



# **Complaints Policy**

**Last Update: September 2021 (version 3.0)**

## Document Control

### Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	Sep 2018	Louise Adams Director of Education and Standards	All Plymouth CAST Headteachers and LGBs	To provide a systematic approach to handling complaints
2.0	May 2019	Karen Cook CFOO		To update to include complaints against the Trust
3.0	Sep 2021	Kevin Butlin Director of Education		To update to include complaints against LGB, and complaint campaigns

### Approvals

This policy requires the following approvals:

Board	Chair	CEO	Date Approved	Version	Date for Review
			September 2018	1.0	September 2019
x			May 2019	2.0	September 2019
x			October 2021	3.0	September 2024

### National/Local Policy

x ☐ This policy must be localised by schools

☐ This policy must not be changed, it is a trust policy (only change logo, contact details and yellow highlighted sections)

### Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement? ☐  
Yes x ☐ No

If yes, the policy status is: ☐ Consulted and Approved ☐ Consulted and Not Approved ☐ Awaiting Consultation

## Distribution

This document has been distributed to:

Position	Date	Version
Plymouth CAST Directors and SEL		3
All Plymouth CAST HTs		3
All Plymouth CAST LGBs		3

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## **Information about this policy**

### **Vision and values:**

Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.

Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing an education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust

### **Policy Principles:**

This policy:

- ☐ Explains the process for raising concerns
- ☐ Clarifies the process by which parents and other stakeholders should raise concerns with the school or the Trust
- ☐ Sets out the way in which concerns can be escalated to complaints
- ☐ Identifies the timeframes by which concerns and complaints will be responded to

### **Policy Aims:**

This policy aims to:

- ☐ Enable parents and other stakeholders to raise and resolve concerns informally, knowing they will be responded to within two days
- ☐ Be clear and provide a simple process for all users to follow
- ☐ Ensure complaints are dealt with confidentially, effectively and swiftly
- ☐ Set clear timeframes, which meet statutory requirements, and enable parents to know what will happen and when
- ☐ Resolve all complaints as quickly and sensitively as possible, seeking the best solution for pupils.
- ☐ Establish how the school or Trust will record and maintain communication at each stage
- ☐ Provide a mechanism for reviewing and improving practice

## **Relevant legislation and linked policies**

DfE guidance and regulations

### **Roles and Responsibilities:**

#### **Parents are responsible for:**

- ☐ Working cooperatively with the school or Trust to resolve complaints, informally where possible
- ☐ Communicating effectively and reasonably

#### **Staff are responsible for:**

- ☐ Responding within the expected deadlines
- ☐ Being honest where mistakes may have been made
- ☐ Responding to and feedback and recommendations to improve practice
- ☐ Meeting the needs of every child
- ☐ Sharing concerns (where appropriate) openly and in a timely way

#### **The complaints coordinator is responsible for:**

- ☐ Maintaining oversight of concerns and complaints
- ☐ Ensuring deadlines are met
- ☐ Communicating with appropriate parties to ensure a swift resolution
- ☐ Raising concerns if processes are not followed robustly
- ☐ Maintaining records of complaints in line with statutory regulations

#### **The Headteacher or CEO in the case of the Trust is responsible for:**

- ☐ Responding within the expected deadlines
- ☐ Being honest where mistakes may have been made
- ☐ Responding to and feedback and recommendations to improve practice
- ☐ Meeting the needs of every child
- ☐ Sharing concerns (where appropriate) openly and in a timely way
- ☐ Holding staff to account for adhering to school policies and the code of conduct

#### **The Local Governing Board, or Board of Directors in the case of the Trust is responsible for:**

- ☐ Identifying an appropriate, objective governor to lead investigations at Stage 3
- ☐ Carrying out investigations swiftly and impartially
- ☐ Responding within the expected deadlines
- ☐ Being honest where mistakes may have been made
- ☐ Responding to and feedback and recommendations to improve practice
- ☐ Sharing concerns (where appropriate) openly and in a timely way
- ☐ Informing the Education and Standards Team if the headteacher has not adhered to school policies and the code of conduct

**Plymouth CAST is responsible for:**

- ☐ Keeping the complaints policy up-to-date and ensuring it meets statutory requirements
- ☐ Ensuring schools and the Trust follows the complaints policy and process, seeking to resolve complaints swiftly and fairly
- ☐ Ensuring schools and the Trust respond to recommendations to improve practice

At Plymouth CAST we seek to work with parents positively to meet the pastoral and learning needs of our pupils to the highest possible standard.

