Diocese of Norwich Education and Academies Trust

Complaints Procedure

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Person Responsible:	**Head of Governance**

Our Christian Ethos and Values

All policies within the Diocese of Norwich Education and Academies Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

We have high ambition for all, and we truly value the wider educational experience.

We walk and talk our Christian values. We put people at the centre of the organisation and want to see them flourish and grow. Our schools are inclusive, welcoming those of all faiths and none.

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Principal / Headteacher. The Principal / Headteacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

1. Who can make a complaint?

This complaints procedure is for parents or carers of children that are registered at the academy. Complaints from other persons will be considered on an individual basis.

Complaints regarding third party suppliers using academy or Trust premises should be addressed to the supplier.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. The academy and the Trust take all complaints seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing an issue with a particular member of staff, we will respect your views. In these cases, the Principal / Headteacher , will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with the matter, the Principal / Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the matter objectively and impartially is more important.

We understand that there are occasions when people would like to raise their concerns formally. In this case, the academy will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure. All complaints will be referred to the earliest appropriate stage in this procedure.

2. How to make a complaint

It is hoped that most complaints can be expressed and resolved on an informal basis (see section 7 for more information). If this does not work and the issue remains unresolved, the next step is to make a formal complaint.

A complaint related to a member school staff (except the Principal / Headteacher) or process can be made in person, in writing on the form provided as appendix 4 of this procedure, or by telephone in the first instance via the school office. To raise a formal complaint, this must be on the form provided as appendix 4 of this procedure. Please contact the school office for an appropriate email address.

Complaints related to the Principal / Headteacher or local governors should be addressed to the Head of Governance and made either via this online form or emailed to governance@donesc.org.

Complaints about the Chief Executive Officer (CEO) or a Trustee of the Trust, should be addressed to the Chair of the Trustees, via the Head of Governance (as above).

If you require help in completing either form, please contact the school office or governance@donesc.org. You can also ask a third-party organisation, for example Citizens Advice, to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

All complainants retain the right to the opportunity to complete the complaint's procedure in full.

3. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Principal / Headteacher or Head of Governance as appropriate, will determine whether such a complaint warrants investigation.

4. Time scales

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

5. Complaints received outside of term time

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

6. Scope of this Complaints Procedure

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

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs or school re-organisation proposals should be raised with: Norfolk: www.norfolk.gov.uk/children-and-families Suffolk: www.suffolk.gov.uk/children-families-and-learning
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled in accordance with our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have a concern about a child and want to speak to someone you may call: CADS (Norfolk) 0345 800 2020 Customer First (Suffolk) 0808 800 4005 If you have a concern that a person working with a child has behaved in a way that has harmed or may have harmed a child or possibly committed a criminal offense against children or related to a child, you may wish to contact the local authority designated officer (LADO) LADO@Norfolk.gov.uk LADO@Suffolk.gov.uk If you consider the issue an emergency call 999
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: https://www.gov.uk/government/publications/school-exclusions-guide-for-parents **complaints about the application of the behaviour policy can be made through the this complaints procedure.*

• Whistleblowing	Please contact Governance@donesc.org for a copy of the Trust's Whistleblowing procedure
• Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
• Staff conduct	Complainants may be advised that any staff conduct complaints will be considered under Human Resources procedures, if appropriate, but outcomes will not be shared with them.
• 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.
• Withdrawal from the curriculum	Parents and carers can withdraw their child from any aspect of Religious Education (RE), including the Daily Act of Collective Worship (DACW). They do not have to explain why. The right of withdrawal does not apply to other areas of the curriculum where religious matters may be spontaneously raised by pupils or arise in other subjects such as history or citizenship.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of the delay and a proposed new timescale if possible.

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

7. Resolving complaints

At each stage in the procedure, the academy or 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 apology.
- 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 academy policies in light of the complaint.

Any written response to a complaint will include enough information to explain to the complainant

- What has already been done – steps taken to investigate, consideration of policies etc.

- What, if anything, will happen next.

8. Withdrawal of a complaint

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

9. Stage 1 – Informal complaints

It is hoped that most complaints can be expressed and resolved on an informal basis.

Your first step should be to make an appointment to speak to the class teacher/year head/subject head or Principal / Headteacher about your complaint. Complainants should not approach individual governors to raise complaints. They have no power to act on an individual basis, and it may also prevent them from considering complaints at stage 3 of the procedure.

A class teacher/year head/subject head or Principal / Headteacher should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

At the conclusion of the discussion, or following any agreed upon investigation, the complainant will be provided with an informal written response. The response will be provided within 20 school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

10. Stage 2 – Formal complaints

Formal complaints must be made to the Principal / Headteacher (unless they are about the Principal / Headteacher), via the school office and must be in writing on the form provided with this procedure.

