



Castle View  
Enterprise  
Academy

## Academy Complaints Policy

<b>Author's Name</b>	CVEA and Gateshead
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### **SIGNATURES:**

<b>Principal</b>	<i>Mrs J. Owens</i>
<b>Chair of Governors</b>	<i>Mrs H. Mottram</i>

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## **1. Introduction**

- 1.1 In accordance with Section 7 of the Education (Independent Academy Standards) Regulations 2014, all academies must have, and make available to parents of pupils, written procedures to deal with all complaints that include timelines and provision for a complaint to be made and considered informally, formally in writing and then to be heard by a complaints panel.
- 1.2 All complaints will be dealt with in confidence and matters put to the trust board's Complaints committee will remain confidential to those committee members. Anyone wishing to make a complaint is also expected to keep the matter confidential and not refer to it publicly, including but not limited to the press and social media platforms. 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.
- 1.3 Complainants should not approach individual trustees to raise concerns or complaints. They have no power to act on an individual basis and having prior knowledge of a complaint will prevent the trustee from being able to sit on a panel at a later stage of the complaints process. Complainants should always be advised to follow the process laid out in this policy.

## **2. General principles of this Academy Complaints Policy**

- 2.1 The policy is not limited to parents or carers of children that are registered at the Academy, and any person, including members of the public (but excluding members of staff), may raise a complaint under this policy.
- 2.2 The aim of the policy is to bring about a resolution and/or reconciliation, as informally and quickly as may be reasonably possible. It is intended to be investigatory, not adversarial, and to allow for an impartial, transparent and fair investigation to be undertaken where an informal resolution is not possible. Those responsible for investigating and responding to a complaint will aim to address the concerns raised, provide an effective response and consider any redress that might be necessary.
- 2.3 Where a complaint cannot be resolved informally, or following investigation, and is referred to a panel of trustees at Stage 3 of this policy, complainants are entitled to bring someone along to the meeting to provide support. It is recommended that neither the complainant nor the Academy bring legal representation, as the committee meeting is not a form of legal proceedings and is aimed at reconciliation and addressing concerns of the complainant. There may be occasions where legal representation may be appropriate, for example where a Academy employee is acting as a witness they may be entitled to bring union or legal representation.
- 2.4 To be compliant with part 7, item 33(g) of the Education (Independent Academy Standards) Regulations 2014, "where there is a panel hearing of a complaint, one

panel member **must** be independent of the management and running of the Academy” to ensure that the panel has the benefit of an external source of scrutiny and challenge in its consideration of the complaint. The independent panel member therefore should not be a member, trustee or employee of the Academy, or any person who has a clear connection with the Academy (for example, a solicitor who routinely handles legal matters for the Academy). For Academics within a MAT, it is suggested that the independent panel member should have no association with the trust board, but a trustee from another Academy within the MAT who has no conflict of interest or prior knowledge of the complaint can be an independent panel member (as they would have no direct involvement with the management and running of the Academy being complained about).

- 2.5 Complaints meetings will go ahead where the complainant is unable (or does not wish) to attend, as long as reasonable attempts to accommodate complainants with dates for the meeting have been made.
- 2.6 Complaints meetings can be held virtually if it is not reasonably practicable to meet in person, if all the participants agree to the use of remote access, have access to the technology which will allow them to hear and speak throughout the meeting (and to see and be seen, if a live video link is used) and are able to put across their point of view or fulfil their function, and if the meeting can be held fairly and transparently via remote access.
- 2.7 Throughout the policy, “clerk” refers to the clerk of the Complaints committee and “Governance Professional” refers to the Governance Professional of the trust board (the clerk of the Complaints committee may be the trust’s Governance Professional, or the Complaints committee may be clerked by the Academy).
- 2.8 For any references to trustees and trust boards, read local committee governors and Local Committees for MATs.

### **3. Matters that are not covered by this Academy Complaints Policy**

The following matters cannot be considered under this Academy Complaints Policy. There are separate policies and procedures that deal with them.

- 3.1 Admissions to Academies - complaints about admission appeals at academies are dealt with by the DfE.
- 3.2 Statutory assessments of special educational needs - any concerns should be raised directly with the local authority.
- 3.3 Matters likely to require a child protection investigation - complaints about child protection matters should be handled under the Academy’s Child Protection and Safeguarding Policy and in accordance with the relevant statutory guidance. Complaints can be referred to the LADO (Local Authority Designated Officer) or the MASH (Multi-Agency Safeguarding Hub).

