

Complaints Procedure

RIDGEWAY EDUCATION TRUST

Approved by Trust Board: July 2023

Review by: July 2025

This procedure is based on the model policy from the Department for Education (DfE) and will be reviewed every two years, or sooner if new guidance is released from the DfE.

The difference between a concern and a complaint

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 complaint's procedure. Ridgeway Education Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We need to be clear about 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'*.

A concern can be made in person, in writing or by telephone and in most cases the class teacher/form tutor or Head of Year will receive the first approach. If the concern is not handled to the satisfaction of the person who has raised the issue, then a member of the Senior Leadership Team can be contacted (details on the school website).

Taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures.

Formal complaints

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Where informal attempts have been unsuccessful in resolving a complaint, Ridgeway Education Trust will follow the procedure set out below.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children who are registered at schools within Ridgeway Education Trust. Any person, including members of the public, may make a complaint to Ridgeway Education Trust or one of its schools 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.

How to raise a complaint

A complaint ought (other than in exceptional circumstances) to be raised in writing. They may be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

- Complaints against staff (except the head teacher) at a school within Ridgeway Education Trust should be made, in the first instance, to the head teacher via the school office. Please mark them as Private and Confidential. Please send it to:
 - For All Saints CofE Primary School: head.3859@all-saints.oxon.sch.uk
 - For Didcot Girls' School: head.4139@didcotgirls.oxon.sch.uk;
 - For Long Wittenham CofE Primary School: head.3233@long-wittenham.oxon.sch.uk
 - For St Birinus School: headteacher@st-birinus.oxon.sch.uk;
 - For Sutton Courtenay CofE Primary School: headteacher@sutton-courtenay.school

- Complaints about staff who work across the Trust should be addressed to the Company Secretary (the Clerk to the Trust Board) via the St Birinus School office. Please mark them as Private and Confidential. Should you wish to email your complaint, please send it to: Governance@ridgewayeducation.com
- Complaints about Ridgeway Education Trust as an organisation should be sent to the Chief Executive Officer (CEO) via the trust office at Didcot Girls' School. Please mark them as Private and Confidential. Should you wish to email your complaint, please send it to ceo@ridgewayeducation.com
- Complaints that involve or are about the head teacher at a school within Ridgeway Education Trust should be addressed to the school's Chair of Governors, via the school office. Please mark them as Private and Confidential. Please send it to:
 - For All Saints CofE Primary School: chair.governors@all-saints.oxon.sch.uk
 - For Didcot Girls' School: governors@didcotgirls.oxon.sch.uk;
 - For Long Wittenham CofE Primary School: office.3233@long-wittenham.oxon.sch.uk
 - For St Birinus School: governors@st-birinus.oxon.sch.uk;
 - For Sutton Courtenay CofE Primary School: office.3243@sutton-courtenay.oxon.sch.uk
- Complaints about a Headteacher or the school's Chair of Governors, any individual governor or the Local Governing Body of a school within Ridgeway Education Trust should be addressed to the Company Secretary (the Clerk to the Governing Body) via the St Birinus School office. Please mark them as Private and Confidential. Should you wish to email your complaint, please send it to: Governance@ridgewayeducation.com
- Complaints about the CEO or a Trustee of the Trust, should be addressed to the Chair of Trustees, via the trust office at Didcot Girls' School. Please mark them as Private and Confidential. Should you wish to email your complaint, please send it to: chair@ridgewayeducation.com
- If parents/carers have concerns about SEND provision for their child, initial contact should be made with the school's SENDCo. A meeting will be arranged, to discuss the concern. Parents can, instead or in addition, request an appointment with the head teacher directly. The Special Educational Needs and Disabilities Information Advice and Support Service - SENDIASS (formerly known as The Parent Partnership Service) is available to support parents in meetings concerning their child's progress and welfare (website: <https://www.oxfordshire.gov.uk/cms/public-site/sendias-oxfordshire-formerly-parent-partnership> , call 01865 810516 (term-time only), text 07786524294, or email sendiass@oxfordshire.gov.uk). In the event of a formal complaint concerning SEND provision, parents/guardians are advised to contact the Headteacher in the first instance.

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 or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

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 apply¹.

