



# COMPLAINTS POLICY & PROCEDURE

Approved and signed by the Board of Trustees

**Summer 2024**

**RENEWAL DATE: Summer 2025**

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## CHANGES

May 2021 Policy reviewed and updated Stage 2 complaints plus minor amendments

January 2022 Policy reviewed and updated Monitor, Review and Records plus minor amendments

July 2022 Policy reviewed and minor amendments made

October 2022 Policy wording reviewed for stage 1 complaints

July 2024 Policy reviewed and process updated

## **I. INTRODUCTION**

We strive to provide a good education for all our children. The Chief Executive Officer (CEO), Heads of School (HOS) and staff work very hard to build positive relationships with all parents and carers. However, Discovery Multi Academy Trust (“the MAT”) is obliged to have procedures in place in case there are complaints by current parents or guardians, in line with the Education Independent School Standards (England) Regulations 2014, Schedule I, Part 7. The following policy sets out the procedures that our academies follow in such cases.

If any current parent or guardian is unhappy with the education or care that their child is receiving, or have any concerns relating to their child’s provision, we encourage them to talk to the child’s class teacher immediately.

We deal with all complaints in accordance with procedures recommended for academies by the government’s Education and Skills Funding Agency (January 2015). If the MAT itself cannot resolve a complaint, those concerned can refer the matter to the Education and Skills Funding Agency (ESFA). All current parents and guardians have a right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

Complaints regarding the following will not be addressed within this policy; admissions, Assessment of SEN, exclusion, whistleblowing, grievances.

## **2. AIMS AND OBJECTIVES**

Our Trust aims to be fair, open and honest when dealing with any complaint. We consider all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

If necessary, support for the complainant should be arranged, for example, translation of any of the papers provided by the Trust, or the provision of an interpreter or any arrangements necessary to give the complainant full access to the proceedings, for example if the complainant has a disability.

This policy:

- Explains the process for raising concerns
- Clarifies the process by which parents and other stakeholders should raise concerns with the school or the Trust
- Sets out the way in which concerns can be escalated to complaints
- Identifies the timeframes by which concerns and complaints will be responded to

This policy aims to:

- Enable parents and other stakeholders to raise and resolve concerns informally, knowing they will be responded to within two days
- Be clear and provide a simple process for all users to follow
- Ensure complaints are dealt with confidentially, effectively and swiftly
- Set clear timeframes, which meet statutory requirements, and enable parents to know what will happen and when
- Resolve all complaints as quickly and sensitively as possible, seeking the best solution for pupils.
- Establish how the school or Trust will record and maintain communication at each stage
- Provide a mechanism for reviewing and improving practice

### **3. ROLES AND RESPONSIBILITIES**

Parents are responsible for:

- Working cooperatively with the school or Trust to resolve complaints, informally where possible
- Communicating effectively and reasonably

Staff are responsible for:

- Responding within the expected deadlines
- Being honest where mistakes may have been made
- Responding to and feedback and recommendations to improve practice
- Meeting the needs of every child
- Sharing concerns (where appropriate) openly and in a timely way

The Head of school or CEO in the case of the Trust is responsible for:

- Responding within the expected deadlines
- Being honest where mistakes may have been made
- Responding to and feedback and recommendations to improve practice
- Meeting the needs of every child
- Sharing concerns (where appropriate) openly and in a timely way

- Holding staff to account for adhering to school policies and the code of conduct

The Local Advisory Board, or Board of Directors in the case of the Trust is responsible for:

- Identifying an appropriate, objective governor to lead investigations at Stage 3
- Carrying out investigations swiftly and impartially
- Responding within the expected deadlines
- Being honest where mistakes may have been made
- Responding to and feedback and recommendations to improve practice
- Sharing concerns (where appropriate) openly and in a timely way
- Informing the Trust Leadership Team if the head of school has not adhered to school policies and the code of conduct

The Trust is responsible for:

- Keeping the complaints policy up-to-date and ensuring it meets statutory requirements
- Ensuring schools and the Trust follows the complaints policy and process, seeking to resolve complaints swiftly and fairly
- Ensuring schools and the Trust respond to recommendations to improve practice

## 4. DEFINITION OF A COMPLAINT

A complaint is a clear expression of dissatisfaction, however made, by a person or persons with a legitimate interest in the school or Trust (but not being employed at the school or on the Local Advisory Board).

