

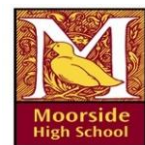
Complaints Policy and Procedure

July 2025

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Potteries Educational Trust: Complaints Policy and Procedure

Policy Family	Governance
Reference	GOV-04

Responsible Manager	Governance Professional
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Introduction

Potteries Educational Trust (PET) strives to ensure that its children and young people are healthy, happy and safe, so that they are able to achieve their full potential. PET recognises that parents, guardians and/or carers (Responsible Person) play an important part in making this happen. Co-operation between the responsible person, staff, governors and trustees leads to a shared sense of purpose and a good culture and ethos in PET academies.

PET and its academies will ensure that all concerns, difficulties or complaints are dealt with in accordance with the following principles:

- All parties will be provided with all information and documentation pertinent to the matters raised, subject to relevant data protection requirements;
- All parties will be given the opportunity to prepare and present their case and respond to the other parties involved;
- All persons investigating and making decisions in relation to the matters raised will be impartial and will do so without bias (or apparent bias) to any party involved;
- All decisions made will be made on a balanced and considered assessment of the information before him or her only;
- All decisions made will be based upon logical conclusions, and not based on mere speculation or suspicion;
- All decisions made will be supported by detailed reasons which will be disclosed to all parties involved;
- Complaints will be handled within a reasonable timescale, and in accordance with the spirit and intention of this policy and procedure

This complaints policy and procedure is based on the model policy and procedure provided by the Department for Education.

Equality Act 2010 (as amended)

PET and PET academies will deal with concerns, difficulties and complaints in accordance with their duties under the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010 (as amended);
- Advance equality of opportunity between those who share a relevant protected characteristic and those who do not;
- Remove or minimise disadvantages connected to a relevant protected characteristic;
- Take steps to meet the different needs of those sharing a relevant protected characteristic; and encourage those who share a relevant protected characteristic to participate in Academy life and activities in which participation is disproportionately low;
- Foster good relations between those who share a relevant protected characteristic and those who do not by having regard to the need to tackle prejudice and promote understanding.

“Relevant protected characteristics” set out in the Equality Act (as amended) includes sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity and (in the case of persons who are not students) age.

In addition, PET and PET academies will comply with their duties to make the following reasonable adjustments for all persons with a disability involved with the application of this policy:

- Where a provision, criterion or practice places a disabled person at a substantial disadvantage compared to person who is not disabled, reasonable steps must be taken to avoid that disadvantage;
- Where a disabled person would, but for the provision of an auxiliary aid, be placed at a substantial disadvantage compared with a person who is not disabled, reasonable steps should be taken to provide the auxiliary aid.

Who can make a complaint?

This procedure is not limited to the responsible person of children and young people that are registered at a PET Academy. Any person, including members of the public, may make a complaint to the PET about any provision of facilities or services that PET provides. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions etc), we will use this procedure.

Where a complaint is in respect of a specific child, PET or the PET academy will only deal with persons who are recorded on our system as the responsible person. We cannot divulge or discuss information or data about PET children and young people with anybody who is not properly registered as the person with parental responsibility (i.e. the responsible person)

Complaints about services provided by other providers who may use PET premises or facilities should be made to the provider concerned and, where relevant, will be dealt with in accordance with their policy and procedures.

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 perceived lack of action*’. Complaints can be resolved informally or formally.

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 this procedure. The PET and PET 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, and similarly if the member of staff directly involved feels unable to deal with a concern, the Executive Headteacher/Headteacher/Principal/Head of Academy will refer you to another staff member. The staff member 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, we 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. 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.

Concerns should be raised with either the class teacher, head of year, curriculum leader or Executive Headteacher/Headteacher/Principal/Head of Academy. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors or trustees 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.

Complaints against academy staff (except the Executive Headteacher/Headteacher/Principal/Head of Academy) should be made in the first instance, to the Headteacher/Principal/Head of Academy of the individual academy via the academy office. For confidentiality reasons, please mark as Private and Confidential - Complaint.

Complaints that involve or are about the Executive Headteacher/Headteacher/Principal/Head of Academy should be addressed to the Chief Executive Officer, c/o The Governance Professional via email to info@potteries.ac.uk or by post to the Trust Central Office, Potteries Educational Trust, c/o City of Stoke-on-Trent Sixth Form College, Leek Road, Stoke-on-Trent, ST4 2RU. For confidentiality reasons, please mark as Private and Confidential - Complaint.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Governance Professional via email to: info@potteries.ac.uk or by post to the Trust Central Office, Potteries Educational Trust, c/o City of Stoke-on-Trent Sixth Form College, Leek Road, Stoke-on-Trent, ST4 2RU. Please mark as Private and Confidential - Complaint.