The Principal / Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing by letter or email within 10 school days.

Within this response, the Principal / Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant is seeking. The Principal / Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

The Principal / Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Principal / Headteacher or 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.

At the conclusion of their investigation, the Principal / Headteacher or investigator will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the Principal / Headteacher or investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the academy will take to resolve the complaint.

The Principal / Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2. This advice should be clear that stage 3 is a consideration of the process followed to this point, not a reinvestigation.

If the complaint is about the Principal / Headteacher or a member of the governing body, a suitably skilled Trust Officer will be appointed to complete all the actions at Stage 2.

Complaints about the Principal / Headteacher or member of the governing body must be made to the Head of Governance using the online form or the form at appendix 4 and via the contact details above.

If the complaint is about more than one governor (this may include the Chair or Vice Chair or not), Stage 2 will be escalated to the CEO of the Trust.

11. Stage 3 – Panel meeting

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 meeting consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This is the final stage of the complaint's procedure.

The aim of the panel meeting will be:

- reconciliation.
- to put right things that may have gone wrong.

A request to escalate to Stage 3 must be made to the Head of Governance, within 10 school days of the date of the Stage 2 response.

The Head of Governance will record the date the request is received and acknowledge receipt of the request in writing email within 5 school days.

Requests received outside of this time frame will only be considered in exceptional circumstances.

The Head of Governance will make all reasonable endeavours to arrange a mutually convenient date and time for the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Head of Governance will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Head of Governance will decide when to hold the meeting. The meeting will then proceed in the complainant's absence with written submissions from both parties.

If the complaint is about more than one governor, Stage 3 will be heard by a panel of Trustees and an independent panel member.

A complainant may bring someone to the panel meeting to provide support. If the complaint is brought jointly, for example by two people with joint parental responsibility, only one representative can attend on behalf of the joint complainants. This can be a relative or friend. Legal representatives are not permitted to attend the meeting; these meetings are not a form of legal proceeding.

There may be occasions when legal representation is appropriate. For instance, if a school or Trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Representatives from the media are not permitted to attend.

The Stage 3 panel will consist of:

- at least three Trustees or governors with no prior involvement or knowledge of the complaint.
- at least one of the governors should be a Trust Appointed Governor.
- one panel member must be independent of the management and running of the academy.
- No members of the panel should have any prior knowledge of the complaint. It is, therefore, unlikely that staff governors from the academy will be members of the panel.
- Prior to the meeting, the Head of Governance will agree with the panel who will act as the Chair at the meeting.
- The Head of Governance will appoint a clerk to the Stage 3 panel meeting.

At least 7 school days before the meeting, the Head of Governance will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted for the panel at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. 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, or documents tabled at the meeting.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent to recording from all parties attending must be sought before meetings or conversations take place. Consent will be recorded in the minutes. The Trust will make the recording and share it with those present.

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

- uphold the outcome of the stage 2 investigation in whole or in part.
- not uphold the outcome of the stage 2 investigation in whole or in part.
- dismiss the complaint in whole or in part.

If the outcome of stage 2 is not upheld in whole or in part, the panel will:

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

The Chair of the Stage 3 panel meeting will provide the complainant, the Academy and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Academy or Trust will take to resolve the complaint.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way in which their complaint has been handled.

The minutes of the stage 3 meeting will be provided to any party on request.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel meeting, along with what actions have been taken, regardless of the decision. All correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. Information generated by a complaint may not form part of a pupil record and therefore will be kept separately.

12. Complaints about the Trust, CEO or a Trustee

If a complainant wishes to complain directly about the Trust, then the complaint should be sent to the CEO via the Head of Governance using the online form or the form in appendix 4 of this procedure.

The Head of Governance will write to the complainant acknowledging the complaint within 10 school days of the date that the written request was received. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of the complaint's procedure and will confirm the date for providing a response to the complainant.

Following the investigation, the CEO will write to the complainant confirming the outcome within 20 school days of the date that the written complaint was received. If this time limit cannot be met, the CEO will write to the complainant within 15 school days of the date that the written complaint was received**,** explaining the reason for the delay and providing a revised date by which a response will be provided.

If the complaint concerns the CEO or a Trustee, the complaint should be investigated by the Chair of the Trust Board (or an independent investigator of their choosing). If a formal complaint is received about the Chair of the Trust Board, the complaint will be referred to the Head of Governance for investigation.

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.

