

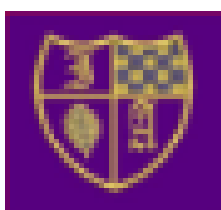



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## KET – Complaints and Resolution Policy

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Policy Level	KET - Statutory and Mandatory Policy All schools must adopt these policies with local amendment strongly discouraged. These policies are centrally amended and binding on LAC from the date of Trust approval. They must be displayed on the School’s website. Approval for all proposed local amendments must be sought from the KET Governance Lead prior to Local Advisory Committee resolution.
Schools	Local Policy – The school has adopted this policy relative to its own context, this has been approved by the Local Advisory Committee and shared with the Trustees.
Other related policies and procedures:	
Committee responsible:	KET
Approved by:	Nick Wilson Chair of Trust
Date Approved:	January 2023
Date for Next Review:	January 2025



## **Aims**

The purpose of this policy is to ensure all statutory obligations are met when we respond to complaints from parents and others.

When responding to complaints, we aim to:

- Put the interests of the child above all other issues
- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all complaints in a timely manner and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate to all parties
- Keep complainants informed of the progress of the complaints process

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school / trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this procedure and make it available on all school websites and the trust website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Kings Education Trust and Ivingswood Academy take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases at Ivingswood Academy, The Headteacher or Deputy will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern The Headteacher or Deputy will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Ivingswood Academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### **1. Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a

complaint to Waterside Primary Academy about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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

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

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Kings Education Trust and each individual academy takes concerns seriously and will make every effort to resolve the matter as quickly as possible. Concerns should be raised within 5 school days with either the class teacher or leadership team. If the issue remains unresolved, the next step is to make a formal complaint. We follow DfE guidance which recommends that complaints are lodged within 3 months of the initial issue occurring.

Complainants should not approach individual Local Advisory Committee members to raise concerns or complaints. Local Advisory Committee members have no power to act on an individual basis and it may also prevent them from considering complaints at later stages of the procedure.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher or their representative, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, Ivingswood Academy will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

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

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the head teacher) should be made in the first instance, to the Headteacher at Ivingswood Academy via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the head teacher should be addressed to the Chair of Local Advisory Committee, Mr Jeremy Foster via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Local Advisory Committee, any individual Local Advisory Committee member or the whole Local Advisory Committee should be addressed to Miss J E Garlick, The Executive Headteacher/CEO, via the school office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to the Chair of Trustees, Mr Nick Wilson via the trust office – [admin@kingseducationtrust.com](mailto:admin@kingseducationtrust.com) . Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help to complete the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **4. Anonymous complaints**

We will not normally investigate anonymous complaints. However, the head teacher or Chair of Local Advisory Committee, if appropriate, will determine whether the complaint warrants an investigation.

### **5. Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents.

We will consider complaints made outside of this time frame if exceptional circumstances apply.

## 6. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## 7. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by Ivingswood Academy or Kings Education Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Excep tions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> </ul>	<p>Concerns about admissions should be handled through a separate process –through the appeals process via the local authority.</p>
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p><u><a href="#">Allegations against Staff or Volunteers (LADO)   Buckinghamshire Council (buckscc.gov.uk)</a></u></p>
<ul style="list-style-type: none"> <li>Exclusion/Suspensions of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <u><a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a></u>.</p> <p><i>*complaints about the application of the behaviour policy (available on the school website) can be made through the school's complaints procedure.</i></p>

<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. A copy is available from the school office or the Headteacher.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures. A copy is available from the headteacher or the school office.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

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

## 8. Resolving complaints

At each stage in the procedure, Ivingswood Academy wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## **9. Withdrawal of a complaint**

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

## **10. Stage 1 – Informal complaints**

It is to be hoped that most concerns can be expressed and resolved on an informal basis. The school / trust will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

Concerns should be raised as soon as possible with either the class teacher, assistant / deputy headteacher or the headteacher as appropriate, in person, by letter, telephone or email. Complainants should not approach individual Local Advisory Committee members to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at the formal stage of the procedure or in the future.

The trust or school, as appropriate, will acknowledge informal complaints within five school days, and investigate and provide a response within 15 school days of the date of receipt of the complaint.

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

It is not appropriate to publicise any concerns on social networking sites.

The informal stage will involve a meeting between the complainant and the relevant staff member as appropriate.

## 11. Stage 2 – Formal complaints

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. This may be done in person or in writing (*Using the Complaint Form – Appendix A*).

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school office or trust office as appropriate.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

*Note: The head teacher may delegate the investigation to another member of the school's leadership team but not the decision to be taken.*

The head teacher, or relevant member of staff, will seek to clarify the nature of the complaint, consider what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this. The complainant may be accompanied to this meeting, and should inform the school or trust as appropriate of the identity of their companion in advance.

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

The headteacher (or other person appointed by the headteacher for this purpose), LAC member or trustee, as appropriate, will then conduct their own investigation.

