



The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

1.

Trust Complaints Policy 2023



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Mission Statement

All policies are written in line with our Trust Mission statement:

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.



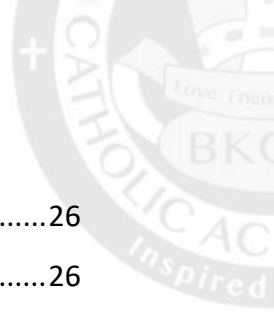
Change Control

Version	Date	Author	Changes
1.1			
1.0	September 2023	Trust Head of Governance	Revised policy based on ESFA model complaints procedure for academies



Contents

Mission Statement	1
Change Control	2
1. Procedure for Dealing with Complaints	5
2. Introduction	6
Definition of a Parent	6
Closure of Complaints	6
Who can make a complaint?	6
The difference between a concern and a complaint	7
How to raise a concern or make a complaint	7
Anonymous complaints	8
Time scales	8
Complaints received outside of term time	8
Scope of this complaints procedure	8
Special Educational Needs	10
Resolving complaints	10
Social Media	10
Withdrawal of a complaint	11
Serial or Persistent Complaints	11
Deciding whether a complaint should be deemed an unreasonably persistent.....	11
Action to be taken where a complaint is deemed as unreasonably persistent	11
3. Stages of the Complaints Procedure	12
Stage 1 – Informal complaints	12
Stage 2 – Formal complaints	12
Stage 3 – Complaint Panel Hearing	14
Complaints about the Trust Central Team, CEO or a Director	17
4. Next Steps	20
Monitoring and Review of this Policy	20
Stage 2 Complaint Form	21
Stage 3 Complaint Form	24