If you contact the school or Trust initially to simply indicate that you would like to make a complaint, please email further details, or submit a completed complaint form within 5 school days of sending your initial email. In the absence of which the complaint will be treated as one that is not being pursued.

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.

Monitoring Complaints

As well as addressing an individual's complaint, the process of listening to and resolving complaints should contribute to school improvements. When individual complaints are heard, schools may identify issues that need to be addressed. The monitoring and review of complaints by the school and Governing Body can be useful in evaluating the school's performance. Any discussion of complaints by the Governing Body should not name or be able to identify individuals.

Scope of this complaint's procedure

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

Exceptions	Whom to contact
Admissions to schools	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Oxfordshire County Council: https://www.oxfordshire.gov.uk/contactus/contact-school-admissions-team
Matters likely to require a Child Protection Investigation	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). https://www.oscb.org.uk/reporting-concerns/

¹ 'Exceptional circumstances' are defined here as circumstances that could not be reasonably foreseen and for which there is insufficient time to take the necessary action to resolve the situation arising from those circumstances within published timescales.

Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the school's behaviour policy can be made through the complaints procedure.</i></p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</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: www.education.gov.uk/contactus.</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>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<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>
Complaints about services provided to the school (and parents) by a third party	The school should be made aware of these in the first instance (so that it is aware of such concerns and their frequency) but it may be referred by the school to the external service provider
Complaints about services provided by other providers who use school premises or facilities	Providers have their own complaints procedure to deal with complaints about their service. Please contact them direct but at the same time make the school aware so that it can intervene if need be.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Ridgeway Education Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Withdrawal of a complaint

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

Complaint process: Stage 1

Where informal attempts have been unsuccessful in resolving a complaint, the matter will be formally investigated by an appropriate person from the school. The Headteacher may delegate the investigation of a Stage 1 complaint to another member of the school's senior leadership team or a senior member of staff (the investigator) but not the decision to be taken. Where complaints involve or are about the Headteacher the investigation will be delegated to the school's Chair of Governors.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. 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 Company Secretary (Clerk to the Trust Board) at Governance@ridgewayeducation.com You can also ask a third-party organisation, for example, the Citizens Advice, to help you.

Once a complainant has instigated the formal procedure the school 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.

Following the acknowledgement of a formal complaint the Headteacher (or investigator) will conduct a formal investigation which may include:

- Meet with the complainant or contacting them (if unsure or further information is necessary) to clarify the nature of the complaint, ask what remains unresolved, and what outcome the complainant would like to see
- Establish what has happened so far, and who has been involved
- if necessary, interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keeping a written record of any meetings/interviews in relation to their investigation
- provide for a written record to be kept of all complaints that are made and whether they are resolved following a formal procedure, or proceed to a panel hearing
- keep a written record of action taken by the school as a result of those complaints (regardless of whether they are upheld)
- ensure that 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 Education and Skills 2008 Act requests access to them.

At the conclusion of their investigation, the Headteacher (or investigator) will provide a formal written response within 15 school days of the date of receipt of the complaint.

If the Headteacher (or investigator) is unable to meet this deadline, they will provide the complainant with an update and revised response date within the 15-school days deadline.

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/Ridgeway Education Trust will take to resolve the complaint.

Resolving the complaint

At each stage in the procedure, Ridgeway Education Trust 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.

In the formal written Stage 1 response, the Headteacher (or investigator) will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Complaint process: Stage 2 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – 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 complaint's procedure.

A request to escalate to Stage 2 must be made in writing to the Complaints Co-ordinator, via the school office, within 5 school days of receipt of the Stage 1 response. Should you wish to email your request, please send it to: Governance@ridgewayeducation.com

The Complaints Co-ordinator 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 this time frame will only be considered if exceptional circumstances apply.

The Complaints Co-ordinator will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 escalation request. If this is not possible, the Complaints Co-ordinator will provide an anticipated date and keep the complainant informed.

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

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

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. A complainant is not entitled to be accompanied by a legal representative to the meeting. However, if a school employee is called as a witness, they may wish to be supported by union representation.²

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Complaints Co-ordinator will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the panel at least 3 school days before the meeting.

