

| <b>Complaints Policy</b>          |                                     |                     |                |
|-----------------------------------|-------------------------------------|---------------------|----------------|
| <b>Current Status:</b>            | Operational                         | <b>Last Review:</b> | January 2021   |
| <b>Responsibility for Review:</b> | Group Director HR & Shared Services | <b>Next Review:</b> | January 2024   |
| <b>Internal Approval:</b>         | SAT SET                             | <b>Originated:</b>  | September 2015 |

### 1. Policy Statement

- 1.1. As a result of the various activities of the Trust, the number of students, customers, clients, parents and guardians involved and the large number of businesses and organisations with which the Trust works, complaints may, from time to time, arise.
- 1.2. In this context, complaints are deemed to include an expression of dissatisfaction, grievance or fault finding about the Trust.
- 1.3. All issues are logged, whether dealt with as a formal or informal complaint, to ensure fairness, to enable the Trust to respond quickly to the situation, and to support the Trust to change our policies and procedures where this may be deemed appropriate.

### 2. Application and Scope

- 2.1. The Trust will thoroughly investigate any complaint, whether informal or formal, relating to the day-to-day operation of the Trust and the standards of service we provide.
- 2.2. This complaints procedure is not limited to parents or carers of students that are registered at the college. Any person, including members of the public, may make a complaint to Suffolk Academies Trust about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.
- 2.3. This procedure covers all complaints about any provision of community facilities or services by Suffolk Academies Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

## Complaints Policy

| Exceptions   | Who to contact   |
|--|--|
| Admissions to college                                      | 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).</p>  |
| Exclusion of children from college*                        | <p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the college's complaints procedure.</i></p> <p><a href="#">Student Discipline policy</a></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 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 about our college should complain through the college'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 internal grievance procedures.  |
| Staff conduct  | <p>Complaints about staff will be dealt with under the 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>  |

- 2.4. 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.
- 2.5. If a complainant commences legal action against Suffolk Academies Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

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

#### **3.1. Signed complaints**

- 3.1.1. A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.
- 3.1.2. Complaints against college staff (except the Principal) should be made in the first instance, to Principal via the Executive Assistant to the Principal. Please mark them as Private and Confidential.
- 3.1.3. Complaints that involve or are about the Principal should be addressed to the Chief Executive Officer (CEO), via the Personal Assistant to the CEO. Please mark them as Private and Confidential.
- 3.1.4. Complaints about the Chair of the Local Governing Body, any individual local governor, the whole Trust or local governing body should be addressed to the Trust Clerk to the Governing Body via the Personal Assistant to the CEO. Please mark them as Private and Confidential.
- 3.1.5. Complaints about the Chief Executive Officer (CEO) or a Trustee of the Trust, should be addressed to the Chair of Trustees, via the trust office. Please mark them as Private and Confidential.
- 3.1.6. 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 Executive Assistant to the Principal. You can also ask a third-party organisation, for example the Citizens Advice, to help you.
- 3.1.7. 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.

### 3.2. Anonymous complaints

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

### 4. Time scales

- 4.1.1. You must raise the complaint in a timely manner and normally 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.

### 5. Resolving complaints

- 5.1.1. At each stage in the procedure, Suffolk Academies 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 college policies in light of the complaint
- An apology.

### 5.2. Withdrawal of a complaint

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

### 5.3. Resolving a Complaint – Students

- 5.4. Students are encouraged to resolve a complaint informally before commencing the Formal Complaints Procedure. This initial informal stage should normally involve a discussion directly with the relevant member(s) of staff or with his/her Personal Progress Tutor/Student Achievement Mentor.

- 5.5. It should be attempted to resolve the matter informally as soon as possible and no later than **fourteen working days** after the event or problem has occurred.

- 5.6. Where no informal resolution can be achieved within **fourteen working days** of the initial complaint being raised, the student complainant may choose to progress their complaint by using the Formal Complaints Procedure.