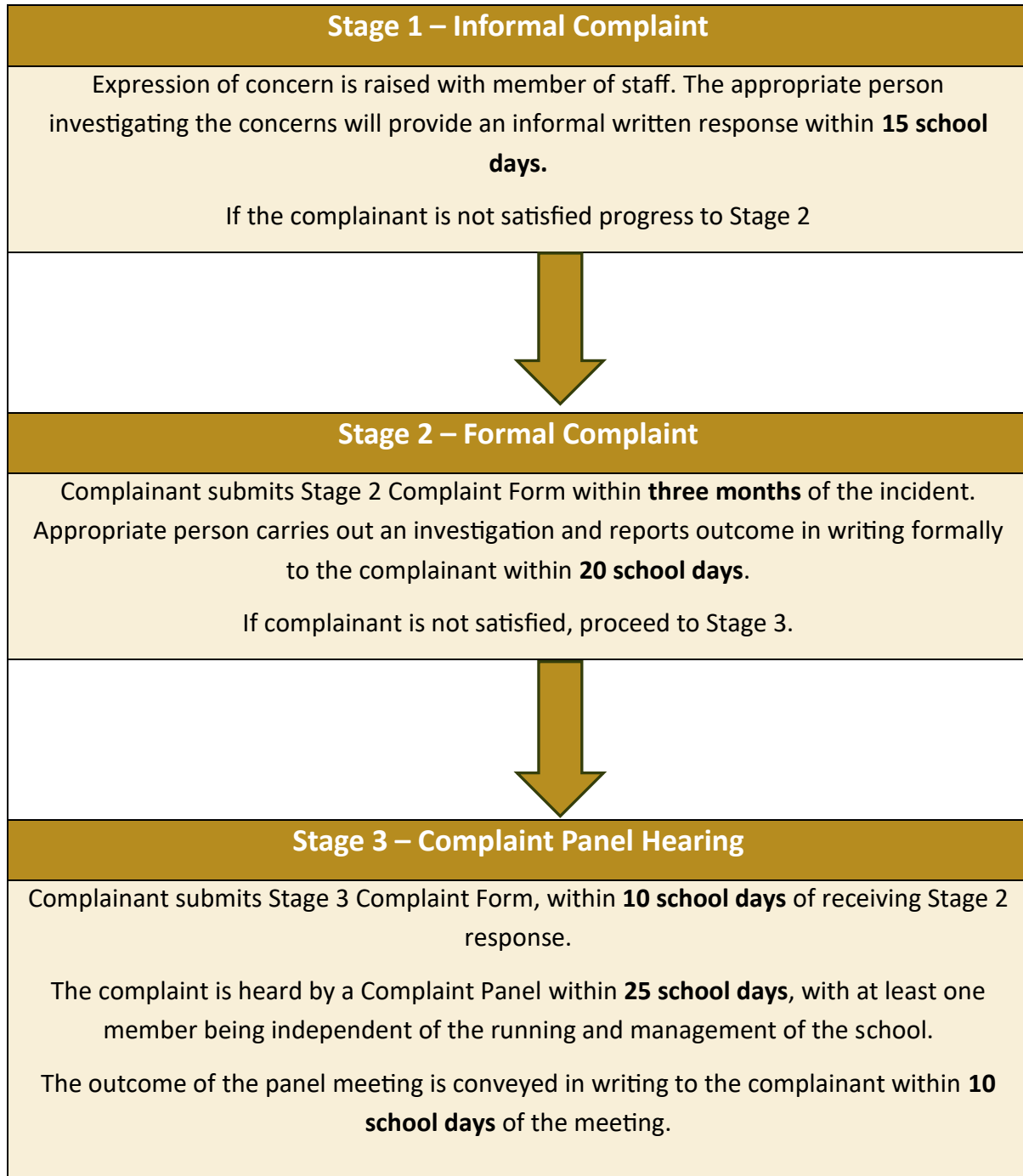


Roles and Responsibilities	26
Complainant.....	26
Investigator	26
Complaints Co-ordinator	27
Complaints Administrator.....	27
Clerk to the Complaint Panel Meeting.....	27
Witness	28
Supporter (friend/relative/union representative etc).....	28
Complaint Panel Chair.....	28
Complaint Panel Member	29



1. Procedure for Dealing with Complaints

Each stage should be completed before progressing to the next stage.



There is no further right of appeal. If a complainant is not satisfied with the handling of their complaint, they may contact the Education & Skills Funding Agency (ESFA).



2. Introduction

The Bishop Konstant Catholic Academy Trust (BKCAT) is under a duty to comply with the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014. This Complaints Procedure is based on guidance published by the Education & Skills Funding Agency (ESFA).

The Academy Trust and school values good home/school relations and will do what they can to establish and maintain them. This includes seeking to resolve concerns or complaints promptly and the satisfaction of all concerned.

Feedback on what parents feel the school does well, or not so well, as a school is welcomed. The school will consider carefully all feedback, whether positive or negative, and will review policies and practices, accordingly, making changes if necessary.

All concerns and complaints will be treated seriously and courteously, and parents will be advised of the school's procedures for dealing with their concerns. The school expects parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.

Definition of a Parent

Section 576 of the Education Act 1996 defines 'parent' as:

- All natural (biological) parents, whether they are married or not;
- Any person who, although not a natural parent, has parental responsibility for a child or young person;
- Any person who, although not a natural parent, has care of a child or young person.

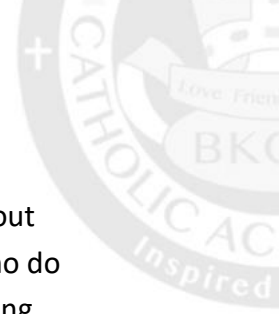
Closure of Complaints

Whilst the school will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. In exceptional circumstances, we will use our option to close a complaint before all stages of the complaints procedure have been exhausted in which circumstances reasons will be given in writing.

There is also a procedure in place for unreasonable or persistent complaints, which is referenced later in this policy.

Who can make a complaint?

This complaints procedure is limited to parents or carers of children that are registered at the school. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure for complaints from parents or carers of children at the school.



Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Complaints made by persons who do not have a registered pupil at the school will be investigated and responded to in writing.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

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

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

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the 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 concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone.

Complaints about school staff (except the Headteacher) must be made in the first instance, to the Headteacher via the school office. Contact details may be found on the school's website. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher must be made to the Chair of Academy Council, via the school office. Contact details may be found on the school's website. Please mark them as Private and Confidential.