Complaints about the Chief Executive Officer (CEO) or a trustee of the Trust, should be addressed to Chair of Trust Board, via the Governance Professional, email info@potteries.ac.uk by post to the Trust Central Office, Potteries Educational Trust, c/o City of Stoke-on-Trent Sixth Form College, Leek Road, Stoke-on-Trent, ST4 2RU. Please mark as Private and Confidential - Complaint.

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 the office at the individual academy. You can also ask a third-party organisation to help you, for example, Citizens Advice.

In accordance with equality law, we will consider making reasonable adjustments as necessary to enable complainants to access and complete this 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 CEO or other Executive Leader, or the Chair of the Trust Board, if appropriate, will determine whether there are exceptional circumstances to justify conducting an investigation into the issues raised.

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. Complaints made outside of this timeframe will only be considered if exceptional circumstances apply.

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 Potteries Educational Trust or one of its academies in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first academy 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 PET and/or PET 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	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none">Statutory assessments for Special Educational Needs	Concerns about statutory assessments of Special Educational Needs should be raised with the relevant Local Authority
<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 (MASH).
<ul style="list-style-type: none">Exclusion of children from school* (i.e. Statutory Education)	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-

	<p>exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the academy'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 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.</p> <p>Volunteer staff who have concerns about our Trust or any of its academies should complain through the Trust 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.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the Trust / Academy internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the Potteries Educational Trust and its academies 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 complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use academy premises or facilities 	<p>Providers should have their own complaints policy and procedure to deal with complaints about service. Please contact the provider directly.</p>
<ul style="list-style-type: none"> National Curriculum – content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

Investigating complaints

The person appointed to investigate the complaint will:

- 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 further information is required.
- Clarify what the complainant feels would put things right.
- Conduct any interviews with an open mind and be prepared to persist in the questioning.
- Complete all necessary notes.

Records of complaints

A confidential written record will be kept of all complaints and any action taken by PET or the relevant PET academy as a result of the complaint, regardless of whether they were upheld, resolved at the informal stage or proceeded to a complaints committee hearing.

Records of complaints will be available for inspection on the premises by the Trust Board, the CEO, the Governance Professional, Executive Headteacher/Headteacher/Principal/Head of Academy.

Findings and recommendations of any panel hearings will also be available for inspection on the premises by the Trust Board, the CEO, the Governance Professional, Executive Headteacher /Headteacher/Principal/Head of Academy.

PET and PET academies will retain records of complaints and related documents in line with data protection policy and records management policy. Personal data will only be kept as long as necessary.

Correspondence, statements and records relating to individual complaints are kept confidential except, as required by law, for example where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Education and Skills Act requests access to them.

Reviewing complaints

The Local Governing Body and/or Trust Board, as appropriate, will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The Executive Headteacher/Headteacher/Principal/Head of Academy will report any official complaints in the relevant executive leader report to governors and an overview provided in the CEO report to the PET Trust Board.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to academy improvement. When individual complaints are heard, the Local Governing Body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the academy and the Local Governing Body will be a useful tool in evaluating the academy's performance.

Resolving complaints

At each stage in the procedure, the PET and PET academies want to resolve the complaint. Where appropriate, the complaint will be upheld in whole or in part, or will not be upheld. In addition, it may be appropriate to offer one or more of the following:

- an explanation
- an admission* that the situation could have been handled differently or better
- an assurance that the academy 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 the event complained of will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review any relevant policies in light of the complaint
- an apology.

*Note * An admission that the academy could have handled things better is not the same as an admission of fault or negligence.*

Where it is deemed necessary for the investigation officer to interview a complainant, a witness or those involved with the complaint, individuals may be accompanied by a work colleague or friend. It is not usual practice to record these meetings electronically, an exception may be made where this is deemed to be a reasonable adjustment.

The complaint may request a copy of the investigation officer report. It may be appropriate for the PET academy or Trust to redact part of the report to preserve confidentiality before it is issued.