We believe that respectful and supportive relationships between parents and the school, and between all stakeholders and the Trust provide the best foundation for pupils' needs to be met well and for pupils to be successful.

We welcome the opportunity to improve our practice and/or resolve misunderstandings through constructive feedback.

At all times, the well-being and care of our pupils is our highest priority. Where errors are made, we endeavour to acknowledge and rectify them.

**Definition of a complaint**

A complaint is a clear expression of dissatisfaction, however made, by a person or persons with a legitimate interest in the school or Trust (but not being employed at the school or on the Local Governing Board).

A complaint covers the following:

**Anonymous complaints**

There is no duty for Headteachers, the CEO, Governors or Directors to pursue anonymous complaints. However, if an anonymous complaint conveys information which may be damaging to the school, it is the Headteachers or CEO's decision whether a case needs further investigation.

**Vexatious complaints**

The term 'vexatious' reaches wider than complaints.

It is not appropriate to make personal accusations or attacks on members of school staff, CAST central employees, 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 Trust, or to behave unreasonably by not engaging with the school or Trust to attempt a joint resolution.

In the event that the school or Trust deems a complaint to be malicious or vexatious, school leaders may respond by explaining why they consider this to be case and state that the complaint is deemed to be closed.

If a complainant attempts to reopen issues that have been dealt with through the complaints procedure it should be explained that the procedure has been exhausted.

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 or Trust can reserve the right not to respond. In these instances however, care should be taken not to dismiss any new complaints that have been raised alongside previous complaints.

If the complainant believes that the school or Trust has acted unreasonably they may appeal to the Department for Education.

### **Who is allowed to complain?**

This policy may be used by parents or carers of pupils at the school. Although there is not a statutory requirement to respond to other parties who raise a concern or complaint about the school or Trust where it is considered appropriate to respond, this policy will be followed.

Complaints from parents and carers and other stakeholders will always be investigated so that the school or Trust can ensure that all statutory duties are being met and, if not, address the issues raised and learn from them, for example child protection issues may only come to light after the pupil has left the school.

### **When should this policy not be used?**

Circumstances under which this procedure should not be used include:

- ☐ Pupil admissions
- ☐ Pupil exclusions
- ☐ Statutory Assessment of Special Educational Needs
- ☐ Issues related to child protection
- ☐ Criminal investigations
- ☐ Employee grievances

This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaints procedures.

## **The Complaints Process**

There are 5 stages outlined in the complaints procedure:

- ❑ Stage 1 Informal complaint (concern)
- ❑ Stage 2 Referral to Head Teacher/CAST senior executive leadership/Chair of Trust Board
- ❑ Stage 3 Complaint referred to the relevant member of the Local Governing Board/ CAST Board
- ❑ Stage 4 Hearing by Local Governing Board/Directors' complaints panel
- ❑ Stage 5 Review of the process and documentation by Plymouth CAST to ensure:
  - o Appropriate processes have been followed
  - o Conclusions are appropriate
  - o Make any recommendations to the school
  - o Inform the parents of their findings of the review
  - o Plymouth CAST will not repeat Stages 1-4 of the process.

In the majority of cases, we seek to resolve complaints informally (Stage 1) before being escalated.

In some cases at Stage 1, it may be deemed appropriate that the complaint is dealt with by the Headteacher. This does not preclude the Headteacher responding to the complaint more formally at Stage 2. If parents consider Stage 1 to be ineffective in resolving their complaint, they should complete the Record of Complaint (appendix 2).

In all cases where the complaint concerns the school's headteacher directly, Stage 2 will be missed out and the complaint will be escalated directly to Stage 3.

At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

If and when complaints about the school are brought to the attention of Plymouth CAST, complainants will be advised to contact the school and to follow the procedures set out in the school's complaints policy.

If all stages of the complaints process have been followed and completed in full, parents may contact Plymouth CAST.

### **Monitoring complaints**

The school's/ Trust's complaints coordinator is responsible for the operation and management of the school complaints policy and is responsible for monitoring complaints. Records are retained within school/Trust for 6 years from the date of resolution and are then destroyed.