A complaint covers the following:

### **Anonymous complaints**

There is no duty for Heads of School, the CEO, Governors or Directors to pursue anonymous complaints. However, if an anonymous complaint conveys information which may be damaging to the school, it is the Head of Schools or CEO's decision whether a case needs further investigation.

### **Vexatious complaints**

The term 'vexatious' reaches wider than complaints.

It is not appropriate to make personal accusations or attacks on members of school staff, central employees, or to raise matters that are not about education or a child's well-being.

It is also not appropriate to make unsubstantiated allegations against the school, or Trust, or to behave unreasonably by not engaging with the school or Trust to attempt a joint resolution.

If the school or Trust deems a complaint to be malicious or vexatious, school leaders may respond by explaining why they consider this to be case and state that the complaint is deemed to be closed.

If a complainant attempts to reopen issues that have been dealt with through the complaints procedure it should be explained that the procedure has been exhausted.

If a complainant acts unreasonably by continuing to raise similar issues or raising a range of unrelated issues on a repeated basis, then the school or Trust can reserve the right not to respond. In these instances, however, care should be taken not to dismiss any new complaints that have been raised alongside previous complaints.

If the complainant believes that the school or Trust has acted unreasonably, they may appeal to the Department for Education.

### **Late Complaints**

Where a complaint is submitted more than 3 months after the incident or event (or where the complaint relates to a series of incidents or events, more than 3 months from the date of the latest incident or event) may be regarded as unreasonable by the Trust. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

In any of the above cases, the Complainant is entitled to write to the Chair of the Board of Trustees asking for him or her to review the decision to regard the complaint as misconceived or otherwise unreasonable. The Chair of the Board of Trustees asking or designate will respond to such a request within 10 school days of receiving it confirming the outcome of his or her review. The Chair of the Board of Trustees asking or designate will not investigate the complaint itself during this review.

If the Chair of the Board of Trustees asking or designate quashes the decision not to investigate the complaint, it will be referred to the Trust to be dealt with under this Complaints Policy in the usual way. If the Chair of the Board of Trustees asking upholds the decision not to investigate the complaint, the Complainant may refer the concern or complaint to the Education Funding Agency using the procedure stated in Section 5 of this policy.

### **Who is allowed to complain?**

This policy may be used by parents or carers of pupils currently at the school. Although there is not a statutory requirement to respond to other parties who raise a concern or complaint about the school or Trust where it is considered appropriate to respond, this policy will be followed.

Complaints from parents and carers and other stakeholders will always be investigated so that the school or Trust can ensure that all statutory duties are being met and, if not,

address the issues raised and learn from them, for example child protection issues may only come to light after the pupil has left the school.

When should this policy not be used?

Circumstances under which this procedure should not be used include:

- Pupil admissions
- Pupil exclusions
- Statutory Assessment of Special Educational Needs
- Issues related to child protection
- Criminal investigations
- Employee grievances

This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with following the normal complaints process.

## 5. STAGES OF A COMPLAINT

There are 5 stages of the complaints process:

Stage 1: Informal complaint / concern (Class teacher)

Stage 2: Referral to Head of School

Stage 3: Review by relevant member of the Local Advisory Board

Stage 4: Review by Complaints Panel

Stage 5: Review by the Discovery MAT

Summary of timescales

Stage	Description	Response
Stage 1	Discussions with relevant member of staff and/or headteacher	Acknowledged within 2 school days Usually responded to in full within 10 school days.
Stage 2	Written complaint to Head of school (see appendix 1)	Acknowledged within 2 school days Response normally within 10 school days.



