



Complaints Procedure

Last reviewed: May 2025

This document applies to all academies and operations of Cambrian Learning Trust.

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Document Control			
Author	COO	Approved By	Trust Board
Last Reviewed	13/05/2025	Next Review	13/05/2026
Review Cycle	Annually	Version	2025

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Introduction

The aim of this policy is to resolve complaints or concerns about Cambrian Learning Trust (the Trust), any Academy (school) within the Trust or any individual connected with the Trust, in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future.

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

It is also based on [best practice guidance for academies complaints procedures](#) published by the Department for Education (DfE)

This policy complies with our funding agreement and articles of association.

In addition, it addresses the duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the Trust's fulfilment of Early Years Foundation Stage (EYFS) requirements.

Framework of Principles

This procedure is designed to:

- Be well publicised and easily accessible.
- Be simple to understand and use.
- Be impartial.
- Be non-adversarial.
- Allow swift handling with established time limits for action and keeping people informed of the progress.
- Allow a mediation process if both sides agree.
- Respect people's desire for confidentiality, wherever possible.
- Address all points of issue, provide an effective response and appropriate redress where necessary.
- Provide information to the school's senior management team so that services can be improved.

Definitions

The Department for Education (DfE) guidance explains the difference between a concern and a complaint:

- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A complaint is 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 takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Anyone can make a complaint, but a different process applies depending on whether the person raising the complaint is a parent/carer of a current pupil at an Academy within the Trust. Two procedures are set out in this policy. The first (Part A) applies to complaints raised by parents/carers of current pupils and, in line with the requirements of the Independent School Standards, includes informal, formal and panel stages, and the second (Part B) contains a simpler, shorter policy which applies to complaints raised by individuals who are not parents/carers of current pupils, including parents of former pupils.

Anonymous complaints

Where an anonymous complaint is received, the Academy/Trust will use its reasonable endeavours to consider the complaint as best as it reasonably can. However, the Academy/Trust will not be required to consider the complaint pursuant to any specific process and will handle anonymous complaints on a case by case basis.

Timescales

In all circumstances, the number of days refers to ‘school working days’ i.e. weekends, school holidays and inset days do not count. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure does **not** cover complaints procedures relating to the exceptions listed below. Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use Trust premises or facilities should be directed to the provider concerned:

Exception	What you should do
Allegations of child abuse/ other child protection issues	Immediately report your concern to the class teacher, designated safeguarding lead or head teacher.
Statutory assessment of special educational needs (SEN)	Report your concern to the SENCo or Head teachers
School admissions including appeals	The Admissions policy and appeal documentation can be found on school websites
Where a registered pupil wishes to personally raise a complaint	They should talk to the appropriate teacher or member of staff and follow in-school procedures for dealing with pupil concerns and complaints
Pupil exclusions	Check the school's Positive Relationships (behaviour) and Suspension and Exclusions Policy
Whistleblowing	Check the Trust's Whistleblowing Procedure
Withdrawal from the curriculum	Parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship. They do not have to explain why
Staff grievances	Complaints from staff will be dealt with under the Staff Grievance Policy
Staff conduct	<p>A complaint may be submitted using this form; however it will be investigated under the Trust's internal disciplinary procedures, if appropriate and the outcome is confidential.</p> <p>Complainants will not be informed of any disciplinary action taken against at staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

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 new proposed timescale.

Withdrawal of a Complaint

If a Complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

Part A: Parents / Carers of current pupils

Stage 1: Informal Resolution

Dealing with a concern or complaint informally and at the earliest opportunity

This part of the process can be considered as an individual 'raising concerns' rather than a complaint. However, for the purposes of the Complaint Procedure it is a key aspect, and if the complaint is pursued it needs to be recognised that this has been part of the process.

The concern or complaint should be raised with the school or Trust within **3 months** of the incident or, where a series of associated incidents have occurred, within **3 months** of the last of these incidents. Complaints made outside of this time frame may not be considered unless exceptional circumstances apply. Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

The Academy/Trust will seek to resolve matters at the informal stage within **15** school days¹ of the issue being raised by the parent/carer.

If parents/carers have concerns or a complaint, they should:

- **Step A:** Discuss their concerns with the member of staff most directly involved and, if not satisfied
- **Step B:** Discuss their concerns with a senior member of staff or Headteacher. *In a small school step B may be with the head. In these circumstances, this is dealt with as at stage 1 – 'dealing with a complaint informally'.*
- **Step C:** Undertake mediation with the school.

