

**LDBS Academies Trust
&
LDBS Academies Trust 2**

Complaints Procedure

DATE APPROVED BY THE LDBS ACADEMIES TRUST	10 September 2019		
NEXT REVIEW DATE (Biennial)	September 2021		
SIGNED (EXECUTIVE) HEADTEACHER		DATE	08/10/19
SIGNED CHAIR OF THE LOCAL ACADEMY COMMITTEE		DATE	08/10/19

Vision Statement

Our schools aspire to provide ‘excellence and equity in a Christian context’, where every child is valued as a unique individual treasured by a loving God. ‘I have inscribed you on the palms of my hands.’ Isaiah 49.v16.

Our aim is that every child will have the opportunity to flourish and develop into a rounded adult who can live life to the full. ‘I have come that they may have life and may have it in all its fullness’. John 10.v10.

Our schools are places where all are welcome and where we practise kindness and hospitality on a daily basis.

Our vision and our values are clearly displayed and while it is not a requirement that a child and their family have to be practising Christians we do expect all parts of the community, children, staff, parents and carers to support the values that we hold dear.

In our school we demonstrate how we support this vision through our values which are Friendship, Endurance, Trust and Hope and summed up in the following statement Inspiring belief in God and in one another.

The vision of St Richard’s CE Primary School is for a thriving and outstanding school where children and adults have the opportunity to become the best they can be.

Inspiring belief...

- in ourselves – through progression and fulfilment
 - in each other – through motivation and teamwork
 - in the children – through showing them their potential
 - in the parents – through building trust by results
 - in God to all – through our whole lives.
-
- We believe in looking out for everyone
We put safety first and we do all we can to ensure that all needs are met.
 - We believe in working together
We act like a family who support and motivate one another.
 - We believe in aiming for the best
We do all we can to ensure the highest quality in every area – our children deserve nothing less.
 - We believe in looking to the future



Excellence and Equity for All Children in a Christian Context

We are positive and seek opportunities to grow and improve, overcoming obstacles to achieve our goals.

We live out our values and vision through our key policies e.g. The LAT Behaviour policy is supported through the values described in the rewards and sanctions section of the policy demonstrating the importance of dignity and forgiveness.

The school admissions policy decided by the Local Academy Committee shows our inclusivity and the importance we place on service to our local community.

The breadth of the curriculum and the creative projects which we enjoy are key to providing opportunities for children to experience life in 'all its fullness', so that alongside learning and wisdom they also experience joy and delight in learning.

Care for the individual and their needs is crucial and the school's policies regarding inclusion and SEND are constant reminders that each of us is known to God and our names are 'inscribed on the palms of His hands'.

LAT HR policies are common in all schools and are created to ensure that individuals are treated fairly and with dignity. All HR policies have been scrutinised by the various unions to ensure that they contain acceptable procedures.

Table of Contents

1.	Aims	5
2.	Compliance with legislation and guidance.....	5
3.	Definitions	5
4.	Scope of this Procedure.....	6
5.	Resolving issues and complaints	7
6.	Outline of the Complaints Procedure.....	8
7.	Stage 1 – The Informal Stage	8
8.	Stage 2 – The Investigation Stage.....	8
8.7.	Complaints against the (Executive) Headteacher	9
9.	Stage 3 – The Complaints Panel.....	9
10.	Stage 4 – The Appeals Panel	11
11.	Referring complaints on completion of the LAT’s Complaints Procedure	12
12.	Vexatious Complaints	12
13.	Recording devices at meetings	14
14.	Instances where the LAT may stop responding to a complainant	14
15.	Complaints made on social media	14
16.	Monitoring, evaluation and review	15
17.	Links with other policies	15
	Annex A – Complaints Procedure – Outline	16
	Annex B – Complaint Form.....	17
	Annex C – Model Agenda for Stage 3 and Stage 4.....	20
	Annex D – Model Letter for Stage 2	22
	Annex E – Model Letter for Stage 3	23
	Annex F – Roles of the different parties within the Complaints Procedure	24
	Annex G – Dealing with Complaints made on Social Media	27

