



The
St Gregory the Great
Catholic Academy Trust

'Where love exists, it does great things'

Policy and Procedure

Complaints

Reviewed

and approved by: Trust Board

Approval date: November 2024

Review due: November 2027

Version: 4

Definitions

In this document, unless the context otherwise requires, the following expressions shall have the following meanings:

‘Academy Council’ refers to the Governing bodies of the Trust’s schools.

‘Central Team’ refers to the SEL defined below and those employees reporting to them in the central office.

‘Trust’ refers to The St Gregory the Great Catholic Academy Trust (registered with company number 10785982).

‘Staff’ refers to all school staff other than the Headteacher.

‘Headteacher’ refers to the most senior leader at each school.

‘SEL’ refers to the Trust’s Senior Executive Leaders.

‘Governors’ refers to the members the school Academy Council..

‘Trustees’ refers to the Directors of the Trust. .

‘School/schools’ refers to the schools managed by the St Gregory the Great Trust.

Who can make a complaint?

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

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by the Trust and each school within the Trust 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">Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). The LADO can be contacted via phone on 0113 37 89687, They can also be contacted by email via lado@leeds.gov.uk The Leeds MASH can be contacted via telephoning: 0113 222 4403, If you are a member of the public or 0113 376 0336 if you are a professional.</p>
<ul style="list-style-type: none">Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions</p> <p><i>*complaints about the application of the behaviour policy can be made through the 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. The whistleblowing policy is available on the Trust website.</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 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.</p>
<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 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
---	--

The difference between a concern and a complaint

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

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Trust, and each school within the Trust 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, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

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

General Principles

- The St Gregory the Great Catholic Academy Trust values good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
- The St Gregory the Great Catholic Academy Trust advocates resolution of parental concerns and complaints at academy level wherever possible, in the interests of maintaining good home/school relations.
- We welcome feedback on what parents feel we do well or not so well, as an academy and as a Trust. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
- We will treat all concerns and complaints seriously and courteously and will advise parents of the procedures for dealing with their concerns. In return, we expect parents to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils, other parents or members of the public.
- All school staff and members of the Trust Board and Academy Council can access this policy statement and will be familiar with the Trust's procedures for dealing with parental concerns and complaints. This policy is available on individual academies' websites.
- Staff and Governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as members of the Academy Council.
- The Trust's procedures will be reviewed regularly and updated as necessary.
- Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An acknowledgement that the situation could have been handled better is not the same as an admission of unlawful or negligent action.
- Dates and times of all activities linked to the complaint in chronological order should always be recorded and made available to investigators, as necessary. It is best practice to take minutes of meetings and discussions.
- All documents and correspondence recorded at all stages of the complaints process should be retained within a complaints folder at each school (or Trust Central Team Office if the complaint relates to the Trust Central Team) and retained for the period that is set out in the SGTG Data Protection Policy.
- Confidentiality must be always maintained. All conversations and correspondence must be treated with discretion. Parents must feel confident that a complaint will not disadvantage their child. Anonymous complaints should be disregarded unless someone else or some objective evidence can substantiate the complaint. All parties to a complaint will need to accept that some sharing of information will be inevitable if the complaint is to be investigated fully. However, the sharing of information should be kept to a minimum so not to compromise subsequent stages of the complaint process.
- A complaint is not part of any staff disciplinary process. Staff who may be questioned as part

of the complaint's procedure must be treated fairly and have an opportunity to put their case forward. They should be offered support in dealing with any investigation into a complaint.

- Complaints about or relating to a pupil should be directed to the relevant member of staff to be dealt with informally through discussion initially. If the complainant is not happy with the manner in which the complaint was handled, they may put their complaint in writing and ask for it to be dealt with formally.
- Complaints made by Governors should be referred to the Chair of the Academy Council to be dealt with informally through discussion initially. Some complaints may progress and be dealt with through formal procedures which are outlined in Appendix B.
- Recording the meeting on any device is not permitted at any stage of the complaints process without prior consent from all parties involved in the process. Written notes may be taken.
- Complaints made by contractors will not be dealt with under this complaints policy.

