

# Bath and Wells Multi Academy Trust

## Complaints Policy

### 1 Introduction

Bath and Wells Multi Academy Trust (BWMAT) staff work hard to provide the best education for all pupils, and the staff work hard to build positive relationships with parents and carers. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised we will aim for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without prejudice

Therefore, the BWMAT has approved this policy which sets out what you should do if you have any concerns about a BWMAT school or the trust. All school and central staff are familiar with the policy and will be able to assist you.

We aim to put the child first when a concern is raised and seek to resolve any issue through dialogue and mutual understanding. We will allow enough time to discuss and resolve any concern or complaint fully. We will also aim to learn from any complaints by providing anonymised information about resolved complaints to the wider BWMAT governance team.

The DfE guidance explains the difference between a concern and a complaint. A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. BWMAT and its schools will resolve concerns through day-to-day communication as far as possible. A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”. BWMAT and its schools aim to resolve complaints informally where possible and at the earliest stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure for handling such complaints.

### 2 Which procedure do I need?

Sometimes, when complaints are more specific, there are more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school or BWMAT website or ask for a copy from the main school reception and there are further contact details listed in Annex A.

- Pupil admissions: please see the school’s admissions policy
- Pupil exclusions: please see the school’s behaviour policy and the BWMAT Exclusion policy – this can be found at <http://bathwellsmat.org/policies>
- Staff grievance, capability or disciplinary: these are covered by the BWMAT’s grievance, disciplinary, capability procedures. These can be found at <http://bathwellsmat.org/policies>
- Where the complaint concerns other providers who may use school premises or facilities: please complain directly to the third party themselves.
- Anonymous complaints: please refer to the whistleblowing policy.
- Subject Access Requests and Freedom of Information Requests: please see the school’s or BWMAT Data Protection and Freedom of Information policy
- Statutory Assessments of Special Educational Needs (SEN) or EHC plans.

### 3 The complaint process

#### 3.1 Complaints about schools

It is important to be clear about the difference between a concern and a complaint. This policy defines any matter raised informally with staff as a concern. If you have a concern about any aspect of the school or your child's education or wellbeing, please discuss this with the class teacher or key person via the phone or in person. Ideally, they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss the issue. If you feel unable to approach the class teacher or key person, please approach the head teacher to make an appointment to discuss the issue. Most matters of concern can be dealt with this way.

There will be times when the person raising a concern is someone who is not a parent or carer. In this case it will be the Head teacher who will be the first point of contact: again it is useful if they can resolve the issue when it is first raised.

All concerns will be dealt with confidentially, although the staff member may need to take notes. Any notes will comply with the General Data Protection Regulations 2018. However, any notes taken would be able to be used if further investigation was needed, or if the concern became a formal complaint. Please note that there are some instances where the BWMAT have to share information with other agencies; for instance, if a child's safety is involved.

If having raised the concern with a staff member and subsequently discussed it with the Head Teacher you feel that your concern has not been resolved, or that your concern is of a serious nature, you should put your concerns in writing to the Head Teacher and this will then be treated as a Stage 1 complaint and investigated accordingly. Most complaints are resolved at this stage. If the action taken has not resolved the issue then the complaint can further escalated, see the full process outlined below.

Anonymous complaints will not be investigated except in exceptional circumstances, such as child protection issues.

It is important to raise concerns, or a complaint with the school as soon as practical. We consider this to be usually within 3 months and a complaint will normally be considered 'out of time' if raised more than 3 months after the matter is known to the person raising it. After this time it may be more difficult to gather evidence and resolve a complaint. Exceptions to this will be considered on a case by case basis.

There are three stages to the formal complaints procedure:

**Stage one:** complaint heard by staff member or Head teacher,

**Stage two:** complaint heard by Head teacher or Chair of Governors

**Stage three:** complaint heard by complaint panel of Governor, independent person and member of MAT central team

The details of each stage and timescales are set out in the complaints procedure detailed in Annex B and the flowchart in Annex C. A complaints form can be found in Annex E.