Mediation is a process allowing the complainant and the Headteacher to discuss their views and concerns freely, together with an independent third party (the mediator). Mediation can only proceed if the complainant and the headteacher are willing for it to be

¹ School days in this policy refers to days when the Academy is open to pupils for teaching, and does not include INSET days.

tried. If mediation is accepted, it should be arranged within **15 days** of agreement. If mediation is not accepted the complaint will move to stage 2.

Mediation

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and headteacher another opportunity to hear each other's points of view (with a third party facilitating),
- It gives the third party an opportunity to help headteacher and complainant identify and build on areas of agreement.
- It gives headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a complaints panel, the issues to be considered are likely to be much clearer following the mediation.

Mediation may elicit one or more of the responses listed below from either party:

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

Stage 2: Formal Resolution

Investigation by a Nominated Individual

If the complainant is not satisfied with the outcome of the steps above they may raise, in writing, their concerns with the Headteacher (unless they are about the headteacher in which case please refer to the section headed '**Complaints against specific role holders**' below). **This must be done within 10 school days of the stage 1 response using the form available at Appendix 1.**

In a small school, they may have already informally discussed the complaint with the head. The distinction is that this is now in writing and will be treated formally.

If help is required in completing the form, the school office can be contacted. Help can also be requested from a third-party organisation, for example Citizens Advice.

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.

The complainant must use the Complaint Form (Appendix 1 of this document), including the following information:

- Your name
- Pupil's name and class/tutor group (if relevant)
- Your relationship to the pupil (if relevant)
- Your home address and the best telephone number(s) for reaching you
- Details about the complaint, including relevant dates and whether you have spoken to anybody at the school/Trust about it
- What actions you feel might resolve the problem at this stage
- Are you attaching any paperwork? If so, please give details

Note: To avoid misunderstanding, the date the complaint becomes 'formal' will be determined as the day on which the Headteacher received the written complaint (not including weekends and school holidays).

The Headteacher must

1. Confirm the complaint can be investigated within the complaints policy (see exceptions above)
2. Within **5 days** acknowledge receipt of the complaint and the next steps. This letter must clarify if the complaint is to be investigated within the Complaints procedure or an alternative.
3. If it can be investigated, carry out the investigation or assign a member of the School Leadership or independent person to investigate. This may include the offer of a meeting with the complainant. The investigator will speak to others involved if necessary, allowing them to be accompanied if they wish. A written record of any meetings/interviews in relation to their investigation will be kept.

4. Whenever reasonably possible respond to the complainant in writing **within 15 days of either** meeting with the complainant, or if there was no meeting arranged it will be within **25 school days** from the date of receiving the complaint.

The response should address all the areas raised in the complaint and will indicate what, if any steps should be taken to resolve the matter.

Where the parent/carer remains dissatisfied, they may request the complaint is escalated to Stage 3.

Stage 3: Formal Resolution

Complaints Panel Meeting

Where stage 2 has been unsuccessful in resolving a complaint, the complainant may escalate the matter to Stage 3 – a complaints panel hearing. This is the final stage of the complaints procedure. Stage 3 complaints must be set out in writing, stating where the parent remains dissatisfied and the outcome sought, and lodged with the Clerk of the Governing Body or Board, within 10 school days of the Stage 2 response. The submission should be sent to the Clerk at complaints@cambrianlt.org.

The purpose of a panel hearing is to resolve the complaint. To this end, the panel will not 're-investigate' the original complaint but will reconsider the aspects of the complaint the complainant considers to be unresolved in the light of the previous investigation that has been carried out, noting also what the complainant considers should have been done at the formal stage that would have resolved their concerns.

The clerk will acknowledge receipt of the Stage 3 complaint within **5** school days and will convene a Complaints Panel. They will aim to convene a meeting within 20 days of receipt of the Stage 2 response. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If **stage 2 has not been completed**, the Clerk must write to the complainant, **within 5 days** of receiving it, explaining they must raise the complaint formally to the headteacher and allow an opportunity for an investigation to be carried out and a written response provided.

The Complaints Panel must comprise at least three people, which will include one person who is independent of the Local Governing Committee.

Establishing the panel

The Complaints Panel may include, but is not limited to, one or more persons from the following categories:

- (i) a member of the Local Governing Committee of the Academy where the complaint emanated from;

- (ii) a member of a Local Governing Committee from another Academy within the Trust;
- (iii) a member of the Board of Trustees from the Trust; and/or
- (iv) a member of a Local Governing Committee or Trustee of another Academy Trust.

None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint. The independent panel member may be a member of a Local Governing Committee from another Academy within the Trust as long as they have no conflict and no prior knowledge of the complaint.