Anonymous complaints

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

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

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 Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Social Media

Complaints are dealt with confidentially and complainants are expected to observe confidentiality regarding the detail of their complaint. Complainants are respectfully requested not to discuss complaints publicly outside of the complaints process, including via social media platforms such as, Facebook, WhatsApp groups with other parents, Twitter/X. Should defamatory or inappropriate comments be posted on social media, the Trust reserve the right to take legal action.

Serial or Persistent Complaints.

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the school will inform them in writing that the procedure has been completed and that the matter is now closed. If the complainant contacts the school or Trust again on the same issue, or one which substantially arises out of or in connection with an issue previously raised, and the school believes that it has already responded to that issue as best as it can, the contact may be recognised as 'serial' or 'persistent' and there will be no obligation on the part of the academy or the Trust to respond.

However, it is important to note that, should the complainant raise an entirely new, separate complaint, the new complaint must be responded to in accordance with the complaints policy.

Definitions

For the purpose of this section, an **"unreasonably persistent complaint"** is defined as follows:

An unreasonably persistent complainant is a person who complains about issues, either formally or informally, or frequently raises issues that he/she considers to be within the remit of the academy and whose behaviour is unreasonable. Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious; and/or
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint; and/or
- an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes; and/or
- an insistence upon pursuing meritorious complaints in an unreasonable manner.

For the purposes of this section, **"harassment"** is defined as follows:

Harassment is the unreasonable pursuit of the actions listed above in (3) in such a way that they:

- appear to be targeted over a significant period of time on one or more members of staff; and/or
- cause ongoing distress to individual member(s) of staff: and/or
- have a significant adverse effect on the whole/parts of the academy community; and/or
- are pursued aggressively.

Deciding whether a complainant should be deemed an unreasonably persistent complainant.

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

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

Action to be taken where a complainant is deemed an unreasonably persistent complainant.

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

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

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

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

New complaints from people who have been deemed unreasonably persistent complainants will be treated on their merits.

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 of a complainant, as long as they have appropriate consent to do so.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office at office@sacredheartleeds.org.uk. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to The Chair of the Academy Council, via info@sgtqcat.org.uk. Please mark them as Private and Confidential.

Complaints about the Chair of the Academy Council, any individual Governor or the whole Academy Council should be addressed to The Clerk to the Academy Council via the info@sgtqcat.org.uk. Please mark them as Private and Confidential.

Complaints about the CSEL, SEL or a Trustee, should be addressed to the Chair of Trustees, via the Trust office. info@sgtqcat.org.uk Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at Appendix A. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation for example like 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.

Resolving complaints

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

- an explanation
- an 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.

