



# COMPLAINTS POLICY

Sept 2021-22

Passmores Co-operative Learning Community

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**The policy is based on the ESFA model complaints procedure for academies, updated in March 2021.**

**The PCLC Trustees formally approved the policy on 14th September 2021**

**The policy will be reviewed at least annually.**

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

This complaints procedure is not limited to parents or carers of children that are registered at Passmores Co-operative Learning Community (PCLC) schools. Any person, including members of the public, may make a complaint to PCLC 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.

### **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'*.

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. PCLC takes 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, we will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we 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, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### **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 of a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the headteacher/co-principal) should be made in the first instance by contacting the co-principal/headteacher by email/letter or via the school office. Please mark correspondence Private and Confidential.

Complaints that involve or are about the headteacher/co-principal should be addressed to the Chair of the Local Governing Body. Please mark them as Private and Confidential and send via the school office for the attention of the PCLC Governance Manager.

Complaints about the school's Chair of the Local Governing Body, the Chair of Trustees, any individual local governor, or the whole governing body should be addressed to the Governance Manager, Passmores Academy, Tracys Road, Harlow CM18 6JH or by email to Mrs Bartram at [d.bartram@passmoresacademy.com](mailto:d.bartram@passmoresacademy.com) . Please mark 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 and sent c/o the Governance Manager at Passmores Academy, Tracys Road, Harlow CM18 6JH or by email to Mrs Bartram at [d.bartram@passmoresacademy.com](mailto:d.bartram@passmoresacademy.com) . Please mark as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice Bureau 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.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher/co-principal or Chair of the Local Governing Body, if appropriate, will determine whether the complaint warrants an investigation.

### **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.

### **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.

### **Scope of this complaints procedure**

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

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"> <li>• Admissions to schools</li> </ul>	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none"> <li>• Statutory assessments of special educational needs</li> </ul>	Concerns about statutory assessments of special educational needs should be raised directly with local authorities.
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  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).
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .  <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.  The Secretary of State for Education is the prescribed person

	<p>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.</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>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities.</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>
<ul style="list-style-type: none"> <li>• Complaints about the curriculum</li> </ul>	<p>Complaints about the content of the national curriculum should be sent to DfE using their contact form available at: <a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a></p> <p>Complaints about the delivery of the curriculum are for PCLC schools to resolve through this complaints procedure. This includes:</p> <ul style="list-style-type: none"> <li>• sex and relationships education</li> <li>• religious education (RE): Parents and carers can withdraw their child from any aspect of Religious Education (RE), including the Daily Act of Collective Worship (DACW). They do not have to explain why. If parents or carers are not satisfied with the handling of a request to withdraw their child from RE or the DACW, parents should address this through this complaints procedure.</li> </ul> <p>The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.</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 PCLC in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, PCLC 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.

### **Withdrawal of a Complaint**

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

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. PCLC will ensure every reasonable step to address the complainant's needs has been taken and the complainant has been given a clear statement of the school's position and their options (if any). However, if any of the following circumstances apply, we will use our option to close a complaint before all the stages of the school's procedures have been exhausted:

- The complainant states it is their intention to cause disruption or inconvenience;
- The complainant sends letters or emails and/or makes telephone calls that are often or always abusive or aggressive;
- The complainant makes insulting personal comments about or threats towards staff.  
See Appendix 11 for the PCLC's policy for dealing with unreasonable complaints.

## **1. Complaints procedure**

### **Stage 1 – Informal complaints**

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Concerns should be raised with either the class teacher, year head / subject head or co-principal/head teacher.

Complainants should not approach individual governors 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 Stages 3 and 4 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within fifteen school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

## **Stage 2 – Formal Complaints**

Formal complaints must be made to the co-principal/headteacher (unless they are about the co-principal/headteacher or members of the local governing body), via the school office. This may be done in person, in writing (preferably on the Complaint Form, Appendix 2).

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

Within this response, the co-principal/headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The co-principal/headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

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

During the investigation, the co-principal/ headteacher (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 confidential written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the co-principal/headteacher will provide a formal written response within fifteen school days of the date of receipt of the complaint.

If the co-principal/headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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

The co-principal/ headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the co-principal / head teacher, or a member of the local governing body (including the Chair or Vice-Chair), a suitably skilled local governor or trustee will be appointed to complete all the actions at Stage 2.

Complaints about the co-principal / head teacher or member of the local governing body must be made in writing to the Governance Manager via Passmores Academy, Tracyses Road, Harlow, Essex, CM18 6JH or by email to Mrs Bartram [d.bartram@passmoresacademy.com](mailto:d.bartram@passmoresacademy.com).

If the complaint is:

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

Stage 2 will be escalated by the Governance Manager to the CEO of the Trust.

### **Stage 3 – Hearing by the Local Governing Body Chair of Governors**

As soon as reasonably practical, but within fifteen school days of the Stage 2 response, the parent/carer/guardian will request an appointment to see the Chair of the Local Governing Body. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.