The Clerk will invite the Academy to put in writing its response to the Stage 3 complaint within **15** school days of receiving the request. Whether or not the Academy has responded the Clerk will convene a meeting of the complaints panel.

The meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Complaints Panel. Whenever possible, the meeting will be held within **15** school days of the end of the Academy's response time. The meeting date, time and location will be confirmed to all parties at least **10** school days in advance.

The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a parent/carer's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place. Consent will be recorded in any minutes taken. The parent will have the opportunity to put their reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The Complaints 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 parent/carer and the Academy/Trust will have the opportunity to put forward their respective version and views of events, and each side and the Complaints Panel members will be able to ask questions. The parent/carer will have the opportunity to make final comments to the Complaints Panel.

The Complaints Panel may make findings and recommendations and a copy of those findings and recommendations will be:

- sent by electronic mail or otherwise provided in writing to the parent and, where relevant, the Academy or person complained about, and
- available for inspection on the Academy premises by the Trust, the Headteacher and the Chief Executive Officer.

The panel can:

- uphold the complaint, in whole or in part
- dismiss the complaint, in whole or in part

If the complaint is upheld in whole or in part, the panel will:

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

The Complaints Panel will formulate its response as quickly as reasonably possible, aiming to do so within **10** school days, and the Clerk will notify all concerned.

At any meeting, the parent will be entitled to bring a companion along to provide support. Legal representation will only be permitted in exceptional circumstances. If the parent fails to attend the Complaints Panel Meeting on the day without compelling reasons, the Complaints Panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under "Serial or persistent complainants".

Taking the Matter Further

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 3 Complaints Panel Meeting within the time stated in the policy) the matter is closed. If the complainant believes the Academy/Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the DforE after they have completed Stage 3.

The DforE will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the DforE online at www.education.gov.uk/contactus

The Complainant may also write to the DforE at:

Academy Complaints and Customer Insight Unit
 Department for Education
 Cheylesmore House
 5 Quinton Road
 Coventry
 CV1 2WT

Complaints against specific role-holders

Complaints against the Headteacher

Any complaint relating to the Headteacher of the Academy must be raised in the first instance with the Chief Executive Officer of the Trust who will, if an informal resolution cannot be reached, designate a member of the Local Governing Committee to investigate the complaint as per **Stage 2**.

Complaints against the Local Governing Committee

Where a complaint is brought against a member of the Local Governing Committee, it should be raised with the Chair of the Local Governing Committee who will investigate the complaint (or appoint another member of the Local Governing Committee to do so) in the same way as in the first stage of the formal process at **Stage 2**.

If the complaint is against the Chair of the Local Governing Committee, then the Vice Chair of the Local Governing Committee will investigate the complaint (or appoint another member of the Local Governing Committee to do so) in the same way as in the first stage of the formal process at **Stage 2**.

In exceptional circumstances the Chair of Trustees may at his or her absolute discretion determine that a complaint against a member of the Local Governing Committee should be dealt with at Trust Board level and if so determined the Chair of Trustees will oversee **Stage 2**.

Complaints against individual Trustees / Board of Trustees

If a complaint is against a Trustee, then it should be raised with the Chair of Trustees by writing to the Clerk to the Board of Trustees via complaints@cambridgiant.org. In the case of a complaint against either the Chair or the Board of Trustees as a whole, then it should be put in writing to the Clerk to the Board of Trustees who will refer it to the Members.

In such cases the Chair of Trustees/the Members will investigate the complaints or appoint an appropriate person to do so in the same way as in the first stage of the formal process at **Stage 2**.

Complaints against the Chief Executive Officer or other Trust Central Staff

If the complaint is against a member of staff, then it should be raised with the Chief Executive Officer (or in the case of a complaint against the Chief Executive Officer, the Chair of Trustees) who will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as the first stage of the formal process at **Stage 2**.

Part B – Complaints raised by those who are not parents / carers of current pupils

Complaints made by those who are not parents of current pupils, which includes complaints made by parents of former pupils after they have left the Academy, will be dealt with as follows:

Complainants should first attempt to address their complaint to the relevant Academy or the Trust (as appropriate) informally by raising the matter with a relevant member of Academy or Trust staff, within **3** months of the incident or, where a series of associated incidents have occurred, within **3** months of the last of these incidents. The Academy/Trust (depending on the nature of the complaint) will seek to resolve the matter informally within **15** school days.

If it is not possible to resolve the matter informally, the complaint may be submitted in writing, using the form available at **Appendix 1**, to the Chief Executive Officer, or where the complaint relates to the Chief Executive Officer, to the Chair of Trustees.