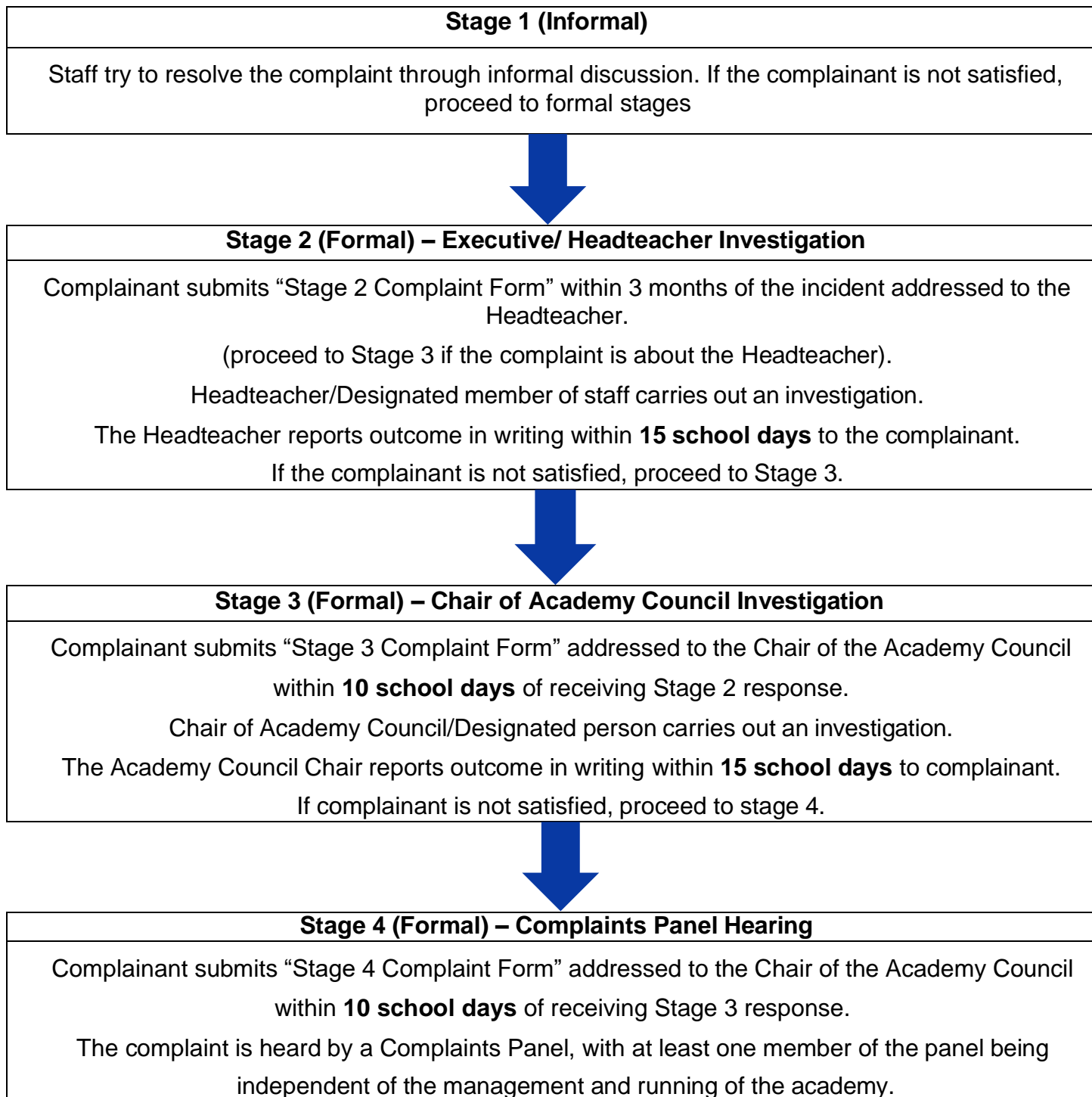
Withdrawal of a complaint

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

Complaints Procedure

The majority of concerns from parents are handled under the following general procedure. The procedure is divided into four stages; each stage should be completed before progressing to the next stage.

1. Procedure for Dealing with Complaints against an Academy



There is no further right of appeal within the Trust. If the complainant is not happy with the handling of their complaint, they may contact the Education and Skills Funding Agency (ESFA).

2. Procedure for Dealing with Complaints against The Trust Central Team or Trust Board

Stage 1 (Informal)

The complaint is raised with the member of staff responsible for the area that the complaint is about. Staff try to resolve the complaint through informal discussions. If the complainant is not satisfied, proceed to formal stages



Stage 2 (Formal) – Chief Executive Officer Investigation

Complainant submits “Stage 2 Complaint Form” **within 3 months** of the incident addressed to the Chief Executive Officer

(proceed to Stage 3 if the complaint is about the Chief Executive Officer).

Chief Executive Officer/Designated member of staff carries out an investigation.

The Headteacher reports outcome in writing within **15 school days** to the complainant.

If the complainant is not satisfied, proceed to Stage 3.



Stage 3 (Formal) – Chair of Trust Board Investigation

Complainant submits “Stage 3 Complaint Form” addressed to the Chair of the Trust Board within **10 school days** of receiving Stage 2 response.

Chair of Trust Board/Designated person carries out an investigation.

The Chair of the Trust Board reports outcome in writing within **15 school days** to complainant.

If complainant is not satisfied, proceed to stage 4.



Stage 4 (Formal) – Complaints Panel Hearing

Complainant submits “Stage 4 Complaint Form” addressed to the Chair of the Trust Board within **10 school days** of receiving Stage 3 response.

The complaint is heard by a Complaints Panel, with at least one member of the panel being independent of the management and running of the Trust.

There is no further right of appeal within the Trust. If the complainant is not happy with the handling of their complaint, they may contact the Education and Skills Funding Agency (ESFA).

