

INVICTUS

Education Trust

Complaint Policy and Procedure

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Document Control and Version Control

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1. Our Mission, Vision and Values



Mission

'Excellence every day, unlimited ambition and transforming lives'



Vision

'To create a community of inclusive schools where people choose to learn with us, work with us and belong with us, so that everyone succeeds'



Values

- Respect
- Resilience
- Relationships

2. Introduction

This complaints procedure is not limited to parents or carers of children that are registered at Invictus Education Trust (the Trust). Any person, including members of the public, may make a complaint to the Trust or one of its academies about any provision of facilities or services that it provides. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

3. 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, via a verbal discussion, without the need to use the formal stages of this complaint's procedure. The Trust and its academies take 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.

The Trust understand however, that there are occasions when people would like to raise their concerns formally, in writing. In this case, the Headteacher will attempt to resolve the issue internally, through the stages outlined within this Complaint's Procedure.

4. How to Raise a Concern or Make a Complaint

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

Where an individual has a concern regarding a member of staff, it should, in most cases be raised with that member of staff directly. This should generally enable a concern to be resolved at the earliest possible stage and avoid any need for it to escalate into a formal complaint. If the issue remains unresolved, the next step is to make a formal complaint (stage 2 of this procedure).

Complainants should not approach individual Trustees/Associate Governors 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 2/3 of the procedure.

Formal complaints against school staff (except the Headteacher) should be made in the first instance, in writing to the Headteacher. Correspondence should be marked as private and confidential and clearly marked for the attention of the Headteacher.

Complaints that involve or are about the Headteacher should be addressed to the Trust's Chief Executive Officer (CEO), via the Trust Governance Team, governance@invictus.education.

Again, correspondence should be marked as private and confidential.

Complaints about the CEO, any individual Trustee/Associate Governor or the whole Trust Board/Academy Committee should be made in writing to the Head of Governance and Compliance via email (governance@invictus.education). The Head of Governance and Compliance will then share the complaint with the relevant person. All correspondence should be marked as private and confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact an Invictus school office. You can also ask third party organisations like the Citizens Advice to help you.

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

5. Anonymous concerns or complaints

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

6. Time scales

Concerns

You should raise any concerns within one week of the issue arising.

Complaints

You must raise complaints 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 made outside of term time will be acknowledged on the first school day after the holiday period.

7. Unreasonable Conduct by a Complainant

The Trust/Academy is committed to dealing with all concerns/complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the Trust/Academy. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.

Complainants should limit the number of communications with the Trust/Academy while a concern/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.

The Trust states that complainants (and/or anyone acting on their behalf) may be deemed by the Headteacher or the Chair of the Academy Committee/Board to be unreasonable if they have behaved in any of the following ways (this list is not exhaustive):

- The complainant makes such frequent contact with the Academy that objective consideration of a "live" complaint is hindered
- The complainant makes a string of further complaints about a "live" investigation or changes aspect of the complaint, during the investigation
- The complainant exhausts all stages of the Academy's complaints procedure but continues to pursue the same matter

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- The complainant seeks an unrealistic outcome and persists in doing so despite being advised that this is the case
- The complainant's communications are:
 - Malicious, abusive, or aggressive
 - Use threats, intimidation, or violence
 - Use offensive, abusive, or discriminatory language
 - Known by them to be false and/or contain falsified information
 - Publish unacceptable information in a variety of media such as in social media websites and newspapers
- The complainant makes insulting personal comments about, or threats towards, staff
- The complainant makes unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced
- The complainant refuses to articulate their complaint or specify their grounds of a complaint, or the outcomes sought by raising the complaint, despite offers of assistance
- The complainant refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- The complainant refuses to work with the Trust/Academy in order to try and resolve the complaint
- The complainant refuses to accept that certain issues are not within the scope of the complaint's procedure (please see page 7 for a list of other agencies)
- The complainant makes excessive demands on school time by frequent, lengthy, complicated, and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- The complainant insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or within good practice
- The complainant introduces trivial or irrelevant information which they expect to be taken into account and commented on
- The complainant raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- The complainant changes the basis of the complaint as the investigation proceeds (new complaints raised will be referred to stage 1 of this procedure)
- The complainant knowingly provides falsified information
- The complainant publishes unacceptable information on social media or other public forums

In these examples' "contact" may be in person, in writing, or by telephone or SMS text.

