



# TEAM Multi Academy Trust

## Complaints Policy and Procedure

This Policy was adopted by the Board of Trustees of  
TEAM Multi Academy Trust  
on

Date: 15<sup>th</sup> December 2025

Signed (on behalf of the Board of Trustees):

Mrs Phillipa Sue Wells (Chair)

Signed (Chief Executive Officer):

Mr Ian Thomas (CEO)

Reviewed:

Next review date: Autumn Term 2027

## **1. Introduction**

TEAM Multi Academy Trust is committed to dealing with all complaints fairly, consistently and in a timely manner. We welcome feedback and see complaints as an opportunity to learn and improve.

This policy sets out how parents, carers and other stakeholders can raise concerns and complaints about the Trust, its schools, staff and governance.

This policy does not cover complaints about how the Trust handles personal data (for example, alleged data breaches or concerns about responses to data protection rights requests such as Subject Access Requests). Those should be raised using the Trust's separate Data Protection Complaint Form and will be dealt with under the Trust's Data Protection Policy and the relevant data protection legislation.

It should be read alongside the Trust's other policies, including safeguarding, whistleblowing, staff grievance and discipline, the Parent & Carer Code of Conduct, the Managing Unreasonable Behaviour by Adults Policy, and the Recording of Meetings with Parents – Protocol (a Trust-wide protocol applicable to all meetings, including complaint meetings).

## **2. Aims and principles**

The Trust will:

- take all concerns and complaints seriously
- handle complaints in a way that is impartial, proportionate and timely
- seek early resolution wherever possible
- ensure that complainants can complete the process without disadvantage
- protect staff and trustees from harassment and unreasonable behaviour.

The Trust expects all adults to behave respectfully towards pupils, staff, trustees and other families. Where behaviour becomes unreasonable, persistent, abusive or harassing, the Trust may apply its separate Managing Unreasonable Behaviour by Adults Policy, which sets out graduated responses such as formal warnings, communication plans and, in serious cases, restrictions on access to premises.

### **2A. Expectations of complainants**

To help the Trust deal with concerns and complaints fairly and efficiently, complainants are expected to:

- explain their concern or complaint as clearly and fully as possible, at the earliest opportunity
- provide any relevant information and evidence they have, and highlight any barriers (for example disability or language) that may affect their ability to engage with the process

- respond promptly to reasonable requests for information, meetings or clarification
- treat pupils, staff, trustees and other families with courtesy and respect throughout the process
- refrain from aggressive, abusive or harassing behaviour, including in writing and online
- avoid publicising the details of their complaint on social media while it is being considered under this procedure, and respect the confidentiality of those involved.

Do not copy, photograph, scan, forward, upload, publish or otherwise share any complaint documents (including panel papers, staff statements/reports, minutes/notes, investigation reports or outcome letters) without the written consent of the Trust. This includes sharing extracts or screenshots on social media or in group chats.

### **3. Overview of stages of this procedure**

The Trust's complaints procedure has three stages.

#### **Stage 1 – Informal local resolution**

Where possible, concerns should be raised informally in the first instance, for example with the class teacher or relevant member of staff. Concerns about the Head of School/Headteacher, CEO or a governor/trustee should be raised with the appropriate Chair (Local Governing Body or Trust Board), as set out later in this policy. The aim at this stage is to clarify the concern and resolve matters quickly and informally. However, a complainant may ask at any point for their concern to be considered under Stage 2.

#### **Stage 2 – Formal Trust investigation**

If the concern is not resolved at Stage 1, or if the complainant wishes to make a formal complaint from the outset, they should submit a written complaint (for example using the Trust's complaint form). A senior leader or trustee who has not been directly involved in the matter and has no conflict of interest will be appointed to investigate the complaint and provide a written response within the timescales set out in this procedure.

#### **Stage 3 – Appeal panel hearing**

If the complainant remains dissatisfied with the Stage 2 outcome, they may request that the complaint be considered by an appeal panel. The panel will consist of at least three people who have not been directly involved in the complaint, including at least one person who is independent of the management and running of the Trust. The panel will consider whether the Stage 2 investigation and decision were reasonable and in line with this procedure and will normally only consider issues that were raised at Stage 2, unless there are exceptional reasons why new issues or evidence could not have been presented earlier. This panel hearing is the final stage of the Trust's complaints procedure.

### **3A. Definitions – concerns and complaints**

For the purposes of this policy:

- A **concern** is an expression of worry or doubt over an issue considered to be important, for which reassurances or an explanation are sought.

- A **complaint** is an expression of dissatisfaction, however made, about actions taken or a lack of action by the Trust, one of its schools, or someone acting on their behalf.

**Governance Professional (Clerk):** the Trust's Clerk to the Trust Board, who logs complaints, coordinates the process and supports complaint panels.

The Trust encourages concerns to be raised early so that they can, where possible, be resolved quickly and informally under Stage 1. However, a complainant may ask at any point for their concern to be treated as a formal complaint under Stage 2 of this procedure.

#### **4. Who can use this procedure**

Any person, including members of the public, may use this procedure to complain about any provision of facilities or services that the Trust or its schools provide, unless a separate statutory or established procedure applies (see Appendix 2).