There may need to be some flexibility in some cases: for example to allow further meetings between the complainant and the member of staff, or to allow for further investigations after the Head teacher or Chair of Governors have met with the complainant. There may also be occasion where the investigations at stage one and two are carried out by others depending on the nature of the complaint. If this is the case the complainants will be kept informed of the plan to address their complaint and the reasons for using different investigators.

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### 3.2 Complaints about Nurseries

– *please insert your registration number below, or delete this section if you do not have a nursery*

Please note that if your complaint concerns a nursery’s fulfilment of the EYFS requirements the nursery is required to notify complainants of the outcome of the investigation within 28 days of receiving the complaint. This will fit within the timeframes set out in stage 2 of the schools complaints procedure as above which stipulates that the school must inform the complainant of the outcome of the investigation within 10 school days of receipt of the formal complaint.

If your complaint is about our school’s Nursery please note that the registration number is *insert number here*. If you are not satisfied with the school’s response to your complaint after stage 3 you are able to take your complaint to Ofsted:

Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD, 0300 123 466,  
<https://contact.ofsted.gov.uk/contact-form>

### 3.3 Complaints about the Trust

If your concern relates to the running or organisation of the Trust, please direct it to the Chief Executive Officer (CEO). This concern will be dealt with in an informal way, involving others as necessary and the CEO may delegate the matter to staff as appropriate and depending on the nature of the concern. If after this informal process has concluded you are still not satisfied you can lodge a formal complaint which should be addressed to the CEO. If your concern or complaint relates to the CEO it should be addressed to the Chair of Trustees. Both the CEO and Chair of Trustees can be contacted via the BWMAT Central Office as below;

The Old Deanery	office@bwmat.org
Cathedral Green	01749 372700
Wells, Somerset	
BA5 2UG	

Your complaint should be made in writing and you may wish to use the form in Annex E.

There are three stages to the formal complaints procedure:

**Stage one:** complaint heard by CEO

**Stage two:** complaint heard by Chair of Trustees

**Stage three:** complaint heard by complaint panel of Trustees

The details of each stage and timescales are set out in the complaints procedure detailed in Annex B and the flowchart in Annex D. A complaints form can be found in Annex E.

Anonymous complaints will not be investigated except in exceptional circumstances, such as child protection issues.

It is important to raise concerns, or a complaint with the Trust as soon as practical. We consider this to be usually within 3 months and a complaint will normally be considered ‘out of time’ if raised more than 3 months after the matter is known to the person raising it. After this time it may be more difficult to gather evidence and resolve a complaint. Exceptions to this will be considered on a case by case basis.

### 3.4 Raising a complaint with the Education and Skills Funding Agency

The Education and Skills Funding Agency (ESFA) will only consider a complaint after an Academy Trust’s own complaints procedure has been exhausted. The ESFA cannot review or overturn decisions about complaints

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made by Academy schools, they can only investigate whether the trust has considered the complaint appropriately. If the ESFA finds that the trust did not consider the complaint appropriately it can request that the trust reconsider the complaint.

The ESFA will investigate complaints about:

- undue delay or non-compliance with the trust's own complaints procedure
- allegations that the trust has failed to comply with a duty imposed on it under its Funding Agreement with the Secretary of State.
- allegations that the trust has failed to comply with any other legal obligation placed on it

The ESFA will not usually investigate complaints more than 12 months after a school's decision unless the complainant has good reason for the delay in making the complaint. The ESFA reserves the right not to investigate complaints considered to be vexatious or malicious or where they are satisfied with the action that the trust has already taken or proposes to take to resolve the complaint.

Complaints to the ESFA can be submitted electronically via the DFE website or by post to Academies Central Unit (Academy Complaints), ESFA, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH

#### **4 Safeguarding**

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy and procedures and in line with statutory guidance.

#### **5 Social Media**

In order for concerns and complaints to be resolved as quickly and fairly as possible, the BWMAT requests the complainants do not discuss the matters publicly in social media, such as Facebook and Twitter. Complaints and concerns will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

#### **6 Complaints that result in staff capability or disciplinary**

If at any formal stage of the complaint it is clear that staff disciplinary or capability proceedings are needed to resolve the issue, the details of this action will remain confidential. The complainant is entitled to know that action is being taken, but they are not entitled to take part in the proceedings or be given any detail about them.