1. Aims

- 1.1. The LDBS Academies Trust and the LDBS Academies Trust 2 (herein referred to collectively as the 'LAT') aims to meet its statutory obligations when responding to complaints from parents of pupils at the school. The LAT aims to have in place a clear system and route for raising any complaints.
- 1.2. When responding to complaints, the LAT aims to be non-adversarial, fair, and respectful of confidentiality. The LAT aims to resolve concerns or complaints by informal means wherever possible. Where this is not possible the formal procedures will be followed.
- 1.3. It is not intended that these guidelines should replace the normal discussion about day-to-day problems and concerns which should take place as they arise. It is only where a complainant remains dissatisfied that further steps need to be taken.

2. Compliance with legislation and guidance

- 2.1. This Procedure meets the requirements set out in Part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that all the academies must have, and make available, a written procedure to deal with complaints from parents of pupils at the school.
- 2.2. This Procedure is also based on the 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').
- 2.3. This Procedure complies with the LAT's funding agreement and its Articles of Association.

3. Definitions

- 3.1. 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 importance for which reassurances are sought'. Whereas a 'complaint' is defined as

“an expression of dissatisfaction, however made, about actions taken, or a lack of action”.

- 3.2. In both instances, the LAT aims to resolve all concerns or complaints swiftly, fairly and informally, where possible. This Procedure explains the procedure relating to handling of concerns, or complaints, informally, or formally.

4. Scope of this Procedure

- 4.1. Parents and pupils may raise complaints in relation to (1) the conduct of staff, (2) teaching and learning, (3) bullying, (4) the school environment, (5) discrimination.
- 4.2. In each case, the responsibility for action lies with the LAT school. In some cases, a complaint may result in an issue being dealt with under another LAT policy. In such cases, the issue must be dealt with separately from this Procedure.
- 4.3. Please be advised that anonymously submitted complaints will be dealt with on a case-by-case basis.
- 4.4. Please use the Complaints Form attached to this Procedure at Annex B for submitting your concerns or complaints.
- 4.5. This Procedure does not cover issues related to (1) admissions, (2) statutory assessments of special educational needs and disabilities, (3) safeguarding matters, (4) exclusions, (5) whistle-blowing, and (6) staff grievances and discipline.
- 4.6. Complaints about staff may, when appropriate, be dealt with under the LAT’s internal disciplinary procedures. Complainants will be informed that their complaint is being addressed but will not be informed of any disciplinary action taken against a staff member as a result of a complaint.
- 4.7. The LAT recommends that neither the complainant nor the LAT school bring legal representation. This Procedure is not a form of legal proceedings, but rather aims to achieve reconciliation or to put right things that may have gone wrong. However, the LAT recognises that there are instances where legal representation may be appropriate (i.e. if a school employee is involved, they may be entitled to bring union or legal representation).

- 4.8. Complaints about parental responsibility will be dealt with under the advice and guidance issued by the DfE. The DfE guidance, Understanding and dealing with issues relating to parental responsibility, can be accessed at <https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility>.
- 4.9. If at any stage of the process, the complainant initiates legal proceedings in relation to the matters under consideration, the Complaints Procedure will automatically cease, and all further correspondence will be directed through the LAT school's legal representative.

5. Resolving issues and complaints

- 5.1. Nearly all issues or concerns can be resolved very quickly and informally if parents / carers feel able to voice them as soon as they arise. The LAT strives to resolve all issues or concerns at an informal stage. The ideal is that no concern should ever become a formal complaint. It may be sufficient to acknowledge that a complaint is valid, in whole or in part.
- 5.2. It might be appropriate to offer (1) an apology, (2) an explanation, (3) an admission that the situation could have been handled differently or better, (4) an assurance that the incident complained of will not recur and an explanation of steps taken to ensure this, (5) an undertaking to review LAT school policies in light of the complaint, and / or (6) asking the complainant what they feel should happen in order to resolve the issue.
- 5.3. It may also be the case that the Investigating Officer, or the Complaints Panel, concludes that (1) there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld, (2) the concern is not substantiated by the evidence, (3) the concern was substantiated in part or full but only some details may be given in relation to the actions taken by the school in compliance with the LAT's Data Protection Policy, or (4) the matter was fully investigated and that appropriate secondary procedures have been initiated which are strictly confidential under the LAT's Data Protection Policy (i.e. initiation of staff disciplinary procedures).
- 5.4. Every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare indeed that a complaint needs to be decided at the Appeal Stage by a Complaints Appeals Panel.