Stage 3	Written complaint for the attention of the Trust Business Officer (see appendix 1) to be passed to a governor	Acknowledge within 2 school days. Response normally within 10 school days.
Stage 4	Appeal heard by Complaints' Committee Hearing of the Lab / Board (appeal to be made within 10 working days of receipt of the Stage 3 outcome letter.)	Acknowledge within 2 school days. Hearing set up within 20 school days with 10 working days' notice of meeting. Agenda and papers sent out 7 school days in advance. Decision letter within 10 school working days.
Stage 5	Written complaint to Discovery MAT	Acknowledge within 2 school days. Review of complaint process completed within 30 school days. Written response will typically be sent within 10 school days following the investigation. However, if legal advice is required, a further period of up to 30 school days may be required.

In most cases, we seek to resolve complaints informally (Stage 1) before being escalated.

In some cases at Stage 1, it may be deemed appropriate that the complaint is dealt with by the Head of school. This does not preclude the Head of School responding to the complaint more formally at Stage 2. If parents consider Stage 1 to be ineffective in resolving their complaint, they should complete the Complaint Form. (Appendix XX)

In all cases where the complaint concerns the school's Head of School directly, Stage 2 will be missed out and the complaint will be escalated directly to Stage 3.

At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

If and when complaints about the school are brought to the attention of the Trust complainants will be advised to contact the school and to follow the procedures set out in the school's complaints policy.

If stage 1-4 of the complaints process have been followed and completed in full, and parents/ carers are still unhappy, they may contact the Trust.

## **6. Outcome of complaints**

At Stages 2, 3 and 4 of the complaints procedure, the conclusion will be either:

That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.

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
- An assurance that action will be taken to prevent a recurrence of the situation leading to the complaint
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint.

Or

That the complaint is not upheld and reasons for this are clearly given.

## **7. Escalation to the next stage**

The complainant may either choose to take no further action or will be advised of how to take the complaint to the next relevant stage of the complaints policy.

After each stage, the complainant has up to 15 working days to decide whether the move to the next stage of the complaints process. If the complaint is not submitted to the next stage within this agreed time limit it will be considered as closed.

## **8. Changes to time limits and deadlines**

In most cases, the time limits and deadlines contained within this policy will be adhered to by the school or the Trust. However, in certain circumstances it may be inappropriate or impractical, for example, if an investigation cannot be conducted due to school holidays or illness.

Where a complaint leads to criminal proceedings this will always be the case, but it may also be the case where there is a need for legal advice.

If and when it becomes necessary to alter the time limits and deadlines set out within this policy, the complainant will be told and given an explanation as to why this has been the case.

## **9. Confidentiality**

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors on a 'need to know' basis.

## **10. Accompaniment**

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood. This includes the complainant's right to be accompanied by a friend or relative at discussions and hearings and/or to submit formal complaints, which have been written by another individual on their behalf.

## **11. Record of complaints**

Regulations require that a written record be kept of all complaints that are made, stating:

- whether they are resolved following a formal procedure, or proceed to a panel hearing
- any action taken by the school as a result of those complaints (regardless of whether they are upheld)

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

## **12. Complaints against the Local Advisory Board or Chair**

- complaints against individual governors are made to the Trust's Business Development Officer who will refer the matter to the clerk to the governing body. The clerk should then arrange for the complaint to be heard. This should be by the chair of governors and then a panel hearing if applicable.
- complaints against the Chair, the entire governing body or complaints involving both the chair and Vice Chair should also be sent to the Trust's Business Development Officer who will refer the complaint to the Clerk to the Trust Board. Such complaints will be addressed in principle in the same manner as those against individual schools, in line with the timescales and processes outlined. The Chair of the Board of Directors will replace the Head of School where referred to in the policy, and the Board of Directors will replace the Local CAST Board

### **13. Complaints against the Trust**

Complaints against the Trust will be addressed in principle in the same manner as those against individual schools, in line with the timescales and processes outlined. The Chief Executive or designated deputy will replace the Head of School where referred to in the policy and the Board of Directors will replace the Local Advisory Board.