Acceptable Behaviour

Whilst the PET and PET academies recognise that the process of raising a concern or a complaint can be very stressful, aggressive, violent, abusive or anti-social behaviour towards anyone on PET academy sites will not be tolerated, or through written correspondence or conversation to or with any PET academy, staff or representatives. A responsible person and members of the public are required

at all times to behave in a polite and courteous manner. PET academy staff are expected at all times to behave in a courteous and professional manner when dealing with a responsible person and members of the public.

Persistent or Vexatious Complaints / Harassment

If, despite all stages of this procedure being followed, the complainant remains dissatisfied, they are not entitled to reopen the same issue. In such cases action may be taken in accordance with the Trust Dealing with Persistent or Vexatious Complaints / Harassment Policy.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, the PET academy or PET will ask them to confirm this in writing.

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 or phase leader / subject leader or Executive Headteacher/Headteacher/Principal/Head of Academy. Complainants should not approach individual governors or trustees 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 this procedure.

It is always helpful if the complainant can fully explain the nature of the concern and identify the outcome they are looking for.

The Executive Headteacher/Headteacher/Principal/Head of Academy, where appropriate will appoint an investigation officer to investigate the concern.

Where appropriate, the complainant may be invited to an informal meeting with the investigation officer or the member of staff most appropriate for dealing with that concern.

At the conclusion of their investigation, the investigation officer or the member of staff dealing with the concern will make sure that the complainant is clear on what action (if any) has been agreed. This may be put in writing if appropriate depending on the nature of the concern/complaint.

It is expected that a resolution will be reached and an outcome notified to the complainant within **15 academy 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 Executive Headteacher/Headteacher/Principal/Head of Academy (unless they are about the Executive Headteacher/Headteacher/Principal/Head of Academy), via the PET academy office. This may be done in person or in writing by post or email (preferably on the Complaint Form) or by telephone. The complainant should clearly mark the letter or email subject line as 'complaint'.

The Executive Headteacher/Headteacher/Principal/Head of Academy will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **5 academy days of receipt**. The acknowledgement will give a brief explanation of the PET complaints procedure and a target date for a response.

Within this response, the Executive Headteacher/Headteacher/Principal/Head of Academy will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant

would like to achieve. The Executive Headteacher/Headteacher/Principal/Head of Academy can consider whether a face to face meeting or telephone conversation with the investigation officer or other designated officer is the most appropriate way of doing this. An investigation, as appropriate, will follow.

Note: The Executive Headteacher/Headteacher/Principal/Head of Academy may delegate the investigation to another member of the PET academy's senior leadership team but not the decision to be taken. Depending on the nature of the complaint an investigation may be carried out by a member of the Trust Central Services Team.

During the investigation, the Executive Headteacher/Headteacher/Principal/Head of Academy or appointed investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish by a friend or colleague
- as appropriate they may interview potential witnesses and will advise those witnesses that statements may be disclosed to other relevant parties who may be permitted to challenge as part of the investigation
- keep a written record of any meetings/interviews in relation to the investigation.

At the conclusion of the investigation, the Executive Headteacher/Headteacher/Principal/Head of Academy or designated investigation officer will provide a summary investigation report with any relevant recommendations in order for the Executive Headteacher/Headteacher/Principal/Head of Academy to provide a formal written response to the complainant within **15 academy days** of the date of receipt of the complaint.

If the Executive Headteacher/Headteacher/Principal/Head of Academy is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The Executive Headteacher/Headteacher/Principal/Head of Academy will consider whether to uphold the complaint in whole or in part or dismiss the complaint. The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.

The Executive Headteacher/Headteacher/Principal/Head of Academy will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of **Stage 2**.

Stage 2 - Formal complaints about the executive headteacher, headteacher, principal or head of academy

If the complaint is about the Executive Headteacher/Headteacher/Principal/Head of Academy, the process will automatically start at Stage 2 of this procedure.

Complaints about the Executive Headteacher/Headteacher/Principal/Head of Academy must be made to the Governance Professional, via the academy office or via email to info@potteries.ac.uk

The Governance Professional, may contact the complainant if more clarity is required about the nature of the complaint. This could be by email, telephone or an in-person meeting.

The Governance Professional will refer the complaint to the PET Chief Executive Officer, who will allocate an investigation officer. There may be occasions, depending on the nature of the complaint, where it is appropriate for an external investigation officer to be appointed.