- 3.4 Exclusion of children from Academy – further information about raising concerns about exclusions is available in the [Academy discipline and exclusion](#) guidance. Complaints about the application of the Behaviour Policy can be made through this policy.
- 3.5 Whistleblowing – Academics will have an internal Whistleblowing Policy for employees, temporary staff and contractors.
- 3.6 Staff grievances – these are dealt with under the Academy’s Grievance Policy.
- 3.7 Staff conduct complaints – complaints about staff to do with capability or disciplinary issues are dealt with by the Principal under the appropriate policy. Complainants will not be informed of any capability or disciplinary action taken against a staff member as a result of a complaint, but complainants should be notified that the matter is being addressed.
- 3.8 Complaints about services provided by other providers who may use Academy premises or facilities – Academics should ensure that any third party providers have their own complaints procedures in place if they are using Academy premises or facilities to offer community facilities or services, and should direct complainants to follow the external provider’s own complaints procedure.
- 3.9 Withdrawal from the curriculum – if parents or carers are not satisfied with the handling of a request to withdraw their child from any aspect of R.E.

#### **4. Procedures to be followed for concerns or complaints falling under this policy**

##### **Informal discussion with staff or SLT**

Parents/carers are requested to raise any concerns they have directly with their child’s teacher or an appropriate member of staff. The best method of communication is by emailing [enquiries@cvea.co.uk](mailto:enquiries@cvea.co.uk) Most concerns can and should be addressed and resolved in this way.

If the situation is not resolved there is a hierarchy of staff to speak to:

Head of Year

Pastoral Manager

SLT links

##### **Stage 1 - Discussion with the Principal**

- 4.1 If they remain unhappy they should make an appointment to speak to the Principal. Occasionally a resolution is not reached or the matter is too serious to be resolved in this way, and this document outlines the formal procedure which should then be followed.

- 4.2 If the complainant is not satisfied with the outcome at Stage 1, they must put their complaint in writing (using Complaint Form 1 at Appendix 1 of this policy), within **three calendar months** of the incident so it can be considered under Stage 2 of this policy. The complainant should include details which will assist the investigation, and copies of any relevant documents, as well as the outcome they are looking for in order to resolve the complaint. The complaint should be sent to the Academy addressed to the Principal (if the complaint is about a member of staff), the Chair of Trustees (if the complaint is about the Principal or a trustee) or the Vice-Chair (if the complaint is about the Chair of Trustees). If the complainant is unable to do this, they should ask somebody to transcribe and/or submit the form on their behalf, and the Academy should offer to do this if requested. The Principal or Chair of Trustees should ask someone else to investigate on their behalf if there is a conflict of interest.

**STAGE 2A – This applies where the complaint relates to a member of staff in the Academy**

**STAGE 2B - This applies where the complaint relates to the Principal, CEO or a member of the trust board**

**STAGE 2C - This applies where the complaint relates to the Chair of Trustees**

**STAGE 2D - This applies where the complaint relates to the trust board**

**STAGE 2E - Formal Investigation by an independent Investigating Officer**

**Stage 2A - Formal Investigation by the Principal as Investigating Officer**

- 4.3 The process will be as follows:

- A written complaint should be addressed to the Principal at the Academy, and will be acknowledged in writing by the Principal (using Acknowledgement Letter 1 at Appendix 4 of this policy) within **5 Academy days** of receipt of Complaint Form 1, stating that it will be investigated;
- The member of staff concerned will be informed that a complaint has been received and informed that an investigation will be carried out;
- It is important that the nature of the complaint is clearly understood, and the Principal may meet with the complainant to clarify the complaint. The complainant may be accompanied by a friend or relative if they wish;
- The Principal will investigate and collect any evidence necessary. Where this involves an interview with a member of staff, they may be accompanied by a friend/representative;
- Pupils should only be interviewed where the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available;
- The member of staff concerned will be provided with a copy of the complaint and supporting information, including evidence collected by the Principal. Once they have had an opportunity to consider it, the member of staff concerned will be invited to meet with the Principal to present their view and any supporting evidence. The member of staff concerned may be accompanied at this meeting by a friend or representative;
- Within **10 Academy days** of sending the acknowledgement letter, the Principal will write to the complainant and the member of staff giving the outcome of

the investigation and the Principal's decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

- 4.4 If the complainant is dissatisfied with the Principal's decision and/or the way in which the Principal investigated the complaint, they may ask the trust board's Complaints committee to consider those matters under Stage 3 of this policy.