During the investigation, the head teacher (or investigator) will:

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

The written conclusion of this investigation will be sent to the complainant within 15 school days.

If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will



include details of actions Ivingswood Academy will take to resolve the complaint.

If the complaint is about the head teacher, a suitably skilled Local Advisory Committee Member will be appointed to complete all the actions at Stage 2.

Complaints about the Chair, Vice-Chair or another member of the Local Advisory Committee must be made to the CEO, via the school office or by writing to [admin@kingseducationtrust.com](mailto:admin@kingseducationtrust.com)

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Local Advisory Committee or
- the majority of the Local Advisory Committee

then stage 2 will be escalated to the CEO of the Trust.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2. If the complainant wishes to proceed to the next stage of the procedure, they should inform the clerk to the local advisory committee or clerk to the trust board, as appropriate, within five school days of receiving the written conclusion from Stage 1. Requests received outside of this time frame will only be considered in exceptional circumstances.

### **How to escalate a complaint to a review panel**

Complaints can be escalated by contacting the clerk to the local advisory committee or trust board as appropriate, in writing by letter or email.

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

The clerk will acknowledge receipt of the request within five school days.

## **12. Stage 3 – Panel Hearing**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the

complaint with one panel member who is independent of the management and running of the school.

This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the clerk of the local advisory committee, or the clerk to the Trust board if the complaint is about the CEO or a trustee via the school / trust office, within 5 school days of receipt of the Stage 2 response.

The clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

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

### **School:**

In case of a stage 3 complaint involving a school, the review panel consists of **three LAC members**: two available members of the school's local advisory committee and one member of the local advisory committee from another trust school, all of whom do not have direct knowledge of the complaint or a close personal relationship with the complainant. The third panel member will be entirely independent of the management and running of the school. These individuals will have access to the existing record of the complaint's progress.

The committee will select a panel chair from amongst themselves.

If not enough impartial members are available at the school, we will seek panel members from other schools in the trust. We will make sure the panel members we source are suitably skilled and can demonstrate that they are independent and impartial.

### **Trust:**

In case of complaints involving the trust or the CEO, the review panel consists of **three trustees**: two available members of the trustee board and one member from another academy trust board, all of whom do not have direct knowledge of the complaint or a close personal relationship with the complainant. These individuals will have access to the existing record of the complaint's progress. The trustees will select a panel chair from amongst themselves.

If not enough impartial trustees are available, we will seek panel members from another trust board. We will make sure the trustees we source are suitably skilled and can demonstrate that they are independent and impartial.

The panel in each case will decide whether to deal with the complaint by inviting all parties to a meeting or through written representations but in making their decision the panel will be sensitive to the complainant's needs.

If a review panel meeting is to be held, the complainant will be invited and may be accompanied at the meeting (see “At the meeting” below). The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. The clerk will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Local Advisory Committee or
- the majority of the Local Advisory Committee

Stage 3 will be heard by the trustees and an independent panel member.

At least seven school days before the meeting, the clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

### **At the meeting**

The meeting will be held in private.

At the review panel meeting, the complainant and representatives from the school or trust, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to be accompanied by a suitable companion if they wish. We do not encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

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

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The panel, the complainant and the school or trust representatives will be given the chance to ask and reply to questions. Once the complainant and the school or trust representatives have completed presenting their cases, they will be asked to leave and the complaint and the evidence presented will then be considered by the committee.

### **The Outcome**

The panel will put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher, CEO, LAC member or trustee.

The committee can:

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

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

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

The Chair of the Committee will provide the complainant and Ivingswood Academy with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Waterside Primary Academy.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Ivingswood Academy will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the head teacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. One copy of the complaint bundle and all communication will be securely kept at the school. All other paperwork must be securely destroyed.

### **13. Complaints escalated to / about a local advisory committee member, the whole local advisory committee, the CEO or Trustee or who whole, or majority of, the Trustee board.**

#### **Stage 1: informal**

Complaints made against the CEO, any member of a local advisory committee or trustee board or the board as a whole, should be directed to the clerk to the local advisory committee / trust board in the first instance.

If the complaint is about the headteacher or one member of the local committee board (including the chair or vicechair), a suitably-skilled and impartial LAC member will carry out the steps at stage 1 (set out above). If the complaint is about a trustee (including the chair or vicechair), a suitably-skilled and impartial trustee will carry out the steps at stage 1 (set out above).

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

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

### **Stage 2: formal**

If the complaint is jointly about the chair and vice-chair of a local advisory committee or the entire committee, or the chair or vice-chair of the trust board, the entire trust board or the majority of the trust board, an independent investigator will carry out the steps in stage 2 (set out above). They will be appointed by the local advisory committee or trust board as appropriate and will write a formal response at the end of their investigation.

### **Stage 3: review panel**

#### **School:**

If the complaint is jointly about the chair and vice-chair of a local advisory committee, the entire local committee or the majority of the local committee, a committee of independent governors will hear the complaint. They will be sourced from local schools (not in the trust) and will carry out the steps at stage 3 (set out above).