- 5.5. The use of pupils as witnesses is only permitted in exceptional circumstances. The LAT school must seek parental consent before interviewing any child. All children should be accompanied by a responsible adult if the parent has given permission but is not present. The LAT school must ensure that pupils do not participate in any discussion where they might witness confrontation between adults.

6. Outline of the Complaints Procedure

- 6.1. The LAT has four stages to its Complaints Procedure. These are (1) the informal stage, (2) the investigation stage, (3) review by the Local Academy Committee's ('LAC's) Complaints Panel and (4) consideration of the appeal by the LAT's Appeal Panel.
- 6.2. For further information regarding the outline, please refer to Annex A.

7. Stage 1 – The Informal Stage

- 7.1. The school will take informal concerns seriously and make every effort to resolve the matter quickly. The LAT anticipates that the vast majority of concerns can be resolved at this stage.
- 7.2. Apart from the school's normal Parental Consultation Evenings, or other arranged meetings with specific staff, parents should raise their concerns with their child's class teacher, in the first instance.
- 7.3. Where a concern requires further investigation, or discussion with other individuals, the school will **acknowledge the informal complaint within two school days** and **investigate and provide a response within five school days**.

8. Stage 2 – The Investigation Stage

- 8.1. If the complainant feels that the complaint has not been resolved at Stage 1, they should put the complaint into writing and send it to the school, addressed to the (Executive) Headteacher.

- 8.2. The complainant should provide the details of the complaints, all relevant dates, times, names of any witnesses, any supporting evidence **and what action they feel would resolve the complaint.**
- 8.3. The (Executive) Headteacher will **acknowledge receipt of the complaint within two school days** of receiving it. The response may report on the action taken by the school and the name of the Investigating Officer.
- 8.4. Upon receipt of the formal complaint, the (Executive) Headteacher will appoint an Investigating Officer (who will either be the (Executive) Headteacher or a member of staff appointed by the (Executive) Headteacher for this purpose).
- 8.5. The Investigating Officer will conduct their own investigation into the complaint. The investigation may involve convening a meeting with the complainant to discuss the matter further. If the Investigating Officer convenes a meeting with the complainant, it will take place within five school days.
- 8.6. The **written conclusion of the investigation will be sent to the complainant within ten school days from the date of receipt.**
- 8.7. Complaints against the (Executive) Headteacher
 - 8.7.1. If the subject of the complaint is the (Executive) Headteacher, then the formal complaint should be addressed to the LAC Chair. The LAC Chair will be the Investigating Officer in this situation.

9. Stage 3 – The Complaints Panel

- 9.1. If the complainant feels that the complaint has not been resolved at Stage 2, they may submit a written request for the LAC Complaint Panel to review the investigation conducted by the (Executive) Headteacher.
- 9.2. The **request** should be **submitted** to the school and addressed to the Clerk for the Local Academy Committee, within **five school days** of receiving the outcome letter from Stage 2. The Clerk will write and acknowledge the receipt of the request within two school days of receiving it.
- 9.3. The complainant should detail the reasons why they are unsatisfied with the outcome from Stage 2 **and what action they would feel would resolve the complaint.** The

complainant will also have the opportunity to submit additional evidence for consideration by the Complaints Panel.