At Stage 1 the Parent/Stakeholder Concern Record should be completed and submitted to the complaint coordinator.



At Stages 2, 3 and 4 the following information should be recorded:

- ☐ The name of the complainant
- ☐ The date and time at which complaint was made
- ☐ The details of the complaint
- ☐ The desired outcome of the complainant
- ☐ How the complaint is investigated (including written records of interviews held)
- ☐ Results and conclusions of investigations
- ☐ Any action taken
- ☐ The complainant's response (satisfaction or further pursuit of complaint).

Much of this information will be submitted in the Record of Complaint, but the complaint coordinator will ensure that all of the above information is recorded.

### **Outcome of complaints**

At Stages 2, 3 and 4 of the complaints procedure, the conclusion will be either:

That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.

It may be appropriate to offer one or more of the following:

- ☐ An apology
- ☐ An explanation
- ☐ An admission that the situation could have been handled differently or better
- ☐ An assurance that action will be taken to prevent a recurrence of the situation leading to the complaint
- ☐ An explanation of the steps that have been taken to ensure that it will not happen again
- ☐ An undertaking to review school policies in light of the complaint.

**Or**

That the complaint is not upheld and reasons for this are clearly given.

### **Escalation to the next stage**

The complainant may either choose to take no further action or will be advised of how to take the complaint to the next relevant stage of the complaints policy.

After each stage, the complainant has up to 15 working days to decide whether the move to the next stage of the complaints process. If the complaint is not submitted to the next stage within this agreed time limit it will be considered as closed.

### **Changes to time limits and deadlines**

In the vast majority of cases, the time limits and deadlines contained within this policy will be adhered to by the school or the Trust. However, in certain circumstances it may be inappropriate or impractical, for example, if an investigation cannot be conducted due to school holidays or illness.

Where a complaint leads to criminal proceedings this will always be the case, but it may also be the case where there is a need for legal advice.

If and when it becomes necessary to alter the time limits and deadlines set out within this policy, the complainant will be told and given an explanation as to why this has been the case.

## **Confidentiality**

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors on a 'need to know' basis. Confidentiality will be maintained within the Local Governing Board/Trust to ensure sufficient governors have no prior knowledge of the complaint to enable a complaints panel to be convened, if required, at Stage 4.

## **Accompaniment**

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood. This includes the complainant's right to be accompanied by a friend or relative at discussions and hearings and/or to submit formal complaints, which have been written by another individual on their behalf.

## **Record of complaints**

Regulations require that a written record be kept of all complaints that are made, stating:

- ☐ whether they are resolved following a formal procedure, or proceed to a panel hearing
- ☐ any action taken by the school as a result of those complaints (regardless of whether they are upheld)

Correspondence, statements and records relating to individual complaints are to 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.

## **Complaints against the Local Governing Board or Chair of Governors**

- complaints against individual governors are made to the school's complaints coordinator who will refer the matter to the clerk to the governing body. The clerk should then arrange for the complaint to be heard. This should be by the chair of governors and then a panel hearing if applicable.
- complaints against the chair, the entire governing body or complaints involving both the chair and vice chair should also be sent to the school's complaints coordinator, who will refer the matter to the Trust's complaints coordinator. The Trust's complaints coordinator will refer the complaint to the clerk to the Trust Board. Such complaints will be addressed in principle in the same manner as those against individual schools, in line with the timescales and processes outlined. The Chair of the Board of Directors will replace the Headteacher where referred to in the policy, and the Board of Directors will replace the Local Governing Board

## **Complaints against the Trust**

Complaints against the Trust will be addressed in principle in the same manner as those against individual schools, in line with the timescales and processes outlined. The Chief Executive or designated deputy will replace the Head Teacher where referred to in the policy and the Board of Directors will replace the Local Governing Board.

Should the complaint be against or involve the Chief Executive this will be referred to the Board of Directors who will appoint an investigating officer in line with stage 3 of the policy. Should a complaint be escalated to stage 4 the Board of Directors shall appoint a panel from their membership.

## **Complaint Campaigns**

Occasionally, a school or the Trust may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

When such a complaint/complaints is received the school complaints coordinator will inform the Trust's complaints coordinator.

The Trust's complaints coordinator will ensure that the complaint(s) is investigated by the headteacher, Chair of LGB, Chief Executive Officer or Chair of Trust Board as appropriate.