Whenever possible, the Headteacher/Complaints Coordinator (or Chair of the Academy Committee/Board) will discuss any concerns with the complainant informally before applying an "unreasonable" marking to their communications.

Where a complainant continues to behave in an unacceptable fashion the Headteacher/Complaints Coordinator (or Chair of the Academy Committee/Board) will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. The Trust/Academy may decide to deal with such complaints in one or more of the following ways, for example:

- a) Try to agree with the complainant a code of behaviour for the parties involved if the Trust/Academy is to continue processing the complaint
- b) To require contact to take place with a named officer only
- c) To restrict telephone calls to specified days and times
- d) To restrict contact with the complainant to one form of contact only
- e) To limit the number of times contact can be made per term

If this behaviour continues then the Headteacher/Complaints Coordinator (or Chair of the Academy Committee/Board) may authorise staff to terminate contact with the complainant (except in matters directly related to the education and welfare of their child) and they may discontinue any further investigation being carried out. The

complainant will already have been given a clear statement of the Trusts/Academy’s position and have taken all reasonable steps to address the complainant’s needs. Any further written contact from the complainant will be read and placed on file. Telephone calls relating to the complaint will be terminated and logged on the record. The Trust/Academy should usually review this position after 6 months.

Barring from the Academy Premises

If a parent’s behaviour is a cause for concern, the Trust/Academy can ask them to leave the premises. In response to any serious incident of aggression or violence, the police may be informed.

The Trust/Academy can notify a parent, in writing, that their implied licence to be on the premises has been temporarily revoked; however, the parent will be able to formally express their views on the decision to bar, in writing.

The decision to bar will be reviewed, taking into account any representations made by the parent, and will either be confirmed or lifted. If the decision to bar is confirmed, the parent will be notified in writing, explaining how long the bar will be in place.

8. Scope of this Procedure

This procedure covers all concerns/complaints about any provision of community facilities or services by the Trust and its academies, 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 • Statutory assessments of Special Educational Needs • School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Local City Council (specifically SENAR for statutory assessments of Special Educational Needs)
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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 for your local council (MASH) LADO contact information can be found here .
<ul style="list-style-type: none"> • Exclusion of children from school* 	Further information about raising concerns about exclusions can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of the behaviour policy/positive conduct policy can be made through the school’s complaints procedure.</i>
<ul style="list-style-type: none"> • Whistleblowing 	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . 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 LA or the Department for Education (see link above), depending on the substance of your complaint.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the school’s internal grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	Complaints about staff will be dealt with under the school’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.
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> • National Curriculum – content <i>(parents can only withdraw their children from some aspects of religious education)</i> 	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

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

9. Resolving concerns and complaints

At each stage in the procedure, the Trust/Academy wants to resolve the concern/complaint. If appropriate, we will acknowledge that the concern/complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

10. Withdrawal of a Complaint

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

11. The Procedure

Stage 1- Informal Resolution

Where an individual has a concern regarding a member of staff, it should in most cases be raised with that member of staff directly. This should generally enable a concern to be resolved at the earliest possible stage and avoid any need for it to escalate into a formal complaint.

Members of staff dealing with such concerns should keep a written record of the concern and the steps taken to deal with it and inform the Headteacher/Complaints Coordinator, who will in turn record the concern. This is particularly important where the concern is raised (and resolved) verbally. Staff members may wish to use the record template at Annex 2. If minutes are taken of conversations/meetings with the complainants, they should be checked for accuracy with all parties involved as soon after the conversation/meeting as possible.

If an acceptable resolution is not reached, the member of staff should direct the individual to this procedure. The Trust does recognise that there may be circumstances in which:

- It would be difficult for a particular complainant to discuss a complaint with a particular member of staff
- The member of staff directly involved feels too compromised to deal with the complaint

In these cases, the complaint should be directed to the Headteacher/Complaints Co-ordinator, who can refer the complainant to another staff member (or, in the case of a complaint concerning the headteacher, the CEO for informal resolution. If the concern/complaint is about the CEO, the complaint should be referred to the Trust Governance Team, governance@invictus.education for the Chair of Trustees (or nominated trustee) to investigate. Such alternative members of staff may be more senior, however do not have to be, as they are simply required to consider the concern/complaint objectively and impartially.

