DANES EDUCATIONAL TRUST

*Making the difference together*

# COMPLAINTS POLICY

2026-2027

**www.daneseducationaltrust.org.uk**
01923 284169
**c/o St Clement Danes School, Chenies Road, Chorleywood, Hertfordshire, WD3 6EW**

## Responsibilities

| | |
|---|---|
| To determine and approve policy and ensure compliance | Danes Educational Trust Board |
| To implement, deliver and comply | Headteacher and School Board |
| **APPROVAL DATE** | August 2026 |
| **COMMITTEE** | Trust Board |
| **DURATION** | Annual |
| **REVIEW DATE** | Summer 2027 |
| **SLT LEAD** | Director of Operations |
| As part of the review process, this policy/procedure has been subject to an Equality Impact Assessment. | |

## Contents


Complaints flow chart 3

1. Introduction 4
2. Our promise to you 4
3. Definitions 4
4. Recording of phone calls and meetings 5
5. Concerns and complaints from members of the public 5
6. Concerns and complaints from parents/carers of children registered at a Trust school 5
7. Record keeping 10
8. Complaints escalated to the Trust 10
9. Next steps 11
10. Unreasonable behaviour related to complaints 12

Annex 1 - complaints form 14

Annex 2 - roles and responsibilities 16

## 1. INTRODUCTION

This document sets out the process for handling concerns and complaints at schools within Danes Educational Trust (the Trust). This policy includes how all concerns and complaints, not just those related to parents or carers of children registered at a school in the Trust, are handled.

Within the ethos of the Trust, the Trust board expects that most concerns can be resolved informally before they become a formal complaint. Furthermore, the board believes that all stakeholders in the Trust – trustees, governors, students, staff, parents and carers, and the wider community – must treat each other at all times with a high degree of mutual respect. Unacceptable or inappropriate behaviour of any kind by a complainant at any time will mean that the Trust will investigate the complaint without the attendance of the complainant.

The Trust upholds a three month time limit in which a complaint can be lodged regarding an incident. Complaints made outside this time limit will only be considered if there are exceptional circumstances (as determined by the CEO). A record shall be kept of any complaint made and the progress and final outcome of the complaint will also be recorded.

## 2. OUR PROMISE TO YOU

- Your complaint will be dealt with honestly, respectfully and in confidence
- Your complaint will be looked into thoroughly and fairly
- Your complaint will be dealt with promptly
- We will keep you up to date with progress at each stage
- You will receive an explanation of the reasons for the outcome
- If we made a mistake you will:
    - get an apology
    - be told what we are going to do to put things right
    - be given an explanation of the steps that have been taken or will be taken to help ensure it will not happen again and an indication of the timescales within which any changes will be made
    - receive an undertaking that we will review school policies (if appropriate) in light of the complaint
- You will get a full and clear written reply to formal complaints within 20 school days.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally directly with a member of staff, without the need to use the formal stages of the complaints process.

Concerns which are not adequately addressed may escalate to become formal complaints.
When a complaint is raised it will be taken seriously, whether formally or informally, and the appropriate procedures will be taken.

## 3. DEFINITIONS

A **concern** may be defined as 'an expression of worry or doubt' for which reassurance is sought directly from a member of staff and dealt with informally.

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

**Trustees** are defined as trustees of the Trust board. **Governors** are defined as governors of the school board.

The use of the term **headteacher** encompasses the title of principal.

**CEO** refers to the chief executive officer.

## 4. RECORDING OF PHONE CALLS AND MEETINGS

The Trust does not give permission for any calls or meetings to be recorded and should the Trust believe that a call or meeting is being recorded, the meeting will be adjourned until either; the matter is resolved and assurances are in place that recording is not occurring or the complaint process will continue with only written communications with the complainant.

If you have a disability or special needs which require you to receive a recording of the call or meeting, a formal request will be required, supported by appropriate (as deemed by the Trust) documented evidence from a professional specifically noting the need to record meetings electronically). The recording will be made by the Trust and provided to you.

If notes are taken at any stage of this process by the Trust, you can request a copy for your records.

## 5. CONCERNS AND COMPLAINTS FROM MEMBERS OF THE PUBLIC

This includes parents of children no longer on roll at the school.
Concerns or complaints will be handled by the relevant school or the Trust central team.
Concerns or complaints should be made in writing to the school or Trust (contact details are available on the relevant websites).
The process for concerns or complaints from members of the public is a call or meeting with an appropriate Trust employee who would directly understand the issue. This phone call or meeting will be within ten school days of receipt of the initial complaint.
If the matter is not resolved at this stage, an investigating officer will be appointed by either the headteacher of the school (for school related complaints) or the CEO (for Trust-related complaints). Following an investigation, the complainant will receive a formal letter outlining the investigation and its outcomes and any associated actions to be taken. This letter will be sent within 20 school days of the phone call or meeting.