- 9.4. The Clerk will then establish a Complaints Panel, which will consist of at least 3 LAC Governors who have not been directly involved in Stage 1 or Stage 2.
- 9.5. The **Complaint Panel Hearing** will be **convened within 15 school days** of receiving the complaint. The complainant will be given reasonable notice of the date of the Hearing. However, the Complaint Panel reserves the right to convene the Hearing at their convenience rather than that of the complainant.
- 9.6. The complainant will be allowed to attend the Hearing and may be accompanied if they wish. At the Hearing, each individual will have the opportunity to give statements and present their evidence.
- 9.7. The aim of the Hearing will be to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. The Panel can (1) dismiss the complaint in whole, or in part; (2) uphold the complaint in whole, or in part; (3) decide on the appropriate action to be taken to resolve the complaint; (4) recommend changes to the school's / LAT's systems or procedures to ensure that problems of a similar nature do not recur.
- 9.8. The Complaints Panel will make findings and recommendations to the school and / or the LAT. The Panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint.
- 9.9. All parties will be **notified** of the Panel's **decision** within **5 school days** after the date of the Hearing. The outcome letter from the Panel will also contain details of any further rights of redress available to the complainant.
- 9.10. Please note that the school keeps written records of all complaints and whether they were resolved informally or formally. All correspondence, statements and records of the complaints are to be kept confidential (unless the exception contained in section 162 of the Education Act 2002 applies) under the LAT's Data Protection Policy.

10. Stage 4 – The Appeals Panel

- 10.1. The complainant can appeal against the outcome of the Complaints Panel by submitting a written request to the LAT Appeals Panel.
- 10.2. The **appeal** should be **lodged** within **5 school days** of receiving the outcome letter from the Complaints Panel and addressed to:

Company Secretary
LDBS Academies Trust & LDBS Academies Trust 2
London Diocesan House
36 Causton Street
London
SW1P 4AU
Email: ammar.ahmed@london.anglican.org

- 10.3. The complainant should explain the reasons for their appeal **and what action they would feel would resolve the complaint**. The complainant will have the option to submit further evidence. All additional supporting evidence must be submitted with the request to convene an Appeals Panel. **Please note, the Appeals Panel reserves the right to reject any supporting evidence submitted on the date of the Hearing.**
- 10.4. The Company Secretary will then convene an Appeals Panel, which will consist of three LAT directors and / or governors from the local academy committees within the LAT, who are independent of the management and running of the school.
- 10.5. The **Appeals Panel Hearing** will be **convened within 15 school days** after the appeal has been lodged. The complainant will be given reasonable notice of the date of the Hearing. However, the Appeals Panel reserves the right to convene the Hearing at their convenience rather than that of the complainant.
- 10.6. The complainant will be allowed to attend the Hearing and may be accompanied if they wish. At the Hearing, each individual will have the opportunity to give statements and present their evidence.
- 10.7. The aim of the Appeals Panel is (1) to review whether the school has complied with the procedural guidance contained in this Procedure and (2) the outcome of the Complaints Panel is fair, proportionate and just. The Appeals Panel can (1) dismiss the appeal in whole, or in part; (2) uphold the complaint in whole, or in part; (3) decide on the appropriate action to be taken to resolve the complaint; (4) recommend changes to

the school's / LAT's systems or procedures to ensure that problems of a similar nature do not recur.

- 10.8. The findings of the Appeals Panel will be final and will culminate the LAT's Complaints Procedure. The Appeals Panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint.
- 10.9. All parties will be **notified** of the Appeals Panel's **decision** within **5 school days** after the date of the Hearing. The outcome letter from the Appeals Panel will also contain details of any further rights of redress available to the complainant.

11. Referring complaints on completion of the LAT's Complaints Procedure

- 11.1. If the complainant remains unsatisfied with the outcome of the LAT's Complaints Procedure, they can refer their complaint to the Education & Skills Funding Agency ('ESFA'). The ESFA will check whether the complaint has been dealt with properly by the school and the LAT.
- 11.2. The ESFA will not overturn the school's / LAT's decision about a complaint. However, it will look into (1) whether there was any undue delay, or non-compliance with this Procedure, (2) whether the school was in breach of its funding agreement with the Secretary of State, and (3) whether the school has failed to comply with any other legal obligation.
- 11.3. If the school did not deal with the complaint properly, the ESFA will ask the school to re-investigate the complaint. If the Complaints Procedure is found to not meet regulations, the LAT will be asked to correct the procedure accordingly.