Appropriate action will be taken to address any issues identified during the investigation.

The Trust's complaints coordinator will work with appropriate members of the Senior Executive Team or Board of Directors to produce a written response to the complaint.

The Trust's complaints coordinator will work with appropriate members of the Senior Executive Team or Board of Directors to identify an appropriate method to communicate the response. This may be one or both of the following:

- sending a template response to all complainants
- publishing a single response on the school's website

### Summary of Timescales

Stage	Description	Response
Stage 1	Discussions with relevant member of staff and/or headteacher	Acknowledged within 2 school days  Usually responded to in full within 10 school days.
Stage 2	Written complaint to Headteacher (see appendix 2)	Acknowledged within 2 school days  Response normally within 10 school days.
Stage 3	Written complaint for the attention of the Local Governing Board (see appendix 2)	Acknowledge within 2 school days.  Response normally within 10 school days.
Stage 4	Appeal heard by Complaints' Committee Hearing (appeal to be made within 10 working days of receipt of the Stage 3 outcome letter.)	Acknowledge within 2 school days.  Hearing set up within 20 school days with 10 working days' notice of meeting.  Agenda and papers sent out 7 school days in advance.  Decision letter within 10 school working days.
Stage 5	Written complaint to Plymouth CAST	Acknowledge within 2 school days.  Review of complaint process completed within 30 school days.  Written response will typically be sent within 10 school days following the investigation. However, if legal advice is required, a further period of up to 30 school days may be required.

### **Stage 1: Informal complaints (concerns)**

Parents are encouraged to raise concerns informally.

If the concern is raised informally, parents should be clear that they would like a response. At this point, the person who received the concern will set up a Record of Concern (appendix 1) and forward to the complaints administrator.

Informal complaints will be responded to within two days. Where possible, the first response will conclude the matter.

In the event that it is not possible to respond in full, the response will acknowledge the concern, identify a future date by when a further response will be provided and state who will be investigating the matter.

At each point of communication, it will state the next date by when a response will be received. Each communication from the school and parent response will be logged in the Record of Concern. The concern will be dealt with the staff member deemed most appropriate to resolve the concern.

Once the concern is deemed to have been resolved by the parent, the complaints co-ordinator closes the record.

#### **To raise an informal complaint (concern), the complainant should:**

1. Ensure this is the current policy to resolve the issue being raised (see page 6).
2. Speak in person or by phone, email or write to an appropriate member of staff (appropriate in that they are able to record and action the complaint).
3. If the person spoken to is able to complete a Record of Concern at the time, no further action from the complainant is required.
4. If the person spoken to is not able to complete a Record of Concern at the time, the complainant should ask for someone to contact them before the end of the current school day.

#### **To resolve an informal complaint, the school should:**

1. Forward the Record of Concern to the complaints co-ordinator
2. The complaints co-ordinator will identify who should deal with the concern
3. The complaints co-ordinator will contact the complainant within two school days to acknowledge the complaint and inform the complainant who will be handling the concern
4. The person dealing with the concern will investigate, keeping the complaints co-ordinator informed about the outcome and planned response to the complainant.
5. Provide a response, normally within 5 school days.

#### **Response:**

The person dealing with the complaint will respond to the complainant. Usually, the response to an informal concern is verbal. The member of staff should ascertain whether the complainant feels the concern is resolved and should record what has been said.

In the event that the complainant is not satisfied with the response, he/she will be referred to the school's complaint policy and informed how to move on to Stage 2.

### **Stage 2: Referral to the Headteacher**

In the event that raising a concern informally does not resolve the issue, parents should complete the Record of Complaint (appendix 2) and submit it electronically for the attention of the complaints co-ordinator. Additional documentation may be attached with the form.

This is the second stage of the complaints process and, as a result, all communications between parties need to be carefully recorded and monitored.

Complaints will not be considered until the following information has been collected:

- ☐ The name of the complainant
- ☐ The date and time at which complaint was made
- ☐ The details of the complaint
- ☐ The desired outcome of the complainant

By completing the Record of Complaint, we can be sure that all the required information is received and that there is a clear and traceable email trail. The Record of concern from Stage 1 will be taken into account.

When a complaint is made directly against the school's headteacher, Stage 2 should be omitted and the complaint should escalate to Stage 3.