### 6. The Procedures

#### 6.1. Stage One - Informal Complaints

- 6.1.1. There can be instances when a complainant may wish to remain anonymous or request that the issue be dealt with informally. Such individuals should be directed to the person who is directly concerned or best suited to resolve that issue. The details can be emailed to the relevant person if preferred. For students, this is likely to be the Personal Progress Tutor/Student Achievement Mentor. In circumstances where these individuals are the source of the complaint then the appropriate Director or Head of Curriculum or Student Services Manager should be contacted. Details should be logged as 'informal' and placed in the 'Complaints File' which is retained in Student Services.
- 6.1.2. For those individuals who are unsure as to whom to contact then in the first instance they should contact the Student Services Manager from the College in which they are based who will direct them to the most appropriate member of staff.
- 6.1.3. In most instances informal complaints will not receive a formal written response but nevertheless must be dealt with promptly.
- 6.1.4. Responsibility for the prompt follow up of informal complaints will sit with the relevant manager. The manager should endeavour to resolve the complaint but should escalate if it is evident that a resolution is not likely to be met. This should be done to prevent it becoming a more serious matter.

#### 6.2. Stage Two - Formal Complaints

- 6.2.1. Formal complaints should be submitted in writing (preferably on the Complaints Form) and addressed to the Executive Assistant (EA)/Personal Assistant (PA) to the Principal in the respective college who will then send a copy to the PA to the Chief Executive.
- 6.2.2. Any other member of staff receiving a formal letter of complaint must pass the complaint to the EA/PA to the Principal and Senior Leadership team on the day of receipt together with any additional information they may hold on the incident. This may help to speed up the response time.
- 6.2.3. A written acknowledgement will be sent by the EA/PA to the Principal and Senior Leadership team within **three working days** and the details logged on the Complaints Log for checking and reporting purposes. All correspondence will be filed securely.

- 6.2.4. Any letter submitted should clearly set out the circumstances of the complaint, any individuals or witnesses involved and any relevant dates or times.
- 6.2.5. Where possible, and to provide the greatest opportunity for the complaint to be actioned, complaints should be submitted in a timely fashion in order to facilitate a resolution.
- 6.2.6. Complaints will be investigated fairly and quickly with the intention of satisfactorily resolving the matter, identifying the causes and symptoms and upholding or rejecting the complaint for the benefit of all involved.
- 6.2.7. A considered Trust view on the complaint will be made by the relevant member of the Management Team. They will ensure that a detailed response with evidence is sent to the EA/PA to the Principal and Senior Leadership team within the prescribed timescale where appropriate.
- 6.2.8. The College Principal or delegate will respond in writing within **fifteen working days** from the date of the receipt of the complaint, detailing the outcome of the investigation. If the investigation is going to take more than **fifteen working days**, the EA/PA to the Principal and Senior Leadership Team will send a further holding letter.
- 6.2.9. Where complaints are received within **fifteen working days** of a holiday period, or during a holiday period, it is expected that the complaint response will take longer than **fifteen working days** due to the absence of appropriate staff to investigate. This will be confirmed in writing.
- 6.2.10. The Principal will advise the complainant of how to escalate their complaint to stage three should they remain dissatisfied with the outcome of the formal complaint.
- 6.2.11. Following the resolution of the complaint, where required, the Director/Head of Curriculum or Student Services Manager or relevant member of the Senior Leadership Team must complete the Complaints log.
- 6.2.12. If the complaint is about the Principal, or a non-staff member of any Trust Committee a suitably skilled Trustee will be appointed to complete all the actions of the Formal Complaint procedure.
- 6.2.13. Complaints about the Principal or the Committee member must be made to the Trust Clerk.

### **6.3. Stage Three – Appeal/ Panel Hearing**

- 6.3.1. 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 college. This is the final stage of the complaints procedure.