12. Vexatious Complaints

- 12.1. The term 'vexatious' can reach wider than complaints.
- 12.2. It is not appropriate to make personal accusations, or attacks on members of school staff, or to raise matters that are not about education or a child's well-being. It is also

not appropriate to make unsubstantiated allegations against the school, or to behave unreasonably by not engaging with the school to attempt a joint resolution.

- 12.3. The Complaints Procedure can help limit the number of protracted complaints. If a complainant attempts to reopen issues that have been dealt with through this Procedure, it should be explained to the complainant that the Procedure has been exhausted.
- 12.4. If a complainant acts unreasonably by continuing to raise similar issues or raising a range of unrelated issues on a repeated basis, then the school can reserve the right not to respond.
- 12.5. The school may take steps to limit or in some way ration contact, for example (1) directing the complainant to a specific teacher or another member of staff as a contact point; (2) responding to the complaint at specific intervals; and (3) informal or formal written warnings given as to future behaviour and the consequences of that behaviour.
- 12.6. In these instances, however, care should be taken not to dismiss any new complaints that have been raised alongside previous complaints.
- 12.7. Any new issues should be addressed separately under the relevant stage of the complaints procedure, and a continued dialogue with the school is seen as extremely important as part of ensuring the best possible outcomes for the children and a significant benefit of doubt should be given to the complainant(s).
- 12.8. If a complainant, in this category, refuses to engage with this Procedure, but continues to complain, then the Headteacher and / or the LAC Chair will consider informing the complainant that the complaints are vexatious. For complainants who excessively contact the LAT schools or the LAT, causing a significant level of disruption, the LAT may specify methods of communication and limit the number of contacts in a communication plan, which would be reviewed every six months. In response to any serious incident of aggression or violence, the LAT will immediately inform the Police and communicate its actions in writing, which may include banning an individual from LAT schools.
- 12.9. If the complainant believes that the school has acted unreasonably, they may appeal to the ESFA.

13. Recording devices at meetings

- 13.1. Complainants are not permitted to record the meetings on mobile device or other personal devices.
- 13.2. Where there are communication difficulties, the LAT permits the use of recording devices to ensure the complainant is able to access and review the discussions at a later point. All parties should agree, in advance, to being recorded.
- 13.3. Complainants are advised that the LAT may refuse to accept as evidence recordings of conversations which are obtained covertly and without informed consent of all parties.

14. Instances where the LAT may stop responding to a complainant

- 14.1. A decision to stop responding to a complainant should never be taken lightly. The LAT will engage in every reasonable step to address the complainant's concerns and give a clear statement of its positions and the complainant's options.
- 14.2. The decision to stop responding will only be considered where the complainant becomes abusive or aggressive towards LAT staff, makes insulting personal comments or threats towards LAT staff, or the LAT has reason to believe that the complainant is making a complaint with the intention of causing disruption or inconvenience.
- 14.3. The LAT will not stop responding just because an individual is difficult to deal with or asks complex questions. The LAT will ensure that it acts reasonably and considers any new complaint. The LAT will continue to provide parents and carers with the information that they are entitled to under the Education (Pupil Information) (England) Regulations, within the statutory time frame.

15. Complaints made on social media

- 15.1. The increasing number of people using social networking sites has positive and negative aspects. The LAT and LAT schools may use social media to support parental engagement. It is not a vehicle for making complaints.
- 15.2. If the LAT or the LAT schools become aware of any information that is damaging towards an individual member of the LAT, the LAT school, the LAT staff or the LAT

school community, the LAT will follow the guidance in Annex G, Dealing with Complaints made on Social Media.

16. Monitoring, evaluation and review

- 16.1. The (Executive) Headteacher logs all formal complaints received by the school and records how and at which stage they were resolved.
- 16.2. The LAC Governors examine the (Executive) Headteacher's log on a termly basis and considers the need to amend or update the Complaints Procedure. All such recommendations are passed on to the Company Secretary.
- 16.3. The LAT examines the Complaints Procedure on an annual basis and uses the (Executive) Headteacher's log and the recommendations from the LAC to make informed decisions when updating the Complaints Procedure.

