

# Complaint Policy



Approved by: FGB

Last reviewed on: September 2023

Next review due by: September 2026

## 1: Aims

The Duston School is a 4-19 co-educational, all-through Academy and is part of The Duston Education Trust (TDET). TDET is committed to resolving issues, concerns or complaints informally to ensure that these matters can be addressed swiftly for the benefit of both parties.

The formal complaints route will be utilised if attempts to resolve issues informally have been unsuccessful or if the complainant wishes to raise their concerns formally. In this case, TDET will attempt to resolve the issue as soon as possible, through the stages outlined within this complaint procedure.

TDET aims to meet its statutory obligations when responding to complaints from parents of pupils. When responding to complaints, TDET aims to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or pane, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect a complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

## 2: Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2017](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

## 3: Definitions and scope

- The DfE guidance explains the difference between a concern and a complaint.
- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".
- The school will resolve concerns through day-to-day communication as far as possible. In the first instance concerns should be fielded to tutors, class teachers and middle leaders. Then to Assistant Principals and then to Vice Principals.
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

- A **school day** excludes weekends, academy holidays and periods of partial or total academy closure.
- A **parent** means a parent, carer or anyone with legal responsibility for a child.
- The **trust** means the academy trust
- A **meeting** means an in-person or virtual meeting (i.e. telephone or video conference, where all parties can participate verbally). Virtual meetings will only be held in the event that all parties have access to appropriate equipment to attend and are happy to do so. If the parties are unable to meet virtually and the meeting must take place in person, the meeting may be postponed until it is deemed safe to hold an in-person meeting, at the discretion of the trust.
- TDET intends to resolve complaints informally where possible, at the earliest possible stage.
- There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.
- This policy does not cover complaints in respect of the matters set out at **Annex 1**.
- Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the Form Tutor/SENCo/Assistant Principal; they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.
- Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.
- The timeframes referred to in this policy are our usual timeframes and the Trust will seek to adhere to these timeframes where possible.

#### **4: Procedures**

4.1 It is expected that the majority of concerns will be resolved informally with no need to progress to the formal stages of this procedure.

4.2 The complainant should be given an opportunity to discuss their concern with an appropriate member of staff. In the case of a complaint relating to a specific individual, this is likely to be the individual concerned or alternatively their line manager.

4.3 The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed.

4.4 This stage should be completed speedily and concluded in writing with appropriate detail. This should be completed within 5 working days of receiving a concern.

4.5 If the complainant is not satisfied then they should be referred to the applicable and appropriate senior leader line manager, who will repeat this process. If the complainant is still not satisfied then they should be referred to a Vice Principal

4.6 Should Vice Principal intervention not resolve the matter then the complainant should be given a copy of this policy and they may consider making a formal complaint in writing.

Should the complainant refuse to engage with the complaints procedure but continue to correspond with the Trust or Academy with concerns or complaints, the Trust or Academy will review whether this could be considered a vexatious complaint.

## 5: Complaints

5:1 How to make a complaint a complaint (as defined in 3 above) is to be made preferably in writing, marked as Private and Confidential, using the pro-forma in **Annex 2**.

There are three complaint routes that a complainant can follow:

**Route 1:** Complaints against school staff (except the Principal) should be made in the first instance, to the Principal via the school office.

**Route 2:** Complaints that involve or are about the Principal, should be addressed to the Chair of the Trust and submitted to the Trust’s clerk.

**Route 3:** Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the clerk of the governing body.

5.2 Complainants should not approach individual governors to raise complaints as they have no power to act on an individual basis and it may also prevent them from considering complaints at later stages of the procedure.

### 5:3 Scope of this complaint procedure

We will not normally investigate anonymous complaints. However, the Trust, if appropriate, will determine whether the complaint warrants an investigation.