- 6.3.2. A request to escalate to Stage 3 must be made to the Trust Clerk, within **ten working days** of receipt of the Stage 2 response.
- 6.3.3. The Trust Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **three working days**.
- 6.3.4. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 6.3.5. The Trust Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **fifteen working days** of receipt of the Stage 2 request. If this is not possible, the Trust Clerk will provide an anticipated date and keep the complainant informed.
- 6.3.6. If the complainant rejects the offer of three proposed dates, without good reason, the Trust 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.
- 6.3.7. 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 college employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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

- 6.3.8. Representatives from the media are not permitted to attend.
- 6.3.9. At least **ten working days** before the meeting, the Trust Clerk will:
  - Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

## Complaints Policy

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- Request copies of any further written material to be submitted to the committee at least five working days before the meeting.
- 6.3.10. Any written material will be circulated to all parties at least **five working 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.
- 6.3.11. 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.
- 6.3.12. 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.
- 6.3.13. 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.
- 6.3.14. 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 systems or procedures to prevent similar issues in the future.
- 6.3.15. The Chair of the Committee will provide the complainant and Suffolk Academies Trust with a full explanation of their decision and the reason(s) for it, in writing, within **ten working days**.
- 6.3.16. 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 Suffolk Academies Trust.
- 6.3.17. 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 Suffolk Academies Trust will take to resolve the complaint.
- 6.3.18. 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 college premises by the Principal.

- 6.3.19. 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.

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

- 6.4.1. If a complaint is escalated to Suffolk Academies Trust "the trust" or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.

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

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

- 6.4.4. If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board. If a formal complaint form is received about the Chair, the complaint will be referred to the Vice Chair for investigation

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

- 6.4.5. If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Clerk to the Trust Board asking for the complaint to be heard before a Complaint Panel, within **ten working days**.

- 6.4.6. The Trust Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **three working days**.

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

- 6.4.8. The Trust Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **fifteen working days** of

receipt of the Stage 2 request. If this is not possible, the Trust Clerk will provide an anticipated date and keep the complainant informed.

6.4.9. If the complainant rejects the offer of three proposed dates, without good reason, the Trust 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. If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire trust board or
- the majority of the Trust Board
- Stage 3 will be heard by a completely independent committee panel.

6.4.10. 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.

6.4.11. 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.

6.4.12. 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.

6.4.13. 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.*

6.4.14. Representatives from the media are not permitted to attend.

6.4.15. At least **ten working days** before the meeting, the Trust Clerk will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

## Complaints Policy

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- Request copies of any further written material to be submitted to the committee at least ten working days before the meeting.

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

6.4.17. 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.

6.4.18. 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.

6.4.19. 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.

6.4.20. 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 college's systems or procedures to prevent similar issues in the future.

6.4.21. The Chair of the Committee will provide the complainant and Suffolk Academies Trust with a full explanation of their decision and the reason(s) for it, in writing, within **ten working days**.

6.4.22. 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 Suffolk Academies Trust.

6.4.23. 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 Suffolk Academies Trust will take to resolve the complaint.

6.4.24. 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 college premises by the Principal.

6.4.25. 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.

### **7. Next Steps**

7.1.1. 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 Stage 3.

7.1.2. The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Suffolk Academies Trust. They will consider whether Suffolk Academies 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](#).

7.1.3. 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  
Quinton Road Coventry  
CV1 2WT

### Addresses for correspondence:

|  |  |
|--|--|
| <p><b>One Sixth Form College</b></p> <p><b>Executive Assistant to the Principal and Senior Leadership Team</b><br/>One Sixth Form College<br/>Scrivener Drive<br/>Ipswich<br/>Suffolk IP8 3SU</p> <p><b>Abbeygate Sixth Form College</b></p> <p><b>Executive Assistant to the Principal and Senior Leadership Team</b><br/>Abbeygate Sixth Form College<br/>Beetons Way<br/>Bury St Edmunds<br/>Suffolk<br/>IP33 3YU</p> | <p><b>PA To the Chief Executive</b></p> <p>West Suffolk College,<br/>Out Risbygate,<br/>Bury St Edmunds,<br/>Suffolk<br/>IP33 3RL</p> <p><b>Clerk to the Trust Board</b></p> <p>West Suffolk College,<br/>Out Risbygate,<br/>Bury St Edmunds,<br/>Suffolk<br/>IP33 3RL</p> |
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### Complaint Form

Please complete and return to *Principal/ Trust Clerk - delete as appropriate* who will acknowledge receipt and explain what action will be taken.

|   |  |
|---|--|
| Your name:                                      |  |
| Student's name (if relevant):                   |  |
| Your relationship to the student (if relevant): |  |
| Address:  |  |
| Postcode:                                       |  |
| Day time telephone number                       |  |
| Evening telephone number                        |  |
| Email address:                                  |  |

## Complaints Policy

### Appendix 1 Complaint Form

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Please give details of your complaint, including whether you have spoken to anybody at the Trust/college about it.