Where a complaint about the Chair of the Trust Board has been referred to the Head of Governance for investigation either they, or a suitable investigating officer engaged by them, will write the letter of outcome to the complainant and provide a copy to the CEO and Chair of the Trust Board.

If the complainant is not satisfied with the outcome they should write to the Head of Governance, within 10 school days of the date of the Stage 2 response asking for the complaint to be escalated to a Stage 3 panel.

The Head of Governance will record the date the complaint is received and acknowledge receipt of the complaint in writing by letter or email within 5 school days.

Requests received outside of this time frame will only be considered in exceptional circumstances.

The Head of Governance will make all reasonable endeavours to arrange a mutually convenient date and time for the meeting. They will aim to convene a meeting within 15 school days of receipt of the panel meeting request. If this is not possible, the Head of Governance will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates without good reason the Head of Governance will decide when to hold the meeting. It will then proceed in the complainant's absence with written submissions from both parties.

The Stage 3 panel will consist of three members. None of the members of the complaint panel will have been involved in the incidents or events which led to the complaint or have been involved in dealing with the complaint in the previous stages or have any detailed prior knowledge of the complaint.

One of the complaint panel members will be independent of the management and running of the Trust. This means that the independent complaint panel member will not be a Trustee or an employee of the Trust. If the complaint is about more than one member of the Trust Board, the complaint will be heard by a completely independent panel.

Please refer to the previous section for further information on the arrangements for a stage three panel and the possible outcomes.

13. Next Steps

Department for Education

If the complainant believes the academy or 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 Department for Education (DfE) after they have completed Stage 3.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by the Academy or Trust. They will consider whether the Academy or 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.

The complainant can refer their complaint to the DfE online at: https://www.gov.uk/complain-to-dfe

or by writing to:
Ministerial and Public Communication Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

You need to complete the school's complaints procedure before you complain to DfE, unless one of the following applies:

- a child is not getting an education
- a child has been exposed to harm
- the school is stopping you from following its complaints procedure

DfE will consider your complaint. They may use the information you provide to recommend improvements to school policies.

DfE cannot deal with complaints about:

- fines for taking holidays in term time (sometimes known as a 'fixed penalty notice')
- lack of compensation or apologies from the school
- the behaviour of school staff

If you have followed all the steps in the school's complaints procedure and believe your complaint was not dealt with correctly, you can complain to DfE.

Ofsted
If you've complained to the school and the problem has not been resolved, you can complain to Ofsted. This does not mean that Ofsted will then inspect the school.

They will record your complaint, and may use the information you've provided to help them decide what areas to focus their next inspection on.

Ofsted considers complaints about things that affect the whole school rather than individuals.
Ofsted cannot:

- resolve issues between you and the school
- ask the school to respond directly to your complaint or take action on it
- change the outcome of a complaint
- change the school's complaints process because of a complaint

You can complain about a state school to Ofsted.

14. Managing Serial and Unreasonable Complaints

The Academy and Trust will always do our best to be helpful to people who contact us with a complaint. There may be occasions when, despite all stages of the complaint's procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, the Trust may inform them that the procedure has been completed and that the matter is now closed.

If the complainant continues to contact the academy or Trust regarding the same issue, once the complaint's procedure has been completed, the correspondence may then be viewed as serial or persistent and we may choose not to respond.

Under no circumstances will a complaint be considered serial should the complainant exercise their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

It may be that the Trust will consider complaints as unreasonable. The characteristics of an unreasonable complaint are:

- complaints which are obsessive, persistent, harassing, prolific, or 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.

The Trust will not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. Only the subject or content of the complaint may be considered serial, repetitious or unreasonable.

The decision to stop responding will never be taken lightly. The academy and Trust will ensure the following before deciding to stop responding:

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

The academy or Trust will not stop responding just because an individual is difficult to deal with or asks complex questions.

If the decision is taken to stop responding to an individual, they will be informed of this decision.

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, the academy or Trust may implement a tailored communication strategy. For example, we may:

- restrict an individual to a single point of contact via an email address.
- limit the number of times they can make contact, such as a fixed number of contacts per term.

Regardless of the application of any communication strategy, we will provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

If an individual persists to the point that may constitute harassment, the academy or Trust may seek legal advice.

15. Barring from school premises

Although fulfilling a public function, the academy is a private place. The public has no automatic right of entry. The academy may, therefore, need to act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a Principal / Headteacher can ask them to leave the academy premises. In the most serious cases, individuals can be barred from entering school premises.