It does not cover complaints relating to matters that have their own statutory or separate procedures (see Appendix 2).

Children who attend schools within the Trust have access to their own age-appropriate complaints and concerns process, based on the Common Principles for a Child-Friendly Complaints Process published by the Children's Commissioner. Concerns raised by pupils under that process may, where appropriate, be taken forward under this policy by their parent or carer.

#### **5. Accessibility and reasonable adjustments**

In accordance with equality law, including the Trust's duties under the Equality Act 2010 to make reasonable adjustments for disabled people, the Trust will consider reasonable adjustments to help complainants access and complete this procedure. This may include:

- providing information in alternative formats
- accepting complaints in alternative formats (for example verbal complaints with a written record agreed with the complainant)
- holding meetings in accessible locations
- allowing a companion, interpreter or advocate to attend meetings

Requests to record or live transcribe meetings as a reasonable adjustment will be considered under the Trust's Recording of Meetings with Parents – Protocol (Appendix 6).

#### **6. Anonymous complaints**

Anonymous complaints will not usually be investigated. The Chief Executive Officer (CEO) or, where appropriate, the Chair of the Trust Board will decide whether an anonymous complaint merits investigation.

However, where an anonymous complaint raises a safeguarding concern, potential criminal offence or other serious misconduct, the Trust will consider whether it is appropriate to

investigate or take other action in line with its safeguarding, whistleblowing or staff conduct procedures.

## 7. Time scales

Complaints should normally be raised within **three calendar months** of the incident, or (where there is a series of related incidents) within three calendar months of the last incident.

Complaints received outside this timeframe will only be considered if exceptional circumstances apply, for example where illness, disability, ongoing safeguarding processes or other good reasons prevented the complainant from raising the matter sooner.

Where timescales in this procedure are expressed in **working days**, the following definition applies.

For the purposes of this policy, a “**working day**” means **Monday to Friday during term time**, excluding weekends, bank holidays and school holidays.

## 8. Complaints received outside term time

Complaints made outside of term time will be treated as having been received on the first school day after the holiday period.

# Stage 1 – Local Resolution (informal)

## 9. How to raise a concern or make a complaint

If you are concerned or unhappy with the way the Trust or a member of its staff has treated you, or you are concerned or unhappy with the way the Trust is operating its policies and procedures, you can raise your concerns under this policy.

All concerns are taken seriously, and every effort will be made to resolve the matter as quickly as possible.

Concerns should be raised with the person or body best placed to deal with them at the appropriate level:

- For classroom matters, with the **class teacher** in the first instance
- For wider school issues or concerns about a member of school staff, with the **Head of School**
- For concerns about central Trust staff, with the relevant line manager or **Trust Business Manager**
- For concerns about the Senior Leadership Team at Trust level, **with the CEO** (via the Governance Professional)

Concerns or complaints about the CEO, the Chair of the Trust Board or the Trust Board as a whole should be sent to the Governance Professional (Clerk to the Trust Board), who will arrange for them to be considered by the appropriate trustee. Complainants should not approach individual trustees directly, as they have no power to act on an individual basis and may later be required to sit on a complaints panel.

Concerns or complaints may be raised in person, by telephone, in writing or by email. In many cases it will be possible to resolve matters quickly through discussion or by providing further information.

If the concern cannot be resolved informally, the person dealing with it will explain that the complainant may proceed to Stage 2 by submitting a formal written complaint.

Where a concern or complaint relates to a child with special educational needs and/or disabilities (SEND), the Trust will also signpost parents and carers to Devon Information Advice and Support (DIAS), the local SEND information, advice and support service.

## **10. Concerns at Trust level**

### **Concerns about:**

- the Trust as an organisation
- the Chair of the Trust Board
- the Trust Board as a whole

should be raised with the Governance Professional, who will liaise with the Chair (or Vice Chair where appropriate) to identify the most appropriate person to consider the concern at Stage 1. This may include a senior Trust leader, a trustee or another appropriately independent person, depending on the subject matter.

## **11. Concerns at individual school or central staff level**

Concerns or complaints against school staff (except the Head of School) should be made in the first instance to the Head of School or their nominee.

Concerns or complaints about the Head of School should be raised with the CEO, via the Governance Professional.

Concerns or complaints about central Trust staff should be raised with the relevant line manager or the CEO (via the Governance Professional).

## **12. Local Resolution process – what happens next**

There are different ways of dealing with concerns or complaints at Stage 1, for example:

- immediate resolution by providing information face-to-face, by email or by telephone.
- a letter from the Trust concluding the matter after proportionate consideration, explaining what has been done.
- a meeting between the complainant and the person the concern or complaint is about, if both agree this would be helpful.
- a facilitated meeting or mediation, where all parties agree that this would help to resolve the issues.
- signposting to another procedure if the issue falls outside the scope of this policy (for example safeguarding, admissions, exclusions, staff grievance).

When the named person has considered the concern, they will normally respond within 10 working days (in term time). If the concern is complex, they may contact the complainant to explain that more time is needed and give a revised timescale.