Any written material will be circulated to all parties ahead of the date of the meeting. Further written material in bullet point 2 above will be circulated as soon as it is received. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The purpose of the hearing is to review the Stage 1 decision. The Panel may ask for any additional information it considers beneficial in coming to a decision. It will not consider any new complaints or information that is put forward at this stage or consider evidence unrelated to the initial complaint. 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 recording of meetings or conversations take place. Consent to recordings will be noted in any minutes taken.

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

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

If the complaint is upheld in whole or in part, the Panel may:

- consider and, if appropriate, criticise the way in which an operational decision was communicated – **but it cannot overturn the decision itself;**
- consider the thoroughness with which the Headteacher investigated a complaint about a member of staff – **but cannot expect the Headteacher to provide details about confidential discussions with that staff member;**

² 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 Ridgeway Education Trust staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

- consider the manner in which a complaint about any decision was addressed – **but cannot expect the Headteacher to change the decision;**
- consider and, if appropriate, identify limitations in a policy or procedures – **but cannot make or improve policy.** (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy.)
- consider whether it should recommend that the governing body offer appropriate redress.

The Panel Chair will provide the complainant and the school/Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

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 that the school/Trust will take to resolve the complaint.

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 the school/Trust. Please see [Next Steps](#) in this procedure.

The Panel will ensure that those findings and recommendations are sent by email 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 Headteacher.

A written record will be kept of all complaints by the Complaints Co-ordinator, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

Complaints escalated to/about the Trust, CEO or a Trustee

If a complaint is escalated to Ridgeway Education Trust or if a complainant wishes to complain directly about the trust as an organisation, then the complaint should be sent to the CEO to be investigated.

The CEO will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 1 of this Complaints Policy.

Note: If the complaint concerns the CEO or a Trustee, the complaint will be considered 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 of the Trust Board for investigation.³ The Chair or Vice Chair of the Trust Board will write to the complainant acknowledging the complaint within 5 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 1 of this Complaints Policy.

Following the investigation, the CEO (or Chair/Vice Chair of the Trust Board – see [Note](#)) will write to the complainant confirming the outcome within 15 school days of the date that the acknowledgement letter was sent by the CEO (or Chair/Vice Chair of the Trust Board) to the complainant. If this

³ 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.

time limit cannot be met, the CEO (or Chair/Vice Chair of the Trust Board) will write to the complainant with an update and revised response date within 12 school days of the date of receipt of the complaint.

If the complainant is not satisfied with the outcome of this Stage 1 response, the complainant should write to the Clerk to the Trust Board at the St Birinus School address or by email to Governance@ridgewayeducation.com asking for the complaint to be heard before a Complaint Panel, within 5 school days of the receipt of the written Stage 1 response.

The Clerk to the Trust Board 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.

The Clerk to the Trust Board will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the request to escalate to a Stage 2 Complaint Panel. If this is not possible, the Clerk to the Trust Board will provide an anticipated date and keep the complainant informed.

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

The Complaint Panel will consist of three members. 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 Ridgeway Education Trust, meaning that this independent Complaint Panel member will not be a Trustee or an employee of the Trust. If the complaint is about the CEO or jointly about the Chair and Vice Chair of the Trust Board or the majority of the Trust Board or the entire Trust Board, Stage 2 will be heard by a completely independent panel.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if a Trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation⁴.

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk to the Trust Board 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

⁴ 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 staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

- request copies of any further written material to be submitted to the panel at least 3 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. Further written material in bullet point 2 above will be circulated as soon as it is received. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from [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 recorded meetings or conversations take place. Consent to recordings will be noted in any minutes taken.

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

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

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

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

The Panel Chair will provide the complainant and Ridgeway Education Trust with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

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 Ridgeway Education Trust will take to resolve the complaint.

The response 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 the Trust. Please see [Next Steps](#) in this procedure.

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 at the registered office address (Didcot Girls' School) premises by the proprietor and the Headteacher.

