



The Complete Works Policies

Compliments, Comments and Complaints Policy

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1. Aim

The Complete Works (TCW) aims to meet its statutory obligations when responding to complaints from parents of pupils at TCW, and others. Its purpose is to ensure that all users of the TCW are able to comment on the service we provide, including being able to express their dissatisfaction and to have their problems investigated and appropriately acted upon.

Equally we give students, parents and users of TCW, an opportunity to tell us when we get things right.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

TCW will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on TCW website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

1. Definition

The DfE guidance explains the difference between a concern and a complaint:

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”



Not all comments are complaints and it is important to distinguish between the two. For example, when a comment made by parents or students can easily be resolved by a member of staff – e.g. a prospective service user has not received the documentation they were expecting. On the other hand a complaint (verbal or written) will require investigation and action as appropriate – e.g. a member of staff was rude to a service user. If a partner has a comment/question and we are able to answer it helpfully and quickly, the query will not turn into a complaint.

A comment only becomes a complaint if a partner of TCW is not happy with the response they receive. .

When things do go wrong it is important not to apportion blame but to focus on identifying what has happened, where the service has failed, what can be done to put things right and learn from the experience.

It is also important to identify, where possible, and warn partners when there could be a system failure – e.g. website going down or TCW being forced to make a closure. This should have the aim of preventing unnecessary complaints.

2. Scope

TCW intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaints.

3. Policy Links

This policy supports/complements the following policies:

- Equality and Diversity Policy
- Disciplinary Policy
- Grievance Policy
- Dealing with Allegations Policy
- Whistleblowing Policy



- Safeguarding and Child Protection Policy (TCW is obliged to pass on to Social Services any disclosures or suspicions of child abuse. This affects the nature of the confidentiality of any potential complaint.)
- Data Protection Policy

4. Procedure

TCW encourages feedback and will use information about comments and complaints to make improvements where necessary. We will gather information about compliments as a method of measuring the effectiveness of our service, highlighting good practice and where appropriate, will use this information for marketing purposes.

5.1 Compliments

When we do get things right it is important to recognise and share comments that have been made by service users about the service we have provided. A compliment from a Partner may be made to any member of staff by:

- Telephone
- Letter
- In person
- Through TCW' website

5.2 Comments

Often a Partner user will contact us with a question, which may not be a complaint about the service we provide. A comment from a Partner may be made to any employee by:

- Telephone
- Letter
- In person

TCW will treat each of these as acceptable routes for making comments that are not complaints about the experience of Partners of our services and will treat any comment received with equal seriousness, regardless of the method used.

The procedures in Appendix A indicates how comments should be dealt with, irrespective of by whom and how they are received.

5.3 Complaints

A Partner who is dissatisfied with our services or who has made a comment/asked a question and is not happy with our response may wish to make a complaint. Those wanting to make a complaint may, for instance, raise it by:



- Writing to the manager of the area concerned
- Talking to their child's/students Teacher or Education Support Officer
- Talking to a member of the teaching staff
- Writing to the Headteacher or Chief Executive

TCW will treat each of these as acceptable routes for raising concerns and complaints about the experience of our Partners and will treat with equal seriousness any complaint received, regardless of the route chosen.

5. Information about complaints

The principle is that the detail of a complaint should be shared only with:

- The complainant
- Those being the subject of the complaint
- The Head of Service of the area concerned
- The investigating officer
- The Headteacher/ Chief Executive

Only when it is necessary to involve others in the investigation of the complaint will the information be shared and then only on a 'need to know' basis. The single exception to this is if an employee who is the subject of a complaint, wishes to solicit the involvement of a workplace colleague or trade union representative.

All documentation related to a complaint will be held centrally by the HR Department, in a complaints file for 5 years.

The HR Department will keep a codified record of all complaints and comments. Complaints not sent directly to the Headteacher/ Chief Executive should be forwarded with a record of how the complaint was dealt with at source. If further action is required then this must be made clear. Ownership and accountability for a complaint remains at source until the Headteacher/ Chief Executive indicates formally that they will take it on.