Outcomes of Stage 1 may include:

- an explanation or clarification
- an apology
- appropriate actions to put matters right where reasonably possible
- steps to prevent similar issues occurring again
- no action, with an explanation

If the concern cannot be resolved at Stage 1, or if the complainant wishes to move to the formal stage, the procedure moves to Stage 2.

## **Stage 2 – Trust Investigation (formal)**

### **13. When Stage 2 will be used**

If, following Local Resolution, either the complainant or the person dealing with the concern considers that:

- the concern requires a more detailed investigation, or
- Local Resolution has not produced a satisfactory conclusion, a formal Trust Investigation will be undertaken.

The complainant should complete the complaint form at Appendix 1 or submit a written complaint clearly setting out:

- what the complaint is about
- what has happened so far
- what they feel would resolve the matter

Formal complaints should be sent to the Governance Professional (Clerk to the Trust Board), who will log the complaint and arrange for it to be allocated.

### **14. Appointment and independence of the Investigating Officer**

The Trust will appoint an Investigating Officer for Stage 2 who:

- has appropriate seniority and experience
- has not been directly involved in the events or issues complained about
- has no conflict of interest and can act impartially

The Investigating Officer will normally be a member of the Executive Leadership Team. Where the complaint is about the CEO, or where the issues are particularly complex or sensitive, the Trust may appoint a trustee with no prior involvement, or an external independent investigator.

### **15. Complaints raising multiple issues**

Where a complaint raises several distinct issues, the Investigating Officer will:

- list each separate issue raised by the complainant
- decide which issues fall within this complaints procedure and which must be dealt with under another procedure (for example safeguarding, admissions, SEND, exclusions, whistleblowing or staff grievance – see Appendix 2)
- decide which issues will be investigated at Stage 2 and which should be addressed at a more local level.
- Only those issues investigated and responded to at Stage 2 will normally be considered at Stage 3.

## **16. Terms of Reference for the investigation**

Before starting the investigation, the Investigating Officer will agree brief written Terms of Reference with the Governance Professional, setting out:

- the issues to be investigated
- what is in scope and out of scope
- the planned timescale for completion
- who will receive the investigation report

A model Stage 2 Terms of Reference template is provided in Appendix 3 (Stage 2 Toolkit).

## **17. What “follow process” and “detailed investigation” mean**

In conducting the investigation, the Investigating Officer will:

- gather evidence proportionate to the seriousness and complexity of the complaint (for example, meeting or corresponding with the complainant, relevant staff and any witnesses, and reviewing key documents)
- ensure that the complainant and relevant staff have a fair opportunity to explain their perspective
- keep a written record of the steps taken during the investigation
- consider the evidence objectively and without bias

A “detailed investigation” means that the Investigating Officer will work systematically through the Terms of Reference, record the evidence relied upon, make findings on each issue, and set out any recommendations or learning points.

## **18. Voice of the child and parent**

Where the complaint relates to a pupil, the Investigating Officer will ensure that the voice of the child (where appropriate) and the voice of the parent/carer are captured in a way that is suitable for the child’s age and circumstances.

This may include:

- meeting with the pupil (with appropriate safeguards)
- taking written or verbal representations from the parent/carer
- reviewing relevant records of previous discussions

## **19. Investigation report and outcome**

At the conclusion of the investigation, the Investigating Officer will produce a written report, normally following the structure in Appendix 3, which will include:

- background and context
- the complaint issues being considered
- summary of evidence gathered (including, where appropriate, the voice of the child and parent/carer)
- findings on each issue, referencing the evidence
- conclusions and recommendations for any actions or learning

The complainant will then receive a written outcome letter summarising:

- the issues considered
- the findings on each issue
- whether the complaint is upheld, partially upheld or not upheld
- any actions the Trust proposes to take

The outcome letter will also explain how to request an appeal under Stage 3 and the deadline for doing so.

The Trust aims to complete Stage 2 within 20 working days of acknowledging the formal complaint, where possible. For complex complaints this may take longer; in such cases, the complainant will be informed of the revised timescale and will receive periodic updates.

In some circumstances, for example where there are ongoing safeguarding enquiries, police investigations, regulatory proceedings or staff disciplinary processes, the Trust may need to pause or delay the complaints process in order to avoid prejudice to those proceedings. In such cases, the complainant will be informed of the reasons for the pause and, where possible, the expected timescale for resuming the complaint.

Where the volume, tone or pattern of contact about a complaint is significantly impacting on staff workload or wellbeing, the Trust may implement a time-limited communication plan under the Managing Unreasonable Behaviour by Adults Policy. This may, for example, specify a single point of contact, permitted communication channels and response times. Any such plan will be confirmed in writing and will not prevent the complainant from pursuing their complaint through this procedure.

## **Stage 3 – Appeal Panel (formal)**

### **20. Right to appeal**

If the complainant is dissatisfied with the outcome at Stage 2, they may request that the complaint be considered by an appeal panel.

The complainant must write to the Governance Professional within 20 working days of the date of the Stage 2 outcome letter, stating:

- which parts of the complaint they are appealing
- why they are dissatisfied with the Stage 2 outcome
- what outcome they are seeking

This panel hearing is the final stage of the Trust's complaints procedure. If the complainant remains dissatisfied after the panel's decision, they may refer the matter to the Department for Education as set out in section 30 (Next steps – Department for Education).