There are other specific procedures available for certain specialist areas as listed in Annex F

#### **7 Local Governing Body Review**

We want to learn from any complaint, both in the school where the incident happened and in the wider BWMAT. To do this the school's Local Governing Body (LGB) will monitor and review any complaints and their resolution. This review will also mean that we can ensure the effectiveness of our complaints procedure, making changes where necessary. Complaint information shared once a complaint is resolved will not name individuals. The LGB will review all complaints that reach the formal stage at the LGB meeting following the resolution of any complaints. The BWMAT will collate complaint information, which has been anonymised, and share this with the BWMAT Trust Board so lessons can be learnt across the whole MAT.

#### **8. Unreasonable Complainants**

BWMAT is committed to dealing with all 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 school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff

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from that behaviour, including that which is abusive, offensive or threatening. The BWMAT defines unreasonable complainants as ‘those who, because of the frequency or nature of their contacts with the school or trust, hinder our consideration of their or other people’s complaints’.

A complainant may be regarded as unreasonable when they: -

- refuse to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuse to accept that certain issues are not within the scope of the complaints policy;
- insist on the complaint being dealt with in ways which are incompatible with the adopted complaints policy or with good practice;
  - introduce trivial or irrelevant information which they expect to be taken into account and commented on, or raise large numbers of detailed but unimportant questions, and insist they are fully answered, often immediately and to their own timescales;
- make unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced;
- change the basis of the complaint as the investigation proceeds;
- repeatedly make the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuse to accept the findings of the investigation into a complaint even though the trust’s complaint procedure has been exhausted;
- seek an unrealistic outcome;
- make excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint either in person, in writing, by email or by telephone while the complaint is being dealt with.
- either face-to-face, by telephone, or in writing, or electronically;
  - behave maliciously;
  - behave aggressively;
  - use threats, intimidation or violence;
  - use abusive, offensive or discriminatory language;
  - make statements they know to be false;
  - use falsified information;
  - publish unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. Sending repeated correspondence is not helpful (either by letter, phone, email or text) as it will delay the complaint process. Whenever possible, the headteacher or Chair of Governors will discuss any concerns regarding the complainant’s behaviour with the complainant informally.

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The decision to deem a complainant’s behaviour unreasonable will be taken by the CEO or a member of Senior Leadership Team (SLT) of the BWMAT. This decision will be taken through the following process. When a school believes that a complainant is unreasonable, the Headteacher will contact their governance advisor to discuss the matter further. Where the complaint concerns HR, disciplinary or staff welfare matters then the HR team will be consulted. The governance advisor will then ask the CEO or a member of SLT to review the behaviour of the complainant. If they determine that the complainant’s behaviour is unreasonable a warning letter will be sent to the complainant. The letter will explaining what behaviour is unreasonable and set out how it should be changed.

If following the warning letter, the behaviour continues, a further letter will be issued by the CEO or a member of SLT explaining that the complainant has been deemed unreasonable, what action will be taken, and the review procedure for sanctions. Depending upon the circumstances the CEO or a member of SLT may decide to enact one or more of the following;

- Withdraw contact with the complainant either in person, by telephone, by email, by letter or any combination of these, provided that at least one form of contact is maintained.
- restrict contact to liaison through a designated member of staff.
- Where the complaint process has been exhausted, notify the complainant in writing that no further correspondence will be entered into regarding the matter
- Temporarily suspend all contact (except in an emergency) with the complainant for a specified period.

Where the complainant raises legitimate new complaints, and does not pursue them in an unreasonable way, these will be considered, even if the person making them is (or has been) subject to this section of the policy.

The CEO or a member of SLT will review any sanctions applied under this section after 2 months. If the complainant has not modified their behaviour then sanctions may continue for another specified period. If the complainant subsequently demonstrates a more reasonable approach and it is appropriate to withdraw the sanctions, normal contact with the complainant and application of the school’s complaints procedure will be resumed.