Should this not resolve the matter, the complainant may contact the Department for Education.

## 6. CONCERNS AND COMPLAINTS FROM PARENTS/CARERS OF CHILDREN THAT ARE REGISTERED AT A SCHOOL IN THE TRUST

### 6.1 How to raise a concern

A concern should be made in writing, where possible, but can be made verbally such as at a meeting. It is expected that most matters will be handled at this informal stage.

Concerns should initially be raised with an appropriate member of staff. If the issue remains unresolved, following meetings and / or phone calls with the individual to attempt to resolve the situation, the next step is to begin the formal complaints process.

**6.2 How to make a complaint**

A stage 2 complaint can be made in person, in writing by email or by telephone. A complaint may also be raised by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the headteacher) should be made in the first instance to the headteacher of the school. This may be sent to the school office - marked private and confidential. Contact details for the school office are published on the school's website.

Complaints other than those handled by the school:

| About: | Email address: |
|---|---|
| Headteacher /principal | ceo@danesedtrust.org.uk |
| Governors, including the chair of a school board | complaints@danesedtrust.org.uk |
| Trustees or CEO | complaints@danesedtrust.org.uk |
| Central staff | complaints@danesedtrust.org.uk |

The complaints form (annex one) should be completed at this stage. If you require help in completing this form, please contact the school office. You can also ask a third party organisation, like Citizens Advice, to help you.

**6.3 Authentic communication and AI**

To ensure we fully understand the complaint you wish to raise, we request that all written complaints are submitted in your own words. Whilst we recognise that AI can be helpful, highly automated or AI-generated submissions often include generalised information that can obscure the core issues and delay our investigation.

The Trust reserves the right to ask a complainant to re-submit or clarify a complaint in their own words if a submission appears to be AI-generated and lacks the specific clarity required for a thorough review.

The Trust also reserves the right to ask a complainant to re-submit or clarify a complaint if it is longer than two pages.

**6.4 Timescales**

You must raise the complaint, ideally within ten school days of the incident and certainly within three school months of the incident or, where a series of associated incidents in an academic year have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe only if exceptional circumstances apply.

Complaints received outside of term time will be deemed to have been received on the first school day after the holiday period.

We will not normally investigate anonymous complaints. However, the headteacher or CEO, if appropriate, will determine whether the complaint warrants an investigation. This does not include issues raised through the whistleblowing process which are dealt with separately.

**6.5 Scope of this complaints procedure**

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

| Exceptions | Who to contact |
|---|---|
| Admissions to schools | Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority. |
| Statutory assessments of special educational needs | Concerns about statutory assessments of special educational needs, or school re-organisation proposals should be raised with either Hertfordshire or Buckinghamshire local authority. |
| School re-organisation proposals | Concerns about school re-organisation proposals should be handled through the separate consultation process. |
| Matters likely to require a child protection investigation | Concerns about child protection matters are handled under the Trust's child protection and safeguarding policy which is adopted by each school and in accordance with relevant statutory guidance.<br>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).<br>To find the relevant LADO, an internet search of LADO followed by the county in which the school resides will provide contact information. |
| Exclusion (or suspension) of children from school | Details on the appeal process for suspension or exclusions from a school are included in the letter to parents issued at the time of the suspension or exclusion. For internal suspensions this policy applies.<br>Further information about raising concerns about exclusion can be found at:<br>www.gov.uk/school-discipline-exclusions/exclusions. |
| Whistleblowing | We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. If you wish to whistleblow to the Trustees, please email peoplecommittee@danesedtrust.org.uk.<br>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at:<br>www.education.gov.uk/contactus.<br>Volunteer staff who have concerns about a school should complain through the Trust's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above), depending on the substance of your complaint. |
| Staff grievances | Complaints from staff will be dealt with under the Trust's internal grievance procedures. Other Trust policies such as harassment and bullying may be also used. |
| Staff conduct | Complaints about staff conduct will be dealt with under the Trust's internal disciplinary procedures, if appropriate. 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. |
| Complaints about services provided by other providers who use the Trust's premises | Each provider will have their own complaints procedures. Please contact them directly. |

| | |
|---|---|
| National Curriculum - content | Please contact the Department for Education at: www.education.gov.uk/contactus. |

Requests made under the Data Protection Act 2018 will be handled through a different process and will be handled separately. The timeframe for any such requests might not be the same as the complaints process. The policy can be found here: https://www.daneseducationaltrust.org.uk/574/public-policies.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.
If a complainant commences legal action against a school or the Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

**6.6 Withdrawal of a complaint**
If a complainant decides to withdraw their complaint we will ask them to confirm this in writing.