## **21. Scope of the appeal**

The appeal panel will consider:

- whether the Stage 2 investigation was conducted in a reasonable and procedurally fair way, and
- whether the decision reached at Stage 2 was reasonable based on the evidence available at the time

The panel will not re-investigate the complaint from the beginning, and will not normally consider new complaints or issues that have not been raised and considered at Stage 2. Any new issues will be signposted back to the appropriate stage or procedure, unless the panel considers that it is fair and in the interests of all parties to direct that they are dealt with as part of the Stage 3 outcome.

## **22. Appeal Panel composition**

The panel will comprise at least three individuals who have had no previous involvement in the complaint, including:

- at least one panel member who is independent of the management and running of the Trust and its schools.
- other panel members who will normally be trustees/directors or local governors with no previous involvement in the complaint.

In the context of this Trust, the independent panel member will not be a current trustee, governor of the school concerned, or employee of the Trust, and will have no prior involvement in the complaint. A governor from a local governing body of a different school within the Trust may act as the independent panel member, provided these conditions are met.

The Trust will normally source the independent panel member through a reciprocal arrangement with another school/trust or by appointing a suitably experienced governance professional or governor/trustee from outside the school concerned, provided they have had no prior involvement in the complaint and no conflict of interest.

Where the complaint is jointly about the Chair and Vice Chair of the Trust Board, the entire Trust Board, or the majority of the Trust Board, all members of the appeal panel will be completely independent of the Trust (i.e. not current trustees, governors or employees).

All panel members will be impartial and will declare any potential conflicts of interest.

### **Training for trustees, local governors and panel members**

The Trust Board will ensure that trustees and local governors who may be called upon to

investigate complaints or sit on appeal panels, and any senior staff who may act as Investigating Officers, receive appropriate training and refresher training in complaints handling and basic fair investigation skills. The Chair of Trustees, working with the Governance Professional and the Chief Executive Officer, will identify and keep under review a pool of trained panel members and Investigating Officers

### **23. Evidence and documentation**

Any additional written information or evidence that either party wishes the panel to consider must be submitted to the Governance Professional **at least 5 working days** before the panel meeting. Late evidence will only be accepted at the panel's discretion, where it is fair to both parties.

The Governance Professional will circulate the agenda and all relevant papers (including the Stage 2 report and outcome letter) to the panel and both parties **at least 5 working days** before the hearing.

The Trust will share relevant evidence with the other party where necessary for a fair process, but will normally remove personal contact details and redact third-party personal data where it is lawful and appropriate. The Trust cannot guarantee anonymity for staff or witnesses in every case, but will consider proportionate measures to protect privacy and wellbeing.

### **24. Panel hearing procedure**

To provide clarity and consistency, the panel hearing will normally follow the procedure set out below (and in more detail at Appendix 4):

1. Chair's welcome and introductions.
2. Chair confirms the issues to be considered, the scope of the panel and the purpose of the hearing (to establish the key facts so far as possible and to consider whether the Stage 2 investigation and decision were reasonable and in line with this complaints procedure).
3. The complainant attends to present their case (including any witnesses). Panel members may ask questions to clarify the complainant's evidence. The complainant then withdraws.
4. The Trust representative attends to present the Trust's response (including any witnesses). Panel members may ask questions to clarify the Trust's evidence. The Trust representative then withdraws.
5. If the panel considers it necessary in the interests of fairness, the complainant and/or the Trust representative may be invited back separately so that the Chair can summarise the key points made by the other party and give them a brief opportunity to comment or correct any misunderstanding.
6. The panel may ask any final questions of either party (again hearing from them separately).
7. The panel deliberates in private (panel and clerk/adviser only) and reaches its decision.

The complainant and the Trust representative will not normally be present in the hearing room at the same time. Attendance at the hearing is encouraged but not compulsory. The hearing is not a disciplinary hearing or a courtroom. It is a review of the Stage 2 investigation and decision. It should not be conducted in an adversarial manner, and there will be no direct cross-examination between the parties. Questions for one party will be put by the panel, not by the other party directly. If either party wishes a particular issue to be explored, they may ask the Chair to put a question on their behalf.

The Chair may vary the order of proceedings or the arrangements for who is present at any point in the hearing where it is fair and appropriate to do so, explaining the reasons to all present. Any variation must still ensure that both parties have a fair opportunity to know the key points being considered and to respond to them.

The complainant and the Trust representative may each be accompanied at the hearing by a friend, relative or representative, provided that they are not acting in a legal capacity unless agreed in advance by the Chair.

All parties attending a panel hearing are expected to behave respectfully and follow the Chair's directions. Abusive, threatening or harassing behaviour may result in the hearing being adjourned or ended, and may trigger measures under the Managing Unreasonable Behaviour by Adults Policy.

If the complainant chooses not to attend the hearing, the panel will consider the complaint on the basis of the written information already submitted, together with any further written submissions provided by the complainant or the Trust by the stated deadline. The complainant will not be disadvantaged solely because they have chosen not to attend in person.