17. Links with other policies

- 17.1. Policies dealing with other forms of complaints include:
 - Keeping Children Safe in Education Policy
 - Admissions Policy
 - Exclusions Policy
 - Grievance and Disciplinary Procedures
 - Special Educational Needs & Disability Policy

Annex A – Complaints Procedure – Outline

Stage 1 – Informal Stage

- Complaint made to class teacher within 30 days of the incident occurring
- Class teacher to acknowledge complaint (either in writing in 2 school days, or through a meeting)
- Class teacher to inform the complainant the outcome of the Informal Stage within 5 school days

Stage 2 – Investigation Stage

- Complainant to submit a written complaint within 5 school days after the completion of Stage 1 addressed to the (Executive) Headteacher / LAC Chair
- (Executive) Headteacher / LAC Chair to acknowledge complaint within 2 school days of receiving it
- (Executive) Headteacher to assign the complaint to an Investigating Officer
- Investigating Officer to put the conclusion in writing to the complainant within 10 school days of receiving the complaint

Stage 3 – Complaints Panel

- Complainant to submit a written request to have the complaint reviewed by the LAC Complaints Panel within 5 school days of receiving the outcome letter from the Investigating Officer
- Clerk to acknowledge the complaint within 2 school days
- Clerk to organise a Complaints Panel within 15 school days of receiving the written request
- The complainant to receive the decision letter within 5 school days of the Complaints Panel Hearing

Stage 4 – Appeals Panel

- Complainant to lodge an appeal with the Company Secretary within 5 school days of receiving the decision letter
- The Company Secretary to acknowledge the complaint within 2 school days
- The Company Secretary to convene the Appeals Panel within 15 school days of the appeal being lodged
- The complainant to receive the outcome letter within 5 school days of the Appeals Panel Hearing

Annex B – Complaint Form

Name: _____	Student's name: _____
Telephone / Mobile: _____	Relation to Student: _____
Email: _____	
Address: _____ _____	
Please give details of your complaint: _____ _____ _____ _____ _____ _____ _____ _____ _____	

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

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

Are you attaching any supporting evidence? If so, please provide details.

Signature:

Date:

OFFICIAL USE

Date complaint received:

Date acknowledgement sent:

Acknowledgement sent by:

Investigating Officer:

Annex C – Model Agenda for Stage 3 and Stage 4**Complaints Panel / Appeals Panel***[Insert time]**[Insert date]**[Insert venue]***Panel members:**[Insert name] (**‘Chair’**)

[Insert name]

[Insert name]

Complainant and supporting person:[Insert name] (**‘Complainant’**)

[Insert name]

School:[Insert name] (**‘Investigating Officer’**)

[Insert name]

Clerk to the Panel

[Insert name]

Agenda**1. Welcome and introductions (2mins)**

The Chair to welcome all attendees to the Hearing and ensure that a round of introductions is held for the benefit of all parties.

2. Explanation of the process by the Chair (5mins)

The Chair to explain the reason for the Hearing, the powers of the Panel and the focus on ensuring that a resolution is achieved.

3. Complainant to present their case (15mins)

The Complainant to present their case. The Complainant should focus on providing a chronology of events that led to the complaint and the different actions undertaken to resolve the complaint. The complainant to explain why they believe the complaint has not been resolved and how they would like the complaint to be resolved.

4. Investigating Officer to ask questions to the Complainant (10mins)

Opportunity for the Investigating Officer to ask questions to clarify facts and statements delivered by the Complainant.

5. Panel to ask questions to the Complainant (10mins)

Opportunity for the Panel members to ask questions to the Complainant.

6. Investigating Officer to present (15mins)

The Investigating Officer to present their case. The Investigating Officer should focus on providing a chronology of events and resulting investigation and the outcomes of the investigation. The Investigating Officer to explain the actions taken by the school to resolve the complaint.

7. Complainant to ask questions to the Investigating Officer (10mins)

Opportunity for the Complainant to ask questions to clarify facts and statements delivered by the Investigating Officer.