#### **Stage 2B - Formal Investigation by the Chair of Trustees as Investigating Officer**

- 4.5 The process will be as follows:

- A written complaint should be addressed to the Chair of Trustees at the Academy and will be acknowledged in writing by the Chair of Trustees (using Acknowledgement Letter 2 at Appendix 5 of this policy) within **5 Academy days** of receipt of Complaint Form 1, stating that it will be investigated;
- The Principal, CEO or trustee concerned will be informed that a complaint has been received and informed that an investigation will be carried out;
- It is important that the nature of the complaint is clearly understood, and the Chair of Trustees may meet with the complainant to clarify the complaint. The complainant may be accompanied by a friend or relative if they wish;
- The Chair of Trustees will investigate and collect evidence as necessary. This may include interviewing witnesses;
- Pupils should only be interviewed where the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available;
- The Principal, CEO or trustee concerned will be provided with a copy of the complaint and supporting information, including evidence collected by the Chair of Trustees. Once they have had an opportunity to consider it, the Principal, CEO or trustee will be invited to meet with the Chair of Trustees to present their view and any supporting evidence. The Principal, CEO or trustee may be accompanied at this meeting by a friend or representative;
- Within **10 Academy days** of sending the letter of acknowledgement, the Chair of Trustees will write to the complainant and the Principal, CEO or trustee, giving the outcome of the investigation and the decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

- 4.6 If the complainant is dissatisfied with the Chair of Trustees' decision and/or the way in which they investigated the complaint, they may ask the trust board's Complaints committee to consider those matters under Stage 3 of this policy.

#### **Stage 2C - Formal Investigation by the Vice-Chair as Investigating Officer**

- 4.7 The process will be as follows:

- A written complaint should be addressed to the Vice-Chair at the Academy and will be acknowledged in writing by the Vice-Chair (using Acknowledgement Letter 3 at Appendix 6 of this policy) within **5 Academy days** of receipt of Complaint Form 1, stating that it will be investigated;
- The Chair of Trustees will be informed that a complaint has been received and informed that an investigation will be carried out;
- It is important that the nature of the complaint is clearly understood, and the Vice-Chair may meet with the complainant to clarify the complaint. The complainant may be accompanied by a friend or relative if they wish;
- The Vice-Chair will investigate and collect evidence as necessary. This may include interviewing witnesses;
- Pupils should only be interviewed where the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available;
- The Chair of Trustees will be provided with a copy of the complaint and supporting information, including evidence collected by the Vice-Chair. Once they have had an opportunity to consider it, the Chair of Trustees will be invited to meet with the Vice-Chair to present their view and any supporting evidence. The Chair of Trustees may be accompanied at this meeting by a friend or representative;
- Within **10 Academy days** of sending the letter of acknowledgement, the Vice-Chair will write to the complainant and the Chair of Trustees, giving the outcome of the investigation and the decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

4.8 If the complainant is dissatisfied with the Vice-Chair's decision and/or the way in which they investigated the complaint, they may ask the trust board's Complaints committee to consider those matters under Stage 3 of this policy.

#### **Stage 2D - Formal Investigation by the CEO as Investigating Officer**

4.9 The process will be as follows:

- A written complaint should be addressed to the CEO at the Academy and will be acknowledged in writing by the CEO (using Acknowledgement Letter 4 at Appendix 7 of this policy) within **5 Academy days** of receipt of Complaint Form 1, stating that it will be investigated;
- The trust board will be informed that a complaint has been received and informed that an investigation will be carried out;
- It is important that the nature of the complaint is clearly understood, and the CEO may meet with the complainant to clarify the complaint. The complainant may be accompanied by a friend or relative if they wish.
- The CEO will investigate and collect evidence as necessary. This may include interviewing witnesses;

- Pupils should only be interviewed where the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available;
- The trust board will be provided with a copy of the complaint and supporting information, including evidence collected by the CEO. Once they have had an opportunity to consider it, the trust board will be invited to meet with the CEO to present their view and any supporting evidence;
- Within **10 Academy days** of sending the letter of acknowledgement, the CEO will write to the complainant and the trust board, giving the outcome of the investigation and the decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

4.10 If the complainant is dissatisfied with the CEO's decision and/or the way in which they investigated the complaint, they may ask the trust board's Complaints committee to consider those matters under Stage 3 of this policy.

### **Stage 2E - Formal Investigation by an independent Investigating Officer**

In instances where a complaint is against a trust board as a whole; where all trustees are invalidated from participating in an investigation; or where it is deemed that the Investigating Officer should be completely independent of the Academy, there may be a need for Governor Support to source an independent Investigating Officer. This may be someone who is or was a trustee/governor in another Academy.