Stage 1 – Dealing with informal complaints.

Guidelines

Most concerns and complaints can be resolved informally, often straight away by the class/form teacher, middle leader, or senior leader, depending on whom the complainant first contacts. 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 can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they will know what to do when they receive a complaint.

Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. On occasion, it may be appropriate for someone to act on behalf of a parent. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take the matter further. It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complainant should be referred to another staff member. Where the complaint concerns the Headteacher, the complainant should be referred to the Chair of the Academy Council.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Headteacher may consider referring the complainant to another staff member. That other member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a member of the Academy Council, the next step would be to refer the complainant to an appropriate member of staff and advise them about the complaint's procedure. **Governors must not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a Complaints Panel at a later stage of the procedure.**

Procedure

If the complaint is about the Headteacher or the Catholic Senior Executive Lead the complaint will be directed to the Clerk of the Academy Council or the Trust Governance Officer for complaints relating to the Catholic Senior Executive Lead. The Clerk/ Head of Governance will liaise with the Chair of the Academy Council/Chair of the Trust Board. The Clerk/ Governance Officer will respond to the complainant on behalf of the Chair of the Academy Council/Chair of the Trust Board informing the complainant of the next steps of the complaint's procedure.

If a complainant addresses their complaint directly to the Headteacher, **stage 1 procedures will still be followed**. The Headteacher will direct an appropriate member of staff to contact the complainant to carry out stage 1 of the complaint's procedure. If the complainant is not satisfied with the outcome of stage 1 the appropriate staff member will inform the complainant how to proceed with their

complaint to stage 2. (The staff member will document and keep a record of all communication with the complainant). This allows the Headteacher to remain impartial if the complainant proceeds to stage 2 (Headteacher Investigation).

If a complainant addresses their complaint directly to the Chair of the Academy Council (and is not a complaint about the Headteacher), **stage 1 procedures will still be followed**. The Chair of the Academy Council will liaise with the Headteacher to direct an appropriate member of staff to contact the complainant to carry out stage 1. If the complainant is not satisfied with the outcome of stage 1 the appropriate member of staff will inform the complainant how to proceed with their complaint to stage 2. The staff member will document and keep a record of all communication with the complainant. This allows the Chair of the Academy Council to remain impartial if the complainant proceeds to stage 3 (Chair of Academy Council Investigation).

- The same process will be followed if a complainant addresses their complaint direct to the Chair of the Trust Board and it is not a complaint about the Catholic Senior Executive Lead.

Parents need to be given an opportunity to discuss their concerns with the appropriate member of staff, who can clarify the nature of their concern and reassure them that the academy wants to hear about it. The member of staff may explain to the parent how the situation arose. It may also be helpful, at this point, to identify what sort of outcome the parent is looking for.

The member of staff will need to respond appropriately, considering the seriousness of the complaint. In many cases, this will lead to immediate resolution of the issue.

If the member of staff first contacted cannot deal immediately with the matter, or if they need to refer the matter to someone else, they will need to make a clear note of the date, name and contact address/email/telephone number of the complainant.

The staff member dealing with the complaint should make sure that the complainant is clear what will happen next (if anything), and this should be put in writing/email.

Where no satisfactory resolution has been found, the complainant may wish their concern to be considered further. If so, the complainant should be advised about how to proceed with their complaint.

Stage Two – Formal consideration by the Headteacher (or designated person).

Guidelines

It should by now have become clear that the concern is a formal complaint. The CSEL/Headteacher (or member of staff designated to investigate the complaint) are to adhere to these guidelines to ensure consistency amongst cases and to make sure that nothing happens, at this stage, which could make it difficult for the later stages to proceed smoothly.

As Headteachers have responsibility for the day-to-day running of their schools, they have responsibility for the implementation of the complaint's procedure, including decisions about their own involvement at stage 2. One of the reasons for having the various stages in a complaint's procedure is to reassure the complainant that more than one person is hearing their complaint.

Headteachers will need to make arrangements to ensure that their involvement does not predominate at every stage of a particular complaint. Even at this stage, the Headteacher may designate another member of staff to investigate the complaint and collate some of the information from the various parties involved.