Complaints about the Chair of Academy Council, any individual Governor or the whole Academy Council must be made to the Complaints Administrator via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Trust Board must be made to the Vice-Chair of the Trust Board via the BKCAT Complaints Administrator at governance@bkcat.co.uk. Please mark them as Private and Confidential.



Complaints about the Trust Central Team must be made to the Chief Executive Officer (CEO) via the Trust Office at governance@bkcat.co.uk. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer (CEO) or a Director of the Trust (except Chair of Trust Board), must be made to the Chair of Trust Board, via the Trust Office at governance@bkcat.co.uk. Please mark them as Private and Confidential.

Complaints about the whole of the Trust Board must be made to the Trust Head of Governance via the Trust Office at governance@bkcat.co.uk. Please mark them as Private and Confidential.

For ease of use, template complaint forms are included at the end of this procedure. If you require help in completing the relevant form, please contact the school office. You can also ask a third-party organisation for example Citizens Advice, to help you.

Complainants should state what actions they feel might resolve the problem at any stage.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Academy Council, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the 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 will consider complaints made outside of this time frame if exceptional circumstances apply.

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.

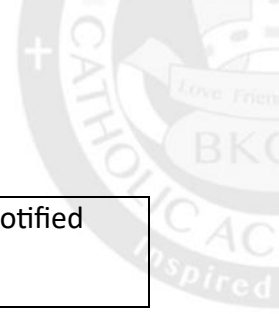
Scope of this complaints procedure

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

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	Concerns about admissions should be handled through a separate process – either through the appeals process or via the relevant local authority.



<ul style="list-style-type: none"> • Statutory assessments of special educational needs 	<p>Local Authority carrying out the assessment.</p>
<ul style="list-style-type: none"> • Safeguarding and Child Protection Investigations 	<p>Complaints about child protection matters are handled under the school's Safeguarding Policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). For contact details, see the school's Safeguarding Policy, which is published on the school website.</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the Trust's complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the relevant LA (Local Authority) or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the Trust's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a</p>



	complaint. However, the complainant will be notified that the matter is being addressed.
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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 the school/Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Special Educational Needs

Concerns about special educational needs and disabilities (SEND) provision by parents should initially be raised with the school's SENDCo in the first instance so we can work together to find a resolution. If the matter is not resolved, complaints about SEND provision should then be made following this complaints policy.

Resolving complaints

At each stage in the procedure, the school 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 acceptance 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 school policies in light of the complaint
- an apology

Social Media

Complaints are dealt with confidentially and complainants are expected to observe confidentiality regarding the detail of their complaint. Complainants are respectfully requested not to discuss complaints publicly outside of the complaints process including via social media platforms such as Facebook, WhatsApp groups with other parents and Twitter/X etc. Should defamatory or inappropriate comments be posted on social media, steps may be taken to report matters to the appropriate authorities.



Withdrawal of a complaint

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

Serial or Persistent Complaints

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant makes the same complaint or asks the school to reopen the same issue, the school is able to inform them in writing that the procedure has been completed and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as 'serial' or 'persistent' and there will be no obligation on the part of the school to respond. It is important to note however that, should the complainant raise an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure.

The procedure for dealing with unreasonably persistent complaints is as below:

Deciding whether a complaint should be deemed an unreasonably persistent

The Headteacher, with the agreement of the Chair of the Academy Council, may deem a complaint as unreasonably persistent.

Wherever possible, the Headteacher or Chair of the Academy Council will discuss any concerns with the complainant informally before applying an 'unreasonable' marking to the complaint.

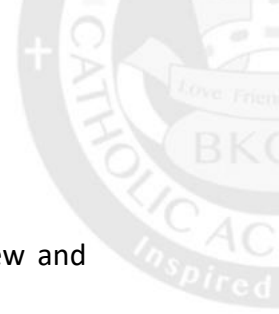
The Headteacher will ensure there is sufficient evidence available to justify the decision.

Action to be taken where a complaint is deemed as unreasonably persistent

The Headteacher will write to the complainant to explain the decision and the way that future complaints will be dealt with. Any restrictions imposed will be appropriate and proportionate.