Should the complaint be against or involve the Chief Executive this will be referred to the Board of Directors who will appoint an investigating officer in line with stage 3 of the policy. Should a complaint be escalated to stage 4 the Board of Directors shall appoint a panel from their membership.

### **14. Complaint Campaigns**

Occasionally, a school or the Trust may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

When such a complaint/complaints is received the Trust's Business Development Officer will ensure that the complaint(s) is investigated by the Head of School, Chair of LAB, Chief Executive Officer or Chair of Trust Board as appropriate.

Appropriate action will be taken to address any issues identified during the investigation.

The Trust's Business Development Officer with appropriate members of the Senior Executive Team or Board of Directors to identify an appropriate method to communicate the response. This may be one or both of the following:

- sending a template response to all complainants
- publishing a single response on the school's website

### **15. THE COMPLAINTS PROCESS**

#### **Stage 1: Informal complaint / concern (Class Teacher)**

Parents are encouraged to raise concerns informally.

If the concern is raised informally, parents should be clear that they would like a response. At this point, the person who received the concern will set up a Record of Concern (appendix X) and forward to the Head of School.

Informal complaints will be responded to within two days. Where possible, the first response will conclude the matter.

In the event that it is not possible to respond in full, the response will acknowledge the concern, identify a future date by when a further response will be provided and state who will be investigating the matter.

At each point of communication, it will state the next date by when a response will be received. Each communication from the school and parent response will be logged in the Record of Concern. The concern will be dealt with the staff member deemed most appropriate to resolve the concern.

Once the concern is deemed to have been resolved by the parent, the Head of School closes the record.

**To raise an informal complaint (concern), the complainant should:**

1. Speak in person or by phone, email or write to an appropriate member of staff (appropriate in that they are able to record and action the complaint).
2. If the person spoken to is able to complete a Record of Concern at the time, no further action from the complainant is required.
3. If the person spoken to is not able to complete a Record of Concern at the time, the complainant should ask for someone to contact them before the end of the current school day.
3. The member of staff will contact the complainant within two school days to acknowledge the complaint and inform the complainant who will be handling the concern
4. The person dealing with the concern will investigate, keeping the complaints co-ordinator informed about the outcome and planned response to the complainant.
5. Provide a response, normally within 5 school days.

**Response:**

The person dealing with the complaint will respond to the complainant. Usually, the response to an informal concern is verbal. The member of staff should ascertain whether the complainant feels the concern is resolved and should record what has been said.

In the event that the complainant is not satisfied with the response, he/she will be referred to the school's complaint policy and informed how to move on to Stage 2.

**Stage 2: Referral to the Head of School**

In the event that raising a concern informally does not resolve the issue, parents should complete the Record of Complaint (appendix 2) and submit it electronically for the attention of the Head of school. Additional documentation may be attached with the form.

This is the second stage of the complaints process and, as a result, all communications between parties need to be carefully recorded and monitored.

Complaints will not be considered until the following information has been collected:

- The name of the complainant

- The date and time at which complaint was made
- The details of the complaint
- The desired outcome of the complainant

By completing the Record of Complaint, we can be sure that all the required information is received and that there is a clear and traceable email trail. The Record of concern from Stage 1 will be taken into account.

When a complaint is made directly against the school's head of school, Stage 2 should be omitted and the complaint should escalate to Stage 3.

The Record of Complaint will be acknowledged within two working days, and confirm when a final response should be received (usually no later than 10 school days)

**To make a formal complaint at Stage 2, the complainant should:**

1. Ensure that this is the correct process for dealing with the complaint
2. Complete the Record of Complaint (appendix 2) ensuring that the information listed is included, and that the relevant stage is ticked.
3. Ensure that all the relevant allegations are included in the documentation as, once a complaint is investigated at Stage 2, it is not possible to change or add to the allegations.
4. Email the Record of Complaint and any relevant additional documentation to the school office for the attention of the Head of School, and requesting a read receipt.
5. Check you have received acknowledgement of your complaint within 2 school days. If not, please contact the school office to ensure it is being dealt with.