Procedure

Complaints should be made via a "Stage 2 Complaint Form" (Please see **Appendix A**) unless the complainant is unable to express the complaint in written form. The "Stage 2 Complaint Form" should be **submitted within 3 months of the incident** occurring unless the complainant has valid reasons. The form should be addressed to the Headteacher via office@sacredheartleeds.org.uk.

The complainant's "Stage 2 Complaint Form" should be **acknowledged in writing within 3 school days** of receipt. The acknowledgement will give a brief explanation of the complaints procedure and a **target date** for providing a response to the complaint, which **will normally be within 15 school days**. Where this is not possible, a letter needs to be sent to the complainant explaining the reasons for the delay and giving a revised response date.

Within this acknowledgment, the Headteacher (or designated member of staff) will seek clarification of any further information it is felt is required in addition to that already submitted. For example, the Headteacher (or designated member of staff) may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher (or designated member of staff) can consider whether a face -to-face meeting is the most appropriate way of doing this.

Note: *The Headteacher may delegate the investigation to another member of staff or an external investigator but not the decision to be taken at the conclusion of the investigation.*

The Headteacher and complainant should endeavour even at this stage to reach an agreed solution to the complaint. It needs to be remembered that the aim is to resolve the matter in the interests of

all involved.

The Headteacher or designated person should investigate the complaint appropriately in compliance with this policy.

Once all relevant facts have been established, the Headteacher will then produce a written response to the complainant and may also wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the academy will take to resolve the complaint.

Where the complaint is against the Headteacher, it should proceed straight to stage 3.

Stage Three – Formal consideration by the Chair of the Academy Council (Or designated person)

Guidelines

If the complainant is not satisfied with the response of the Headteacher, the complainant should submit a completed “Stage 3 Complaint Form” (please see **Appendix B**) in order for their complaint to be considered further. This form will be addressed to the Chair of the Academy Council. All correspondence to the Chair should go through the Clerk to the Academy Council. It is likely that this will be the first involvement of the Chair of the Academy Council and therefore they will be able to look at the case from a new impartial perspective. It is important that **other members on the Academy Council do not receive details of complaints** at Stages 1 to 3, to ensure their impartiality should a complaint proceed to Stage 4.

Note: All correspondence to the Clerk should be submitted to the following email address: info@sgtgcatholic.org.uk

Procedure

Complaints should be made via a “Stage 3 Complaint Form” unless the complainant is unable to express the complaint in written form. The “Stage 3 Complaint Form” should be **submitted within 10 school days following receipt of the response from Stage 2** unless the complainant has valid reasons.

The complainant’s “Stage 3 Complaint Form” should be **acknowledged in writing within 3 school days** of receipt. All correspondence will be from the Clerk to the Academy Council/Governance Officer on behalf of the Chair. The acknowledgement will give a **target date** for providing a response to the complaint, which will normally be **within 20 school days**. Where this is not possible, a letter needs to be sent to the complainant explaining the reasons for the delay and giving a revised response date.

The Chair of the Academy Council, on behalf of the academy, should again endeavour at this stage to reach an agreed solution to the complaint. The aim remains to resolve the matter in the interests of all involved.

The Chair of the Academy Council (or designated person) should investigate the complaint appropriately.

Once all relevant facts have been established, the Chair of the Academy Council will then produce a written response to the complainant, and they may also wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the academy will take to resolve the complaint.

Stage Four – Formal consideration by a Complaints Panel

Guidelines

All complaints that reach this stage will have done so because the complainant has not been satisfied by the responses received at Stages 1 through to 3.

The complainant should complete and submit a “Stage 4 Complaint Form” (please see **Appendix C**) to request that their complaint is put before a Complaints Panel. This form is to be addressed to the Chair of the Academy Council and submitted to the Clerk. All correspondence to and from the Chair will be from the Clerk to the Academy Council/Governance Officer on behalf of the Chair. The Chair of the Academy Council, or a nominated person, will then convene a meeting of the Complaints Panel.

Note: All correspondence to the Clerk should be submitted to the following email address: info@sgtgcatholic.org.uk

The Complaints Panel will comprise 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 or running of the academy.