## 9 Complaints Policy Publication

There is a legal requirement for the complaints procedure to be publicised. We will include details of this policy in:

- Information given to new parents when their children join the school;
- On our website
- On the BWMAT website

## 10 Implementation in school

A copy of this policy and an introduction to its use will be included in the induction of all MAT teaching staff, Teaching Assistants, other support staff, and Governors.

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## Annex A: Exceptions to the Complaints Procedure

Exceptions	Who to contact
Admissions to schools School re-organisation proposals	Each school has its own admission policy. Further information regarding admissions appeals can be found at; <a href="https://www.gov.uk/schools-admissions/appealing-a-schools-decision">https://www.gov.uk/schools-admissions/appealing-a-schools-decision</a>
Statutory assessments of Special Educational Needs (SEN)	Guidance about appealing an SEN or EHC plan can be found at: <a href="https://www.gov.uk/appeal-sen-statement-decision">https://www.gov.uk/appeal-sen-statement-decision</a> <a href="https://www.gov.uk/appeal-ehc-plan-decision">https://www.gov.uk/appeal-ehc-plan-decision</a>
Matters likely to require a Child Protection Investigation	Must be referred to the Local Authority following the child protection referral procedures
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
Whistleblowing	The BWMAT has an internal whistleblowing procedure for their employees and voluntary staff. This can be found under the policies section of the BWMAT website: <a href="http://www.bathwellsmat.org">www.bathwellsmat.org</a> Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
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. They should be contacted direct.

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## Annex B: Complaints Procedure

### *Investigating Complaints*

At each stage the person investigating the complaint will ensure that they:

- Establish what has happened so far, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Consider interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct any interviews with an open mind;
- Keep notes of any interviews.

### *Managing and Recording Complaints*

We aim to learn from any complaints both within our school and within the wider BWMAT. Therefore we will keep clear written records of all complaints and their outcomes, which ever stage they were concluded. This will include information about the actions taken as a result of a complaint whether or not it was upheld. These records will be kept confidential except where they are requested by those who, as part of an inspection, are entitled to access them. These will be available to the headteacher and the BWMAT central team. We will also try and limit the number of staff involved in any one complaint process. This will ensure that the process runs as smoothly as possible and communication with the complainant is as clear and efficient as possible. A complaint may be made in person, by telephone or in writing. Our complaint form can be found in Annex D. At the end of a meeting, or telephone call, the member of staff involved will try to ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief log of all the communications and actions taken about a complaint will be kept, together with a copy of any written response, or notes of meetings and telephone calls so that there is a complete record of the progress and resolution of any one complaint. It is important to note that a complainant has a right to ask for copies of any records made under the Freedom of Information and Data Protection Acts.

### *Resolving complaints*

At each stage in the process we will seek to find ways to resolve a complaint. We may need to accept that the complaint is correct in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem. An admission that the school could have handled the situation better is not the same as an admission of negligence.

We will try to identify areas of agreement between the parties. We will also try to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

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## ***Complaints Procedure: The Three Stages***

### **Stage One: complaint heard by Staff Member or the Head teacher, or for complaints regarding the trust, the CEO**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school or the Trust can be crucial in determining whether the complaint will escalate. Therefore, staff will be made aware of the procedures, and know what to do when they receive a complaint. It is paramount that the complainant is listened to and taken seriously. Complaints will escalate if the person complaining feels humiliated, marginalised or that their concern has been minimised.

Some complainants will find completing a written complaint difficult. When requested the school or Trust will provide assistance, or accept a complaint in person or by telephone, and record this for the complainant on the complaints form.

Every complaint will be considered objectively and impartially. The school will respect the view of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the Head teacher can refer the complainant to another staff member, or will hear the complaint themselves. Where the complaint concerns the Head teacher, the complainant will be referred to the Chair of Governors.

Where the first approach is made to a Governor the next step would be to refer the complainant to the appropriate staff member and provide advice about the procedure for making a complaint. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved in the early stages in case they are needed to sit on a panel at a later stage.