**6.7 Stage 1 - Concerns (informal complaints)**
It is expected that most concerns can be expressed and resolved on an informal basis.
Concerns should be raised with either the class teacher, year head / subject head, SENCO for example. You will have the opportunity to speak with a member of staff to resolve your concern.

*Note: Complainants should not approach individual governors nor trustees to raise concerns or complaints. They have no power to act on an individual basis.*

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

**6.8 Stage 2 - Complaint (formal) - the school**
Formal complaints must be made to the headteacher (unless they are about the headteacher, CEO, central team, trustee or governors - see section 6.2), via the school office. This may be done in person or in writing (preferably on the complaint form at annex 1).

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

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

There may be occasions when the headteacher works together with the chair of the school board to investigate and resolve your complaint.

*Note: The 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 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 headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the headteacher 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 school will take to resolve the complaint (but not details of any disciplinary action for staff members should they have been actioned).

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

**6.9 Stage 3 - Complaint (formal) - final panel**

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 two 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 DET complaints process.

A request to escalate to Stage 3 must be made to the clerk (via the contact details noted in the Stage 2 response letter), within ten school days of receipt of the Stage 2 response.

The clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

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

The clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the clerk will provide an anticipated date and keep the complainant informed.

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

If the complaint is about the headteacher, governors, the central team or CEO, Stage 3 will be heard by the trustees and an independent panel member.

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

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under the Trust staff disciplinary procedures, if appropriate. Outcomes of staff disciplinary procedures will not be shared with the complainant.*

Representatives from the media are not permitted to attend.

At least 15 school days before the meeting, the 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
- request copies of any further written material to be submitted to the panel at least six school days before the meeting.

Any written material will be circulated to all parties at least five 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.
The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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. This request will need to be accompanied by appropriate documented evidence from a professional noting the need to record meetings. 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. Any such recording will be made by the Trust and shared with the complainant.

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

- uphold the complaint in whole or in part
- dismiss the complaint in whole

If the complaint is 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 the school's systems or procedures to prevent similar issues in the future.

The chair of the panel will provide the complainant, the school and Trust with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

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

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 school/Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the headteacher.

## 7. RECORD KEEPING

A written record will be kept of all complaints, and at what stage they are resolved, along with what actions have been taken, regardless of the decision. These records will be held by each school for school-related complaints and by the Trust for those complaints which come directly or are escalated to the Trust.
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.
The school boards will monitor complaints received by the school, and the Trust Board will monitor complaints received by the Trust.

## 8. COMPLAINTS ESCALATED TO THE TRUST

If a complaint is escalated directly to the Trust, the Trust complaints co-ordinator will review the complaint, speaking with the school and complainant to establish if the full process has been completed at the school before deciding on appropriate action to be taken with the complaint.
For example, some complaints pertain to the headteacher when in fact, they are about school processes. Such complaints may be referred back to the school or director of education.

### 8.1 Complaints about a headteacher

If the complaint is about a headteacher, it will be dealt with starting with the Stage 2 process, replacing 'headteacher' with 'CEO'.

### 8.2 Complaints about central staff

If the complaint is about a member of the Trust central staff, it will be dealt with starting with the Stage 2 process, replacing 'headteacher' with 'CEO'.

### 8.3 Complaints about the CEO, a governor or a Trustee

If the complaint is about the CEO, a governor or a trustee, it will be dealt with starting with the Stage 2 process, replacing 'headteacher' with 'chair of the Trust board'.
If a formal complaint form is received about the chair of the Trust board, the complaint will be referred to the vice chair for investigation, following Stage 2 process of this policy, replacing chair of the Trust board for headteacher.
*NB. Where the chair (or vice-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 person about whom the complaint was made.*

If the complaint reaches Stage 3, the panel will comprise at least two members who have not been involved in the incidents or events which led to the complaint or have any detailed prior knowledge.

For a complaint about a trustee or the CEO, one member of the panel will be independent of the management and running of the Trust. This means that this independent member will not be a governor, trustee or an employee of the Trust.

## 9. NEXT STEPS

If the complainant believes the school 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 after they have completed Stage 3.

The Department for Education will not reinvestigate the substance of complaints or overturn any decisions made by the Trust. The Department for Education will consider how the Trust has handled the process - in line with its own processes. It will also consider whether the Trust has adhered to education legislation and any statutory

policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

## 10. UNREASONABLE BEHAVIOUR RELATED TO CONCERNS AND COMPLAINTS

The Trust commits to handling all concerns and complaints fairly and impartially and to providing a high quality service to those who raise concerns or complaints.

Should any individual's approach to presenting their concern/complaint become disturbing, intimidating or harassing, the Trust reserves the right to report any such behaviour to the relevant authorities and legal advice may be sought. The Trust has a duty of care to its staff and we do not expect any employee to tolerate unacceptable behaviour that may be deemed abusive, threatening, or offensive.