NB: *It is a matter for the Trust to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. The independent member of the panel will not be a Director, a Governor of the academy or an employee of the Trust/academy.*

For avoidance of doubt, a Governor of another academy within the Trust may be the independent member of the panel if they are not an employee of that academy or the Trust, and they are sufficiently removed from the management and running of the academy to be considered truly independent.

The Complaints Panel hearing is the last stage of the complaints procedure and is not convened merely to rubber-stamp previous decisions.

NB: *It is important that the hearing should not only be independent and impartial but that it is seen to be so. This is to prevent any allegations of unfairness or bias. As such, only members who have had no prior knowledge or involvement in the case should sit on the Complaints Panel. Individual complaints should not be heard by the whole Academy Council at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.*

It is therefore important that individual members of the Academy Council do not become embroiled in complaints at earlier stages because of potential prejudice. If individual members are approached about a complaint, they should not respond but should refer the complainant to the complaint's procedure and/or the appropriate member of academy staff.

As Stage 4 is the last opportunity for a solution or compromise to be reached, every effort should be made to reach agreement through conciliation or mediation.

It is important that the Complaints Panel views the complaint as being against the school rather than an individual staff member whose actions may have led to the original complaint.

Procedure

A Complaints Panel hearing should be requested by submitting a "Stage 4 Complaint Form" unless the complainant is unable to express the complaint in written form. The "Stage 4 Complaint Form" should be **submitted within 10 school days following receipt of the response from Stage 3** unless the complainant has valid reasons.

Following receipt of a Stage 4 request, the procedures outlined below will need to be followed:

- The Clerk will write to the complainant to **acknowledge receipt** of the written request **within 5 school days**.
- The acknowledgement will inform the complainant that a Complaints Panel will **consider the complaint within 25 school days**. Where this is not possible, the reason for delay should be explained to the complainant along with a suggested revised target date.
- If the complainant rejects the offer of three proposed dates, without good reason, the Chair will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- If the complaint is:
 - jointly about the Chair and Vice Chair or
 - the entire Academy Council or
 - the majority of the Academy Council
- Stage 4 will be heard by the Directors of the Trust Board and an independent panel member.

- The letter will ask the complainant (if they have not already done so) to submit, as soon as possible, a written statement setting out clearly the aspects of the complaint that they wish to be considered. The Headteacher and/or appropriate member of staff will also be invited to provide a written statement.

The letter will also explain that the complainant and the Headteacher have the right to submit any further documents relevant to the complaint. Both parties should send such documentation to the Clerk **at least 6 school days** before the complaint hearing. Documents submitted after this deadline will only be accepted at the discretion of the panel.

- The notification to the complainant and Headteacher should also inform them of their right to be accompanied to the meeting by a friend/advocate/interpreter. we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- The complaint panel wishes to hear from those directly involved in the complaint matter therefore supporters will not normally be invited to speak or ask questions during the panel meeting, unless agreed by the panel.

NB: *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 written material will be circulated to all parties at least **5 school days** before the date of the meeting. The complaint panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- The designated Chair will convene the meeting of the Complaints Panel, ensuring that selected members have no prior knowledge of the complaint in question and that **at least one member of the panel is independent of the management and running of the academy**. No person may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

NB: *The Headteacher or any other member of staff should not be a member of the Complaints Panel.*

- The Panel may wish to hold an initial meeting to decide on a date for the hearing, consider the statement from the complainant and the response statement from the Headteacher to determine what other evidence they might need to establish the facts.
- The Panel may invite members of staff and other witnesses directly involved in matters raised by the complainant to produce a written statement and/or to attend the hearing.

NB: *The Headteacher is required to attend the complaints hearing. Members of staff named in the complaint have a right to attend the hearing.*

- It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted.

Complainants are not permitted to record the hearing on any device but may take handwritten notes of the meeting themselves.