4.11 The process will be as follows:

- A written complaint should be addressed to the Governance Professional of the trust board at the Academy and will be acknowledged in writing by the Governance Professional of the trust board (on behalf of the independent Investigating Officer) using Acknowledgement Letter 5 at Appendix 8 of this policy) within **5 Academy days** of receipt of Complaint Form 1, stating that it will be investigated;
- The Chair of Trustees will be informed that a complaint has been received and informed that an investigation will be carried out;
- It is important that the nature of the complaint is clearly understood, and the independent Investigating Officer may meet with the complainant to clarify the complaint. The complainant may be accompanied by a friend or relative if they wish;
- The independent Investigating Officer will investigate and collect evidence as necessary. This may include interviewing witnesses;
- Pupils should only be interviewed where the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available;
- The Chair of Trustees will be provided with a copy of the complaint and supporting information, including evidence collected by the independent Investigating Officer. Once they have had an opportunity to consider it, the Chair of Trustees will be invited to meet with the independent Investigating Officer to present their view and any supporting evidence. The Chair of

Trustees may be accompanied at this meeting by a friend or representative;

- Within **10 Academy days** of sending the letter of acknowledgement, the independent Investigating Officer will write to the complainant and the Chair of Trustees, giving the outcome of the investigation and the decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

- 4.12 If the complainant is dissatisfied with the independent Investigating Officer's decision and/or the way in which they investigated the complaint, they may ask the trust board's Complaints committee to consider those matters under Stage 3 of this policy.

**Stage 3- Formal meeting by the trust board's Complaints committee (a panel of trustees will only consider a matter that has already been investigated at stage 2)**

- 4.13 The reasons for dissatisfaction must be put in writing (using Complaint Form 2 at Appendix 2 of this policy), and this will provide the focus of the trust board's Complaints committee's meeting. The complainant must send Form 2 to the Academy addressed to the Governance Professional of the trust board within **15 Academy days** of receipt of the decision letter sent to them by the Investigating Officer. If the complainant is unable to do this, they should ask somebody to transcribe and/or submit the form on their behalf, and the Academy should offer to do this if requested. The form should state if there are any dates and times in the following 2 months that the complainant would be unavailable to attend a committee meeting. The Governance Professional of the trust board will inform the Academy as soon as Complaint Form 2 has been received, so it can be passed onto the clerk to the Complaints committee.

- 4.14 Where a complaint is investigated by an independent Investigating Officer at stage 2D, or where circumstances dictate that a Academy has difficulty in arranging a panel meeting with its own trustees/governors in a timely manner, there may be a need for Governor Support to source an independent Complaints committee (or additional independent trustees/governors to supplement the trust board's complaint panel).

**Resolving a concern or complaint**

- 4.15 Options for resolving the concern or complaint include:
- An acknowledgement that the complaint is valid in whole or in part (or not as appropriate);
  - An explanation;
  - An admission that the situation could have been handled differently or better;
  - An assurance that the Academy will try to ensure the event complained of will not recur;
  - An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;

- An undertaking to review Academy policies in light of the complaint;
- An apology.

### **The DfE's role in relation to complaints about academies**

4.16 If the Academy Complaints Policy has been exhausted and the complainant remains dissatisfied following the outcome of Stage 3, they have the right to refer the matter to the DfE. They will only intervene if the complaint has gone through the complaints procedure and been heard by a panel of trustees (if it hasn't they will not consider any such complaint and will refer the complainant back to the Academy's Academy Complaints Policy), and if they then believe that in considering the complaint the panel has acted unlawfully or unreasonably, or the Academy has breached a clause in its funding agreement. They will not:

- Overturn the trust board's decision;
- Re-investigate the original complaint;
- Review the accuracy of minutes taken or documents provided;
- Order that compensation is paid;
- Direct the Academy to discipline/exclude pupils;
- Force the Academy to discipline/dismiss staff;
- Instruct the Academy to apologise.

Any action if appropriate will typically be limited to explaining the legislative framework and what it means in practice at the Academy level, or recommending improvements to statutory Academy policies.

Complainants can refer their complaint to the DfE online at [https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education), by telephone on 0370 000 2288, or by writing to:

Academy Complaints and Customer Insight Unit  
 Department for Education  
 Cheylesmore House  
 5 Quinton Road  
 Coventry  
 CV1 2WT

## **5. Managing serial and persistent complaints**

5.1 If a complainant remains dissatisfied following the conclusion of the complaints procedure and tries to re-open the same issue, Academics can inform them that the procedure has been completed and the matter is now closed. If the complainant contacts the Academy again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the Academy may choose not to respond. A complaint should not be marked as 'serial' before the complainant has completed the complaints procedure, nor for the complainant exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

- 5.2 Academics should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking should be against the subject or complaint itself, rather than the complainant.
- 5.3 Staff are not expected to tolerate unacceptable behaviour and the Academy will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Unreasonable behaviour is defined as that which hinders the Academy's consideration of complaints because of the frequency or nature of the complainant's contact with the Academy, 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 a complaints procedure
  - Insists on the complaint being dealt with in ways which are incompatible with the Academy Complaints Policy or with good practice
  - Introduces trivial or irrelevant information which the complainant expects 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 a complaint where the Academy's Academy Complaints Policy has been fully and properly implemented and completed including referral to the Department for Education
  - Seeks an unrealistic or unachievable outcome
  - Makes excessive demands on Academy 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
  - Uses abusive, offensive or discriminatory language or violence
  - Knowingly provides falsified information
  - Publishes unacceptable information on social media or other public forums.
- 5.4 Complainants should try to limit their communication with the Academy 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.
- 5.5 Whenever possible, the Principal or Chair of Trustees/Vice-Chair/CEO as Investigating