The panel will aim to send its written decision to the complainant within 10 school working days of the hearing.

## **25. Role of the Governance Professional and advisers**

The panel will be supported by the Governance Professional (Clerk), whose role is to:

- make practical arrangements for the hearing
- collate and circulate papers in advance
- advise the panel on the Trust's procedures and relevant regulations
- take notes and record the panel's decision and reasons

Where appropriate, the Trust may arrange independent governance or legal advice to support the panel. Any adviser will not take part in decision-making.

Following the hearing, the panel will issue a written decision setting out its findings and recommendations. This will be sent to the complainant and, where relevant, the individual(s) complained about. A copy will be provided to the Trust Board and Head of School/CEO and will be available for inspection on the relevant school premises by the Trust's proprietor and leaders.

## **26. Recording of meetings and hearings**

Recording of complaint meetings or panel hearings (including audio, video, photography, screen-grabs or live transcription) will be managed in line with the Trust's 'Recording of Meetings with Parents – Protocol' (Appendix 6). Recording is only permitted where the ground rules in that Protocol are followed and all present agree. Where a recording is not made, the Trust will provide written notes of the meeting or hearing. Covert recordings (made without the knowledge and agreement of all present) will not normally be accepted as evidence, unless the Trust considers that there are exceptional safeguarding or public interest reasons to do so.

Publishing or sharing any recordings or images from meetings/hearings, or any complaint documents (including screenshots of panel papers or staff reports), without consent may breach privacy and Trust policy; the Trust will seek removal of unauthorised material and may take proportionate action under the Managing Unreasonable Behaviour by Adults Policy.

## **27. Serial and unreasonable complaints**

A complaint may be treated as persistent or vexatious where it has already been properly considered under this procedure and is repeatedly re-opened without new, relevant evidence, or where the primary purpose appears to be to harass or disrupt.

Applying this policy to a particular complainant does not prevent the Trust from considering any new and significant issues that raise a genuine concern about a child's safety, wellbeing or education.

In such cases, the Trust may decide not to investigate further and will send a closure letter explaining this.

Where a complainant's behaviour meets the threshold for unreasonable behaviour as defined in the Managing Unreasonable Behaviour by Adults Policy (for example, unreasonable persistence, abusive communications, or inappropriate online activity), the Trust may also introduce measures under that policy, such as a communication plan or restrictions on access to premises.

The Trust will not treat a complaint as "serial", "persistent" or "vexatious" solely because a complainant is critical of the Trust, because a complaint has been upheld or partially upheld, or because a complainant has exercised their right to contact the Department for Education or their Member of Parliament.

### **Duplicate complaints**

Once the Trust's complaints procedure has been completed and a final outcome communicated, the Trust will not normally re-investigate the same complaint, or substantially the same issues, raised again by the same complainant or by a relative or representative acting on their behalf, unless new and significant evidence or issues are presented.

In such cases, the Trust will explain that the matter has already been dealt with under this procedure and is now closed, and will signpost any further external routes of escalation (for example to the Department for Education, where applicable).

### **Complaint campaigns**

Where the Trust receives a large number of complaints on the same subject, or apparently co-ordinated complaints using similar wording, these may be treated as a complaint campaign. In such circumstances, the Trust may:

- send a standard template response to all complainants; and/or
- publish a single, collective response on the relevant school or Trust website; and/or
- assign a senior leader to co-ordinate the response on behalf of the Trust.

Any genuinely individual issues or safeguarding concerns raised within a campaign will still be considered on their merits under the appropriate procedure.

### **When the Trust may stop responding**

The decision to stop responding to a complaint or correspondent will not be taken lightly. In line with DfE guidance, the Trust may decide not to respond further where:

- all stages of this complaints procedure have been properly completed;
- the Trust has given a clear final position and explained any remaining options open to the complainant; and
- the complainant continues to make contact on substantially the same issues, without presenting any new, relevant information.

The case for stopping contact is stronger where communications are abusive or aggressive, contain personal attacks or threats towards staff, or appear intended primarily to cause disruption rather than to seek a reasonable resolution. This may include repeated, disproportionate or intimidating use of threats to refer the matter to external agencies (for example Ofsted, the DfE/ESFA, the local authority, professional or medical bodies, or the press) after the Trust has explained its position and the complainant's legitimate routes of escalation. The Trust will always respect a complainant's right to raise concerns with external bodies; the fact that a complainant has done so, or has said they intend to do so, will not in itself lead to them being treated as unreasonable.

This will not prevent the Trust from considering any genuinely new and significant concerns about a child's safety, wellbeing or education that may be raised in future.

### **Use of social media and other public forums**

Where a complainant publishes information or documents about a complaint on social media or other public forums that is inaccurate, confidential, abusive or otherwise inappropriate (including screenshots or extracts from panel papers, staff reports or witness statements), the Trust may:

- ask the complainant to remove or amend the material and to refrain from further public commentary while the complaint is being considered; and

- consider further action under the Managing Unreasonable Behaviour by Adults Policy, and/or seek advice from appropriate external agencies where the content may place staff, pupils or the Trust at risk.