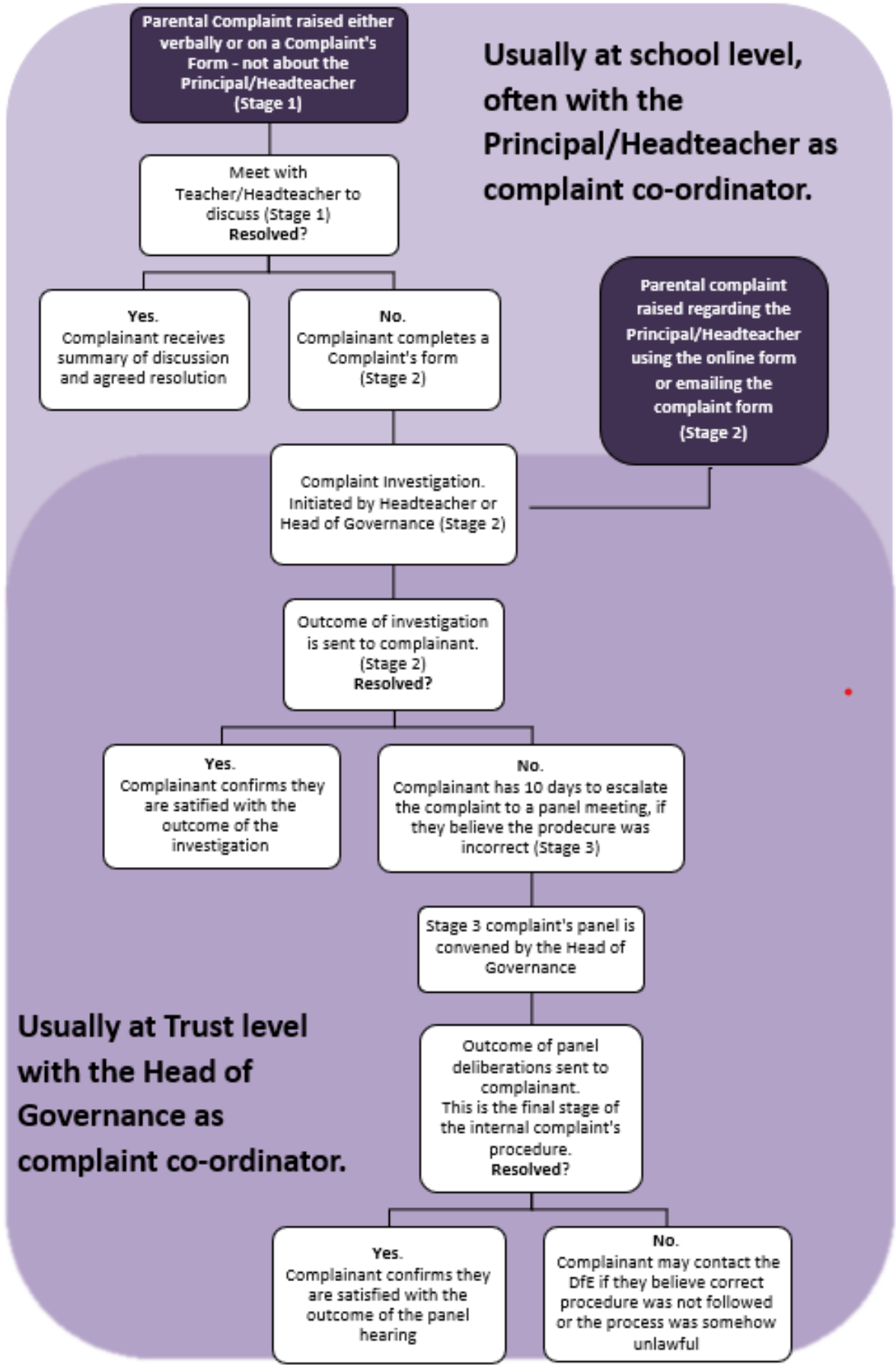
The Principal / Headteacher's request to bar will be reviewed by the Trust CEO with the Head of Estates (for Health and Safety considerations), the Head of HR and/or the Head of Safeguarding as needed. They will take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual should be notified in writing, explaining:

- how long the bar will be in place.
- when the decision will be reviewed.

16. Policy Review

This policy will be reviewed annually, in line with Department for Education guidance, or sooner if necessary.

Appendix 1: Procedure Flowchart



Appendix 2: Roles and Responsibilities

Complainant

This procedure is aimed at parents, or those with parental responsibility for children attending our academies.

We respectfully request that all complainants -

- explain the complaint in full as early as possible.
- explain the resolution they are seeking as fully as possible.
- respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- ask for assistance as needed.
- treat all those involved in the complaint with respect.
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Complainants should be aware that if a complaint is raised and they do not engage with subsequent correspondence or requests for information, an investigation may be carried out and completed in their absence.