Some or all of the following actions may be taken, depending on particular circumstances of the case:

- insisting that no member of staff should meet the complainant on his/her own;
- restricting telephone calls from the complainant to specified days and times;
- requiring that all future contacts with the school are in writing, except in emergencies; this includes contacts with members of the Academy Council, who should only be contacted at the school address;
- merely acknowledging correspondence from the complainant that raises issues that have already been dealt with;
- banning the complainant from the school premises where the complainant's behaviour constitutes a nuisance or disturbance, with any appointments with staff to be agreed in writing via the Headteacher.



However, all correspondence from the complainant will be considered and any new and substantive issues will be addressed and a reply sent to the complainant.

New complaints from people who have submitted persistent complaints will be treated on their merits.

3. Stages of the Complaints Procedure

The complaints procedure is divided into three stages, as follows:

- **Stage 1 - Informal Complaint** – expression of concern is raised with member of staff. This stage aims to resolve the concern through informal contact at the appropriate level in school.
- **Stage 2 – Formal Complaint** – complaint is raised formally, within 3 months of the incident, to the Headteacher (or Chair of Academy Council if the complaint is about the Headteacher). This is the first formal stage at which complaints are considered by the appropriate investigator.
- **Stage 3 – Complaint Panel Hearing** – is the final formal stage of the complaints procedure. It involves a complaints panel hearing.

Stage 1 – Informal complaints

It is to be hoped 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 or Headteacher. Complainants should not approach individual Governors or Directors to raise concerns or 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.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within **15 school days** of the date of receipt of the complaint.

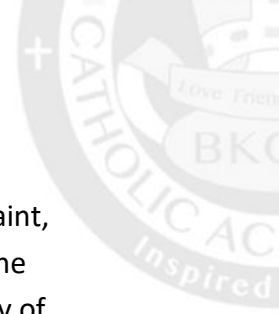
If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person or in writing (preferably on the Stage 2 Complaint Form).

The Headteacher (or designated member of staff) will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **5 school days**.

Within this acknowledgement, the Headteacher (or designated member of staff) will seek clarification of any further information it is felt is required in addition to that already



submitted. For example, the Headteacher may 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.

Note: The Headteacher may delegate the investigation to another member of staff or an external investigator 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.

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

If the complaint is about the Headteacher, or a member of the Academy Council (including the Chair or Vice-Chair), a suitably skilled Governor or external investigator will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher must be made to the Chair of the Academy Council via the school office.

Complaints about a member of the Academy Council (including Chair or Vice-Chair) must be made to the Complaints Administrator via the school office.

If a complaint about a school is made to the Trust Office, receipt will be acknowledged and it will be forwarded to the relevant school to handle in line with this complaints procedure.

If the complaint is:

- jointly about the Chair and Vice Chair of the Academy Council, or
- the entire Academy Council, or
- the majority of the Academy Council

Stage 2 will be escalated to the CEO of the Trust who will instigate an investigation.



Stage 3 – Complaint Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. This means that the independent Complaint Panel member will not be a Director or an employee of the Trust. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Complaints Administrator, via the school office, within **10 school days** of receipt of the Stage 2 response. This may be done in person or in writing (preferably on the Stage 3 Complaint Form).

The Complaints Administrator will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **5 school days**.

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

The Complaints Administrator will write to the complainant to inform them of the date of the panel meeting. They will aim to convene a meeting within **25 school days** of receipt of the Stage 3 request. If this is not possible, the Complaints Administrator will provide an anticipated date and keep the complainant informed.

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

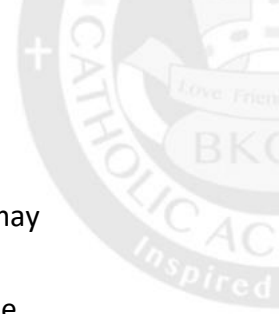
If the complaint is:

- jointly about the Chair and Vice-Chair of the Academy Council, or;
- the entire Academy Council, or;
- the majority of the Academy Council.

Stage 3 will normally be heard by two Directors and an independent panel member.

In the event of a Director(s) not being available, independent panel members will be used.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend and the complainant must provide their name to the Complaints Administrator in advance of the meeting. Generally, we do not encourage either party to bring legal representatives to the complaints 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. The complaint panel will consider the appropriateness of any witnesses requested. A written submission may be requested of the witness in advance of the panel meeting.