#### **Trust:**

If the complaint is jointly about the chair and the vice-chair of the trust board, the entire trust board or the majority of the trust board, a committee of independent trustees will hear the complaint. They will be sourced from another trust and will carry out the steps at stage 3 (set out above).

## **14. Serial, Duplicate or Persistent Complaints**

Unfortunately, in a small minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the school.

These actions can occur either while the complaint is being investigated, or once the school has concluded the complaint investigation. In such cases, the school will follow advice from the Department for Education and the Local Government Ombudsman.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, the school can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the school may choose not to respond.

The school may receive complaints they consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

The school will 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.

### **When to stop responding**

The decision to stop responding is never taken lightly. The school will be able to say yes to all of the following:

- they have taken every reasonable step to address the complainant's concerns
- the complainant has been given a clear statement of the school's/ trusts position and their options
- the complainant contacts the school repeatedly, making substantially the same points each time
- the case to stop responding is stronger if we agree with one or more of these statements:
- the letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- the school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience

The school should not stop responding just because an individual is difficult to deal with or asks complex questions.

### **Communication strategy for persistent correspondents**

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, schools can implement a tailored communication strategy. For example, we can:

- restrict the individual to a single point of contact via an email address
- limit the number of times they can make contact, such as a fixed number of contacts per term

However, regardless of the application of any communication strategy, we will provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

The school will act reasonably and consider any new complaint. Anyone has the right to raise a new complaint at any time and failure to respond could result in the school failing to act reasonably.

The school can also suggest that the complainant asks a third party to act on their behalf, such as the local Citizen's Advice.

If an individual persists to the point that may constitute harassment, the school will seek legal advice. In some cases, injunctions and other court orders have been issued to individuals preventing them from contacting schools directly.

Once the school has decided that it's appropriate to stop responding, they will need to inform the individual.

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

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

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

### **Complaint campaigns**

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

- Publishing a single response on the trust and/or school website
- Sending a template response to all of the complainants

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



## **Record keeping**

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

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

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of data protection law, or where the material must be made available during a school or trust inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole local governing board or trust board in case a review panel or independent trustee needs to be organised at a later point.

Where the local advisory committee is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Where the trust board is aware of the substance of the complaint before the informal stage, the trust or local advisory committee will (where reasonably practicable) arrange for an independent trustee to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the local advisory committee or trust board depending on the nature of the complaint, who will not unreasonably withhold consent.

## **Learning lessons**

The local advisory committee or trustee board, as appropriate, will review any underlying issues raised by complaints with the headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school or trust can make to its procedures or practice to help prevent similar events in the future.

## **Monitoring arrangements**

Local advisory committees and the trust board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. Local advisory committees and the trust board will track the number and nature of complaints and review underlying issues as necessary.

The Headteacher logs all formal complaints received by the school and records how they were resolved. Trustees will discuss this log on an annual basis and consider the need for any changes to the procedure.

### **Next Steps**

If the complainant believes the school / trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Education and Skills Funding Agency (ESFA) after they have completed Stage 3.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Kings Education Trust. They will consider whether **\*\*\*\*\*** /Kings Education Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

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

Academy Complaints and Customer  
Insight Unit Education and Skills  
Funding Agency Cheylesmore House

5 Quinton Road

Coventry

CV1 2WT

## Appendix 1 – Kings Education Trust Complaint and Resolutions Policy

### Complaint Form

Please complete and return to the relevant school or KET office, for the attention of ..... (Headteacher, Chair of Local Advisory Committee, CEO of the KET or Chair of Trustees) who will acknowledge receipt and outline the next steps

<b>General</b>
<p><b>Your Full Name:</b></p> <p><b>Pupil's name (if relevant)</b></p> <p><b>Your relationship to the pupil (if relevant)</b></p> <p><b>Address:</b></p> <p><b>Day time telephone number:</b></p> <p><b>Evening telephone number:</b></p> <p><b>Date Complaint Lodged:</b></p>
<b>Complaint (Please provide as much detail as possible):</b>
<p><b>Please give concise details of your complaint, including any relevant dates, names of witnesses etc, to allow the matter to be fully investigated</b></p>

**What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to/write to and what was the response)?**

**What is your desired outcome from the complaint? What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Sign:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

## **Appendix 2 –**

### **Roles and responsibilities The complainant**

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

- Follow these procedures
- Co-operate with the school / KET throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

### **The investigator**

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher, local advisory committee or trustee board, as appropriate, which includes the facts and potential solutions

### **The complaints co-ordinator**

The complaints co-ordinator can be:

The headteacher or CEO of the academy / trust or any other staff member providing administrative support

- The complaints co-ordinator will:
  - Keep the complainant up to date at each stage in the procedure
  - Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors, clerk, CEO of the trust and chair of trustees
- Be aware of issues relating to:
  - Sharing third party information
  - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

### **Clerk to the governing board**

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

### **Committee chair**

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case