At stage one and stage two the Head teacher or the Chair of Governors can delegate the investigation to another member of staff, or specialist, depending on the circumstances. Where this is done the Head teacher or the Chair of Governors will remain the person with final responsibility for ensuring an investigation is conducted and reported back to the complainant. The person leading the complaint process in the school will contact either their HR lead, or the Governance Support Advisor to inform them a complaint is being addressed. The Central team will provide ongoing support to the school staff for the duration of the complaint process.

A complaint about the running or organisation of the trust will be investigated by the CEO or a member of staff nominated by them. Where the CEO has delegated the investigation to another individual, the CEO will remain the person with final responsibility for ensuring an investigation is conducted and reported back to the complainant.

### **Stage Two: Complaint heard by the Head teacher, or Chair of Governors (if already heard by Head teacher) or for complaints regarding the Trust, the Chair of the Trust Board**

The Head teacher's influence will already have shaped the way complaints are handled in the school. If the complainant was dissatisfied with the way the complaint was handled at stage one by a member of staff, the Head teacher will hear and investigate the complaint. The Head teacher can delegate the task of collating information about the complaint to another staff member, but not the decision or any action to be taken.

If the Head teacher has heard the complaint at stage one, then the Chair of Governors will hear the complaint. The complainant will write to the Chair of Governors giving details of the complaint. This will be investigated

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and the Chair will write to the complainant. Should the complainant still not be satisfied he/she may ask for the matter to be referred to stage three.

If at this stage if the Head teacher has heard and investigated the complaint and the complainant remains dissatisfied, the Chair of Governors could informally investigate the complaint before the matter is escalated to the local governing body's complaints panel. This would not prejudice the rights of the complainant in taking the matter to a review hearing, but may resolve the issue to the satisfaction of the complainant.

Where a complaint has been investigated by the CEO at stage one and remains unresolved, the complainant can escalate the complaint to stage two where the Chair of the Trust Board or another trustee nominated by the Chair will conduct the subsequent stage two investigation.

### **Stage Three: Complaint heard by the Complaints Panel**

The complainant will need to write to the clerk to the local board of governors giving details of the complaint and asking that it is put before the complaints panel. The complaints panel is the last stage of the complaints process and is not convened to rubber-stamp previous decisions. The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a complaints panel.

The panel will consist of one governor from the school's LGB, one MAT central team member and an independent person. The panel cannot be made up solely of local governing body members because they are not independent of the management and running of the academy. Individual complaints would not be heard by the whole local governing body at any stage as this would compromise the impartiality of any complaints panel or a panel set up for a disciplinary hearing against a member of staff following a serious complaint.

Where the panel is convened in regard to a complaint made in respect of the Trust, the panel will comprise of two trustees and one person who is independent of the management and running of the Trust.

The independent person will be sourced with help from the BWMAT central team and colleagues in the Diocese Education Department. The panel will choose their own chair.

#### The terms of reference for the panel are to:

- Draw up its procedures;
- Hear individual complaints;
- Make one or more of the recommendations on policy as a result of complaints.

#### The remit of the Complaints Panel

The complaints panel can:

- Dismiss the complaint in whole or part;
- Uphold the complaint in whole or part;
- Decide on the appropriate action to be taken to resolve the complaint;

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- Recommend changes to the school’s systems, procedures, or policies to ensure that complaints of a similar nature do not recur.

Panel members

There are several points which any governor, or person sitting on a complaints panel, needs to remember:

- It is important that the complaints panel hearing is independent and impartial and that it is seen to be so. No governor will sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. Nevertheless, it may well be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective complaints panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial. If they wish, a parent may be accompanied to the panel hearing and may choose this person themselves.
- Extra care will need to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child’s parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The panel will need to be mindful of the concerns of a staff member who is the subject of a complaint by parents. The teacher may be nervous or apprehensive, particularly if the original informal process has failed because of conflict between the parents and staff members. The panel will need to consider how a reconciliation between the parents and the staff member can be achieved, as they will both continue to be part of the school community at the end of the complaints process.
- The members of the panel need to be familiar and confident with the complaints procedure.