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

The designated investigation officer will:

- review the complaint and if necessary arrange to interview the complainant to clarify details of the complaint and to identify a desired outcome
- if necessary, interview those involved in the matter or event, and/or those complained of, allowing them to be accompanied if they wish
- as appropriate they may interview potential witnesses and advise witnesses that witness statements could be disclosed to other relevant parties who should be permitted to challenge those statements as part of the investigation
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the designated investigation officer will provide a summary investigation report with any relevant recommendations to the Chief Executive Officer in order for the Chief Executive Officer to provide a formal written response to the complainant within **15 academy days** of the date of receipt of the complaint.

The Chief Executive Officer will consider whether to uphold the complaint in whole or in part or dismiss the complaint, and in the response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.

The Chief Executive Officer will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of this **Stage 2**.

Stage 2 - Formal complaints about the PET Chief Executive Office or a trustee or governor

If the complaint is about the PET Chief Executive Officer, a trustee or a governor the process will automatically start at Stage 2 of this procedure.

Complaints about a trustee or a governor must be made to the Governance Professional, via email to info@potteries.ac.uk or by letter to the PET registered office. Correspondence should be marked private and confidential – complaint.

The Governance Professional, may contact the complainant if more clarity is required about the nature of the complaint. This could be by email, telephone or an in-person meeting.

The Governance Professional will refer the complaint to the Chief Executive Officer (unless the complaint is about the Chief Executive Officer) and the Chair of the PET Trust Board, who will allocate an investigation officer as appropriate depending on the nature of the complaint. There may be occasions, depending on the nature of the complaint, where it is appropriate for an external investigation officer to be appointed.

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

The designated investigation officer will:

- review the complaint and if necessary arrange to interview the complainant to clarify details of the complaint and to identify a desired outcome
- if necessary, interview those involved in the matter or event, and/or those complained of, allowing them to be accompanied if they wish

- as appropriate they may interview potential witnesses and advise witnesses that witness statements could be disclosed to other relevant parties who should be permitted to challenge those statements as part of the investigation
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the designated investigation officer will provide a summary investigation report with any relevant recommendations in order for the Chair of the PET Board to provide a formal written response to the complainant within **15 academy days** of the date of receipt of the complaint.

The Chair of the Trust Board will consider whether to uphold the complaint in whole or in part or dismiss the complaint, and in 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 that will be taken to resolve the complaint.

The Chair of the Trust Board will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of this **Stage 2**.

Stage 3 –Complaints Committee (Academy Level)

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 complaints committee 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 PET academy. (The independent member could be a governor from another academy of the PET who has had no prior involvement of the complaint or conflict of interest with the complainant, or a trustee or governor of an external Trust.)

This is the final stage of the complaints procedure.

A request to escalate to **Stage 3** must be made to the PET Governance Professional, via the academy office (or email to info@potteries.ac.uk), within **15 academy days** of receipt of the Stage 2 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **10 academy days**.

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

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

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, PET does not encourage either party to bring legal representatives to the Stage 3 committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if an PET employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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

Representatives from the media are not permitted to attend any meetings.

At least **10 academy days** before the meeting, the Governance Professional or Clerk for the Committee will:

- confirm and notify all parties of the date, time and venue of the meeting, ensuring that, 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 complaints committee at least **5 academy days** before the meeting.

Any written material will be circulated to all parties at least **5 academy days** before the date of the meeting. The complaints committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

Prior to the meeting, the complaints committee will decide amongst themselves who will act as the Chair for the hearing.

The complaints committee will also not review any new or unrelated complaints at Stage 3 or consider evidence unrelated to the initial complaint. New complaints must be dealt with from **Stage 1 or Stage 2** of the procedure as appropriate.

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 complaints committee will consider the complaint and all the evidence presented. The complaints committee 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 complaints committee will:

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

In most cases it is anticipated that it will be possible for the complaints committee to respond to the complaint immediately without the need for further investigation. Where further investigation is required, the complaints committee will decide how it should be carried out and agree next steps with the complainant. In such cases it may be necessary for the Complaints Committee to meet again to determine final outcomes.

The Chair of the complaints committee will provide the complainant and PET academy with an explanation of the complaints committee decision and the reason(s) for it, in writing, within **10 academy days**.

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

The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that the PET academy will take to resolve the complaint.

The complaints committee will ensure that those findings and recommendations are sent by letter or electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the PET's premises by the PET Trust Board, Local Governing Body and the Executive Headteacher/Headteacher/Principal/Head of Academy.