To resolve a formal complaint at Stage 2, the school should:

1. Forward the Record of Complaint to the Head of School
2. The head of School will contact the complainant within two school days to acknowledge the complaint and inform the complainant that the Headteacher will respond usually within 10 school days
3. The Head of school will investigate the complaint, keeping the complaints co-ordinator informed about the outcome and planned response to the complainant.

**Response:**

The head of school will provide the complainant with a full written response within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken.

The response will provide details of how to move on to Stage 3, if the complainant is not satisfied.

**Stage 3: Written complaint to be reviewed by a Governor**

In the event that raising a concern formally with the Head of School (Stage 2) does not resolve the issue, parents should complete the Stage 3 section of their original Record of Complaint (appendix 2) and submit it electronically, with a read receipt to the Trust office, for the attention of the Trust Business Officer. Additional documentation may be attached with the form.

The Record of Complaint will be acknowledged within two working days, and confirm when a final response should be received (usually no later than 10 school days)

**To make a formal complaint at Stage 3, the complainant should:**

1. Complete the additional section of the Record of Complaint (appendix 2), detailing why the response at Stage 2 was not sufficient
2. Email the Record of Complaint and any additional documentation to the school office, for the attention of the complaint co-ordinator.
3. Check you have received acknowledgement of your complaint within two working days. If not, please contact the school office to ensure it is being dealt with.

**Response:**

The member of the LAB will provide the complainant with a full written response, usually within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken.

#### **Stage 4: Review by a Complaints Committee**

Complaints rarely reach this formal level, but it is important that the Board of Trustees is prepared to deal with them when necessary.

Where the Governance Professional to the Board of Trustees receives a complaint under these procedures, s/he should arrange for a Complaints Committee to meet between 12 and 20 school working days from receipt of the letter. This time scale will be adhered to where possible but may be extended in order to thoroughly investigate the complaint. If this is the case, the Governance Professional; will communicate this in writing to the complainant.

The Board of Trustees should have three members to serve on the committee with reserves, to ensure that sufficient Board Members are available to hold a meeting within the specified time period. The members of their committee should elect one of their number to act as Chair of the committee for the hearing. The Chair of the Board should not be a member of the committee, as s/he will have been involved at the previous stage.

The MAT must also ensure that at least one member of the panel is independent of the management and running of the MAT.

The CEO should also be informed immediately that a complaint has been received and consulted about the proposed date of the hearing.

On issuing notification of the date and time of the hearing, the Governance Professional will need to advise the complainant and the CEO that any written documentation they wish the committee to consider will need to be submitted in time to be circulated to committee members 4 days prior to the hearing.

The complainant should be advised that they may be accompanied by a relative or friend if they wish.

Notification of the hearing should also include details of the way in which the hearing will be conducted: the hearing should be minuted, and copies of all relevant correspondence and notes, including findings and recommendations from the panel, should be kept on file by the Governance Professional. The Governance Professional will ensure that these are available on the Academy's premises for inspection by the CEO and the Head of School.

The complainant, the person complained about (where relevant) and CEO should be notified of the findings of the committee within 5 school days of the hearing.

### **Stage 5: Review of the complaints process by the Trust**

Stages 2, 3 and 4 have to be completed before a complaint can be escalated to Stage 5: referral to Discovery MAT.

Stage 5 does not provide an opportunity to repeat Stages 2, 3 and 4. However, if Discovery MAT finds that any aspect of the process was incomplete, the school may be asked to complete the process.

To request a review of the complaints process by Discovery MAT, the complainant should:

- Complete the final section of the original Record of Complaint (appendix 2)
- Submit the Record of Complaint, the responses from Stage 2, 3 and 4, along with the evidence presented at the hearing (from both sides) to [info@discoverymat.co.uk](mailto:info@discoverymat.co.uk)
- Ensure you have received an acknowledgement, the name of who will be dealing with the complaint and the timeframe by which you should receive a response

Discovery MAT should:

Contact the complainant to acknowledge the complaint, provide the name of who will be dealing with the complaint and the timeframe by which a response will be sent

The Trust Business Officer at the trust will maintain an overview of the complaint and ensure deadlines are met

The person with responsibility for handling the complaint will review the process and evaluate the way in which leaders have responded to the complainants concerns.