<b>Exceptions</b>	<b>Who to contact / policy to refer to</b>
Admissions	Admissions Policy / Vice Principal
Safeguarding / Child Protection	Safeguarding Policy / DSL
Exclusions	Behaviour Policy / Vice Principal
Staff grievances	Grievance Policy / Principal or HR
Whistleblowing	Whistleblowing Policy / Principal or HR
Staff conduct	Disciplinary Policy / Principal / HR
Facilities	Amey
External Providers	The external organisation

### 5.4 Timescales

Complaints must be raised 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 timeframe if exceptional circumstances apply (i.e. where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time).

5.5 Requests to progress a complaint to the next stage of the complaints process must also be made within 15 school days of the date of the outcome of the previous stage. The complaint will be considered to be closed if no further contact is received from the complainant.

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

5.7 In every case an initial response will be provided as soon as possible and in any event within 5 school days and a substantive response provided as soon as possible or within 15 school days. The Trust will endeavour to abide by these timeframes. However, it acknowledges that in some circumstances this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding an individual's availability to deal with the complaint. This could also include complaints where other bodies are investigating aspects of the complaint (e.g. the Police or the Local Authority) which may impact on our timescales. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved

5.8 At any stage of the complaints process, the complainant will be invited to attend a face-to-face meeting with the person investigating or hearing the complaint if this is deemed appropriate by the investigator. Where this is not practicable to do so within the stipulated timeframes or for other relevant reasons, the complainant will be contacted for a mutually agreed alternative to be found to mitigate any delays or concerns in the handling of the complaint.

5.9 Once the complaint has been expressed in writing, a record of the process of the resolution of the complaint will be kept securely.

#### **5.10 Withdrawal of a complaint**

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

#### **5.11 Resolving complaints**

Complaints could be resolved via:

- 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.

### **6: Main Route - Route 1**

#### **Stage 1**

6.1 Formal complaints must be made to the Principal in writing, via the school office (unless they are the subject of the complaint). The Principal 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.

6.2 The Principal will appoint an investigating officer from the senior leadership team who is neither the Principal nor the subject of the complaint. At this stage, the complainant may request an alternative member of staff if they have a difficulty with the nominated member of the senior leadership team (SLT).

6.3 This investigating officer will aim to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. During the investigation, the investigator will:

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

6.4 At the conclusion of the investigation the investigator will provide a formal written response to the complainant as soon as possible or within 15 school days of the date of receipt of the complaint. If for any reason this deadline cannot be met, the investigator will provide the complainant with an update and revised response date.

6.5 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision/s made and the reason/s for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.

6.6 If the complainant is dissatisfied with the outcome of the complaint it may be referred to Stage 2.

## **Stage 2**

6.7 Complainants who wish to pursue a formal complaint at Stage 2 should be asked to put the complaint and their desired outcome in writing to the Principal within 15 school days of receipt of the Stage 1 response. The complainant is invited to provide any relevant supplementary documentation to support their complaint.

6.8 The complaint will be heard by the Principal within 10 school days, where practicable, of being notified that the complainant is unhappy with the outcome of Stage 1. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded.

6.9 Once all the relevant facts have been established, the Principal should either write to the complainant or arrange a meeting to discuss or resolve the matter, addressing each of the issues raised by the complainant. This meeting should be followed up with a letter.

6.10 The Principal should keep written records of meetings, telephone conversations and other documentation.

6.11 If the complainant is dissatisfied with the outcome of the complaint after Stage 2 they may access Stage 3 of the procedure within 15 school days of receipt of the Stage 2 response.

## **Stage 3**

6.12 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 by contacting the clerk of the governing body. An initial response will be provided as soon as possible and in any event within 5 school days.

6.13 The Chair of Governors will appoint a single governor to investigate the complaint. They may refer to any relevant documentation from the previous stages of the complaints process.

6.14 The governor will review all the information and may wish to discuss the complaint in more detail with the complainant as part of their investigation.

6.15 The governor will decide on the outcome and inform the complainant in writing of the decision (within 15 school days), together with details of the final stage of the complaints process if they remain dissatisfied. A meeting may, if deemed appropriate, also be arranged to convey the reasons for the decision.

