

Leading Learning Trust – Complaints Policy

Content based on DfE’s Model
Complaints Policy, issued March 2020

Applies to: Selwyn Primary School
and Portway Primary School

Date reviewed:	November 2021
Reviewed by:	Leadership team
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Approved by the CEO (as per CST guidance):	November 2021



Leading
Learning Trust



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1. OVERVIEW OF THE POLICY MANAGEMENT PROCESS

1.1. Document history

Date	Document title	Version
1/11/16	Initial release as a Leading Learning Trust (Selwyn) document	1.0
1/07/17	<p>Second version of policy produced and reviewed by the trustees. Now a single Leading Learning Trust policy. Changes since initial release:</p> <ol style="list-style-type: none"> 1) Introduction includes a complete list of all exceptions to this policy – i.e. all complaints that are not covered by it, and which are thus dealt with under alternative policies as stated (the previous version only referenced admissions complaints). 2) 'Concerns and complaints' in the Introduction and Aims sections, as well as where referenced elsewhere within the document, have been replaced by 'complaints' only. 'Concerns' are not the subject of this policy. 3) A definitions section has been added after Aims, which confirms the difference between 'concern' and 'complaint'. 4) A number of links have been provided to the DfE document Best Practice Advice for Schools Complaints Procedures 2016. 5) An additional paragraph has been added to the section Serial or Persistent Complainants. A definition of 'vexatious' has been provided. 6) A new section has been added under the heading 'Additional notes re the policy and associated procedure'. The section is entitled 'Policy for unreasonable complainants' and is taken directly from the DfE Advice document. The final section re barring entry is also included. 7) A final course of action regarding pursuing a complaint has been outlined – i.e. putting the complaint in writing to the Secretary of State for Education. 8) Clarification around the personnel involved at Stage 3 and 	2.0



	Stage 4 has been provided.	
Nov 2017	<p>1.2. Review also requires the input of the DPO (Data Protection Officer) as the policy contains personal data.</p> <p>2.1. Introduction - added paragraph re complaints to the ICO (Information Commissioner's Office) regarding LLT's collection and processing of data.</p> <p>Introduction updated to reflect the fact that any member of the public can make a complaint - not just parents. This is as per DfE Guidance (January 2016). Note that the Guidance <i>does not</i> refer to academy trusts, but we are adopting it in line with our commitment to transparency and good governance.</p> <p>2.5.3. Records Retention - Records will be securely stored, with the appropriate access in place. All written records of complaints will be kept for a period of 6 years, after which they will be destroyed. Note that there is a caveat which refers to legal action.</p>	
April 2019	<p>CEO to approve the addition of Appendix 3 and Appendix 4 - a summary of formal complaints received at each school in the academic year ended July 2018. Appendix 3 shows formal complaints received at Portway during this year; Appendix 4 indicates that there were no formal complaints received at Selwyn.</p> <p>These Appendices will be updated annually on review of the policy.</p>	
February 2020	<p>CEO to approve the updating of Appendix 3 and Appendix 4 - complaints for the academic year ended July 2019.</p> <p>This information is reported to the Trust Board via the CEO Report.</p>	
September 2020	<p>Whole policy updated - in line with the DfE's Model Complaints Policy (March 2020) but taking LLT's structure and operational procedures into account. Not published until CEO review in November 2020.</p>	
November 2020	<p>CEO replaces Trust Board as the policy reviewer, as per Trust Board approval of adoption of CST (Confederation of School Trusts) guidance.</p>	



November 2021	No changes further to CEO review - Policy remains fit for purpose and compliant with DfE guidance	
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1.2. Review and approval

The Leading Learning Trust trustees have overall responsibility for the policy.

The Head teachers are responsible for the operation of the policy within the schools, as well as for the maintenance of a record of concerns raised in accordance with this policy and the outcomes.

This policy is reviewed annually by the School Leadership Team, and is then ratified by the CEO. As this policy references personal data, it has been reviewed as part of our GDPR (General Data Protection Regulations) project. In addition, our Data Protection Officer is part of every review of this policy.



2. THE POLICY

2.1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the Leading Learning Trust (which consists of Portway Primary School and Selwyn Primary School) 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.

Staff, governors and trustees who have a concern or a complaint should seek a resolution through the Whistleblowing Policy, also published on the school websites. As part of the Trust's leadership and management structures, regular communication takes place between all staff and line managers - including the discussion of any concerns.

2.2. The difference between a concern and a complaint

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

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

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. The Leading Learning Trust 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, the school's Head teacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred 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, the Leading Learning Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.



2.3. How to raise a concern or make a complaint

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

Complaints against school staff (except the head teacher) should be made in the first instance, to the Head teachers - Helen Mawer - helen.mwer@leadinglearningtrust.org (Selwyn Primary School) or Scott Chudley - scott.chudley@leadinglearningtrust.org (Portway Primary School) via the school office. Please mark complaints as Private and Confidential.