The Headteacher/ Chief Executive will analyse complaints to assist action planning and to improve the service.

The Headteacher/ Chief Executive is required to analyse complaints received and to prepare summary and trend reports, which will be sent annually to the Board of Trustees.



6.1 Complaints About Employees Will Be:

- Handled sensitively and confidentially
- Referred to the appropriate line manager

The aim will be to achieve a swift, amicable and professional resolution. If this is not possible it may become an investigation as outlined in Appendix A.

7. Roles and responsibilities

7.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate with TCW throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

7.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions

7.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The headteacher
- Assistant Head
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure



- Make sure the process runs smoothly by liaising with the headteacher and other staff members

Be aware of issues relating to:

- Sharing third party information
- Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person

8. Principles for investigation

When investigating a complaint, TCW will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

9. Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

10. Stages of complaint (not complaints against the headteacher or trustees)



10.1 Stage 1: informal

TCW will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the HR Department, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact their line manager - please see details in the staff handbook or contact the HR Officer.

TCW will acknowledge informal complaints within 3 school days, and investigate and provide a response within 5 school days.

The informal stage will involve a response via email or where appropriate, a meeting between the complainant and the HR Officer and/or manager as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

If the disclosure made by a complainant is related to suspicions of child abuse, there can be **no guarantee of confidentiality**. TCW must pass on disclosures to Social Services in these instances (please see the Safeguarding and Child Protection Policy for further information).

10.2 Stage 2: formal

Formal complaints can be raised:

- By letter or email
- Telephone
- In person
- By a third party acting on behalf of the complainant

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the HR Officer amrit.claire@tcw.org.uk

10.3 Procedure

1. The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (by email) within 3 school days.
2. The headteacher will appoint an *Investigating Officer* to address the complaint. The *Investigating Officer* is likely to be the manager of the area concerned (unless he/she is the subject of the complaint, in which case the Headteacher/ Chief Executive will be the Investigating Officer).

3. The HR Department will send a copy of the original documented complaint to the Investigating Officer.
4. The headteacher will agree with the Investigating Officer the nature of the investigation and the potential timescale for its completion (**usually within 10 working days**).
5. The headteacher and HR Department will receive the report from the Investigating Officer and determine any action points not already addressed.
6. The HR Department will ensure all action points are carried out and that a full response is made to the complainant (**usually within 15 working days**). Where appropriate and unless otherwise indicated by the Headteacher/ Chief Executive, the response will be made by the relevant manager (who may also be the Investigating Officer). A *draft* copy of the final response must be sent to the Headteacher/ Chief Executive for approval.
7. The HR Department will ensure that the documentation is placed in a Complaints file.

In general, the aim is to resolve all complaints **within 15 working days** of receipt. Where this is not possible, a holding letter will be sent to the complainant and a copy put on file.

10.4 Procedure to be followed by the Investigating Officer

The Investigating officer will be expected to work to strict deadlines and to provide a written report on the investigation **within 10 working days**.

On being appointed to carry out the investigation, the Investigating Officer should:

1. Automatically involve in the investigation any member(s) of staff who is the subject of the complaint. The member(s) of staff should be informed that a complaint has been received **within 3 working days from** the appointment of the Investigating Officer. The Investigating Officer should send a copy of the original service user feedback form/letter to the member(s) of staff.
2. Hold an initial meeting with the member(s) of staff in which the details of the complaint are explained. At this point the member(s) of staff may request that at all future meetings his/her representative is present. This representative must be a work colleague or trade union representative.
3. This initial meeting should take place **within 5 further working days**. A written record of it and all future meetings should be made and given to all parties to the meeting.
4. Carry out the investigation and produce a written report following to the Headteacher/ Chief Executive - **usually within 10 working days**.
5. Ensure all action points are carried out and unless otherwise indicated by the Headteacher/ Chief Executive, a full response is made to the complainant (**usually within 15 working days**). A *draft* copy of the final response must be sent to the Headteacher/ Chief Executive for approval.