These steps are intended to protect pupils and staff while still allowing legitimate complaints to be raised and resolved through this procedure.

## **28. Record-keeping and confidentiality**

The Trust will keep written records of:

- complaints handled at the formal stages (Stage 2 and Stage 3)
- whether they are resolved following a formal procedure or proceed to a panel hearing
- any actions taken as a result of those complaints (regardless of whether they are upheld)

Records will be managed in accordance with UK GDPR and the Data Protection Act 2018, including secure storage, access control and appropriate retention. Access to complaint records will be restricted to those who need it to carry out their role. Complaint papers will be shared only via approved Trust systems and must not be stored on, photographed, scanned, forwarded from, or uploaded to personal devices or personal email accounts.

Panel papers must be returned to the clerk or securely destroyed/deleted once the process has concluded, in line with the Trust's retention arrangements.

Records will be kept confidential and retained in line with data protection law, except where the Secretary of State or a body conducting an inspection requests access.

## **29. Monitoring and review**

The Trust Board will receive periodic anonymised reports on complaints, including themes and learning, in order to monitor the effectiveness of this policy and make improvements where necessary.

This policy will be reviewed regularly, and at least every three years, or sooner if required by changes in legislation or guidance.

## **30. Next steps – Department for Education**

If the complainant has completed all three stages of this procedure and remains dissatisfied with the way the Trust has handled the complaint, they may ask the Department for Education to consider whether the Trust has followed its complaints procedure and complied with its legal obligations.

The Department for Education will not normally re-investigate the substance of the complaint or overturn the Trust's decision. Its role is to consider whether the Trust has handled the complaint properly.

Details of how to raise a complaint with the Department for Education are available on the GOV.UK website (search for "complain about an academy").

# Appendices

## Appendix 1 – Complaint Form

The complaint form should invite the complainant to provide:

- a clear summary of what their complaint is about
- which school or Trust function it relates to
- what has already been done to try to resolve the issue informally
- the specific outcomes they are seeking

## Appendix 2 – Complaints not covered by this procedure

This procedure does not apply to complaints about matters that have separate statutory or established procedures, such as:

- admissions
- permanent exclusions and certain fixed-term exclusions
- child protection / safeguarding concerns
- whistleblowing
- staff grievance and discipline
- SEND assessment, EHCP content and placement (which follow the relevant SEND and tribunal processes)
- data protection matters, including personal data breaches and the handling of data protection rights requests (such as Subject Access Requests), which are dealt with under the Trust’s Data Protection Policy and associated Data Protection Complaint Form

Where a complaint touches on such matters as well as broader concerns, the Investigating Officer will separate out the issues and ensure each is dealt with under the appropriate procedure.

## Appendix 3 – Stage 2 Toolkit: Terms of Reference and Investigation Report Template

### Section A – Stage 2 Terms of Reference template

*Note: For straightforward Stage 2 complaints, a shortened version of this template may be used, provided the issues, scope, roles and timescales are clearly recorded.*

<b>Stage 2 Formal Complaint Investigation – Terms of Reference</b>	
<b>1. Case Details</b>	
Complainant:	
Pupil (if applicable):	

School	
Date complaint received at Stage 2:	
Investigating Officer (Name and Role)	
Governance Professional	
<b>2. Background</b>	
<p>Provide a brief summary of:</p> <ul style="list-style-type: none"> <li>• How the complaint has arisen.</li> <li>• What has already happened at Stage 1 (including key dates and any outcomes).</li> <li>• Any relevant context (for example, SEND, safeguarding involvement, other ongoing processes).</li> </ul>	
<b>3. Issues to be investigated (scope)</b>	
<p>The following issues will be investigated under the Trust's Stage 2 complaints procedure:</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol> <p>For each issue, the Investigating Officer will:</p> <ul style="list-style-type: none"> <li>• Establish the relevant facts.</li> <li>• Consider whether the Trust/school followed its policies and legal/statutory duties.</li> <li>• Reach a finding on whether the complaint is upheld, partially upheld or not upheld.</li> <li>• Identify any learning or recommendations.</li> </ul> <p><b>Matters outside the scope of this investigation</b></p> <p>The following matters are not within the scope of this Stage 2 complaint investigation and will be (or have been) considered under other procedures:</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol> <p>These issues may be referred to in the report for context, but no findings or recommendations will be made on them within this complaint.</p>	
<b>4. Purpose and limits of the investigation</b>	
<p>The purpose of this investigation is to:</p> <ul style="list-style-type: none"> <li>• Provide a fair, proportionate and timely exploration of the issues in section 3.</li> <li>• Enable the complainant and relevant staff to explain their perspectives and provide evidence.</li> <li>• Produce a clear written report and outcome to inform the Stage 2 decision and any possible Stage 3 appeal.</li> </ul> <p>This investigation will <b>not</b>:</p> <ul style="list-style-type: none"> <li>• Re-open matters that are out of time, except where an agreed exception has been made under the complaints policy.</li> </ul>	

- Make or implement disciplinary decisions about staff or pupils; any disciplinary considerations will follow separate procedures where appropriate.
- Consider new issues that fall outside section 3 unless these Terms of Reference are formally varied (see section 10).