The Record of Complaint will be acknowledged within two working days, and confirm when a final response should be received (usually no later than 10 school days)

#### **To make a formal complaint at Stage 2, the complainant should:**

1. Ensure that this is the correct process for dealing with the complaint (page 6)
2. Complete the Record of Complaint (appendix 2) ensuring that the information listed on page 8 is included, and that the relevant stage is ticked.
3. Ensure that all the relevant allegations are included in the documentation as, once a complaint is investigated at Stage 2, it is not possible to change or add to the allegations.
4. Email the Record of Complaint and any relevant additional documentation to the school office for the attention of the complaint co-ordinator, and requesting a read receipt.
5. Check you have received acknowledgement of your complaint within 2 school days. If not, please contact the school office to ensure it is being dealt with.

#### **To resolve a formal complaint at Stage 2, the school should:**

1. Forward the Record of Complaint to the complaints co-ordinator
2. The complaints co-ordinator will confirm with the Headteacher that the normal response time applies
3. The complaints co-ordinator will contact the complainant within two school days to acknowledge the complaint and inform the complainant that the Headteacher will respond usually within 10 school days

4. The Headteacher will investigate the complaint, keeping the complaints co-ordinator informed about the outcome and planned response to the complainant.

**Response:**

The headteacher will provide the complainant with a full written response within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken.

The response will provide details of how to move on to Stage 3, if the complainant is not satisfied.

**Stage 3: Complaint referred to the relevant member of the Local Governing Board**

In the event that raising a concern formally with the Headteacher (Stage 2) does not resolve the issue, parents should complete the Stage 3 section of their original Record of Complaint (appendix 2) and submit it electronically, with a read receipt to the school office, for the attention of the complaints co-ordinator. Additional documentation may be attached with the form.

The Record of Complaint will be acknowledged within two working days, and confirm when a final response should be received (usually no later than 10 school days)

**To make a formal complaint at Stage 3, the complainant should:**

1. Complete the additional section of the Record of Complaint (appendix 2), detailing why the response at Stage 2 was not sufficient
2. Email the Record of Complaint and any additional documentation to the school office, for the attention of the complaint co-ordinator.
3. Check you have received acknowledgement of your complaint within two working days. If not, please contact the school office to ensure it is being dealt with.

**To resolve a formal complaint at Stage 3, the school should:**

1. Forward the Record of Concern to the complaints co-ordinator
2. The complaints co-ordinator will liaise with the relevant governor or designated person to confirm that the normal timeframes will apply and forward all previous documentation
3. The complaints co-ordinator will contact the complainant within two school days to acknowledge the complaint, inform the complainant which governor or designated person will be handling the complaint and when the governor is likely contact the parent
4. The relevant governor or designated person will investigate the complaint. As part of this process, the governor or designated person may interview the parent, member of staff and other adults. In the event that the governor or designated person deems it necessary to interview pupils, this will be discussed with the Headteacher before any action is taken.
5. The governor or designated person will keep the complaints co-ordinator informed about the outcome and planned response to the complainant.

**Response:**

The relevant governor or designated person will provide the complainant with a full written response, usually within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken.

The response will provide details of how to move on to Stage 4, if the complainant is not satisfied.

#### **.Stage 4: Hearing by Local Governing Board Complaints Panel**

If the complainant remains unsatisfied following an investigation by a governor, they can ask for their complaint to be referred to a governor complaints panel.

The complaints panel will be clerked by a member of the school staff, the clerk to the Local Governing Board or another governor.

The panel will generally consist of three people, at least two of which are likely to be governors. The third member of the panel will be independent of the leadership and management at the school, for example, a governor from another school in the trust. The two governors from the school must not have been involved in making decisions in regard to the complaint. The panel should elect its own chair.

Acknowledgement and time scales:

The Chair of Governors should acknowledge receipt of the complainant's letter within 2 school days. This letter will inform them that their complaint will be heard by a complaints panel within 20 school days.

**To make a formal appeal at Stage 4, requesting a hearing by the Local Governing Board complaints panel, the complainant should:**

1. Submit the appeal within ten working days of receipt of the Stage 3 outcome letter.
2. Complete the additional section of appendix 2, detailing why the response at Stage 3 was not sufficient
3. Email the form to the school office, for the attention of the complaint co-ordinator.
4. Check you have received acknowledgement of your complaint within two working days. If not, please contact the school office to ensure it is being dealt with.