- The panel will 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.
- During the meeting the complainant can expect there to be opportunities for:
 - The panel to hear you explain your case and your argument for why it should be heard.
 - The panel to hear the academy's actions and response to the complaint.
 - The complainant and Headteacher to be questioned and raise questions.
 - The panel to ask questions of the complainant and Headteacher.
 - The complainant and Headteacher to make a final statement.
- The Complaints Panel can:
 - dismiss the complaint in whole or in part;
 - uphold the complaint in whole or in part;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend changes to the academy's/Trust systems or procedures to ensure that problems of a similar nature do not recur.
- There are several points which members of the Complaints Panel need to remember:
 - It is important that the hearing is independent and impartial and that it is seen to be so.
 - The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school/Trust and the complainant. However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only 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 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.
 - Extra care needs 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.
 - Complaint panel meetings are expected to last up to 2 hours in total, which should allow sufficient time for the complaint and responses to be heard. It will be assumed that all documentation has been read by all parties in advance of the meeting therefore maximising the use of meeting time.
- At the conclusion of the meeting the Chair should explain that the Panel will consider all the representations made and will make its decision and write to all parties with the outcome and any recommendations **within 5 school days**.

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

- The Headteacher, the complainant and any witnesses should then withdraw from the room at the same time to allow the Panel to reach its decision. The Clerk taking minutes of the meeting on behalf of the Panel should ensure that one party is not left alone with the Panel in the absence of the other. The decision should cover:
 - findings on the substantive complaint;
 - any appropriate action to be taken by the academy or the complainant;
 - where appropriate, any recommendation for changes to the academy's/Trust systems or procedures to ensure that problems of a similar nature do not happen again.
- A written statement outlining the decision of the Panel and any recommendations must be sent to the complainant, Headteacher and any staff named in the complaint.
 - If any disciplinary action is to be taken against a member of staff then, to protect his/her rights, only the phrase "appropriate action has or will be taken" should be used.
- The Chair of the Panel will need to ensure that a copy of the panel findings and recommendations is kept securely and confidentially on file at the school. Where relevant, these records should be kept separately from the pupil's personal records. All records will be retained in line with the SGTG Record Management Policy.
- A report and any recommendations should be presented to the Academy Council/Trust Board at the next full meeting.

NB: All correspondence to the Clerk should be submitted to the following email address:
info@sgtgcacat.org.uk

Closure of Complaints

Very occasionally, the academy will feel that it needs, regrettably, to close a complaint where the complainant is still dissatisfied.

The Academy Council/Trust Board will do all it can to help to resolve a complaint against the school/Trust but sometimes it is simply not possible to meet all the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the academy – to the Headteacher, designated person, Chair of the Academy Council, or anyone else, this can be extremely time-consuming and can detract from the responsibility to look after the interests of all the children.

For this reason, correspondence (including personal approaches, as well as letters and telephone calls) will be closed on a complaint where it is felt that all reasonable action to resolve the complaint has been taken and that the Complaints Procedure has been fully completed. Correspondence received from the complainant subsequent to closure should be retained on file in line the SGTG Records Management Policy, as should notes of telephone calls and any further personal calls referring to the matter. This will be important if the Education & Skills Funding Agency (ESFA) asks for copies later.

If deadlines set out within the Complaints Procedure are not met (without a valid reason), the complaint will be closed at the end of the last stage reached.

In exceptional circumstances and with the agreement of the Chair of the Trust Board, closure may occur before a complaint has reached Stage Four of the procedure. The complaint will only be closed where every reasonable effort has been undertaken to resolve the complaint and a Complaints Panel would not help to move things forward.

If a complainant has completed the SGTGCAT Complaints Procedures (with or without recourse to a Complaints Panel) but is not satisfied with the handling of the complaint, they may contact the Education & Skills Funding Agency (ESFA) by completing an online enquiry form which can be found at:

www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit

Education and Skills Funding Agency

Cheylesmore House

5 Quinton Road

Coventry

CV1 2WT

The ESFA may only be able to help if the complainant has been unable to complain, or is not satisfied with how the academy handled the complaint because the academy:

- does not have a complaints procedure.
- did not provide a copy of its complaints procedure when requested.
- does not have a procedure that complies with part 7 of the Education (Independent School Standards) Regulations 2014;
- has not followed its published complaints procedure.
- has not allowed its complaints procedure to be completed.

The ESFA cannot change an Academy's Trust decision about a complaint. Its role is to make sure the Academy/Trust handles the complaint properly by following a published procedure.

The ESFA will write to the complainant with the outcome of the case. The academy/Trust will also receive a copy of the ESFA's findings, and the enquiry will then be closed.