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

## Complaints Policy Appendix 1 Complaint Form

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:

## **Appendix 2. Roles and Responsibilities**

### **Complainant**

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

- a) Explain the complaint in full as early as possible
- b) Co-operate with the college in seeking a solution to the complaint
- c) Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- d) Ask for assistance as needed
- e) Treat all those involved in the complaint with respect
- f) 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:

- a) Providing a comprehensive, open, transparent and fair consideration of the complainant through:
  - i. Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - ii. Interviewing staff and children/young people and other people relevant to the complaint
  - iii. Consideration of records and other relevant information
  - iv. Analysing information
- b) Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- a) Conduct interviews with an open mind and be prepared to persist in the questioning
- b) Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- c) Ensure that any papers produced during the investigation are kept securely pending any appeal
- d) Be mindful of the timescales to respond
- e) Prepare a comprehensive report for the principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

## **Complaints Policy**

### **Appendix 2. Roles and Responsibilities**

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- f) The principal or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

#### **Complaints Co-ordinator**

**This could be the Principal or CEO / designated complaints Trustee or other staff member providing administrative support**

#### **The complaints co-ordinator should:**

- a) Ensure that the complainant is fully updated at each stage of the procedure
- b) Liaise with staff members, principal, CEO, chair of Trust or the Trust Clerk and to ensure the smooth running of the complaints procedure
- c) Be aware of issues regarding:
  - i. Sharing third party information
  - ii. Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a young person
- d) Keep records.

#### **Clerk to the Trust Board**

The Trust Clerk is the contact point for the complainant and the committee and should:

- a) 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)
- b) 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
- c) Collate any written material relevant to the complaint (for example: stage 1 paperwork, college and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- d) Record the proceedings
- e) Circulate the minutes of the meeting
- f) Notify all parties of the committee's decision.

#### Committee Chair

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

- a) Both parties are asked (via the Trust Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- b) 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
- c) 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
- d) The remit of the committee is explained to the complainant
- e) 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.
- i. 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
- f) Both the complainant and the college 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
- g) The issues are addressed
- h) Key findings of fact are made
- i) The committee is open-minded and acts independently
- j) 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
- k) The meeting is minute
- l) They liaise with the Trust Clerk (and complaints coordinator, if the college has one).

#### Committee Member

Committee members should be aware that:

- a) the meeting must be independent and impartial, and should be seen to be so
  - i. No Trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

## Complaints Policy

### Appendix 2. Roles and Responsibilities

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- b) the aim of the meeting should be to resolve the complaint and achieve reconciliation between the college and the complainant
  - i. 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.
- c) many complainants will feel nervous and inhibited in a formal setting
  - i. Parents/carers often feel emotional when discussing an issue that affects their child.
- d) extra care needs to be taken when the complainant is a young person and present during all or part of the meeting
  - i. Careful consideration of the atmosphere and proceedings should ensure that the young person does not feel intimidated.
  - ii. The committee should respect the views of the young person and give them equal consideration to those of adults.
  - iii. If the young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the 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 young person needs to attend.
  - iv. However, the parent should be advised that agreement might not always be possible if the parent wishes the young person to attend a part of the meeting that the committee considers is not in the young person's best interests.
- e) The welfare of the young person is paramount.

### Revision History – Complaints Policy

| <b>Revision date</b> | <b>Reason for revision</b> | <b>Section number</b> | <b>Changes made</b>   |
|----------------------|----------------------------|-----------------------|---|
| 24/9/20              | Create SAT policy          | Throughout            | Updated One to SAT Included reference to sending to respective college Removed Appeal panel and replaced with CEO |
| 27/4/21              | SAT Review                 | Throughout            | Wide scale changes throughout to bring in line with Model DfE Complaints Policy                                   |
|                      |                            |                       |   |