Please Note: It is the responsibility of the Investigating Officer to establish the veracity or otherwise of any complaint. No member of staff who is the subject of a complaint or his /her representative will be permitted to interview or confront the complainant. That role belongs unequivocally with the



Investigating Officer, who may, however, wish to bring the parties together as part of the process whereby a resolution is achieved.

The Investigating Officer should take advice from the Headteacher/ Chief Executive, if at any point in the process they feel that the substance of the complaint may fall within the scope of the Staff Disciplinary and Grievance Policy. This should form part of the report to the Headteacher/ Chief Executive.

It should be stressed that complaints about individual members of staff are rare. The procedure is designed to deal as sensitively and effectively with those as with any other complaint. In recognition of this the member of staff identified in the complaint is not permitted to invoke the Grievance Procedure against the Investigating Officer for the actions the latter takes legitimately in furtherance of their role as Investigating Officer.

TCW recognises the potential negative effects for individual members of staff, which can occur if they become subjects of complaints. The Investigating Officer is charged with the duty, therefore, of dealing with these fairly, openly and within the principles of natural justice. However, a possible outcome of complaint is that there is a recommendation to invoke the Disciplinary Policy. In these circumstances the provisions of the Disciplinary Policy take precedence, and in consequence the member of staff who is the subject of the complaint does not have access to the appeal process under the Complaints Policy.

All timescales given in these procedures are the maximum time allowed. It is particularly important that initial information is passed on straight away so the process for dealing with it is triggered as soon as possible.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the HR Department within 5 school days.

11. How to escalate a complaint

If the complainant wishes to proceed to the next stage of the procedure, they should inform the HR Department in writing within 5 school days. Requests received outside of this time frame will only be considered in exceptional circumstances.

The clerk will acknowledge receipt of the request within 3 school days.

The HR Department will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The written conclusion of this investigation will be sent to the complainant within 5 school days and the complaint will escalate to a review panel.



11. Stage 3: review panel

11.1 Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the proprietor and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of TCW. The panel cannot be made up solely of trustees or senior leadership, as they are not independent of the management and running of TCW.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 5 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the HR Department will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting.

11.2 At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from TCW, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.



At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and TCW representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

11.3 The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to TCW's systems or procedures to prevent similar issues in the future

TCW will inform those involved of the decision in writing within 3 school days.

12. Complaints against the headteacher or a Trustee

12.1 Stage 1: informal

Complaints made against the headteacher or any member of the Trustees should be directed to the HR Department in the first instance.

If the complaint is about the headteacher or one member of the Trustees, a suitably skilled and impartial Trustee will carry out the steps at stage 1 (set out in section 6 above).

12.2 Stage 2: formal

If the complaint is:

Jointly about the chair of Trustees and vice-chair or

The entire Trustees or



The majority of the Trustees

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the Trustees or diocese and will write a formal response at the end of their investigation.

11.3 Stage 3: review panel

If the complaint is:

Jointly about the chair of Trustees and vice-chair or

The entire Trustees

The majority of the Trustees

A committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or diocese and will carry out the steps at stage 3 (set out in section 6 above).

12. Rights Of Appeal

- Any complainant who is dissatisfied with the outcomes of the investigation into the complaint has a right of appeal to the Headteacher/ Chief Executive. These rights are explained in the information given to those wishing to make an appeal.
- If the complainant is still dissatisfied with the outcomes, their complaint can be taken to The Complete Works Board of Trustees. See Trustees Appeal Panel Procedures at Appendix A.

13. Referring complaints on completion of TCW's procedure

If the complainant is unsatisfied with the outcome of TCW's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by TCW. The ESFA will not overturn a school's decision about a complaint, but will intervene if a school has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If TCW's complaints procedure is found to not meet regulations, TCW will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.



14. Persistent complaints

14.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following TCW's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, 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.

If the complainant continues to contact TCW in a disruptive way, we may put communications strategies in place. 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

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience



Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 our school site.

14.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete

If there are new aspects, we will follow this procedure again.