If the ESFA upholds the complaint, it may do one or both of the following:

- Ask the Trust to change its complaints procedure so that it complies with legal requirements. The ESFA will let the complainant know when the Trust has done this.
- Ask the academy to reconsider the complaint from an appropriate stage in their procedure.

If the academy/Trust does not comply with the recommended actions, the ESFA may seek to act on behalf of the Secretary of State under the terms of the funding agreement (the contract that the Secretary of State holds with an academy/Trust).

Appendix A

Stage 2 Complaint Form

It is important that you attempt to resolve any difficulties in the first instance by discussing your concern/complaint with a member of staff at the academy. Many complaints can be settled on an informal basis over the telephone by speaking directly with a member of staff.

If you have tried this and are still not satisfied with the response, then please fill in all the sections of this form and return it to the academy addressed to the Headteacher. The form should be completed and **submitted within 3 months of the incident** for the complaint to be considered.

Your Name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Telephone number:
Email address:
Please give details of your complaint including whether you have spoken to anybody at the academy about it and their response:

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

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

Signature:

Date:

Academy Use Only

Date acknowledgement sent:

By Whom:

Complaint referred to Executive/ Headteacher/Designated Member of Staff:

Date:

Appendix B

Stage 3 Complaint Form

If you are not satisfied with the response received from the Headteacher's investigation of your complaint, then please complete this form and return addressed to the Chair of the Academy Council, please send the form to info@sgtgcatholic.org.uk. Please provide details of why you are not satisfied with the response received. The form should be completed and **submitted within 10 school days of receipt of the Headteacher's response** for the complaint to be progressed.

Your Name:
Pupil's name (if relevant):
Date Response from Executive/Headteacher received:
Please give details of why you are not satisfied with the Executive/ Headteacher's response.
What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Academy Use Only

Date acknowledgement sent:

By Whom:

Complaint referred to Chair of Academy Council/Designated Person:

Date:

Appendix C

Stage Four Complaint Form

If you are not satisfied with the response received from the Chair of the Academy Council investigation of your complaint, then please complete this form and return it to info@sgtgcatholic.org.uk. The form should be completed and **submitted within 10 school days of receipt of the Chair of Academy Council's** for the complaint to be progressed.

Your Name:
Pupil's name (if relevant):
Date Response received from Chair of Academy Council:
Please give details of why you are not satisfied with the Stage 3 response. Please provide any further details that you would wish to share with the Complaints Panel hearing your complaint
What actions do you feel might resolve the problem at this stage?
Are you attaching any new Paperwork/evidence? If so, please give details.
Signature: Date:
Academy Use Only Date acknowledgement sent: By Whom:

Appendix D - 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 and
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting

- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher, Chair of Academy Council or complaints Panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(this could be the Headteacher or CSEL / designated complaints council member or Trustee or Governance Officer or other employee providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, CSEL, Chair of the Academy Council, Chair of Trust or the Clerk and to ensure the smooth running of the complaints procedure
- Keep records
- 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

Clerk to the Governing Body / Trust Board

The Clerk is the contact point 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
- 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

- record the proceedings
- circulate the minutes of the meeting and
- notify all parties of the committee's decision.

Panel Chair

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

- both parties are asked (via the Clerk) 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 Clerk (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 Governor / Trustee 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 recommendation.
- 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 welfare of the child/young person is paramount.
- 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
St Gregory the Great
Catholic Academy Trust

'Where love exists, it does great things'

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

Within the St Gregory the Great Catholic Academy Trust, our academies are communities where our children and young people are given a clear vision for life, a vision which is rooted in the person and teachings of Jesus Christ and which is faithful to the mission of the Catholic Church.

St Gregory the Great Catholic Academy Trust is a charity and a company limited by guarantee. Registered in England and Wales.

Company number 10785982

Registered office Holy Rosary and St Anne's Catholic Primary School, Leopold Street, Leeds, LS7 4AW

Website: stgregorythegreatacademytrust.org.uk

Tel: 0113 8246360

Email: info@sgtgcatholic.org.uk

CSEL: Mr Peter Hughes NLE



Diocese of Leeds
Vicariate of Education