A written record will be kept of all complaints, and of whether they are resolved at the Stages 1 or 2 or proceed to a complaints committee 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 required by law, the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Stage 3 - Complaints escalated to / about the Trust, CEO or Trustee or Governor (Trust Level)

If a complaint is escalated to this Stage 3 of the policy (save for the selection of the complaints committee), the same process described above will be followed. The Governance Professional will make an informed decision in consultation with the CEO and Chair of the Trust Board on the selection for the complaints committee. Depending on the nature of the complaint it may be appropriate to allocate two Trustees that have no prior knowledge of the complaint and no potential conflict of interest and, in addition, engage an independent (external) member of the committee from another Trust to chair the complaints committee. In certain circumstances it may be appropriate to source three independent (external) members of the complaints committee, dependent on the nature of the complaint and any potential conflict of interest.

Next Steps

If the complainant believes PET or the PET academy did not handle their complaint in accordance with this policy or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can after completing Stage 3 of this policy contact the Department for Education.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the PET or a PET academy. They will consider whether the PET or the PET academy has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

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

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Appendix 1 – Formal Complaint Form

Please complete and return to the Academy office (marked Private and Confidential) who will acknowledge receipt and explain what action will be taken.

Your Name		Pupil / student name	
Your relationship to pupil / student		Pupil / student Date of Birth Academy and class	
Your address and postcode		Day time telephone Evening telephone	

Full details of complaint (including the names of all persons involved and the dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint (for example, 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

<i>For Official Use</i>			
Date Acknowledgement sent		Complaint referred to:	
Signature		Date	

Appendix 2 - Roles and Responsibilities

Complainant

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

- explain the complaint in full as early as possible
- co-operate with the academy 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 / principal or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The headteacher / principal or complaints committee 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 Executive Headteacher/Headteacher/Principal/Head of Academy or CEO / Governance Professional 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, Executive Headteacher/Headteacher/Principal/Head of Academy, CEO, Chair of Governors, Chair of PET Board or the Governance Professional and 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.

Governance Professional

The Governance Professional is the contact point for the complainant and the complaints committee 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 academy complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: Stage 1 / Stage 2 paperwork, academy and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the complaints committee's decision.

Complaints Committee Chair

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

- both parties are asked (via the Governance Professional / Clerk to the complaints committee) 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 complaints committee 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 academy 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 committee is open-minded and acts independently
- no member of the committee 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 / Clerk (and complaints co-ordinator, if the academy has one).

Complaints Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- no governor / trustee may sit on the committee 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 academy and the complainant
- PET and PET academies 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 the Responsible Person 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 complaints committee 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 committee should ask in advance if any support is needed to help them present their complaint. Where the Responsible Person is the complainant, the committee should give the Responsible Person the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- however, the Responsible Person should be advised that agreement might not always be possible if the Responsible Person wishes the child/young person to attend a part of the meeting that the complaints committee considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

Complaints Committee meeting process

Unless otherwise stated the procedure for the Stage 3 committee meeting is as follows:

- The responsible person and PET/ PET Academy representative will enter the hearing together;
- the Chair of the Complaints Committee will introduce the committee members and outline the process;
- the complainant will explain the complaint and why they are dissatisfied with the Stage 2 outcome;
- the PET / PET Academy representative and committee members will question the complainant;
- the PET/ PET Academy representative will explain the Academy's actions;
- the complainant and the committee members will question the Academy representative;

- the complainant parent will sum up their complaint; •
- the PET / PET Academy representative will sum up the Academy's actions;
- the Chair of the Complaints Committee will explain that both parties will hear from the Committee within ten academy days;
- both parties will leave together while the Complaints Committee decides;
- the Governance Professional, and any legal advisor assisting the Complaints Committee (if applicable), will stay to assist the Complaints Committee with its decision making.

The Governance Professional and or Complaints Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the complainant and the PET / PET Academy representative to present their complaint/actions separately to the Complaints Committee in the absence of the other party. A Complaints Committee may be adjourned if the Complaints Committee require further evidence or in exceptional circumstances (for example, if clarification sought by the Complaints Committee is essential to the proceedings). The adjourned date must be as soon as possible.



Potteries Educational Trust
c/o City of Stoke-on-Trent Sixth Form College
Leek Road, Stoke-on-Trent, ST4 2RU
Telephone: 01782 848736
Email: info@potteries.ac.uk

