form. The headteacher may consider whether a face-to-face meeting is the most appropriate way of doing this.

If the complaint is:

- jointly about the Chair and Vice-Chair or
- the entire governing body or
- the majority of the governing body,
- trustees

then Stage 1 will be considered by an independent investigator appointed by the governing body/trusts Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

If the complaint is about the headteacher, then a suitably skilled governor will be appointed to complete all the actions at Stage 1.

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

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

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

At the conclusion of their investigation, the headteacher will provide a formal written response within 20 school working days of the date of receipt of the complaint at Stage 1. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to be taken in order to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

### **Formal Stage 3**

If the complainant is dissatisfied with the outcome at Stage 2 or is not satisfied with the process that has been followed, and wishes to take the matter further, they may escalate the complaint to Stage 3 – this is a meeting with members of the governing body's complaints panel, which will be formed of three governors. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk within 10 school working days of receipt of the Stage 2 response. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school working 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.

If the complainant rejects the offer of up to 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.

The complaints panel will consist of at least three governors with no prior involvement and no detailed prior knowledge of the complaint (one panel member will be independent of the management and running of the school - this may include governors from other schools in the trust). The panel will decide whether to approach the complaint by inviting parties to a meeting which the complainant may attend (and be accompanied) if they wish or the complaint may be addressed through written representations; in making their decision they will be sensitive to the complainant's needs.

If the complaint is:

- jointly about the Chair and Vice Chair, or
- the entire governing body, or
- the majority of the governing body, then

Stage 2 will be heard by a panel of independent governors.

If the complainant is invited to attend a meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, it is not encouraged for either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union or legal representation. Representatives from the media are not permitted to attend.

At least 5 school working days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the panel at least 3 school days before the meeting so that it is circulated to all parties at least 2 school working days before the date of the meeting. The panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

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

The Chair of the Panel will provide the complainant and the school (and where relevant the person complained about) with a full explanation of their decision and the reason(s) for it, in writing, within 5 school working days of the meeting. The letter to the complainant will include details of how to contact the Department for Education if the complainant is dissatisfied with the way their complaint has been handled (see Next Steps below).

In addition:-

- The findings and recommendations of the panel will be made available for inspection on the school/trust premises by the Trustees and headteacher.
- A written record will be kept of all stages, whether formal or informal, along with details of whether they were resolved following either a formal procedure, or progression to a panel hearing,

in accordance with sub-paragraph e of Part 7 of the Education Regulation 2014. They will be retained for three years.

- The school/trust will record the action it takes as a result of the complaint (regardless of whether it is upheld).

An ongoing report is made termly to governors on any complaints pending or closed.

All correspondence, statement and records relating to individual complaints are to be kept confidential, excepts where the Secretary of State or a body conducting an inspection in S 109 of the 2008 Act requests access to them.

## **Next Steps**

If the complainant believes the school 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.

<https://www.gov.uk/guidance/esfa-business-operations-help-and-support#service-centre-contact-information>

Phone: 0370 2670001

In addition complainants may wish to contact the Department for Education

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on 0370 000 2288, or by writing to:

Department for Education  
Piccadilly Gate  
Store Street, Manchester. M1 2WD.

These external bodies will not normally reinvestigate the substance of complaints or overturn any decisions made by the school/trust. They will consider whether the school/trust has adhered to education legislation and any statutory policies connected with the complaint.



## Appendix A: Exceptions to this Complaints procedure

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> <li>Statutory assessments of Special Educational Needs</li> <li>School re-organisation proposals</li> </ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Shropshire Local Authority
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and 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.</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school</li> </ul>	<i>Complaints about the application of the behaviour policy can be made through this Complaints procedure</i> Further information about can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees in the trust, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers 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> <p>Volunteer staff who have concerns about our school/trust should complain through this complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	Complaints from staff will be dealt with under the trust's internal grievance procedures.
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the trust's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
<ul style="list-style-type: none"> <li>Exam results (where exams are teacher-assessed)</li> </ul>	Please refer to Appeals procedure in the centre policy on teacher-assessed grades, available from each school.

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 a complainant commences legal action against a school/the trust in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## **Appendix B: Dealing with serial, persistent, vexatious, frivolous complaints.**

We will refer any such cases to Best practice guidance for school complaints procedures 2020.

In all matters relating to the school/trust, as per the home-school agreement and the expectations we have of our communities, complainants are expected to conduct themselves with the same high standards the LGB and trust board expects of its staff and students.

The school expects all complainants who wish to raise concerns/make complaints to:

- treat all school staff with courtesy and respect;
- when reacting to certain matters, be mindful of approaching Reception staff calmly
- respect the needs and well-being of students and staff in the school;
- avoid any use, or threatened use, of violence to people or property.

The local governing body/trust board will not tolerate any form of physical or verbal aggression against members of the school/trust community, in any form, whether by telephone, letter, email or in face-to-face conversation. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept any form of threatening or harassing behaviour towards any members of staff, students, local governors or other parents/carers. This is because the school values good relationships and wishes them to be built in civil and reasonable manner.

### **Serial complaints**

We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable/unreasonable behaviour and we will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached. Whenever possible, the headteacher or Chair of the LGB will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking, due either to excessive contact (Serial), or vexatious behaviour.