8. Panel to ask questions to the Investigating Officer (10mins)

Opportunity for the Panel members to ask questions to the Complainant.

9. Summarising statement from the Complainant (4mins)

10. Summarising statement from the Investigating Officer (4mins)

All attendees to withdraw from the room, with the exception of the Clerk and the Panel.

11. Panel to discuss and arrive at a decision (30mins)

The Panel to discuss the merits of the case and arrive at a conclusion. The outcome from the Panel Hearing to be written up into a decision letter and posted to the Complainant and the School within 5 school days of the Panel Hearing.

Annex D – Model Letter for Stage 2

Please use the school's letterhead.

[Name of the Investigating Officer]
[Insert address of the school]

[Name of the complainant]
[Address of the complainant]

[Insert date of the letter]

Dear [insert name of complainant]

I am writing with regards to the complaint that you submitted to the school. Your complaint referred to [insert description of the complaint and identify the specific issues].

I have now been able to fully investigate the matter and can inform you that [insert brief description of the outcomes from the investigation and the resulting action points].

- *Please insert a chronology of events.*
- *Please clarify how each specific issue was investigated.*
- *Please identify the outcomes with respect to each issue.*

I hope that this resolves the issues that you highlighted in your complaint. If you feel unsatisfied with the outcome of my investigation, you have the option of asking for a review by the Local Academy Committee's Complaints Panel. Please submit your request for a review to the school addressed to the Clerk to the Local Academy Committee, [insert name of the Clerk].

Please submit your request within five school days of receiving this letter. Please ensure that you highlight the reasons why you find the outcome of my investigation unsatisfactory and put into writing how you feel the complaint can be resolved.

Yours sincerely

[Insert name of the Investigating Officer]

Annex E – Model Letter for Stage 3

Please use the school's letterhead.

[Name of the Clerk]
[Insert address of the school]

[Name of the complainant]
[Address of the complainant]

[Insert date of the letter]

Dear [insert name of complainant]

Thank you for attending the Complaints Panel Hearing on [insert date]. I am writing on behalf of the Panel to let you know its conclusions. The Panel consisted of [insert names of the Panel Members]. The Panel was supported by [insert any advisors present] and clerked by [insert name of clerk].

The Panel has considered your complaint carefully regarding [insert description of the complaint and identify the specific issues].

- *Please insert a chronology of events.*
- *Please identify the facts with respect to each issue.*
- *Please identify the recommendations made in respect of each issue (if any).*

If you feel unsatisfied with the outcome of the Complaints Panel, you have the option to lodge an appeal against the decision of the Complaints Panel with the LDBS Academies Trust / LDBS Academies Trust 2 Appeals Panel. Please lodge your appeal with Ammar Ahmed, Company Secretary, LDBS Academies Trust / LDBS Academies Trust 2, London Diocesan House, 36 Causton Street, London, SW1P 4AU.

Please submit your request within five school days of receiving this letter. Please ensure that you highlight the reasons why you are unsatisfied with the decision of the Complaints Panel and put into writing how you feel the complaint can be resolved.

Yours sincerely

[Insert name of the Clerk]
cc. Chair of the Panel
Chair of the Local Academy Committee
(Executive) Headteacher / Investigating Officer
Company Secretary

Annex F – Roles of the different parties within the Complaints Procedure

Complainant

The complainant will receive a more effective response, if they;

- Explain the complaint in full, as early as possible;
- Co-operate with the Complaints Procedure in seeking a solution;
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- Ask for assistance as and when required;
- Treat all those involved in the complaint with respect; and
- Refrain from publicising details on social media and respect confidentiality.

Investigator

An investigation may be conducted by the (Executive) Headteacher, Chair of the LAC, or another designated governor or member of staff. The investigator's role is to establish the relevant facts by providing a comprehensive, open, transparent and fair consideration.

The investigator will remain sensitive during all interviews of the complainant, and any other relevant people, to establish a thorough understanding of what has happened, who has been involved and what would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist with questioning;
- Keep notes or arrange for an independent note taker to record the meeting;
- Ensure that all papers are kept securely pending any potential appeals;
- Have regard to confidentiality at all times;
- Be mindful of the timescales for a response; and
- Prepare a comprehensive report that sets out the facts, identifies solutions and recommends a course, or courses, of action in order to resolve the complaint.