14.3 Complaint campaigns

Where TCW receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with TCW, TCW may respond to these complaints by:

- Sending a template response to all of the complainants

If complainants are not satisfied with TCW's response, or wish to pursue the complaint further, the normal procedures will apply.

15. Record keeping

TCW will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.



Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

The details of the complaint, including the names of individuals involved, will not be shared with the whole board of Trustees in case a review panel needs to be organised at a later point.

Where the Trustees are aware of the substance of the complaint before the review panel stage, TCW will (where reasonably practicable) arrange for an independent panel to hear the complaint.

16. Learning lessons

The headteacher and CEO will review any underlying issues raised by complaints with the senior leadership team where appropriate, and respecting confidentiality, to determine whether there are any improvements that TCW can make to its procedures or practice to help prevent similar events in the future.

APPENDIX A

PROCEDURE FOR THE TRUSTEES' COMPLAINTS APPEAL PANEL.

1.0 INTRODUCTION

It is the Board's policy that, as far as possible, complaints will be handled by TCW management, within The Complete Works. Any complainant has the right of appeal to the Headteacher/ Chief Executive under the provisions of paragraph 3.3.1. The Trustees Appeal Panel will meet only in circumstances where the Headteacher/ Chief Executive has been unable to resolve a complaint, at the first appeal stage, and the complainant has invoked the right to appeal to the Trustee's under TCW complaints policy

The Panel shall have full delegated powers to determine the Appeal.

2.0 COMPOSITION OF THE PANEL

The Panel will comprise of three members of the Board of Trustees (excluding the Headteacher/ Chief Executive and the staff and service users Trustees) nominated by the Chair of Trustees

The Clerk to the Trustees (or another suitable person nominated by the clerk) shall act as Clerk to the Appeal Panel.

The Panel may have an adviser in attendance should they consider this to be appropriate.

3.0 BEFORE THE HEARING

At least ten working days before the hearing, the complainant will be notified of the time and venue of the hearing. At the same time he/she will be provided with a copy of any written statement (usually the



Headteacher/ Chief Executive's report of the first stage appeal) or other documents to be considered by the Panel (unless such documents have already been provided).

This notification will invite the complainant to:

- Attend the hearing (accompanied, if he/she wishes, by a representative;
- Submit any relevant written documents for consideration by the panel; (to be received by the Chair of the Appeal Committee at least 3 working days before the appeal hearing)
- Call witnesses

4.0 ORDER OF THE BUSINESS

The complainant and his/her representative, the Headteacher/ Chief Executive (representing TCW), the members of the Panel, the Clerk to the panel and any adviser to the Panel will assemble together.

The Chair will invite the complainant (or his/her representative) to explain the reasons for the complaint and, in doing so, s/he may call witnesses.

The Headteacher/ Chief Executive may question the complainant and any witnesses.

The Panel may question the complainant and any witnesses.

The Headteacher/ Chief Executive shall explain TCW view of the complaint and may call witnesses.

The complainant may question the Headteacher/ Chief Executive and any witnesses.

The Panel may question the Headteacher/ Chief Executive and any witnesses.

The Headteacher/ Chief Executive shall be invited to sum up.

The complainant (and his/her representative), any witnesses and the Headteacher/ Chief Executive will withdraw.

(Note: At any time during the operation of this procedure, either side has the right to request an adjournment. The adjournment request shall be considered by the Panel and, if considered reasonable, shall be granted).

5.0 AFTER THE HEARING

Within five working days of the Panel meeting (or as soon as practicable thereafter), the Chair of the Appeal Committee will inform the complainant and the Headteacher/ Chief Executive in writing, of the decision of the Panel, which will be final.

This will:



- a) Be given to the person who made the original complaint in writing and where relevant a copy to the person being complained about.
- b) Be given to the Trustees of TCW and a copy kept on the premises for inspection.

A written record will be kept of ALL complaints stating whether they have been dealt with informally, formally or by panel.

All correspondence, statements and records will be kept confidential unless required by the Secretary of State or a body conducting an inspection under section 162a of the 2002 Act.

Number of formal complaints submitted last academic year (2021/22) - 1