Complaints that involve or are about the Head teacher should be addressed to the CEO of the Leading Learning Trust - Emma Nicholls (emma.nicholls@leadinglearningtrust.org); hard copies should be marked for Emma's attention, and sent via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors of either school, any individual governor or the whole governing committee should be addressed to the Chair of Trustees. Complaints submitted in hard copy should be sent via the school office, and marked as Private and Confidential. Alternatively, the Chair of Trustees, Steve Loganathan, can be contacted on steve.logans@llt.org.uk. Similarly, complaints about the Chief Executive Officer (CEO) or any trustee should be addressed to the Chair of Trustees.

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 a third-party organisation 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.

2.4. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

2.5. Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.



2.6. Complaints received outside of term time

We will consider complaints made outside of term time (as per the term dates published on our school websites) to have been received on the first school day after the holiday period.

2.7. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by the Leading Learning Trust and its schools, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Nick Pratt or Alex Mihu:</p> <p>lado@newham.gov.uk 0203 3733803/02033736706</p>
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 behaviour policy can be made through the school's complaints procedure. Portway's Behaviour Policy is available on the Policies page of the school website; Selwyn's Behaviour Policy is available on the Policies page of the school website.</i></p>



Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff, contractors, governors and trustees. This is also available on the Policies pages of the school websites.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly 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 directly to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
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>

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

2.8. Resolving complaints

At each stage in the procedure, it is the express intention of the Trust and its schools 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.

2.9. Withdrawal of a complaint

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

2.10. 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 Head teacher. Complainants should not approach individual governors or trustees 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 Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response usually within 10 school days of the date of receipt of the complaint. However, complainants should be aware that there is no rigid timescale at this point in the procedures.

If the issue remains unresolved, the next step is to make a formal complaint as per the steps outlined below.

2.11. Stage 2 – Formal complaints

Formal complaints must be made to the Head teacher (unless they are about the Head teacher), via the school office. This may be done in person or in writing (preferably on the



Complaint Form, which is attached as an appendix to this Policy). Should you not use the form, you may be asked to provide additional information in line with the format of the form. You may also submit a formal complaint by writing an email to the Head teachers (details provided earlier), marking it clearly as a 'Stage 2 - Formal Complaint'. Note that this can only be done further to Stage 1 having been followed.

The Head teacher 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.

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

Note: The Head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken. The nature of the investigation will be determined by the nature of the complaint.

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

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

At the conclusion of their investigation, the Head teacher will provide a formal written response within 15 school days of the date of receipt of the complaint.

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

The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that the Leading Learning Trust/Portway Primary School/Selwyn Primary School will take to resolve the complaint.

The Head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Head teacher, or a member of the governing committee (including the Chair or Vice-Chair), a suitably skilled governor of the relevant school, or indeed a Trustee on the Leading Learning Trust Board, will be appointed to complete all the actions at Stage 2.



Complaints about the Head teacher or member of the governing committee must be made to the CEO of the Leading Learning Trust, as per the contact details provided earlier.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing committee or
- the majority of the governing committee,

Stage 2 will be escalated to the CEO of the Trust.

2.12. Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the CEO of the Trust, as per the details provided, within 5 school days of receipt of the Stage 2 response.

The CEO (or a designated representative) 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 CEO (or a designated representative) 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 request. If this is not possible, the CEO will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the CEO (or a designated representative) 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 governing committee or
- the majority of the governing committee,



Stage 3 will be heard by a panel of at least three people, two of which will be trustees and one of which will be an independent panel member (who may be one of the Trust's Members, whose roles are those of governance oversight only).

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

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the CEO (or a designated representative) 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, and
- request copies of any further written material to be submitted to the Committee 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. 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 Trust or school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the relevant school with a full explanation of their decision and the reason(s) for it, in writing, within 15 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 the Leading Learning Trust/Portway Primary School/Selwyn Primary School.

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 Leading Learning Trust/Portway Primary School/Selwyn Primary School 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 written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

2.13. Complaints escalated to / about the Trust, CEO or Trustee

If a complaint is escalated to the Leading Learning Trust Board 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 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 2 of this Complaints Policy (where the Head teacher is replaced by the CEO) 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 15 days of the date that the letter was received. If this time limit cannot be met, the



CEO will write to the Complainant, 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 who will lead the 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 CEO asking for the complaint to be heard before a Complaint Panel, within 5 school days of receipt of the response.

The CEO (or a designated representative) 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 CEO (or a designated representative) 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. If this is not possible, the CEO (or a designated representative) will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the CEO (or a designated representative) 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,

it will be heard by a completely independent Committee panel. The Trust Board has sole discretion as to the composition of this panel, and may consult the CEO.