## 5. Roles and responsibilities

### Investigating Officer (IO)

- Leads the investigation in line with these Terms of Reference and the Trust's complaints policy.
- Is independent of the events complained of and has no conflict of interest.
- Decides what evidence is needed and who should be interviewed.
- Produces the written investigation report and recommendations.

### Governance Professional / Complaints Co-ordinator

- Maintains the official complaint record and timeline.
- Supports the IO with process, correspondence and documentation.
- Ensures the complainant understands the process and next steps.

### Complainant

- Provides a clear written statement of the complaint and desired outcomes.
- Supplies relevant evidence within the timescales set.
- Participates in meetings/interviews as agreed (in person, remotely or in writing).

### Witnesses / staff

- Provide factual accounts and relevant documents as requested by the IO.

## 6. Method of investigation

The Investigating Officer will, as appropriate:

- Review the written complaint, Stage 1 correspondence and relevant school/Trust records.
- Review relevant policies and statutory guidance.
- Meet with or obtain a written statement from the complainant (in person, remotely or in writing).
- Seek the **voice of the child**, where appropriate and proportionate, in a manner suitable to the child's age and needs.
- Meet with or obtain statements from relevant staff and any other witnesses.
- Request and review relevant documents, records and electronic communications.
- Keep clear notes of all meetings and evidence considered.

The IO may decide that some proposed evidence or lines of enquiry are not relevant or proportionate. Where this happens, the reasons will be recorded in the report.

## 7. Accessibility and reasonable adjustments

In line with the Trust's duties under the Equality Act 2010 and the complaints policy:

- The complainant will be asked about any access needs or reasonable adjustments required (for example, accessible venue, interpreter, supporter, adjusted format, written instead of oral submissions).
- Agreed adjustments will be recorded here:

## 8. Confidentiality and data protection

- Information gathered as part of this investigation will be treated as confidential and shared only with those who need to know in order to respond to the complaint or discharge their role.

- Personal data will be handled in line with UK GDPR, the Data Protection Act 2018 and the Trust’s data protection policies.
- The complaint file, investigation notes and report will be retained and stored securely in line with the Trust’s retention schedule.

### 9. Timescales and outputs

- Target date for completion of investigation: \_\_\_\_\_
- Target date for issuing the Stage 2 outcome letter: \_\_\_\_\_

The Investigating Officer will produce:

1. A written **investigation report**, using the Stage 2 Investigation Report Template in Appendix 3.
2. A recommended Stage 2 outcome for each issue (upheld / partially upheld / not upheld) and any recommendations for action or learning.

The Stage 2 decision-maker will consider the report and issue a written outcome letter to the complainant, explaining:

- The findings for each issue.
- The decision reached and reasons.
- Any actions to be taken.
- The complainant’s right of appeal to Stage 3 and the deadline for doing so.

### 10. Variation of these Terms of Reference

These Terms of Reference may be varied if necessary (for example, to add or clarify issues, or to reflect new information), but only:

- With the agreement of the Governance Professional; and
- After notifying the complainant in writing and giving them an opportunity to comment.

Any variation and the reasons for it will be recorded in the investigation report.

### Approval

Investigating Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Governance Professional / Complaints Co-ordinator: \_\_\_\_\_ Date: \_\_\_\_\_

Complainant (acknowledging sight of Terms of Reference, not necessarily agreement with the complaint summary):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Section B – Stage 2 Investigation Report Template

Stage 2 Formal Complaint Investigation – Terms of Reference	
Case Details	
Complainant:	
Pupil (if applicable):	
School	

Date complaint received at Stage 2:	
Investigating Officer (Name and Role)	
Governance Professional	
<b>Background and Context</b>	
Provide a brief summary of:	
<b>Issues to be investigated (scope)</b>	
<b>Methodology (who was spoken to, what documents were reviewed)</b>	
<b>Summary of evidence for each issue</b>	
<b>Findings on each issue (upheld, partially upheld, not upheld), with brief reasons</b>	
<b>Conclusions and overall outcome</b>	
<b>Recommendations for action and learning</b>	
<b>Timelines (optional)</b>	

## Appendix 4 – Panel Hearing Agenda and Procedure (Stage 3)

A model agenda for panel hearings is as follows:

1. Welcome, introductions, housekeeping and explanation of procedure (*including confirmation that no recording/live transcription/photography will take place unless agreed in line with Appendix 6; phones switched off and put away; no scanning/photographing of panel papers*).
2. Confirmation of issues to be considered and scope of panel
3. Complainant's presentation and questions
4. Trust representative's presentation and questions
5. Final questions from the panel
6. Closing statements from complainant and Trust
7. Private deliberation (panel only, with clerk/adviser)
8. Outline of next steps and timescales for written decision

The Clerk will provide the Chair with a script or checklist to ensure that both parties are treated fairly and that the procedure is followed.

## Appendix 5 – Summary of Managing Unreasonable Behaviour Framework

The Trust's separate Managing Unreasonable Behaviour by Adults Policy applies to all adults who interact with Trust schools, including parents, carers, relatives, visitors, contractors and volunteers, on site, in communications and online (including social media).