- The Chair will contact the parent/carer/guardian as soon as possible to arrange a mutually convenient time to meet, subsequently confirming this in writing. The complainant may be accompanied by a friend or relative if they wish. The Chair may also be accompanied by a suitable person. All parties must be notified of additional persons who will be attending in advance of the meeting.
- Following discussion of the complaint at the meeting, the Chair will investigate fully and communicate findings and/or resolutions to the complainant verbally or in writing, depending on the nature of the issue.
- Stage 3 will be completed within fifteen school days. However, it is recognised that where the case is complex, it may prove difficult to meet this time constraint. In such cases, the Chair will write to the complainant giving a revised target date.
- If the parent/carer/guardian is not satisfied with the outcome at this stage, the complaint can progress to the next level for review by a complaints appeal panel.

### **Stage 4 – Complaints Appeal Panel Hearing**

If the complainant is dissatisfied with the outcome at Stage 3 and wishes to take the matter further, they can escalate the complaint to Stage 4 – 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.

*\* For schools within a multi-academy trust (MAT), the ESFA would still suggest that the independent member should have no association with the trust. However, with the exception of the MAT's trustees, they are satisfied that a governor, from a local governing body at a different school within the MAT, who has no conflict of interest or prior knowledge of the complaint, can be an independent panel member. This is because such person would have no direct involvement with the management and running of the school being complained about (DfE, 2021).*

A request to escalate to Stage 4 must be made to the Governance Manager, via the school office, within five school days of receipt of the Stage 3 response.

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

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

The Governance Manager will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within twenty school days of receipt of the Stage 4 request. If this is not possible, the Governance Manager will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Manager will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair of the Local Governing Body or
- the entire local governing body or
- the majority of the local governing body

Stage 4 will be heard by a committee of PCLC trustees who are not also serving on the local governing body that the complaint refers to and an independent panel member.

If the complaint is:

- jointly about the Chair and Vice Chair of the Trust Board or
- the entire PCLC Trust Board or
- the majority of the PCLC Trust Board

Stage 4 will be heard by a committee of independent governors from other schools or colleges.

Prior to the meeting, the complaints committee will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from PCLC available, the Governance Manager will source any additional, independent governors through another local school or college in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 4. This will be at the Trust Board's discretion and only under certain circumstances.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Any parties in addition to this may only attend the meeting at the discretion of the committee, who must be notified in advance of the meeting. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*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.*

Representatives from the media are not permitted to attend.

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 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 Clerk at least seven school days before the meeting.

Any written material will be circulated to all parties at least five 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.

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 meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. 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 co-principal/headteacher with a full explanation of their decision and the reason(s) for it, in writing, within fifteen 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 PCLC.

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 PCLC 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 proprietor and the head teacher.

A confidential 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.

### **Complaints escalated to / about the Trust, CEO or Trustee**

If a complaint is escalated to PCLC “the trust” or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within three school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Policy and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within fifteen school days of the date that the letter was received. If this time limit cannot be met, the CEO will write to the Complainant within fifteen school days of the date that the letter was received, explaining the reason for the delay and providing a revised date.

If the complaint concerns the CEO or a Trustee, 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

*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.*

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Governance Manager asking for the complaint to be heard before a Complaint Panel, within five school days.

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

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

The Governance Manager will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within twenty school days of receipt of the Stage 4 request. If this is not possible, the Governance Manager will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Manager will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or

- the majority of the trust board

Stage 4 will be heard by a completely independent committee panel.

The Complaint Panel will consist of three people. None of the three members of the Complaint Panel will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust.

The procedure will be the same as the above procedure set out for other Stage 4 complaints.

### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 4.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by PCLC. They will consider whether PCLC 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 Roles and Responsibilities**

### **Complainant**

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

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

### **Investigator**

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

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

The investigator should:

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

The co-principal/headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing

the appropriate escalation details.

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

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, CEO, Chair of Governors, Chair of the Trust or the Governance Manager to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

### **Governance Manager / Clerk to the Local Governing Body**

The Governance manager or Clerk to the Local Governing Body is the contact point for the complainant and the complaints appeal panel members and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 4 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

### **Committee Chair**

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

- both parties are asked (via the Governance manager / Clerk to the Local Governing Body) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person

- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Governance Manager or Clerk to the Local Governing Body (and complaints co-ordinator, if the school has one).

### **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

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

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

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

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

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

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's

parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

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

## Appendix 2: Complaint Form: Stage 2

If you have tried unsuccessfully to resolve your complaint a member of staff and wish to take the matter further, please complete this form and send it to the co-principal/headteacher. If your complaint is against the co-principal/headteacher, please complete this form and send it to the chair of the local governing body via the PCLC Governance Manager.

Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
Details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint?	
What action do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
<b>Office use only</b>	
Date acknowledgement sent:	
Acknowledgement sent by:	
Complaint referred to:	
Date:	

### Appendix 3: Complaints form: Stage 3

Please complete and return to ..... (Chair of Local Governors via PCLC Governance Manager of Clerk to the Local Governing Body), who will acknowledge receipt and explain what action will be taken.

Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
Details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint?	
What action do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
<b>Office use only</b>	
Date acknowledgement sent:	
Acknowledgement sent by:	
Complaint referred to:	
Date:	

## Appendix 4: letter to complainant for a stage 3 complaint

An example of a letter that the Chair of the Local Governing Body may send to the complainant, upon receipt of a complaint at Stage 3.

Dear (insert addressee's name),

Thank you for your phone call/letter dated (insert date) setting out the reasons why you are not satisfied with the [Co-Principal's/Headteacher's\*] response to your complaint about (insert details of complaint).

I am writing to confirm our meeting at [school name] will take place on [insert date and time] to discuss your complaint, in accordance with our school's complaints procedure, a copy of which is enclosed.

I look forward to meeting you.

Yours sincerely,

*\*Delete as appropriate*

## **Appendix 5: letter to complainant for a Stage 4 complaint**

An example of a letter that the Chair of Trustees/nominated local governor/trustee may send to the complainant, upon receipt of a complaint at Stage 4.

Dear (insert addressee's name),

Thank you for your letter dated (insert date) setting out the reasons why you are not satisfied with the [Chair of Governor's response to your complaint about (insert details of complaint)].

I am writing to let you know that I will be arranging for a complaints appeal panel to consider your complaint, in accordance with our school's complaints procedure, a copy of which is enclosed.

As explained in the procedure, the PCLC Governance Officer will advise, in writing, how the complaints appeal panel intends to consider your complaint.

Yours sincerely,

**[Chair of the Local Governing Body/ nominated governor]**

## **Appendix 6: letter for complaints against co-principal / headteacher**

Dear (insert addressee's name),

I have received your complaint against the [co-principal/headteacher\*] of (insert school/academy name).

I write to let you know that I have forwarded a copy of your complaint to the [co-principal/headteacher\*] with a request that [he/she\*] responds to the issues raised in the complaint within 10 school days.

A copy of the [co-principal's /headteacher's\*] response will be sent to you as soon as possible.

If you are not satisfied with the [co-principal's /headteacher's\*] response, I will arrange for a complaints appeal panel to consider your complaint in accordance with Stage 4 of the attached complaints procedure.

As explained in the procedure, the PCLC Governance Officer will advise you, in writing, how the complaint will proceed.

Yours sincerely,

**Chair of the Local Governing Body**

- *Delete as appropriate*

## **Appendix 7: Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure**

Dear

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention. The school and governing body take any complaint most seriously. Therefore, I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, [he/she\*] will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned.

OR

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned. In any event, I will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely

Head Teacher/co-principal or chair of the local governing body

- *Delete as appropriate*

## Appendix 8: Notification of decision following formal complaint

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

The concern is not substantiated by the evidence in that ..... •

OR

The concern was substantiated in part/in full, as ..... The school will review its practices/procedures ..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

OR

In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

OR

In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its ..... policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Head Teacher/Co-Principal/Chair of Local Governing Body/Chair of Panel

## **Appendix 9: Response to spurious complaint**

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the PCLC's complaints procedure as:

[Include SOME of the following statements, as appropriate:]

- You have not identified any specific actions of which you might complain.
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.

Yours sincerely,

Head Teacher / Co-Principal or Chair of Local Governing Body

## Appendix 10: checklist for a panel hearing

<b>Panel hearing checklist</b>	✓
The panel hearing is as informal as possible.	
Witnesses are only required to attend for the part of the hearing in which they give their evidence.	
After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.	
The co-principal/headteacher may question both the complainant and the witnesses after each has spoken.	
The co-principal/headteacher is then invited to explain the school's actions and be followed by the school's witnesses.	
The complainant may question both the co-principal/headteacher and the witnesses after each has spoken.	
The panel may ask questions at any point.	
The complainant is then invited to sum up their complaint.	
The co-principal/headteacher is then invited to sum up the school's actions and response to the complaint.	
Both parties leave together while the panel decides on the issues.	
The chair of the complaints appeal panel explains that both parties will hear from the panel within a set time scale.	

## **Appendix 11: PCLC policy for dealing with unreasonable complainants**

PCLC is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

PCLC defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, 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 adopted complaints procedure 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 that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
  - seeks an unrealistic outcome;
  - makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- 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.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher/co-principal or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

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

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from any PCLC school.

#### Complaints campaigns

For the purposes of this policy, "**complaints campaigns**" are where the Trust / school receives large volumes of complaints that are all based on the same subject.

Where the Trust / school becomes the subject of a complaints campaign from complainants who are **not** connected with the Trust / school, a standard, single response will be published on the Trust's /school's website.

If the Trust / school receives a large number of complaints about the same subject from complainants who **are** connected to the Trust / school, e.g. parents, each complainant will receive an individual response.

If complainants remain dissatisfied with the Trust / school's response, they will be directed to the ESFA.