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 the Academy Trust. This means that the independent Complaint Panel member will not be a Trustee or an employee of the Trust. Note that the independent member may be one of the Trust's Members, whose roles are those of governance oversight only).

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

Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the CEO (or designated representative) will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the Committee at least 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. 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 2 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 Trust's or schools' systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Chair of Trustees with a full explanation of their decision and the reason(s) for it, in writing, within 15 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 the Leading Learning Trust/Portway Primary School/Selwyn Primary School.

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 Leading Learning Trust 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 written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

2.14. Next Steps

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

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the Leading Learning Trust or either of its schools. They will consider whether the Trust/Portway Primary School/Selwyn Primary 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



2.15. Appendix 1 - Complaint Form - to be used for any Stage 2 complaints

Please complete and return to the CEO of the Leading Learning Trust (emma.nicholls@leadinglearningtrust.org) who will acknowledge receipt and explain what action will be taken. This completed form can also be handed in to the school office at Portway or at Selwyn Primary School.

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 who:
Complaint referred to:
Action taken:
Date:



2.16. Appendix 2 - Roles and Responsibilities

2.16.1. Complainant

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

- explain the complaint in full as early as possible
- cooperate 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.

2.16.2. 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, and
 - 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 Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.



The Head teacher 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.

2.16.3. Complaints Co-ordinator

(this could be the head teacher or CEO / designated complaints governor or trustee or other staff member providing administrative support: this will be decided on a case by case basis, in consultation with the CEO)

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 or the Clerk 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.

2.16.4. CEO/designated representative

The CEO/designated representative is the contact point for the complainant and the Committee 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 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 Committee's decision.



2.16.5. Committee Chair

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

- both parties are asked 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

2.16.6. 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 trust/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 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.



2.17. Appendix 3 - Summary of formal complaints - Portway Primary School - years ended July 2018, July 2019 and July 2020

Date complaint received	Category of complaint	Date complaint was resolved	Member of staff leading on resolution of complaint
Complaints received during the academic year ended July 2018			
20/07/2017	Conduct	Within 2 months	Chair of Governors
08/11/2017	Exclusion and SEN Support	Within a week	Head teacher
30/11/2017	Pupil incident	Within a week	Head teacher
04/01/2018	Pupil incident	Within a week	Head teacher
09/01/2018	Conduct and school meals	Within a week	Head teacher
26/02/2018	Pupil incident	Within a week	Head teacher
05/03/2018	Staffing	Not recorded	Head teacher
06/03/2018	Pupil incident	Within a week	Head teacher
21/03/2018	Staffing	Not recorded	Head teacher
Complaints received during the academic year ended July 2019			
12/03/2019	Pupil incident	Within a week	Deputy head teacher
16/10/2018	SEN support	Within a week	Head Teacher & Chair of Governors
23/11/2018	Pupil incident	Within 24 hours	Head Teacher
26/11/2018	Pupil incident	Within a week	Head Teacher
19/12/2018	Attendance Procedures	Within a week	Deputy head teacher
07/02/2019	Staffing and Communication	Within 24 hours	Head Teacher
25/03/2019	Query of consent on copyright	Within a week	Head Teacher
20/04/2019	Safeguarding referral and walking home alone	Within 24 hours	Assistant head teacher
04/10/2018	Pupil incident	Within 1 month	Head teacher
22/07/2019	Pricing of After school club	Not recorded	Head Teacher



Complaints received during the academic year ended July 2020			
13/12/2019	Parking and conduct of families on the road	Within a week	Assistant Head
20/12/2019	Staff	Within a week	Assistant Head

2.18. Appendix 4 - Summary of formal complaints - Selwyn Primary School - year ended July 2018 and year ended July 2019

No formal complaints were received at Selwyn Primary School during the year ended July 2018.

Date complaint received	Category of complaint	Date complaint was resolved	Member of staff leading on resolution of complaint
Complaints received during the academic year ended July 2019			
04.03.19	Pupil incident	Within 24 hours	Head Teacher
05.03.19	Pupil incident	Within 24 hours	Head Teacher
07.03.19	Parking incident	Within 24 hours	Head Teacher
15.06.19	GDPR - Photo consent	Within two weeks	Head Teacher, DPO, Project Consultant
11.07.19	Staffing and communication	Within a week	Head Teacher
Complaints received during the academic year ended July 2020			
12.09.19	Staffing	Within a week	Head Teacher
27.09.19	Staff conduct	Within 24 hours	Head Teacher & class teacher
10.11.19	Pupil Incident	Within a week	Head Teacher, class teacher, Learning mentor
20.11.19	Staff conduct	Within a week	Head Teacher, Deputy Head teacher, class teacher
09.12.19	Staff conduct	Within a week	Head Teacher