Officer will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

5.6 If the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Academy causing a significant level of disruption, the Academy may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

5.7 Academics may stop responding to complainants only if all of the following apply:

- Every reasonable step has been taken to address the complainant's concerns
- The complainant has been given a clear statement of the Academy's position and their options
- The complainant contacts the Academy repeatedly, making substantially the same points each time

The case to stop responding is stronger if any one of the following applies:

- The complainant's letters, e-mails or telephone calls are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- The Academy has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience

Academics should not stop responding just because an individual is difficult to deal with or asks complex questions. If a Academy has decided it is appropriate to stop responding, they need to inform the individual.

5.8 If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, Academics can implement a tailored communication strategy. For example, they can restrict the individual to a single point of contact via an e-mail address, and/or limit the number of times they can make contact, such as a fixed number of contacts per term. It can be suggested that complainants who are difficult to deal with ask a third party to act on their behalf, such as the local Citizen's Advice.

5.9 If an individual's behaviour persists to the point that may constitute harassment, Academics should seek legal advice. In some cases, injunctions and other court orders can be issued to individuals preventing them from contacting Academics direct.

5.10 In response to any serious incident of aggression or violence, the Principal will immediately inform the police and communicate the Academy's actions in writing. This may include barring an individual from the Academy.

## **6. Stage 3 panel meeting**

### **Actions for the clerk of the Complaints committee**

6.1 The process for the committee clerk will be as follows:

- A written complaint will be acknowledged in writing by the clerk within **5 Academy days** of receipt of Complaint Form 2, (using Acknowledgement Letter 6 at Appendix 9 of this policy). The letter should state that it will be considered by a panel of trustees, usually no sooner than **12 Academy days** and no later than **20 Academy days** from the date that the acknowledgement letter is sent, and should be cc'ed to the Principal and Chair of Trustees (and the Investigating Officer, if the investigation was not carried out by either);
- Within **5 Academy days** of sending the acknowledgement letter, the clerk will arrange a panel of three (two trustees and an independent panel member) to consider the complaint, to meet usually no sooner than **12 Academy days** and no later than **20 Academy days** from the date that the acknowledgement letter is sent;
- The clerk should check whether trustees have a conflict of interest (including, but not limited to, being in a relationship with the complainant or having an involvement in the incident that is the basis for the complaint) that would prevent them from sitting on the panel. If they do, they should declare this conflict of interest to the clerk and not sit on the panel. Staff members who are trustees should also not sit on the panel – where there aren't enough trustees to form a panel, trustees from another trust board can be used. Academies **must** ensure that one panel member is independent of the management and running of the Academy;
- The clerk should ensure that the Investigating Officer is available to attend the meeting to explain to the panel the decision made, and the reasons for it, as a result of the investigation that took place at Stage 2;
- When the panel is set up within **5 Academy days** of the acknowledgement letter being sent, the clerk will write an invitation letter (using the Invitation Letter at Appendix 10 of this policy) to the complainant, the Principal and Chair of Trustees (and the Investigating Officer, if the investigation was not carried out by either). The letter should:
  - State the meeting date, time and location, and the names of the panel members;
  - Advise all parties of their right to be accompanied to the meeting by a friend/adviser;
  - State that the meeting will go ahead in the absence of the complainant, unless a reason for absence acceptable to the committee is presented prior to or at the beginning of the meeting;
  - Request copies of any supporting documents to be submitted and the names of any witness(es) that all parties wish to call **6 Academy days** prior to the meeting date, to allow the clerk to send out the meeting agenda and papers **5 Academy days** prior to the meeting. It is the Principal's decision whether or not to ask members of Academy staff to attend the meeting, subject to the discretion of the committee chair;
- **5 Academy days** prior to the meeting, the clerk will send out the meeting agenda and papers to all attendees, including the following:
  - a cover sheet stating the meeting date, time and location, names of all participants in the meeting including the clerk, complainant,

Investigating Officer, panel members and any witnesses, and a table of contents;

- procedure for the meeting;
- a copy of the complaint and any supporting documents which have been received from any of the participants;
- a copy of the Academy's Academy Complaints Policy as published on the Academy's website at the time the complaint was submitted