Roles and Responsibilities –

The role of the **clerk** – The clerk will be the contact point for the complainant and is required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings and notify all parties of the panel’s decision.

Where there is a vacancy for the clerk to the LGB the BWMAT central team will help source a suitable member of BWMAT staff to fulfil this role.

The role of the **Chair of the Board of Governors** or the **nominated governor** – is to make sure:

- That the correct procedure has been followed;

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- If a hearing is requested, that the clerk is notified to arrange a complaints panel.

The role of the **chair of the complaints panel** – is to ensure that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with all parties treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions, written material is seen by all parties;
- If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it
- The chair of the panel will ensure that the complainant is notified of the panel’s decision, in writing, with the panel’s response; this will usually take place within five school days.

#### Format of the Panel Hearing

The Panel will follow an inquisitorial model, reviewing evidence available to them and hearing from the complainant and witnesses to establish the validity of a complaint. This means that they will meet complainants and witnesses in turn. Therefore, a complainant will not question staff or witnesses, or be present when staff and witnesses are heard by the panel.

#### Checklist for the panel hearing –

- The hearing is informal as possible,
- Witnesses are only required to attend for the part of the hearing in which they give their evidence,
- The hearing will meet with the parties individually. The following outlines the process:
  - The panel will meet with the complainant and any witnesses in turn. The complainant and witnesses will then leave;
  - The panel will then meet with Head teacher and any witnesses to hear the school’s response to the complaint.
  - After each meeting the chair will explain the time scales as to when all parties will hear from the panel.
  - The panel decides on the issues.

The clerk will record the complaints panel’s decision, along with reasons for the decision. Sufficient time should be allowed for the complaints panel to agree the wording of the statement of the decision. This will include:

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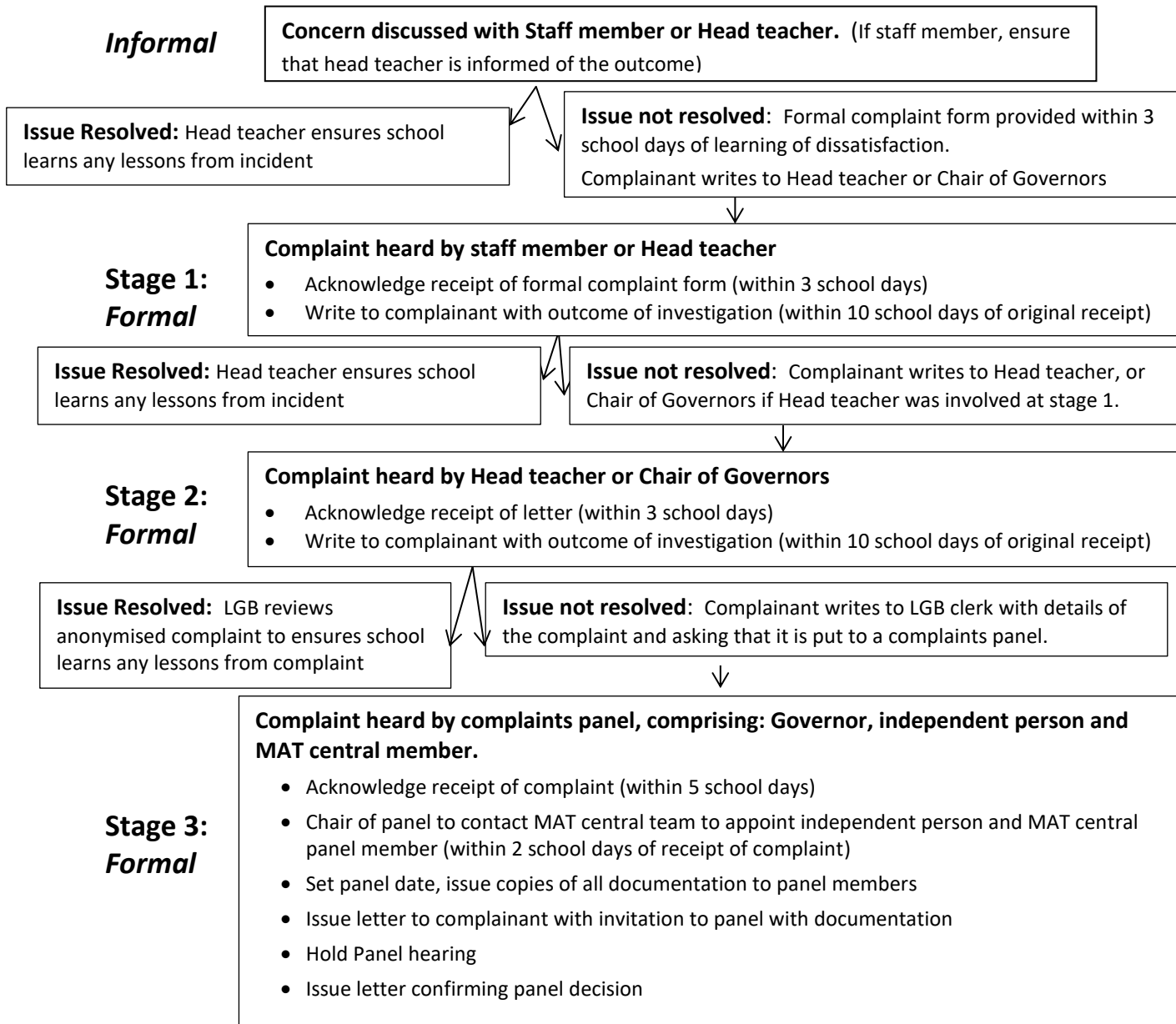
- the complaints panel's decision
- reasons for the complaints panel's decision
- any action taken or proposed by the complaints panel