A written record will be kept of all complaints by the Complaints Co-ordinator, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

A written record will be kept of action taken by the school as a result of those complaints (regardless of whether they are upheld)

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

Next Steps

If the complainant believes Ridgeway Education Trust or one of its schools 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 2.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Ridgeway Education Trust or one of its schools. They will consider whether the Trust or school 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, 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

Links to Other Policies/Procedures

- Capability Procedure
- Disciplinary Procedure
- Grievance Procedure
- Managing Serial and Unreasonable Complaints
- Safeguarding and Child Protection of RET schools
- Whistleblowing

Appendix 1: Complaint Form

Please complete and return to the Complaints Co-ordinator (Governance@ridgewayeducation.com) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use

Date acknowledgement sent:

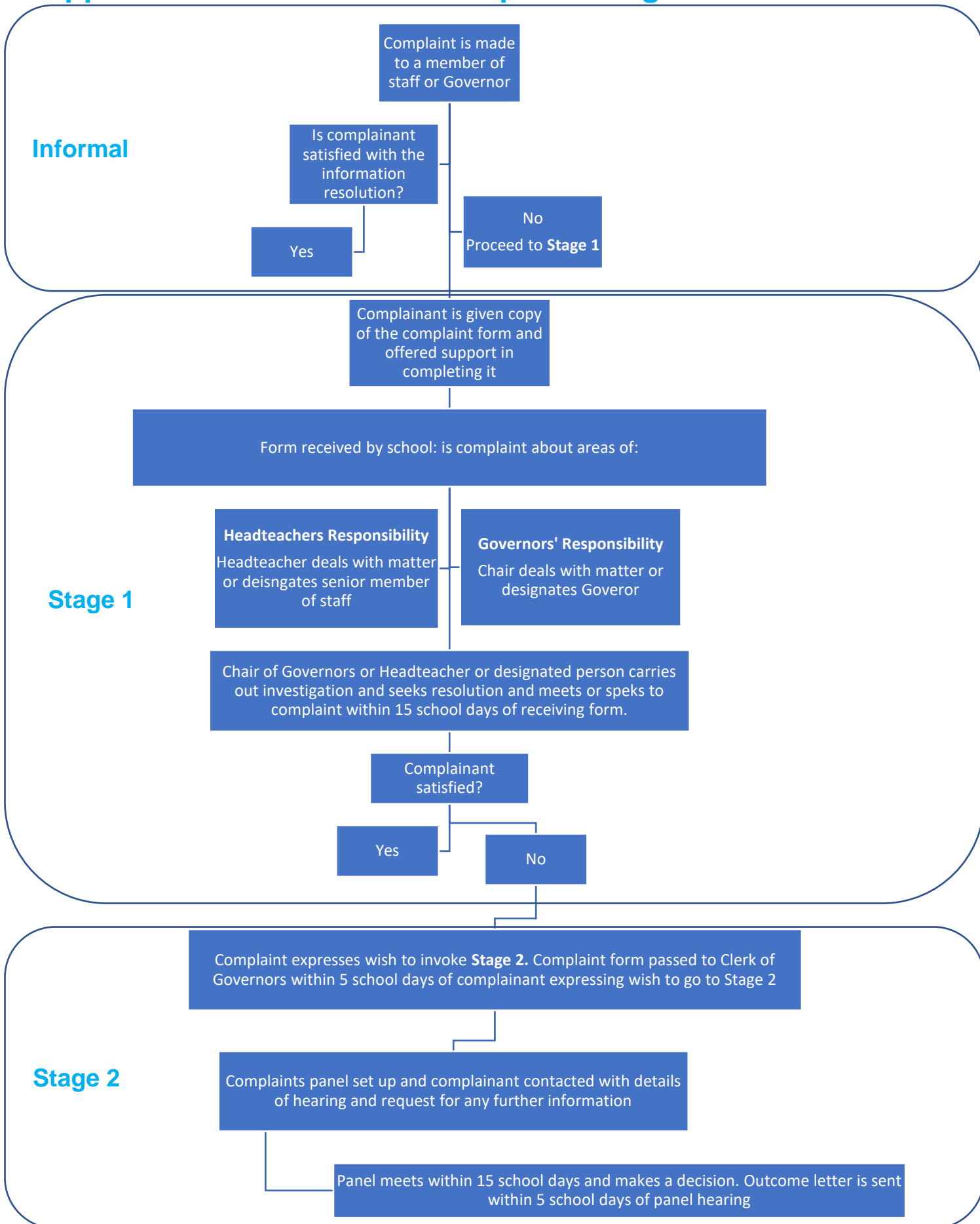
By whom:

Complaint referred to:

Action taken:

Date:

Appendix 2 Flow Chart of Complaint Stages



Appendix 3: 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 head teacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The head teacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

The complaints co-ordinator should:

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

Clerk to the Governing Body/Trust Board

When the Clerk to the Governors receives a copy of the complaint form they will inform the governing body that a complaint has been received and that it has been passed to the investigator to deal with. No further information about the complaint should be shared with governors at stage 1.

The Clerk is the contact point for the complainant and the panel and should:

- ensure that all people involved in the complaints procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the panel's decision.

Panel Chair

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

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

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

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

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

Panel Member

Panel 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 panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests
- the welfare of the child/young person is paramount.

Appendix 4: Complaint panel proceedings

- The Clerk to the Governors will make arrangements for the complaints panel to be appointed. The panel will consist of three members, one of whom must be independent of the management and running of the school.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the complaints panel is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.
- The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- The governors sitting on the panel need to be aware of the RET complaint's procedure.
- Panel members should not discuss the complaint outside of the meeting.

Checklist for a Panel Hearing:

- The panel needs to take the following points into account:
- Evidence should be provided to the hearing in writing. The clerk is responsible for obtaining papers from both parties. Written papers must be provided to all participants in the panel hearing at least 3 days prior to the hearing itself.
- The hearing is as informal as possible.
- The complainant has the right to be accompanied to the hearing by another person e.g. a friend or relative who will offer moral support only.
- The attendance of witnesses is not encouraged. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- It may be necessary to have an adjournment to allow for reflection or to seek additional supporting evidence, it shall be for the Panel Chair to decide if such an adjournment is necessary.

Format of a Panel Hearing

All parties should enter the room together.

- The chair will introduce the panel members and the clerk and outline the process.
- The complainant is invited to explain the complaint.
- The Headteacher may question the complainant.
- The panel will question the complainant.
- The Headteacher is then invited to explain the school's actions.
- The complainant may question the Headteacher. If they feel that the Headteacher's account and explanation of actions was factually incorrect, they can state this at this point.
- The panel will question the Headteacher.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.

- The chair explains that both parties will hear from the panel within five working days.
- The chair checks that both parties have said all they wanted to say and that they feel they have had a fair hearing. If either party says 'no' the chair should attempt to rectify that before the hearing ends.
- Both parties leave together while the panel decides on the issues.
- The clerk will remain with the panel.

Notes

The panel may ask questions at any point if an immediate question will help to clarify a point.

The Headteacher must have no contact with members of the governors' complaints panel except when the complainant is present. This means that the Headteacher and complainant must enter and leave the room where the hearing is held together.

The Chair of the panel should discourage the introduction of fresh documentary evidence at the hearing; there should be every encouragement to produce the evidence in advance so that both sides have time to study it. However, if new and relevant evidence is accepted by the Chair, the Chair will adjourn the hearing for a few minutes to allow everyone to read the document. Both parties must leave the hearing room during the adjournment.

The decision letter

The clerk will ensure that they have clear wording stating the panel decision about each of the issues that the panel considered before the panel is allowed to finish.

The findings and recommendations of the panel shall be sent by email or otherwise given to the complainant and, where relevant, the person complained about within five school days of the hearing. They will also be available for inspection on school premises by the proprietor and the Headteacher.

The decisions the panel might make

The Panel may decide to do the following:

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

If the complaint is upheld in whole or in part, the Panel may:

- consider and, if appropriate, criticise the way in which an operational decision was communicated – **but it cannot overturn the decision itself**;
- consider the thoroughness with which the Headteacher investigated a complaint about a member of staff – **but cannot expect the Headteacher to provide details about confidential discussions with that staff member**;
- consider the manner in which a complaint about any decision was addressed – **but cannot expect the Headteacher to change the decision**;
- consider and, if appropriate, identify limitations in a policy or procedures – **but cannot make or improve policy**. (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy.)
- consider whether it should recommend that the governing body offer appropriate redress.