Complaints Panels and Appeals Panels

The Panel members must be appointed with care in order to eliminate any potential prejudice. The LAT schools should take care not to divulge details of any ongoing internal complaints

proceedings at LAC meetings to reduce chances of LAC governors being disqualified from serving on Panels.

The Panel should be aware of the following:

- The LAT's complaints procedure;
- The need to ensure that the Panel hearing is independent and impartial and must be seen to be so;
- No Panel member has had prior involvement in the complaints process;
- The meeting is held in private;
- The aim of the meeting is to resolve the complaint and achieve conciliation between the LAT and the complainant; and
- It may not be possible to resolve matters to the complainant's satisfaction; it may only be possible to establish facts and satisfy that the complaint has been taken seriously with a thorough and full investigation in compliance with the Complaints Procedure.

Clerk to the Complaints Panel or the Appeals Panel

The Clerk to the Panel should be the contact point for the complainant and the Panel. The Clerk should:

- Ensure that all parties involved in the complaint procedure are aware of their legal rights and duties, including any coming under legislation relating to school complaints (i.e. the Equality Act, the Freedom of Information Act, the Data Protection Act, etc.);
- Set the date, time and venue for the meeting, taking into consideration any accessibility requirements;
- Collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale;
- Keep a record of the proceedings;
- Notify the decision of the Panel to all parties; and
- Ensure that the school safely stores the meeting minutes in accordance with the LAT's data protection policies.

Chair of the Complaints Panel or Appeals Panel

The Chair of the Complaints Panel or the Appeals Panel must be nominated in advance of the meeting.

The Chair should ensure that:

- The meeting is conducted in an appropriate manner, is not adversarial, and that everyone is treated with respect and courtesy;

- Complainants who may not be used to speaking at such a meeting should be put at ease;
- The remit of the Panel is explained to the complainant;
- All parties have had a chance to review any written material submitted to the Panel in advance of the meeting;
- Both the complainant and the LAT school is given the chance to present their case;
- All the raised issues are addressed;
- Key findings of fact are made;
- The Panels remains open-minded and acts impartially;
- No member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the complaints procedure;
- The meeting is properly minuted;
- They liaise with the clerk.

Annex G – Dealing with Complaints made on Social Media

The LAT school must gather evidence (such as screen shots and print-outs, include times, dates, and names ensuring that the identity of the person who reported the issue is removed) and establish exactly what has been posted. In some cases, the (Executive) Headteacher may decide that the best response will simply be to monitor the situation.

If an individual staff member has been targeted or mentioned, then the (Executive) Headteachers need to be mindful of their duty of care to protect their staff from third party harassment. Appropriate support will depend on the nature of the concerns and the reaction of the individual. If the member of staff is already aware of the comments, then the (Executive) Headteacher should explain to them how they intend to address the concerns and offer support to them. If appropriate, the (Executive) Headteacher should advise the individual to contact their professional / teaching union for additional support and guidance. If the member of staff is unaware of the comments, then the (Executive) Headteacher should consider if it is necessary to inform them, and if so, what would be the best approach. Depending on the nature of the comments, this decision may require additional advice.

If the subject of negative or malicious comments is a child or another parent at the LAT school, then it is important for the (Executive) Headteacher to consider the well-being and safety of the whole school community.

If appropriate, the (Executive) Headteacher may consider arranging a face-to-face meeting to mediate the concerns. To ensure that the parents understand the seriousness of the matter, the (Executive) Headteacher may consider a meeting with the LAC Chair to review, assess and resolve the concerns.

The LAT and its (Executive) Headteachers are within their right to report any offending content to the media outlet's proprietor for removal. Depending on the seriousness of the offence, the LAT may consider taking legal advice or involving the Police (i.e. cases involving harassment; libel; assault; malicious communications; racial hatred; grossly offensive, obscene, indecent or menacing communications).