The complainant and school are responsible for ensuring that their supporters and witnesses are aware of the date, time and location of the complaint panel meeting.

The complaint panel wishes to hear from those directly involved in the complaint matter therefore supporters will not normally be invited to speak or ask questions during the panel meeting, unless agreed by the panel.

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

Representatives from the media are not permitted to attend.

At least **8 school days** before the meeting, the Complaints Administrator 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 complaint panel at least **6 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 complaint 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 complaint 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. 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.

During the meeting the complainant can expect there to be opportunities for:

- the panel to hear you explain your case and your argument for why it should be heard.
- the panel to hear the school's actions and response to the complaint.



- the complainant and Headteacher to be questioned and raise questions.
- the panel to ask questions of the complainant and Headteacher.
- the complainant and Headteacher to make a final statement.

Complaint panel meetings are expected to last up to 2 hours in total, which should allow sufficient time for the complaint and responses to be heard. It will be assumed that all documentation has been read by all parties in advance of the meeting therefore maximising the use of meeting time.

The complaint 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 or in part.

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 Complaint Panel will provide the complainant and the school with a full explanation of the panel's decision and the reason(s) for it, in writing, within **10 school days**.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the school.

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.

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

A written record will be kept by the school of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, 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.



Complaints about the Trust Central Team, CEO or a Director

If a complainant wishes to complain directly about the Trust Central Team, then the complaint should be sent to the CEO to be investigated. The contact email is governance@bkcat.co.uk.

The CEO (or designated member of staff) will write to the complainant acknowledging the complaint within **5 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 this Complaints Policy 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 letter was received. If this time limit cannot be met, the CEO will provide the complainant with an update and revised response date.

If the complaint concerns the CEO or a Director, the complaint should be investigated by the 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 of the Trust Board for investigation.

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

If the complainant is not satisfied with the outcome of the previous stage, the complainant should write to the Trust Head of Governance within **10 school days**, for the complaint to be heard before a Complaint Panel. This may be done using the Stage 3 Complaint Form. The contact email for submission of the completed form is governance@bkcat.co.uk.

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

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

The Trust Head of Governance (or designated member of staff) will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **25 school days** of receipt of the Stage 2 request. If this is not possible, the Trust 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 Chair of the Complaint Panel will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

If the complaint is:

- jointly about the Chair and Vice Chair of the Trust Board, or



- the entire Trust Board, or
- the majority of the Trust Board

Stage 3 will be heard by a completely independent committee panel.

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

One of the Complaint Panel members will be independent of the management and running of the Academy Trust. This means that the independent Complaint Panel member will not be a Director or an employee of the Trust.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend and the complainant must provide their name in advance of the meeting. Generally, we do not encourage either party to bring legal representatives to the complaint panel meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a Trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. The complaint panel will consider the appropriateness of any witnesses requested. A written submission may be requested of the witness in advance of the panel meeting.

The complainant and CEO/Director are responsible for ensuring that their supporters and witnesses are aware of the date, time and location of the complaint panel meeting.

The complaint panel wishes to hear from those directly involved in the complaint matter, therefore supporters will not normally be invited to speak or ask questions during the panel meeting, unless agreed by the panel.

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

Representatives from the media are not permitted to attend.

At least **8 school days** before the meeting, the Trust Head of Governance (or designated member of staff) 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 complaint panel at least **6 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 complaint 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 complaint 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. 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.

The complaint 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 or in part.

If the complaint is upheld in whole or in part, the panel will:

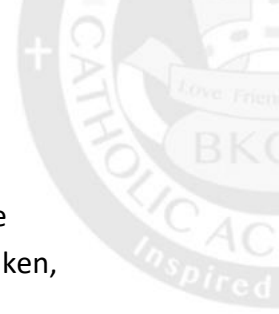
- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the Trust's systems or procedures to prevent similar issues in the future.

The Chair of the Complaint Panel will provide the complainant and Bishop Konstant Catholic Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within **10 school days**.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by 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 Trust will take to resolve the complaint.

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



A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, 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.

4. Next Steps

If the complainant believes the school/Academy Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

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

Monitoring and Review of this Policy

The Trust Board shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.