**To resolve a formal complaint at Stage 4, the school should:**

1. Forward the Record of Complaint to the complaints co-ordinator
2. The complaints co-ordinator will liaise with the Clerk to the Governors to co-ordinate a panel of three governors to hear the complaint.
3. The Clerk to the Governors will formally write to the complainant, the headteacher and any other relevant staff or witnesses and inform them:
  - ☐ Of the date, time and venue of the hearing
  - ☐ How it will be conducted
  - ☐ Request for any supporting documentation by either the complainant or the school which must be returned to the Clerk no later than 5 school days before the hearing takes place; this should include any request from supporting witnesses or representatives to attend with either party
  - ☐ Of the rights of accompaniment as outlined in this document.
4. The clerk will ensure that all parties receive all relevant documents at least 3 school days before the date of the hearing so as to allow individuals to familiarise themselves with them.



5. Conduct the hearing in a fair, unbiased and respectful manner, ensuring all parties are heard (please see appendix 3 for guidance on conducting the hearing).
6. The Chair should allow each party involved to explain their understanding or interpretation of events and for the panel to question them for further clarification. **(Complainants do not have to attend the hearing if they would prefer not to, and all written evidence will be considered. In the event that complainants do not attend, the hearing should proceed and resolution should be reached.)**
7. After the hearing, the panel will consider the complaint and all the evidence presented and:
  - ☐ reach a majority decision on the complaint
  - ☐ decide or recommend upon the appropriate action (if any) to be taken
  - ☐ where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.
8. This information will be included in letters to both the headteacher and the complainant.

Response: The chair of the panel will provide the complainant (and school leaders) with a full written response to confirm the outcome of the hearing within ten school days of the hearing. This response will determine whether or not the complaint has been upheld, the reasons why and what action (if any) will be taken.

The response will provide details of how to move on to Stage 5, if the complainant is not satisfied.

### **Stage 5: Review of the complaints process by Plymouth CAST**

Stages 2, 3 and 4 have to be completed before a complaint can be escalated to Stage 5: referral to Plymouth CAST.

Stage 5 does not provide an opportunity to repeat Stages 2, 3 and 4. However, if Plymouth CAST finds that any aspect of the process was incomplete, the school may be asked to complete the process.

#### **To request a review of the complaints process by Plymouth CAST, the complainant should:**

- ☐ Complete the final section of the original Record of Complaint (appendix 2)
- ☐ Submit the Record of Complaint, the responses from Stage 2, 3 and 4, along with the evidence presented at the hearing (from both sides) to [complaints@plymouthcast.org.uk](mailto:complaints@plymouthcast.org.uk)
- ☐ Ensure you have received an acknowledgement, the name of who will be dealing with the complaint and the timeframe by which you should receive a response

Plymouth CAST should:

Contact the complainant to acknowledge the complaint, provide the name of who will be dealing with the complaint and the timeframe by which a response will be sent

The complaints co-ordinator at the trust will maintain an overview of the complaint and ensure deadlines are met

The person with responsibility for handling the complaint will review the process and evaluate the way in which leaders have responded to the complainants concerns.

If the responsible person identifies that aspects of the process have been missed, or carried out ineffectively, a recommendation may be made for the school to repeat part or all of a stage. The responsible person will evaluate to what extent this has affected the outcome of the complaint.

The responsible person will respond to the complainant within 30 days of the acknowledgement. The response will comment against each stage, and identify any ways in which the process could be improved for future complaints.

**This concludes the complaints process.**

If the complainant is not satisfied the Secretary of State, Ofsted or the Department for Education

The Secretary of State has the power to consider complaints that the Local Governing Board has acted unreasonably in the discharge of any of its statutory duties.

The Chief Inspector (Ofsted) has the power to investigate complaints about the school as a whole. (Standards of education, welfare of pupils and school management). Ofsted will not normally investigate cases to do with individual pupils.

Parents may seek advice from the Department for Education at [www.dfe.gov.uk](http://www.dfe.gov.uk).

## Appendix 1

### Record of Concern

This form is completed by the school at Stage 2. It provides a record for the school to ensure all concerns are handled effectively and, where possible, resolved at the informal stage. Please see the complaints policy for clarification.