The chair of the complaints panel may wish to inform the complainant and the Head teacher or Chair of Governors of the complaints panel (as appropriate) by telephone as soon as a decision has been reached. Care must be taken to ensure that both parties are given the same information over the telephone, and it is recommended that the chair of the complaints panel read an agreed statement.

The chair of the complaints panel is responsible for ensuring that the clerk confirms the decision in writing to the complainant and the Head teacher or the chair of the complaints panel (as appropriate) within 5 working days of the complaints panel meeting. The complainant will receive the findings of the panel and the recommendations in writing. Where relevant, a copy of the findings and recommendations will be provided to the person complained about. A copy of the findings and recommendations of the panel will be kept by the school and by the trust.

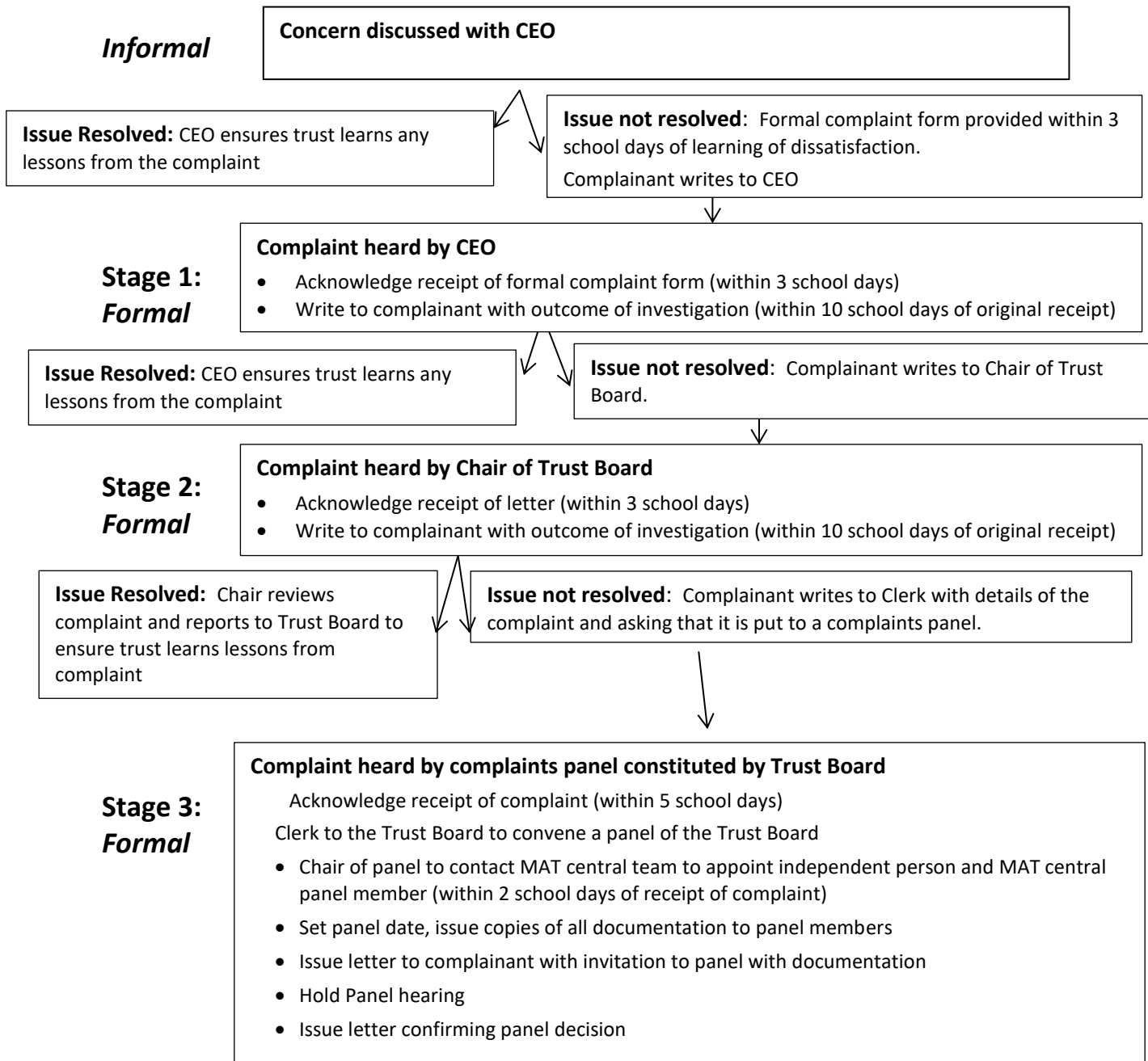
<b>Policy/Version</b>	<b>Summary of Change Implementation</b>	<b>Date</b>	<b>Review Date</b>
BWells MAT Complaints Policy Nov 2018 V 3-4	Owner C Plewes, Revised by MD	7 February 2019	

## Annex C: Flow chart: Procedure for complaints about Schools



Policy/Version	Summary of Change Implementation	Date	Review Date