The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 08253770, whose registered office is at St Wilfrid's Catholic High School & Sixth Form College, Cutsyke Road, Featherstone WF7 6BD



Stage 2 Complaint Form

Please complete this form, return via the school office and await an acknowledgement of receipt within 5 school days. The form should be completed and submitted within 3 months of the incident for the complaint to be considered.

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 school about it and their response.



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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:



Action taken:

Date:



Stage 3 Complaint Form

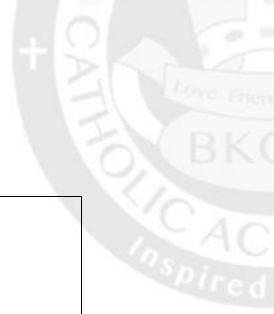
If you are not satisfied with the response received from the investigation of your complaint at Stage 2 and wish to escalate the complaint to a panel hearing, then please complete this form and return it to the school office. The form should be completed and submitted within 10 school days of receipt of the Stage 2 response for the complaint to be progressed

Your name:

Date Stage 2 response received:

Please give details of why you are not satisfied with the Stage 2 response. Please provide any further details that you would wish to share with the Complaints Panel hearing your complaint

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



Are you attaching any new paperwork/evidence? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to Chair of Complaint Panel:

Date:



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

(this could be the Headteacher or CEO/designated complaints Governor or Director or other staff member providing administrative support)

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 Academy Council, Chair of Trust or the Complaints Administrator to ensure the smooth running of the complaints 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.

Complaints Administrator

The Complaints Administrator is the contact point for the complainant and the complaint panel and should:

- ensure that all people involved in the complaints 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 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 an agreed timescale.
- arrange a Clerk to the complaint panel meeting.

Clerk to the Complaint Panel Meeting

The Clerk to the Complaint Panel should:

- attend the meeting to take a written record of the proceedings.
- prepare summary minutes which act as an aide memoir for the panel.
- circulate the draft minutes of the meeting as agreed by the complaint panel.
- notify all parties of the panel's decision.



Witness

A witness's role is to attend a complaint panel meeting, if invited to do so, to help the panel get a better understanding of the circumstances. The witness should:

- provide their account of the matter which is the subject of the complaint.
- provide information relevant to the complaint matter.
- answer questions relevant to their knowledge of the subject of the complaint.
- provide a written statement in advance of the panel hearing, if requested.

If a witness is unwilling or unable to attend a complaint panel meeting, they should submit a written statement for consideration.

Witnesses who wish to bring forward their own complaints may do so, starting at Stage 1 of the complaint procedure.

Supporter (friend/relative/union representative etc)

A supporter's role is to provide emotional support to the person they are accompanying.

The supporter should:

- listen calmly and actively during the panel meeting.
- offer emotional support to the person you are accompanying but do not speak for them.
- respect confidentiality.

If it is clear that a person is not able to present their case, the Chair of the panel may allow the supporter to:

- help the relevant party express their views.
- present on behalf of the relevant party

The Chair of the panel reserves the right to:

- ask a supporter to leave the complaint hearing if they are not fulfilling our expectations of the role set out for them.
- decline the admission of a supporter to the complaint hearing if their name has not been provided in advance of the meeting.

Supporters who wish to bring forward their own complaints may do so, starting at Stage 1 of the complaint procedure.

Complaint Panel Chair

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

- both parties are asked (via the Complaint Administrator) 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, 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 complaint 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 Data Protection Act 2018 or GDPR (General Data Protection Regulation).

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 school are given the opportunity to make their case without undue interruption 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.
- both the complainant and school are invited to state whether they feel they have had a fair hearing
- the meeting is minuted.
- they liaise with the Clerk and Complaints Administrator.
- a letter of response is prepared and agreed with panel members
- all parties are notified of the panel's decision including the findings and any recommendations.

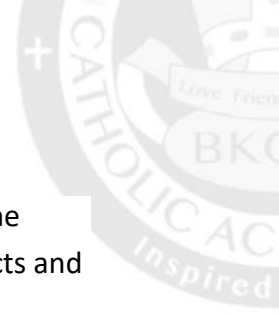
Complaint Panel Member

Complaint Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so.

No Governor/Director 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.