Name		
Date		
Address		
Pupil Name/Year (if applicable)		
Relationship to pupil (if applicable)		
Pupil's address (if different from above)		
Contact number(s)	Day:	Evening:
Email address		
Details of concern		
What actions do you feel might resolve this concern? (E.g. Apology, explanation etc.)		

## Appendix 2

### Record of Complaint

Section 1 of this form should be completed at Stage 2 to make a formal complaint to the school. This process usually follows Stage 1. Please see the complaints policy for clarification.

Section 1		
Name		
Date		
Address		
Pupil Name/Year (if applicable)		
Relationship to pupil (if applicable)		
Pupil's address (if different from above)		
Contact number(s)	Day:	Evening:
Email address		
Details of concern		
Names(s) of staff member(s) at the school to whom you have spoken about your concern?		
What action have you already taken to try to resolve the concern?		
What actions do you feel might resolve this concern? (E.g. Apology, explanation etc.)		
Please list any additional documents to be submitted with this complaint.		

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Section 2 of this form should be completed at Stage 3 if Stage 2 has failed to resolve the complaint.  
Please see the complaints policy for clarification.

Section 2	
Date	
Why was the school's response not satisfactory?	
What actions can governors take to resolve this complaint?	
Please list any documents to be submitted with this complaint.	
<b>Please submit Sections 1 and 2 at Stage 3.</b>	

### **Local Governing Board Complaints Panel Guidance Notes**

#### **Terms of Reference**

The panel must be convened according to the complaints policy published by the school as part of their complaints policy.

All parties should have received a copy of the complaints policy.

#### **Composition**

The panel must consist of three governors previously unconnected with the case.

This would exclude the governor who was involved in Stage 3.

#### **The chair of the panel is agreed by the panel.**

The meeting must be minuted by a nominated clerk who is usually the clerk to the Local Governing Board.

The minutes must be an accurate representation of what happens at the meeting. The minutes are confidential.

#### **Chairman's Introduction**

1. Those present will be the panel members, the clerk, the headteacher (or the person representing the school), the complainant (both parties are entitled to be accompanied by a friend or relative)
2. Welcome and introduce everyone in the room and their role in the proceedings.
3. Witnesses in support of either the school/complainant should wait outside the room until called.
4. Explain the reason for the panel being held – to offer a fresh and fair look at the complaint from stage 2 as defined in the complaints procedures.
5. Explain that the panel cannot consider new complaints at this stage.
6. Explain the structure of the meeting.
7. Explain that the panel will deliberate separately, in private, after the meeting and their conclusions will be sent out to all parties within 5 school days.
8. Ensure that everyone has a copy of the papers including a copy of the complaints procedures.
9. Check that everyone understands all of the above.

#### **The Chairman must ensure that:**

1. There is a clear written statement of the complaint which is the same as the complaint previously investigated. It may be appropriate to clarify if any aspects of the complaint fall outside the remit of the panel.
2. There is a clear statement of the outcomes desired.

### **Structure of the Meeting**

1. The complainant will be given the opportunity to explain their complaint.
2. The panel and the Headteacher (or person representing the school) will be allowed to ask the complainant questions.
3. The Headteacher (or person representing the school), will be given the opportunity to present the school's response, interpretation or view about the complaint.
4. The panel and the complainant will be allowed to ask the Headteacher (or person representing the school) questions.
5. At the panel's discretion, witnesses may be called and heard in support of either party's representations, and if so may be questioned by the panel and either party.
6. The complainant will be given the opportunity to make a final statement.
7. The Headteacher (or person representing the school) will be given the opportunity to make a final statement.
8. The Chairman will confirm with both parties that they have had the opportunity to put their case.
9. The Chairman will thank all for attending and explain that the panel will deliberate separately in private and a letter setting out the panel's conclusions will be sent out within 5 school days.

### **Deliberation and Conclusion**

1. The main points of the complaint must all be addressed.
2. For each point, the panel need to explain their findings based on fact where possible.
3. The panel need to consider the outcomes requested and agree or disagree giving reasons.
4. The panel can make recommendations to either the Headteacher or Local Governing Board.
5. The concluding letter must be signed by the Chairman of the panel.
6. It will be sent out promptly and within 5 schools days of the meeting.
7. The letter should indicate that this is the final stage of the schools' internal complaints procedure. Where relevant, it should refer the complaint to other available avenues if dissatisfied with the outcome.