BWells MAT Complaints Policy Nov 2018 V 3-4	Owner C Plewes, Revised by MD	7 February 2019	

## Annex D Flow chart: Procedure for complaints about the Multi Academy Trust



Policy/Version	Summary of Change Implementation	Date	Review Date
BWells MAT Complaints Policy Nov 2018 V 3-4	Owner C Plewes, Revised by MD	7 February 2019	

**Annex E Bath and Wells Multi Academy Trust Complaints Form**

<b>Your name</b>	<b>Pupil's name</b>
<b>Your relationship to the pupil:</b>	
<b>Address</b>	<b>Postcode</b>
<b>Daytime telephone number:</b>	<b>Evening telephone number:</b>
<b>Please give details of your complaint:</b>	

<b>Policy/Version</b>	<b>Summary of Change Implementation</b>	<b>Date</b>	<b>Review Date</b>
BWells MAT Complaints Policy Nov 2018 V 3-4	Owner C Plewes, Revised by MD	7 February 2019	



**What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the 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:**

**School/Trust use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

<b>Policy/Version</b>	<b>Summary of Change Implementation</b>	<b>Date</b>	<b>Review Date</b>
BWells MAT Complaints Policy Nov 2018 V 3-4	Owner C Plewes, Revised by MD	7 February 2019	