### **Guidance for panel members**

- 6.2 It is important that the committee meeting is independent and impartial, and that it is seen to be so.
- 6.3 The aim of the meeting, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the Academy and the complainant. However, it must be recognised 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 which will satisfy the complainant that his or her complaint has been taken seriously.
- 6.4 While this is a formal process, the meeting should be as informal as possible and not be inhibiting or intimidating to the complainant, as many complainants will feel nervous and inhibited in a formal setting. Parents/carers also often feel emotional when discussing an issue that affects their child. The committee Chair will ensure that the proceedings are as welcoming as possible.
- 6.5 Everyone must be treated with respect and courtesy and both the complainant and the Investigating Officer should be given the opportunity to state their case without undue interruption. Exceptionally, in situations of undue aggression, or where relationships have deteriorated to the point that a meeting is unlikely to be able to make reasonable progress, the committee may hear the parties' statements separately, i.e. with only one party present, in turn, before calling them together for questions to be put. In this situation, it is important that no additional information is introduced that is not made available to the other party.
- 6.6 Information relating to the complaint and the meeting is confidential and should not be discussed outside of the committee meeting by any party.

### **Proceedings and actions for panel members**

Fifteen minutes prior to the meeting, committee members should meet at the venue to discuss any points that may need clarifying with the clerk. The clerk will remain with the panel throughout the process to give advice to the panel.

- 6.7 The process for the committee Chair will be as follows (with the committee Chair using the "PROCEDURE AT COMPLAINT COMMITTEE MEETING" document at Appendix 3 of

this policy for guidance):

- Ensure that prior to the meeting, no party is left alone with the committee members other than the clerk;
- Invite all parties to enter the room and welcome everyone, and invite those present to introduce themselves;
- Check that the complainant received the papers and a copy of the meeting procedure in advance;
- Explain the remit of the panel, and that the aim of the meeting is to resolve the complaint and achieve reconciliation between the Academy and the complainant;
- Summarise the procedure to be followed and provide any clarification requested, and explain that the trustees' complaints committee will consider the reasons for the complainant's dissatisfaction as given in writing in Form 2;
- Invite the complainant to confirm that the complaint is as set out on their form/letter and the resolution they are seeking;
- Take control of the meeting and ensure it is conducted fairly according to the policy;
- Explain that the panel are to remain impartial during the course of the meeting, and that any participant may be asked to leave the meeting if their behaviour becomes unacceptable, abusive or offensive, and the meeting concluded in their absence;
- State that papers distributed in advance will be taken as read and ask all parties to refer to them by page number and not quote from them at length;
- Invite the complainant to give the reason for their dissatisfaction with the outcome of stage 2, drawing key points to the committee's attention. This should only refer to information that has already been submitted;
- Should the complainant wish to call witnesses, the committee Chair will consider each request individually, consulting committee members as appropriate. Each witness, having contributed their information, may be questioned by the Investigating Officer and the committee members in turn, and the witness will then leave the meeting;
- Invite the Investigating Officer to question the complainant on what has been presented;
- Invite committee members to question the complainant on what has been presented;
- Invite the Investigating Officer to give details of their investigation, similarly considering each request to call witnesses as above;
- Invite the complainant to question the Investigating Officer on what has been presented;
- Invite committee members to question the Investigating Officer on what has been presented;
- Invite the complainant to sum up and make a final statement. New information is not to be introduced;
- Invite the Investigating Officer to sum up and make a final statement. New information is not to be introduced;
- Tell parties that the committee will now consider its decision, and the clerk will communicate that decision in writing within **5 Academy days**;

- Ask all parties to leave the meeting so the committee can consider the complaint and evidence presented, reach a decision and agree the reasons for that decision. The clerk remains to advise the committee and record its decision.

**Appendix 1**

**COMPLAINT FORM 1 – to be sent to the Academy for the attention of the Principal (if the complaint is about a member of staff), the Chair of Trustees (if the complaint is about the Principal or a trustee), the Vice-Chair (if the complaint is about the Chair of Trustees), the CEO (if the complaint is about the trust board) or the Governance Professional of the trust board (if the complaint is about the trust board as a whole)**

<b>Name:</b>	
<b>Address:</b>	
<b>Post code:</b>	
<b>Daytime tel. no:</b>	<b>E-mail address:</b>
<b>Date of the incident complained of:</b>	
<b>I wish to complain about a (please circle one):</b>	
<b>Staff member</b>	<b>Principal</b>
<b>Trustee</b>	<b>Chair of Trustees</b>
<b>Trust board</b>	
<b>Name of the staff member/Principal/Trustee that I wish to complain about:</b>	

**Please summarise your complaint:**

**Please summarise what outcome(s) you seek:**

**The names of your witnesses must be given here:**

**Part 1** - please continue on a separate sheet if necessary. Any supporting documents should be submitted with this form, including any witness statements.

**COMPLAINT FORM 2 to be sent to the Academy for the attention of the Governance Professional of the trust board**

**Name**

**Please summarise the reason(s) for your dissatisfaction with the outcome of the investigation of your complaint at Stage 2:**

**Please state what outcome(s) you seek:**

**The names of your witnesses must be given here:**

**Dates and times that I would not be able to attend the committee meeting in the next 2 months:**

Please note, the trustees' complaints committee will not consider this form at Stage 3 until the complaint has been investigated at Stage 2.