6.16 Where the complainant is dissatisfied with the outcome of Stage 3 they may request to consider the complaint at Stage 4.

#### **Stage 4**

6.17 This is the final stage of the of the complaints process. The complainant must write to the Chair of Governors outlining the nature of the complaint. This should be actioned within 15 school days of receiving the stage 3 response.

6.18 An initial response confirming receipt of the complaint will be provided by the Chair of Governors as soon as possible and in any event within 5 school days.

6.19 The Chair of Governors will convene a complaints panel of 3 members to attend a hearing with the complainant within 15 school days of acknowledgment of the complaint unless this is not reasonably practicable. If this is not possible, the clerk will provide an anticipated date and keep the complainant informed.

6.20 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 panel members must be independent to the management and running of the school. The panel will appoint its own Chair when it is constituted.

6.21 The complainant will be invited to attend the hearing. If the complainant rejects the offer of three proposed dates, without good reason, the clerk 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.

6.22 If the complainant wishes to attend the hearing, they may bring someone along to provide support. This can be a relative or friend. Generally, the Trust does not encourage either party to bring legal representatives to the panel hearing. However, there may be occasions when legal representation is appropriate. It is expected that the complainant informs the clerk to the panel of any additional person who may be attending

6.23 Any written material will be circulated to all parties at least 5 school days before the date of the hearing. This will include documentation from previous stages of the complaint and any other statements that the complainant, investigation officer or school wish to present. 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.

6.24 The meeting format will allow opportunities for both the complainant and the stage 2 investigating officer to provide their statements. It is within the Chair's discretion whether meetings with the stage 3 investigating officer (and witnesses) and the complainant (and witnesses) are held collectively as one meeting or separately. 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.

6.25 The aim of the hearing will be to resolve the complaint and achieve reconciliation. However, it must be recognised that the complainant might not be satisfied with the outcome if the panel does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that their complaint has been taken seriously.

6.26 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.

6.27 Where a complaint involves a child, the panel, in conjunction the parent/guardian, will determine the degree of the child's involvement in the hearing. It would not normally be appropriate for the child to be present throughout the hearing. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of any adults at the meeting.

6.28 Possible outcomes of the complaints panel meeting are as follows:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part

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

- Decide upon an appropriate action to resolve the complaint
- Recommend changes to systems or procedures to ensure that problems of a similar nature to not recur

6.29 A substantive response to the complaint will provided by the Chair of the Panel as soon as possible or within 15 school days. The response will be sent to the parties to the complaint and any person complained about.

6.30 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 TDET will take to resolve the complaint.

6.31 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. The response will be available for inspection.

6.32 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. All documentation relating to individual complaints will remain confidential and would not be disclosed except as required by law.

## **7: Route 2**

### **Complaints escalated about the Principal**

#### **Stage 1**

7:1 A complaint regarding the Principal should be sent to the Chair of Governors.

7:2 The Chair of Governors will appoint an investigating officer to investigate the complaint.

7:3 The investigating officer will acknowledge receipt of the complaint in writing within 5 school days.

7:4 At the conclusion of the investigation the investigator will provide a formal written response to the complainant as soon as possible or within 15 school days of the date of receipt of the complaint. If for any reason the deadline cannot be met, the investigator will provide the complainant with an update and revised response date.

7:5 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 will be taken to resolve the complaint.

7:6 If the complainant is dissatisfied with the outcome of the complaint it may be referred to Stage 2.



## **Stage 2 – Complaints Panel**

7:7 For route 2, this is the final stage of the of the complaints process. The complainant must write to the Chair of Governors outlining the nature of the complaint. This should be actioned within 15 school days of receiving the stage 1 response.

7:8 The process, as set out in paragraphs 6:17 to 6:32 will be followed.

## **8: Route 3 - Complaints about the Chair of Governors, any individual governor or the whole governing body**

### **Stage 1**

8:1 If a complaint is regarding the Chair of Governors, any individual governor or the whole governing body, then the complaint should be sent to the clerk. The clerk will refer this matter to the next most senior governor or the Principal, who will appoint an investigating officer to investigate the complaint.