If the responsible person identifies that aspects of the process have been missed, or carried out ineffectively, a recommendation may be made for the school to repeat part or all of a stage. The responsible person will evaluate to what extent this has affected the outcome of the complaint.

The responsible person will respond to the complainant within 30 days of the acknowledgement. The response will comment against each stage, and identify any ways in which the process could be improved for future complaints.



This concludes the complaints process.

If the complainant is not satisfied the Secretary of State, Ofsted or the Department for Education

The Secretary of State has the power to consider complaints where the governors have acted unreasonably in the discharge of any of its statutory duties.

The Chief Inspector (Ofsted) has the power to investigate complaints about the school as a whole. (Standards of education, welfare of pupils and school management). Ofsted will not normally investigate cases to do with individual pupils. Parents may seek advice from the Department for Education at [www.dfe.gov.uk](http://www.dfe.gov.uk).

## 16. FURTHER RECOURSE

If the complainant is dissatisfied with the Board of Trustees' handling of their complaint, further recourse to other agencies is available to them outside the scope of the MAT's own procedures. However, these agencies would be unable to take any action until the MAT's own procedures have been completed.

COMPLAINT	WHO TO CONTACT
Child Protection	Plymouth City Council
Criminal Behaviour	Police
Data Protection	Information Commissioner's Office
Discrimination	Equality Advisory and Support Service
Quality of Education or Leadership	Ofsted

To the Education and Skills Funding Agency (ESFA)

You are able to complain to the ESFA if:

there is a problem with the MAT's Complaints Policy and Procedure

the MAT and/or its academies are not following the terms of their funding agreement

If you would like to contact the ESFA, please follow the link below:

<https://www.gov.uk/complain-about-school/state-schools>

The ESFA will only intervene once the MAT's own Complaint Procedure has been completed.

To Ofsted

You are able to complain to Ofsted if you think a school/nursery isn't run properly and needs inspecting. They won't look into problems with individual students, such as exclusions or not getting a place at the school/nursery.

If you would like to contact Ofsted, please follow the link below:

<https://contact.ofsted.gov.uk/online-complaints>

You should get a response within 30 working days. It will tell you if Ofsted will investigate or not, and why.

## **17. MONITORING, REVIEW AND RECORDS**

The Board of Trustees monitor the Complaints Procedure, in order to ensure that all complaints are handled properly.

The Board of Trustees takes into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all current parents and guardians, so that they can be properly informed about the complaints process.

The Head of School logs all complaints received by their academy/nursery, they will record details of action taken by the Academy as a result of the complaint (regardless whether they are upheld) and whether the complaint was resolved at Stage 1, Stage 2 or proceeded to a review by the Complaints Committee.

These records are available for inspection on the school premises by the CEO and Head of School. The CEO examines this log on a termly basis. The Board of Trustees examines this log on an annual basis.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

## **Appendix I**

### **Record of Concern**

This form is completed by the school at Stage 2. It provides a record for the school to ensure all concerns are handled effectively and, where possible, resolved at the informal stage. Please see the complaints policy for clarification.

Name	
Date	
Address	
Pupil Name/Year (if applicable)	
Relationship to pupil (if applicable)	

Pupil's address (if different from above)		
Contact number(s)	Day:	Evening:
Email address		
Details of concern		
What actions do you feel might resolve this concern? (E.g. Apology, explanation etc.)		

## Appendix 2

### Record of Complaint

Section I of this form should be completed at Stage 2 to make a formal complaint to the school. This process usually follows usually follows Stage 1. Please see the complaints policy for clarification.