Where a complaint about a school or a school member of staff is received, which does not appear to have explored this stage of the procedure (such as where the first approach is made to the Headteacher, CEO, Trust Central staff, Associate Governor or Trustee) and which does not indicate that there is good reason (as indicated above) why this

has not been done, the usual next step would be to refer the complainant to the appropriate person and advise them about this procedure.

Stage 2- Formal Stage

Formal complaints must be made in writing to the Headteacher/Complaints Coordinator (unless they are about the Headteacher). Formal complaints should be submitted in writing (preferably on the Complaint Form (annex 1)). If the complaint is made verbally, the Headteacher/Complaints Coordinator will ask the complainant to submit their complaint in writing.

The Headteacher/Complaints Coordinator will record the date that the complaint is received and will **acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days**. Within this response, the Headteacher/Complaints Coordinator will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. They can also consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Headteacher/Complaints Coordinator 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/Complaints Coordinator (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 (annex 2- record template)

At the conclusion of their investigation, the Headteacher/Complaints Coordinator will provide a formal written response to the complainant within 20 school days of the date of receipt of the complaint. If the Headteacher/Complaints Coordinator 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 Trust/Academy will take to resolve the complaint.

The Headteacher/Complaints Coordinator 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/Complaints Coordinator, the complainant should submit their complaint, in writing to the Trust CEO via the Trust governance team (governance@invictus.education). The CEO will lead or oversee the Stage 2 procedure. The CEO may request someone independent of the school to conduct the investigation, this could be another member of staff or a governance volunteer. On completion of the investigation the CEO will consult with the nominated investigator and confirm that the investigation has been thorough, fair and compliant with this policy. The CEO will discuss with the investigator the outcome of the investigation and agree a formal response in line with the 20-school day deadline.

Complaints about the Headteacher/Complaints Coordinator, the CEO or a member of the Trust Board/Academy Committee (including the Chair or Vice-Chair) must be made to the Trust Governance Team, governance@invictus.education, or via post the Trust Headquarters, Kinver High School, DY7 6AA). Alternatively, if the complainant does not have access to an email account, they can call the Trust Governance Team on 01384 686446 for support.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trust Board/Academy Committee or
- the majority of the Trust Board/Academy Committee

Stage 2 will be considered by an independent investigator appointed by the Trust Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 3- Appeal

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 meeting with the Trust Boards Complaints Panel, which will be formed of two Trustees/Associate Governors with no prior involvement or knowledge of the complaint and one person who is independent of the management and running of the Trust/school involved. This cannot be a member of trust staff or a Trustee but could be an Associate Governor from another school within the Trust. If not enough impartial Trustees/Governors are available, the Trust will seek panel members through another local school or through the LA's Governor Services team, in order to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 3. This is only an option if Trust representation cannot be made. The Trust will make sure the panel members sourced are suitably skilled and can demonstrate that they are independent and impartial. This is the final stage of the Complaint's Procedure.

A request to escalate to Stage 3 must be made to Trust Governance team, governance@invictus.education or in writing marked private and confidential for the attention of the Trust Governance Team and handed to any of the school offices, within 10 school days of receipt of the Stage 2 response.

The named person 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 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 named person will ensure that the complainant is informed of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, they will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the named person 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.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not allow 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 be handled under this complaint's 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 10 school days before the meeting, the meeting organiser will:

- confirm and notify the panel and 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 5 school days before the meeting

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A meeting schedule (annex 4) and any written material will be circulated to all parties at least 5 school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

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 Panel will consider the complaint and all the evidence presented.

The panel's decision will usually be reached on the basis of the documentary evidence available, although the panel may adjourn the hearing, if necessary, to conduct further investigation. The Panel's role is not to re-investigate the case, but to review the steps taken to date.

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/Academies systems or procedures to prevent similar issues in the future

The Chair of the Panel will provide the complainant and Trust/Academy with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of a decision being reached. A copy of the findings and recommendations may also be provided to the person complained about where relevant.

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 or its Academy.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Trust Board or
- the majority of the Trust Board

Stage 3 will be heard by a Panel of independent Trustees/Associate Governors.