Please continue on a separate sheet if necessary. Any supporting documents should be submitted with this form, including any witness statements.

**PROCEDURE AT COMPLAINT COMMITTEE MEETING**

***Before the meeting begins, during the pre-meeting of the committee and during any adjournment of the meeting, no member of the committee should be alone with any party (i.e. member of staff, Principal, trustee or witness), except for the clerk***

At the start of the meeting, all parties should enter the room together

Welcome – committee Chair asks those present to introduce themselves

Committee Chair explains the point of the meeting, that the panel are to resolve the complaint, and achieve reconciliation between the Academy and the complainant. The committee Chair will explain that the panel are to remain impartial during the course of the meeting, and that any participant may be asked to leave the meeting if their behaviour becomes unacceptable, abusive or offensive, and the meeting concluded in their absence. The committee Chair will then:

- Ask parent(s)/or their representative/or both to present their case (with witnesses where appropriate), and to confirm the outcome that they are seeking
- Invite parties (i.e. Investigating Officer and committee members) to ask the parent questions
- Ask the Investigating Officer to present their case (with witnesses where appropriate)
- Invite parties (i.e. parent(s), parent's representative and committee members) to ask the Investigating Officer questions

***All parties are requested to make notes during the meeting, refrain from interrupting others and to ask questions at the appropriate times during the meeting.***

- Check that all points either party wishes to raise have been covered
- Ask the parent(s)/or their representative/or both to sum up if they wish to (new information is not to be introduced)
- Ask the Investigating Officer to sum up if they wish to (new information is not to be introduced)
- Tell parties that the committee will now consider its decision, and the clerk will communicate that decision to them in writing within **5 Academy days**

- Ask all parties to leave the meeting so the committee can consider the complaint and evidence presented, reach a decision and agree the reasons for that decision. The clerk remains to advise the committee and record its decision

**Acknowledgement letter 1**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

**Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint about a member of staff – [name of Academy]**

I am writing to acknowledge receipt of Complaint Form 1, and to let you know that I will investigate this complaint as Investigating Officer. It is important that the nature of the complaint is clearly understood, and I may need to meet with you or contact you to clarify the complaint. If we meet to discuss this complaint formally, you may be accompanied by a friend or relative if they wish.

I will investigate and collect any evidence necessary. The member of staff concerned will be provided with a copy of the complaint and supporting information, including evidence collected by myself. Once they have had an opportunity to consider it, the member of staff concerned will be invited to meet with me to present their view and any supporting evidence.

Within **10 Academy days** of the date on this acknowledgement letter, I will write to you and the member of staff giving the outcome of my investigation and my decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

Yours sincerely,

[Name of Principal]

Principal & Investigating Officer [name of Academy]

**Acknowledgement letter 2**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

**Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint about the Principal, CEO or a member of the trust board – [name of Academy]**

I am writing to acknowledge receipt of Complaint Form 1, and to let you know that I will investigate this complaint as Investigating Officer. It is important that the nature of the complaint is clearly understood, and I may need to meet with you or contact you to clarify the complaint. If we meet to discuss this complaint formally, you may be accompanied by a friend or relative if they wish.

I will investigate and collect any evidence necessary. The Principal/CEO/member of the trust board [delete as appropriate] will be provided with a copy of the complaint and supporting information, including evidence collected by myself. Once they have had an opportunity to consider it, the Principal/CEO/member of the trust board [delete as appropriate] concerned will be invited to meet with me to present their view and any supporting evidence.

Within **10 Academy days** of the date on this acknowledgement letter, I will write to you and the Principal/CEO/member of the trust board [delete as appropriate] giving the outcome of my investigation and my decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

Yours sincerely,

[Name of Chair of Trustees]

Chair of Trustees & Investigating Officer [name of Academy]

### **Acknowledgement letter 3**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

#### **Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint about the Chair of Trustees – [name of Academy]**

I am writing to acknowledge receipt of Complaint Form 1, and to let you know that I will investigate this complaint as Investigating Officer. It is important that the nature of the complaint is clearly understood, and I may need to meet with you or contact you to clarify the complaint. If we meet to discuss this complaint formally, you may be accompanied by a friend or relative if they wish.

I will investigate and collect any evidence necessary. The Chair of Trustees will be provided with a copy of the complaint and supporting information, including evidence collected by myself. Once they have had an opportunity to consider it, the Chair of Trustees will be invited to meet with me to present their view and any supporting evidence.