Purpose and principles

- protective, not punitive, measures are taken to safeguard pupils and staff, not to disadvantage children or prevent legitimate complaint
- proportionate, the least restrictive measure likely to be effective is used
- fair and transparent, expectations and decisions are set out in writing, with review points and an appeal route
- child-centred, actions target adult behaviour and must not impede a child's access to education or reasonable adjustments.

### Graduated response (outline)

Where behaviour is of concern, the Trust may take the following steps, as set out in full in the Managing Unreasonable Behaviour by Adults Policy:

- Stage 0 – informal clarification and reminder of expectations
- Stage 1 – formal warning (Letter of Concern) identifying behaviours of concern and expected standards
- Stage 2 – communication plan / restricted contact (for example, single point of contact, specified channels, agreed response windows, meeting protocols)

- Stage 3 – short-term premises restriction imposed by the Head of School following an incident, pending CEO review
- Stage 4 – premises restriction/ban imposed by the CEO, withdrawing the implied licence to enter the site where behaviour has caused, or is likely to cause, nuisance, distress, alarm or disruption
- Stage 5 – police or legal action where behaviour may be criminal or where injunctions/takedown requests are necessary

### Reviews and appeals

- Communication plans and restrictions are time-limited and reviewed at stated intervals. Adults may make representations ahead of review.
- Adults may appeal Stage 3–4 decisions in writing to the Chair of Trustees within the timeframe set out in the Managing Unreasonable Behaviour by Adults Policy. Appeals consider proportionality, process and any new information, and may confirm, vary or rescind the decision.

For full detail, including definitions, templates and the summary flowchart, refer to the Managing Unreasonable Behaviour by Adults Policy on the Trust website.

## Appendix 6 – Recording of Meetings with Parents – Protocol

**Owner:** Director of Inclusion • **Applies to:** All Trust schools • **Approved by:** Trustees • **Version:** v1.0 • **Effective:** [date]

### Purpose & scope

Sets clear, lawful ground rules for audio/video recording and live transcription of meetings between staff and parents/carers (in person/online), including reasonable adjustments and data protection controls.

### Core principles

- **By agreement only:** Recording proceeds only if all present agree. If not, the school provides agreed written notes or a school-managed transcript.
- **Personal use:** Parent-made recordings are for private use only and must not be shared/published without consent of all participants.
- **School-held data:** Any school-created recording/transcript is personal data processed under Public Task/Legitimate Interests, kept secure, minimised, and retained per schedule.
- **Equality:** Requests linked to disability are considered as **reasonable adjustments** on a **case-by-case** basis.
- **Safeguarding:** No recording where it risks a child’s safety/anonymity; seek **DSL** advice if pupils are present.

### Ground rules (use at every meeting)

- Chair asks at the start: “Does anyone wish to record or live-transcribe?”

- If anyone objects, no recording; commit to agreed notes/school transcript within 2 working days (unless otherwise agreed).
- If permitted: state purpose, confirm personal use only, agree who records, storage, and retention.
- Misuse (e.g., sharing online) may lead to takedown requests and action under the Managing Unreasonable Behaviour by Adults policy.

## Staff opener script (read verbatim)

“Before we begin, does anyone wish to record or live-transcribe? Recording is by agreement of all present. If we don’t all agree, we won’t record; instead we’ll share agreed written notes (or a school-managed transcript) afterwards. If you need a reasonable adjustment (e.g., to support memory/processing), please tell us so we can agree the best approach.”

## Reasonable Adjustment (RA) – decision log (complete & file)

- Parent request/need (if RA): \_\_\_\_\_
- Options considered (notes / supporter / captions / school transcript / parent recording): \_\_\_\_\_
- Decision & conditions (who records; personal use only; storage; retention): \_\_\_\_\_
- DSL consulted (if pupils involved): \_\_\_\_\_
- Communicated to parent on: \_\_\_\_\_
- Review on: \_\_\_\_\_

## DPIA mini-checklist (school-created recording/transcript)

- **Purpose & necessity** (why more than ordinary minutes?)
- **Lawful basis** (Public Task / Legitimate Interests; specify)
- **Minimisation** (audio needed or transcript only?)
- **Tool/vendor** (approved? UK/EU hosting? DPA in place? transfers safeguarded?)
- **Transparency** (opener script read; privacy notice signposted)
- **Security** (approved storage; restricted access; delete from app after export)
- **Retention** (align to schedule; deletion owner/date)
- **Rights & redaction** (SAR handling; third-party redaction)
- **Safeguarding** (any child data? DSL view)
- **Sign-off** (Data Protection Lead / Head)

## Retention (signpost)

- **Transcript of parental meeting (school-created):** complaint lifecycle + [X months] → delete.
- **Audio (if used):** delete when transcript agreed/case closes.
- **Parent personal recording:** not held by school; personal use only.

**Related documents:** Complaints Policy; Managing Unreasonable Behaviour by Adults; Data Protection Policy & Privacy Notices; Records Retention Schedule; Online Safety/AI Policy; Staff Handbook.