The Trust will act in a manner it believes to be appropriate when dealing with complainants who appear to be vexatious, persistent or unreasonable complainants. If the complainant remains dissatisfied after all the stages have been exhausted, the Trust complaints co-ordinator will write to the complainant to note that the complaints process has been concluded and the Trust deems the matter closed.

The Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Educations and Skills Funding Agency

- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable or false information in a variety of media such as on social media, websites, electronic communications, other public forums and newspapers.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Trust will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking.

If the unreasonable behaviour continues, the Trust will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school or Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

The individual has the right to appeal any decision to either restrict communications, or a ban from Trust premises to the chair of the school board.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Trust premises.

**Use of artificial intelligence (AI) Tools**

We commit to reviewing all concerns with care, empathy, and a human touch. To do this effectively, we require the same authenticity from our complainants. We do not accept lengthy, formal complaints that have been entirely generated by artificial intelligence tools, as these frequently introduce irrelevant statutory references or speculative claims that hinder the investigation process.

If a complaint is identified as AI-generated, we will pause the process and ask the complainant to restate their specific grievances directly. Failure to provide an authentic statement of the issue may result in the complaint being returned or rejected.

(Related Trust policy: DET Parent Code of Conduct)

## ANNEX 1 - COMPLAINT FORM

An editable, downloadable version of this complaint form is available here:

Danes Educational Trust Complaint Form

Please complete and return this form using the contact details on the school or Trust website.

Please complete this form using your own words. To ensure an efficient and accurate investigation, the Trust requests that complainants do not use AI generation tools to write their submissions. The Trust reserves the right to reject or request the resubmission of complaints that are not authored authentically by the individual involved.

| | | | |
|---|---|---|---|
| Name of school | | | |
| Complainant details | | | |
| Name | | Title | |
| Address | | Email address | |
| Telephone | | Your relationship to the school/Trust | |
| Please give details of your complaint | | | |
| | | | |
| Date of Stage 1 concern | | Who dealt with Stage 1 in school? | |
| What happened as a result of your informal (stage 1) - concern? | | | |
| | | | |
| What was the reason the stage 1 response was not satisfactory? | | | |
| | | | |
| What further actions would need to be agreed in order to resolve the complaint at this stage? | | | |

| |
|---|
| |
| At stage 2 (formal complaint), what further actions would the headteacher need to take in order to resolve this complaint? |
| |
| If you have completed stage 1 and 2, why was the response to stage 2 not satisfactory? |
| |
| At stage 3 (panel hearing), what further actions would the panel need to agree in order to resolve this complaint? |
| |

## ANNEX 2 - ROLES AND RESPONSIBILITIES

### Complainant

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

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

### Investigator

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
    - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
    - interviewing staff and children/young people and other people relevant to the complaint
    - consideration of records and other relevant information
    - 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 headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems
- the headteacher or complaints panel 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 in each school / Trust

The complaints co-ordinator is the person in each school (for school complaints) or the central team (for complaints received into the Trust).

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, CEO, Chair of Governors, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
- - sharing third party information
- - additional support which may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person

- keep records.

### Clerk

The Clerk is the contact point for the complainant and the panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings by making written notes (or by electronic means where the appropriate circumstances referred to earlier warrant such a recording and prior consent has been received by all parties)
- circulate the minutes of the meeting
- notify all parties of the panel's decision

### Panel chair

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

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in a formal and inclusive manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the 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 under the DPA 2018 or GDPR
- should a new issue arise, it is not included in the panel hearing, the complainant understands it has to be returned to Stage 1 of the process
- if a new information arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school/Trust 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 clerk (and complaints co-ordinator, if the school has one).

### Panel members

Panel members are usually governors or trustees, but the Trust may deem it appropriate to use a member of the central team or a member of the leadership from a school in the Trust if specialist knowledge is required. Should an employee of the Trust sit on the panel, they must have had no previous knowledge of the complaint, nor have any conflicts of interest with anyone involved in the complaints process. At least one panel member should be fully independent of the school.

Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No governor / trustee / staff member 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 school and the complainant
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations
- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated
- The panel should respect the views of the child/young person and give them equal consideration to those of adults
- If the child/young person is the complainant, the 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
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests
- The welfare of the child/young person is paramount

DANES EDUCATIONAL TRUST

*Making the difference together*

Danes Educational Trust is a multi-academy trust, our vision is to develop hubs of excellence comprising primary and secondary schools, focused around their local community. We equip our learners with the skills they need to become curious, creative and courageous and ensure that our school environments are places where their talents are nurtured, so that they become happy and confident 21st century global citizens. We are a family of schools and we make the difference together as one trust.

**Visit our website for more information**

www.daneseducationaltrust.org.uk

**Follow us on social media for regular updates:**

Instagram: @danesedtrust

Facebook: Danes Educational Trust