Within **10 Academy days** of the date on this acknowledgement letter, I will write to you and the Chair of Trustees giving the outcome of my investigation and my decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

Yours sincerely,

[Name of Vice-Chair]

Vice-Chair & Investigating Officer [name of Academy]

**Acknowledgement letter 4**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

**Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint about the trust board – [name of Academy]**

I am writing to acknowledge receipt of Complaint Form 1, and to let you know that I will investigate this complaint as Investigating Officer. It is important that the nature of the complaint is clearly understood, and I may need to meet with you or contact you to clarify the complaint. If we meet to discuss this complaint formally, you may be accompanied by a friend or relative if they wish.

I will investigate and collect any evidence necessary. The trust board will be provided with a copy of the complaint and supporting information, including evidence collected by myself. Once they have had an opportunity to consider it, the trust board will be invited to meet with me to present their view and any supporting evidence.

Within **10 Academy days** of the date on this acknowledgement letter, I will write to you and the trust board giving the outcome of my investigation and my decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

Yours sincerely,

[Name of CEO]

CEO & Investigating Officer [name of Academy]

**Acknowledgement letter 5**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

**Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint about the whole trust board – [name of Academy]**

I am writing to acknowledge receipt of Complaint Form 1, and to let you know that I will investigate this complaint as Investigating Officer. It is important that the nature of the complaint is clearly understood, and I may need to meet with you or contact you to clarify the complaint. If we meet to discuss this complaint formally, you may be accompanied by a friend or relative if they wish.

I will investigate and collect any evidence necessary. The Chair of Trustees will be provided with a copy of the complaint and supporting information, including evidence collected by myself. Once they have had an opportunity to consider it, the Chair of Trustees will be invited to meet with me to present their view and any supporting evidence.

Within **10 Academy days** of the date on this acknowledgement letter, I will write to you and the Chair of Trustees giving the outcome of my investigation and my decision on the complaint, or explaining why this cannot be achieved within the **10 Academy days** and giving a reasonable date by which the outcome of the investigation will be sent in writing.

Yours sincerely,

[Name]

Investigating Officer [name of Academy]

**Acknowledgement letter 6**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

**Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint – [name of Academy]**

I have received Complaint Form 2 which states that you are not satisfied with the outcome of the investigation carried out by the Investigating Officer. I received Complaints Form 2 on [date], and I am writing as stated in the Academy's Academy Complaints Policy to acknowledge receipt, and to advise you that your complaint will be investigated by a panel of trustees usually no sooner than **12 Academy days** and no later than **20 Academy days** from the date this acknowledgement letter is sent. I will send an invitation letter and agenda to you as soon as the meeting has been arranged.

If you decide to withdraw your complaint in the meantime, please let me know as soon as possible at [e-mail address]. Please feel free to contact me if you have any other questions in the meantime.

Yours sincerely,  
[Name of clerk]  
Clerk to the Complaints committee of [name of Academy]

cc.  
Principal  
Chair of Trustees  
Investigating Officer (if the Stage 2 investigation was carried out by the Vice-Chair, CEO or an independent Investigating Officer)

**Invitation letter**

Name  
Address line 1  
Address line 2  
Address line 3  
Post code

**Private & Confidential**

[Date]

Dear [name of complainant]

**Re: Complaint – [name of Academy]**

Following my letter to you dated [date] acknowledging receipt of Complaints Form 2, I am writing to you and copying in the Principal and Chair of Trustees [and Investigating Officer, if the Stage 2 investigation was carried out by the Vice-Chair, CEO or an independent Investigating Officer] as stated in the Academy's Academy Complaints Policy to:

- (a) confirm that a meeting of the trustees' Complaints committee will be arranged for [date] at [time] at [venue], and the panel members will be [names of panel members];
- (b) advise all parties of your right to be accompanied to the meeting by a friend/adviser;
- (c) state that the meeting will go ahead in the absence of the complainant, unless a reason for absence acceptable to the committee is presented prior to or at the beginning of the meeting.

I am also requesting, as stated in the Academy's Academy Complaints Policy, that you send me any supporting documents you wish to submit, and the names of any witness(es) that you wish to call, at least six Academy days before the meeting, i.e. by [insert date] at the latest, so that I can circulate any written evidence and information, including a list of those who will be present, to all parties at least five Academy days in advance of the meeting. It is the Principal's decision whether or not to ask members of Academy staff to attend the meeting, subject to the discretion of the committee Chair.

If you decide to withdraw your complaint in the meantime, please let me know as soon as possible at [\[e-mail address\]](#). Please feel free to contact me if you have any other questions in the meantime.

Yours sincerely,

[\[Name of clerk\]](#)

Clerk to the Complaints committee of [\[name of Academy\]](#)

cc.

Principal

Chair of Trustees

Investigating Officer (if the Stage 2 investigation was carried out by the Vice-Chair, CEO or an independent Investigating Officer)