8:2 The investigating officer will acknowledge receipt of the complaint in writing within 5 school days.

8:3 At the conclusion of the investigation the investigator will provide a formal written response to the complainant as soon as possible or within 15 school days of the date of receipt of the complaint. If for any reason the deadline cannot be met, the investigator will provide the complainant with an update and revised response date.

8:4 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 will be taken to resolve the complaint.

8:5 If the complainant is dissatisfied with the outcome of the complaint it may be referred to Stage 2.

### **Stage 2 – Complaints Panel**

8:6 For route 3, this is the final stage of the of the complaints process. The complainant must write to the clerk outlining the nature of the complaint. This should be actioned within 15 school days of receiving the stage 1 response.

8:7 The process, as set out in paragraphs 6:17 – 6:32 will be followed.

## **9: Next Steps**

9:1 If the complainant believes the 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 the final stage of the complaints process.

9:2 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by TDET. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

9:3 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

## 9. Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 school days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## 10: Serial, Persistent and Vexatious Complaints

10:1 TDET seeks to provide assistance to people who are wishing to raise a concern or complaint. However, where all stages of the complaints procedure have already been followed and the complainant remains dissatisfied and wishes to re-open the same issue, the Chair of Governors will inform the complainant in writing that the procedure has been exhausted and that the matter is now closed from the Trust's point of view.

10.2 If further contact is received by the complainant, TDET will consider it as a 'serial' or 'persistent' complaint which does not require a response. The decision not to respond will be based on the following:

- TDET has taken every reasonable step to address the complainant's concerns
- the complainant has been given a clear statement of the Trust's position and their options
- the complainant contacts the Trust repeatedly, making substantially the same points each time
  - the letters, emails, or telephone calls are often or always abusive or aggressive
- the complainant makes insulting personal comments about or threats towards staff
- TDET has reason to believe the individual is contacting the Trust with the intention of causing disruption or inconvenience

10.3 TDET considers the characteristics of a 'frivolous' or 'vexatious' complaint as:

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

In such cases, TDET may take the decision not to respond.

10.4 Complainants should limit the numbers of communications 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.

10:5 Whenever possible, the Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

10:6 For complainants who excessively contact the school causing a significant level of disruption, the school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

10:6 In some circumstances, if an individual's behaviour is a cause for concern they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises. In other cases where there are concerns about an individual's behaviour towards specific member/s of staff, all communications from this individual will be routed to one designated point of contact within the school.

10.7 For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with an academy or the Trust) which are all based on the same subject or where a parent has sought to complain via a multitude of channels, for example, national petitions, local and national media outlets, social media.

Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- Send a template response to all complainants and/or
- Publish a single response on the academy/trust's website (as applicable)

10:8 There are rare circumstances where we will deviate from the Complaints Procedure set out in this procedure. These include, but are not necessarily limited to:

- where the complainant's behaviour or language towards staff, members of the governing body is abusive, offensive, discriminatory or threatening;
- where the complaint's behaviour is hindering our consideration of complaints and/or the proper running of the academy because of the frequency or nature of the complainant's contact, 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 the complaints procedure
  - insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
  - introduces trivial or irrelevant information which they expect 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
- seeks an unrealistic outcome, such as the inappropriate dismissal of staff
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums ○ where the complainant's complaint is clearly frivolous, vexatious and/or has patently insufficient grounds.

### **11. Concerns or complaints from other persons**

This complaints policy applies only to complaints made by parents or carers of current registered pupils of the academy. However, the trust wishes to work closely with other members of the local community and will deal with their concerns and complaints as follows:

**Stage 1** - a concern regarding the academy or its operations may be made to any member of staff. That member of staff will attempt to resolve the matter immediately or may, if appropriate, refer the matter to their line manager or member of the senior leadership team (SLT) who is best placed to deal with the concern. It is expected that most concerns will be responded to orally or in writing within 5 school days. If a longer period is required, you will be kept informed of the progress of the investigation.