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/Academy will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

A copy of the findings and recommendations will be available for inspection on the school premises by the proprietor and the Headteacher.

12. Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with an academy or the trust) which are all based on the same subject.

Depending on the subject in question, we may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the academy/trust's website (as applicable)

13. 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 (Senior member of staff, or other adequately trained person)

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:

- seek advice from the trusts HR department if necessary
- 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
- liaise with the CEO (if they are involved at stage 2) and keep them fully informed throughout the process
- submit the investigation report to the CEO for final sign off and feedback the outcome of their investigation.

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.

CEO (if involved in stage 2)

The CEO should:

- conduct an investigation or request someone external from the school to conduct the investigation
- if delegating to someone else, oversee the investigation process by frequently liaising with the investigator
- ensure that the timeframes stipulated in the policy are adhered to
- ensure that the investigation has been adequate and thorough
- if delegating to someone else, meet with the investigator on conclusion of their investigation in order to fully understand the outcome
- provide a detailed written response to the complainant within 20 working day timeframe, with support from the investigator

Complaints Co-ordinator (this could be the Headteacher / designated member of staff or Trustee/Representative or the Head of Governance)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with relevant stakeholders to ensure the smooth running of the Complaint's Procedure
- be aware of issues regarding:
 - Sharing third party information
 - Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep detailed records

Governance Professional to the Trust Board

The Governance Professional is the point of contact 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
- support academies/trust to 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
- keep a record of the proceedings
- notify all parties of the Panel's decision
- circulate the minutes of the meeting to the panel (and attendees that request them)

Panel Chair

The Chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Governance Professional) 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 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.
- 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 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 Governance Professional (and complaints co-ordinator if the school has one)

Panel Member

Panel members should be aware that:

- The meeting must be independent and impartial and should be seen to be so. No Trustee/Associate Governor 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.

14. Legislation and Guidance

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

This policy also complies with our Funding Agreement and Articles of Association which can be found on our website <https://www.invictus.education/>.

15. Next Steps

If the complainant believes the Trust or its academies 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 normally reinvestigate the substance of complaints or overturn any decisions made by the IET or its academies. They will consider whether IET or its academies has adhered to education legislation and any statutory policies connected with the complaint.

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:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

16. Who is Responsible for this Policy?

The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework or Trust framework. The Trust has delegated day-to-day responsibility for operating the policy to Executive Leaders, the Headteacher of each school and academy personnel.

The Local Academy Committee and Senior Leadership Team at each trust school has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

17. Monitoring, Evaluation and Review

The policy will be promoted and implemented throughout all Trust schools. The Trust will monitor the operation and effectiveness of arrangements referred to in this policy at each school.

This policy and procedure will be reviewed at least every 2 years or more regularly in the light of any significant new developments or in response to changes in guidance.

18. Annex I

Complaint Form

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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:
Date:

19. Annex 2

Record keeping template for staff

Complete in as much detail as necessary and file accordingly. (You may need to complete a separate form for different people you speak to or for different parts of your investigation)

Your name:	
Complaint is relating to? (school, staff member, trust)	
Complainants Name:	
Date Complaint received:	
How complaint was received: (Format)	
Pupil name (if relevant):	
Details of complaint:	
<i>(Or attach copy of original complaint if made in writing)</i>	
<p>Actions- A full investigation may need to take place. What have you done? Who have you spoken to? What was said? Do you need witness statements? Include dates and times of your actions and provide a detailed account. Minute any meetings you may have and ensure that a record is kept centrally.</p>	
<i>Continue on a separate sheet if necessary</i>	
Outcome:	
Next Steps:	
Date complete:	

20. Annex 4 – Panel Hearing Schedule

CIRCULATION:		
Complainant name/s	Panel member name	Panel member name
Panel member name	Headteacher/Complaints Coordinator name	
Governance Professional name		
AGENDA		
1. Welcome and introductions		
2. Meeting Purpose (Governance Professional)		
3. Complainant to present their case		
Opportunity to ask questions		
4. Opportunity to hear from the school (Headteacher/Complaints Coordinator)		
Opportunity to ask questions		
5. Opportunity for complainant to summarise		
6. Opportunity for Headteacher/Complaints Coordinator to summarise		
7. Panel Deliberations		
All apart from panel members and gov prof to leave		
Panel are left to reach their decision		