The 3-18 Education Trust defines *unreasonable* behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, or where unnecessary stress or harm comes to staff, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- refuses to co-operate with the complaints investigation process .
- refuses to accept that certain issues are not within the scope of the complaints procedure.
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.

- makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
  - changes the basis of the complaint as the investigation proceeds .
  - repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
  - refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.
  - seeks an unrealistic outcome.
  - makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
  - uses threats to intimidate, be it through abusive, aggressive, offensive or discriminatory language or violence (any one of these could result in action being taken by the school/trust). This is not restricted to face-to-face conversation; the scope refers to e mails, letters, phone calls, or through third party contact (e.g., social media).
- knowingly provides falsified information.
- publishes defamatory information on social media or other public forums.

### **The School's Action in the Case of Persistent and/or Vexatious Complaints and/or Harassment**

If a member of the school community feels that a parent/carer or other stakeholder has not observed the expectations above they will report this, in writing, to the headteacher. The Senior Leadership Team (SLT) will discuss this further and consider action or referral to the Chair of the local governing body/CEO/Chair of the trust. If the conduct of the complainant is judged to be unreasonable due to any of the above reasons (but not restricted to the above), then action will be taken.

Either the headteacher or CEO will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For serial complainants, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months. If the approach is vexatious, we may decide to restrict the complainant's access to staff or the school site. This could take the form of:

- a) Being refused access to any part of the school site (although fulfilling a public function, schools are private places and the public have no autonomous right of entry. Schools must remain safe for pupils, staff and other members of the (school/trust) community)
- b) Being refused access to parents/ **carers'** meetings or to meet a member of staff/members of staff.
- c) Being refused email access to member(s) of staff
- d) Being refused a phone conversation unless in extreme, emergency situations.
- e) Being recorded to ensure a contemporary record is made of phone conversations.
- f) Only being permitted to speak to staff in the company of a senior member of staff.

The school/trust may decide to report the aggression to the police. In this event, it could be that the parent(s) is(are) not only removed from the site by the police, but also prosecuted under Anti-Harassment legislation.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to this Policy (and/or Appendix). The school nevertheless also reserves the right not to respond to communications from individuals subject to this policy if it is expected that the complainant's behaviour will be inappropriate.

## **Appendix C: Roles and Responsibilities**

### **Complainant**

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

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

### **Investigator**

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- ensure that any papers produced during the investigation are kept securely pending any appeal.
- be mindful of the timescales to respond.
- prepare a comprehensive report for the headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

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

### **Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)**

The complaints co-ordinator should:

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

- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure.
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- keep records.

### **Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the panel 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 panel's decision.

### **Complaints Panel Chair**

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the panel is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.  
If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed.
- key findings of fact are made.
- the 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.
- the meeting is minuted.
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## **Complaints Panel Member**

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor 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 meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting.

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The 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.

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 panel considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

## Appendix D: Complaint Form

Please copy this into a word document – boxes will expand to fit your text. If you need support with this, please contact the school/trust. Hard copies can be posted upon request.

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.

<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>Please give details of your complaint, including whether you have spoken to anybody at the school about it, and any action taken to date.</b>

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork, including electronic evidence. If so, please give details
Signature:
Date:
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Date:



## Appendix E: Complaints Policy Process (overview)

### **Concern/ complaint received:**

#### **Stage 1 (informal)**

*Complaint received by a member of staff*

- Acknowledgement of receipt of complaint (5 working days)
- Written response post investigation (15 working days)
- Complaint and outcome recorded.



Issue resolved



Issue not resolved; complainant decides to progress the complaint

#### **Stage 2 (formal)**

*Complaint received by Headteacher (or other Complaints Co-ordinator) in writing*

- Acknowledgement of written receipt of complaint in writing within 5 school working days
- Clarification of unresolved issue
- Meeting with complainant (if necessary)
- Written response post investigation within 20 school working days of receipt
- Complaint and outcome recorded



Issue resolved



Issue not resolved

#### **Stage 3 (formal)**

*Complaint received by Clerk to the LGB within 10 working days of Stage 2 completion*

- Acknowledgement of written receipt of complaint in writing within 5 school working days
- Complaints panel nominated
- Complaints panel meeting within 20 working days of Stage 3 request (max of date alternative dates can be issued)
- Written notification to all parties 5 working days before meeting
- Circulate relevant documentation 3 working days prior to meeting
- Written response post investigation within 5 school working days of meeting
- Complaint and final outcome recorded



Issue resolved

#### **Next step**

If the complainant believes the school/ Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

## **Appendix F: Complaints Procedure for Adams House (specifically for the boarding provision at Thomas Adams)**

Concerns about day to day issues are recorded by staff and managed. Feedback for such complaints is normally immediate and verbal.

**Formal stages: see appendix E**

For all stages, the process remains the same. However, if the complaint relates to the Head of Boarding then the complaint is to be directed to the Chief Executive Officer.

### **Head of Boarding**

01939 233311

[nc@thomasadams.net](mailto:nc@thomasadams.net)

Adams House  
100 High Street  
Wem  
Shropshire  
SY4 5DS

### **Chief Executive Officer**

Mr M J Barratt, C.E.O  
The 3-18 Education Trust  
Longden Road  
Shrewsbury  
SY3 9EE  
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