Section I		
Name		
Date		
Address		
Pupil Name/Year (if applicable)		
Relationship to pupil (if applicable)		
Pupil's address (if different from above)		
Contact number(s)	Day:	Evening:
Email address		
Details of concern		
Names(s) of staff member(s) at the school to whom you have spoken about your concern?		
What action have you already taken to try to resolve the concern?		
What actions do you feel might resolve this concern? (E.g. Apology, explanation etc.)		

Please list any additional documents to be submitted with this complaint.

Section 2 of this form should be completed at Stage 3 if Stage 2 has failed to resolve the complaint. Please see the complaints policy for clarification.

Section 2	
Date	
Why was the school's response not satisfactory?	
What actions can governors take to resolve this complaint?	
Please list any documents to be submitted with this complaint.	
Please submit Sections 1 and 2 at Stage 3.	

## Appendix 3

### Complaints Panel Guidance Notes

#### Terms of Reference

The panel must be convened according to the complaints policy published by the school as part of their complaints policy.

All parties should have received a copy of the complaints policy.

#### Composition

The panel must consist of three governors previously unconnected with the case.

This would exclude the governor who was involved in Stage 3.

The chair of the panel is agreed by the panel.

The meeting must be minuted by a nominated clerk who is usually the clerk.

The minutes must be an accurate representation of what happens at the meeting. The minutes are confidential.

#### Chairperson's Introduction

1. Those present will be the panel members, the clerk, the head of school (or the person representing the school), the complainant (both parties are entitled to be accompanied by a friend or relative)
2. Welcome and introduce everyone in the room and their role in the proceedings.
3. Witnesses in support of either the school/complainant should wait outside the room until called.
4. Explain the reason for the panel being held – to offer a fresh and fair look at the complaint from stage 2 as defined in the complaints procedures.
5. Explain that the panel cannot consider new complaints at this stage.
6. Explain the structure of the meeting.
7. Explain that the panel will deliberate separately, in private, after the meeting and their conclusions will be sent out to all parties within 5 school days.
8. Ensure that everyone has a copy of the papers including a copy of the complaints procedures.
9. Check that everyone understands all of the above.

## **The Chairperson must ensure that:**

1. There is a clear written statement of the complaint which is the same as the complaint previously investigated. It may be appropriate to clarify if any aspects of the complaint fall outside the remit of the panel.
2. There is a clear statement of the outcomes desired.

## **Structure of the Meeting**

1. The complainant will be given the opportunity to explain their complaint.
2. The panel and the Head of school (or person representing the school) will be allowed to ask the complainant questions.
3. The Head of school (or person representing the school), will be given the opportunity to present the school's response, interpretation or view about the complaint.
4. The panel and the complainant will be allowed to ask the Head of school (or person representing the school) questions.
5. At the panel's discretion, witnesses may be called and heard in support of either party's representations, and if so may be questioned by the panel and either party.
6. The complainant will be given the opportunity to make a final statement.
7. The Head of school (or person representing the school) will be given the opportunity to make a final statement.
8. The Chairperson will confirm with both parties that they have had the opportunity to put their case.
9. The Chairperson will thank all for attending and explain that the panel will deliberate separately in private and a letter setting out the panel's conclusions will be sent out within 5 school days.

## **Deliberation and Conclusion**

1. The main points of the complaint must all be addressed.
2. For each point, the panel need to explain their findings based on fact where possible.
3. The panel need to consider the outcomes requested and agree or disagree giving reasons.
4. The panel can make recommendations to either the Head of school or LAB.
5. The concluding letter must be signed by the Chairperson of the panel.
6. It will be sent out promptly and within 5 schools days of the meeting.

7. The letter should indicate that this is the final stage of the schools' internal complaints procedure. Where relevant, it should refer the complaint to other available avenues if dissatisfied with the outcome.

## **18. COMMUNICATING THIS POLICY**

This policy will be listed on each organisations website, as well as on the Discovery MAT website, as well as being made available in a paper format on request at the school/nursery office.

This policy will be reviewed every two years, or before if necessary.