**Stage 2** - where a concern is not resolved at stage 1, or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Principal of the academy to investigate. The Principal may delegate the task of investigation and/or responding to the complaint to a member of SLT or may escalate the complaint straight to stage 3. A formal response to the complaint will usually be provided within 10 school days of receipt of the letter of complaint although if a longer period is required to respond, you will be kept updated.

**Stage 3** - if you are not satisfied with the response at stage 2, you may request a review by writing to the clerk of the governing body. You should write to the clerk within 10 school days of receipt of the letter at stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The clerk will arrange for a governor to consider the complaint alone or may convene a complaints committee. The decision at this stage will usually be sent to you within 20 school days of receipt of the request for a review. The decision at stage 3 exhausts the academy's complaints procedure.

Concerns or complaints regarding the Principal or the trust as a whole should be referred direct to the clerk to the governing body, who will arrange for the stages above to be considered by an appropriate person.

### **12. Record-keeping**

12:1 The Trust will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

12:2 This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

12:3 This is except where the Secretary of State (or someone acting on their behalf) or the complainant request access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

12:4 Record of complaints will be kept on file by the school.

12:5 The details of the complaint, including the names of individuals involved, will not be shared with the whole Governing Board in case a review panel needs to be organised at a later point.

12:6 Where the Governing Board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

12:7 Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing Body, who will not unreasonably withhold consent.

### **13: Learning lessons**

13:1 The Governing Board will review any underlying issues raised by complaints with the Principal/senior leadership team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

### **14: Monitoring arrangements**

14:1 The Governing Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Governing Board will track the number and nature of complaints, and review underlying issues.

14:2 The complaints records are logged and managed by the PA to the Principal.

14:3 This policy will be reviewed by the Governing Board every 3 years.

14:4 At each review, the policy will be approved by the full Governing Board.

### **15: Links with other policies**

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report

### **16: Policy Review**

This policy will be monitored as part of the Academy's annual internal review and reviewed on a three-year cycle or as required by legislature changes.

## Annex 1

### Matters excluded from scope of this policy

Excluded Matters	Signposting
Admissions	The process for challenging admissions decisions is set out in our admissions policy in accordance with relevant statutory guidance.
Child protection matters	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).
Exclusions	The process for challenging exclusions decisions is set out in the DfE’s statutory guidance and information can be found at <a href="https://www.gov.uk/school-disciplineexclusions/exclusions">https://www.gov.uk/school-disciplineexclusions/exclusions</a>
National Curriculum content	Please contact the Department for Education at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
School re-organisation proposals	Where concerns are not adequately addressed by the trust, complaints can be raised direct with the Department for Education.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
Staff grievances	Complaints from staff will be dealt with under the school’s internal grievance procedures.
Staff conduct	<p>Certain complaints about staff may need to be dealt with under the academy’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>
Statutory assessments of Special Educational Needs (SEN)	Concerns about statutory assessments of special educational needs should be raised direct with the local authority.
Whistleblowing	<p>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 for whistleblowers 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 should complain through the school’s complaints procedure. You may also</p>

	be able to complain direct to the Department for Education (see link above), depending on the substance of the complaint
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**Annex 2 Complaints  
Form**

**Your name:**

**Pupils name:**

**Your relationship to pupils:**

**Your address and postcode:**

**Your daytime telephone number:**

**Your evening telephone number:**

**Your email address:**



**Your complaint is:** (if you have more than one complaint, please number these)



**What action have you already taken to try and resolve your complaint(s)? (Who did you speak to and what was the response?)**

**What would you like as an outcome from your complaint(s)?**

**Are you attaching any paperwork? If so, give details here:**

Your signature..... Date .....

All functions of the complaints procedure must adhere to the requirements of the Data Protection Act 2018 and the Freedom of Information Act 2000.

Please complete and return to the academy office in a sealed envelope addressed to the Principal or Clerk of the governing body (as appropriate).



The Duston School – Policy Document

Date received .....

Date acknowledgement sent .....

Responsible member of staff .....