Complaints Co-ordinator

This could be the Principal / Headteacher, Head of Governance, or other staff member providing administrative support.

The complaints co-ordinator will:

- act as the main point of contact for the complainant and the subject of the complaint.
- ensure that the complainant and subject of the complaint are fully updated at each stage of the procedure.
- liaise with staff members, Principal / Headteacher, Chair of Governors, Head of Governance, Head of HR and Trust to ensure the smooth running of the complaint's procedure.
- be aware of issues regarding:
    - sharing third party information.
    - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- keep records.

Head of Governance

The Head of Governance or their delegated member of staff is the contact point for the complainant and the panel at Stage 3 and will:

- ensure that all people involved in the complaint's procedure are aware of their legal rights and duties, including any under relevant legislation.
- set the date, time and venue of the stage 3 panel meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- collate any written material relevant to the complaint (for example, stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within the agreed timescale.
- arrange for the proceedings to be clerked.
- circulate the minutes of the meeting.
- notify all parties of the committee's decision.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant and subject of the complaint to establish what has happened and who has been involved.
  - interviewing staff and children/young people and other people relevant to the complaint.
  - consideration of records and other relevant information.
  - analysing information.
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- ensure that any papers produced during the investigation are kept securely pending any appeal.
- be mindful of the timescales to respond.
- prepare a comprehensive report for the Principal / Headteacher or complaints co-ordinator that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Principal / Headteacher or complaints co-ordinator will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Stage 3 Panel Chair

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

- both parties have been asked to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- the meeting is conducted in an informal manner, is not adversarial, and that everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the panel is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy.
- if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- both the complainant and the subject of the complaint are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- the issues are addressed.
- key findings of fact are made.
- the panel is open-minded and acts independently.
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.

- the meeting is minuted.
- they liaise with the Head of Governance.

Stage 3 Panel Members

Panel members should be aware that:

- the meeting must be independent and impartial and should be seen to be so.
- No governor/trustee may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the subject of the complaint and the complainant.
- the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting.
- parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.
- careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- the views of the child/young person must be respected and given equal consideration to those of adults.
- if the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

Appendix 3: Stage 3 Meeting Procedure

During the meeting:

- Everyone attending should be in the room at the same time to ensure an open and transparent meeting for all parties.
- The complainant and investigator should provide all the relevant information they wish and the stage 3 panel members should clarify any points. After the complainant and investigator have provided all the information they wish, the chair will ask all parties to leave except the committee members and the clerk.
- Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.
- Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.
- The clerk should take notes of the meeting, listing who is present:
  Members of the panel, stating who is the chair of the panel,
  Investigator
  Parents/third party members and anyone accompanying them e.g. friend,
  Clerk
- The chair of the panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.
- People present should introduce themselves stating their reason for being at the meeting.
- The chair of the panel should request a verbal statement from the complainant in support of their written letter of complaint and why they feel the issue has not been resolved. The panel members can ask questions to make sure they understand the issue from the complainant's point of view.
- The chair of the panel should request a verbal statement from the investigator in support of their written account of the complaint and the steps taken to resolve the issue. The panel members can ask questions to make sure they understand the issue from the academy or Trust's point of view.
- The members of the panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.
- The chair of the panel must ask the complainant and the investigator if they are satisfied that they have provided all the information they wanted to or if there is something they wish to add and if they feel they have had a fair hearing.
- When the Panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

- The panel members then discuss the issues in private and the clerk remains to record the decision. The clerk will not record the panel's discussion.
- The panel will need to consider the information then come to a decision and suggest a way to resolve the issue, taking into account the best interests of the child or children.
- When the panel has reached a decision, the clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 working days of the meeting via the complaint's co-ordinator, usually the Head of Governance at this stage.
- The decision of the Stage 3 panel is final and there is no right of appeal.

Appendix 4: Complaint Form

Please complete and return to either the Principal / Headteacher via the Academy office or the Head of Governance via governance@donesc.org who will acknowledge receipt and explain what action will be taken.

Alternatively you may complete this online form to submit your complaint.

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

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
By signing this form, I give consent for my details and in the information contained herein (including any additional attachments or copies of documents) to be shared with an appropriate investigating officer who may not be an employee of DNEAT. The Trust commits to informing any complainants who the investigating officer will be and the reason they have been engaged. **I am aware that I may withdraw this consent at any time by informing the complaint co-ordinator, and that this may mean that the Trust (DNEAT) is unable to continue to progress my complaint through the published complaint's procedure.** **Signature:** **Date:**