The complaint will be acknowledged within **5** school days and a final written response will be issued within **15** school days.

Once this process is concluded the matter is closed.

Complaints Relating to Fulfilment of the Early Years Foundation Stage (“EYFS”) Requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within **5 school days**;
- The Headteacher will investigate the concern or complaint which may include meeting with the Complainant and the Head of Early Years. A written response notifying the Complainant of the outcome of the investigation will be sent within **28 school days** of the complaint being received.
- Where the Complainant remains dissatisfied, the Clerk will ensure that a formal Complaints Panel will be convened in accordance with Stage 3 of this policy.

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Parents are further advised that where they have concerns regarding the Academy meeting EYFS requirements they may contact Ofsted on 0300 123 4666.

Record keeping and confidentiality

A written record will be kept of all complaints that reach the formal stage, whether they are resolved following Stage 2, or proceed to a panel hearing (Stage 3) and any action taken by the school as a result (regardless of whether they are upheld). Complaint records will be maintained securely and in line with the Data Protection and Retention policy. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests access to them.

The Complainant should also keep all correspondence, statements and records relating to their complaint confidential, and should not disclose (by way of electronic communication, social media or otherwise) any information or documents relating to their complaint.

Unreasonable Complaints

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

Dealing with a complaint is a straightforward process but, in a minority of cases, people pursue their complaints in a way which either can impede the investigation of their complaint or can have significant resource issues for a Trust school. This can happen while either their complaint is being investigated, or once a school has finished dealing with the complaint. Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the DforE
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the trust what is deemed to be unreasonable.

Complainants should try to limit their communication with the Academy/Trust while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Steps we will take

We will take every reasonable step to address the complainant's comments, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the Academy/Trust will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Academy/Trust will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)

- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

Serial / persistent complaints

If the complainant contacts the Academy/Trust again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school/trust repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the Academy/Trust with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

Duplicate complaints

If the Academy/Trust has resolved a complaint under this procedure and received a duplicate complaint on the same subject from a partner, family member or other individual, the Academy/Trust will assess whether there are aspects that we hadn't previously considered, or any new information that needs to be taken into account.

If the Academy/Trust is satisfied that there are no new aspects, it will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with the original handling of the complaint

If a duplicate complaint is raised which in the view of the school/trust warrants further consideration, the procedure outlined in Part A or Part B (as appropriate) will be repeated.

Complaint campaigns

Where the Academy/Trust receives a number of complaints all based on the same subject which in its reasonable opinion may be deemed a 'complaint campaign' it will deal with the complaints in the following way : individual responses will not be sent to complainants in such cases. Instead, either a template response will be sent to all complainants or a single response will be published on the Academy/Trust's website at the discretion of the CEO/Chair of Trustees.

Where the complaint campaign involves complainants who are parents, they will be entitled to escalate the complaint to a panel hearing if they are dissatisfied with the Academy/Trust's response. The Academy/Trust will consider how best to manage panel hearings in such circumstances.

Legal Proceedings

If a Complainant threatens or commences legal action against the Academy/Trust (including the issuing of a letter before claim) in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Appendix 1: Cambrian Learning Trust Complaints Form

This form should be used to raise a formal complaint only after a matter has been raised informally under either Part A or Part B of the Complaints Policy and you are not satisfied with the response. Please refer to the Complaints Policy when completing this form.

Your Name:	
Pupil's name (if applicable):	
Your relationship to the pupil (if applicable):	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
Email address:	

Please give details of your complaint, including whether you have spoken to anybody at the school about it
What steps have been taken to resolve the complaint informally (including details of who the matter was raised with, when and what solution offered)
Why have steps taken so far failed to resolve the complaint? (including what you consider should have been done/where the Academy or Trust has not met reasonable expectations in its response)

What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	
Date:	
<p>Please send completed forms to the Headteacher or hand into the school office in a sealed envelope marked for the attention of the relevant addressee (generally this will be the headteacher for complaints about a specific Academy or the Clerk to the Trustees for complaints about the Trust. In the event of a query on who to send the form to please contact complaints@cambrianlt.org)</p>	
OFFICIAL USE	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Action taken:	
Date:	

Roles and Responsibilities

Complainant

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

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

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 committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems
- The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(This could be the headteacher or CEO / designated complaints governor or trustee or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, CEO, Chair of Governors, Chair of Trust or the Clerk to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
 - keep records.

Clerk to the Governing Committee / Trust Board

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to 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

- notify all parties of the committee's decision.

Committee 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 committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the 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 committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee 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 committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.