



L.E.A.D. Academy Trust

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# **Appropriate Body Complaints Policy & Procedure**

**Review frequency: Annual**

Approved: September 2023

## Policy Statement

### Introduction

This statement sets out the legal framework, the definitions and our policy expectations.

L.E.A.D. Teaching School Hub is an ambitious, values driven, partnership-centred organisation, determined to impact on the life chances, aspirations and outcomes for pupils. Holding the 'Golden Thread' central to the Hub's work, it aims to equitably support all settings to invest in their workforce to recruit, retain, inspire and develop the best teachers, support staff and leaders. Recognising that high quality teaching has the greatest impact on pupil outcomes, the Hub offers inspiring, research-informed, actively inclusive, accredited professional development, sharing capacity and expertise to raise expectations and ultimately change lives.

The Teaching School Hub is designated to serve schools across Lincolnshire, outlined by the DfE as the following districts: **Boston, Lincoln, North Kesteven, South Holland, South Kesteven, East Lindsey, West Lindsey**, supporting every school type and phase, including Nursery, Primary, Secondary, Special and Alternative Provision.

L.E.A.D. Teaching School Hub is committed to providing the best service possible in line with our vision and values and the TSHC code of conduct. We therefore commit to use complaints as an opportunity to re-examine systems and services and, through feedback to the complainant, showing that we are responsive to their concerns.

As an Appropriate Body Service, L.E.A.D. Teaching School Hub is committed to working in partnership with all members of the education community. We place great value on the role that leaders, teachers and support staff play in promoting both high quality learning and essentially the welfare of pupils. Equally, we place great value in the partnerships which are formed with a number of educational bodies such as initial teacher training providers, other Teaching School Hubs, the Local Authority, CEO and MAT leaders, Curriculum Hubs and the Diocese. These partnerships are wide reaching and essential in the success and delivery of services from L.E.A.D. Teaching School Hub.

In line with the core values held by the Teaching School Hub, we actively encourage a positive relationship between all parties- partners and schools. The behaviours through which we operate are outlined below.



We recognise however that, on occasion, there may be times when schools or Early Career Teachers have concerns about aspects of the Teaching School Hub's Appropriate Body Service work, systems or services. When this happens, it is important that these concerns (and, if appropriate, complaints/grievances) are raised as quickly as possible. It is for this reason that we have developed this policy and procedure.

Our policy requires the Teaching School Hub to make every effort to resolve a concern/complaint at local level. L.E.A.D. Teaching School Hub will deal with a concern/complaint raised objectively and as quickly, sympathetically and effectively as possible. Our aim is to address all concerns/complaints as soon as possible after they arise and to resolve matters amicably at an early stage. With that in mind, complainants will be asked at the outset what they think might resolve the issue. For this reason, we have a Four-Stage Procedure which we follow in the event of a complaint or grievance.

### **Legal Framework**

The Policy and Procedure is compliant with the requirements of The Equality Act 2010.

The procedure follows the Department for Education's guidance:  
<https://www.gov.uk/government/publications/setting-up-an-academies-complaintsprocedure/putting-in-place-a-complaints-procedure>

### **Appropriate Body Responsibilities:**

Since September 2021, induction for teachers joining the profession has been extended to two years and, underpinned by the ECF, provides ECTs with a structured programme of development, support and professional dialogue. The ECF based induction sits at the heart of the DfE strategy and includes an expectation that ECTs have a dedicated mentor and a requirement that they have a reduced timetable in their first two years of teaching, giving them the time and support needed to focus on their professional development so that every new teacher is supported to lay the foundations for a fulfilling and rewarding career in teaching.

Appropriate bodies play a key part in the ECF reforms through their role in teacher induction. As well as ensuring that ECTs receive their statutory entitlements and that ECTs are fairly and consistently assessed, they also ensure that regard is had to the amended statutory guidance and that ECTs are receiving a programme of support and training based on the ECF.

Appropriate bodies support the schools and teachers they work with in a variety of ways and their core functions are central to ensuring that schools provide adequate support to teachers at the start of their teaching career. Appropriate bodies have two key roles:

- **Monitoring of support** – appropriate bodies will check that early career teachers are receiving their statutory entitlements, and that regard is had to the statutory guidance. The **Appropriate Body (AB)** will provide ECF fidelity checks, ensuring schools are supported to provide ECTs with an ECF-based induction.
- **Monitoring of assessment** – appropriate bodies will make the final decision as to whether the ECT has satisfactorily met the Teachers' Standards, based on the head teacher's recommendation.

### **READ THE FULL GUIDANCE HERE:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1152007/Appropriate\\_bodies\\_guidance\\_induction\\_-\\_from\\_1\\_September\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1152007/Appropriate_bodies_guidance_induction_-_from_1_September_2023.pdf)

## **Complaints Procedure**

### **Concern or Complaint?**

The Department of Education best practice guidance (January 2016) distinguishes between a **concern**:

*“an expression of worry or doubt over an issue considered to be important and for which reassurances are sought”*

and a **complaint**:

*“an expression of dissatisfaction however made, about actions taken or a lack of action”.*

This procedure is designed having regard to this guidance. Furthermore, this procedure refers to ‘complainants’ who, for the purpose of this procedure, should be taken to include both those who raise concerns and complaints.

### **Is the Complaint regarding the AB Service or the School in which the Induction has been completed?**

Before raising a complaint, it is important to identify whether the complaint is in relation to your School or the Appropriate Body Services that you have received. This policy is for complaints regarding the Appropriate Body Service only. Grievances or complaints regarding the conduct of the school during the induction period should follow the schools processes.

### **What to do if you have a concern or a complaint:**

The Appropriate Body Complaints procedure is a ‘Three-Stage’ process:

**Stage 1:** Concern/complaint heard by the Appropriate Body lead/ Deputy Director of the Teaching School Hub

**Stage 2:** Concern/complaint heard by the Head of the Teaching School

**Stage 3:** Complaint heard by three members of the Complaints Panel

In line with the policy of the L.E.A.D. Academy Trust, the Teaching School Hub endeavours to ensure that any concern or complaint is dealt with promptly, fairly and objectively. L.E.A.D. Academy Trust, all staff and the Complaints Panel members are aware of the importance of dealing with concerns/complaints immediately they are raised. It is therefore important that, if you wish to raise a concern/complaint, you should do so as soon as practicable. This should be in writing (by letter or e-mail), or in person if written notes are taken during any meeting relating to the complaint and which can be countersigned by the complainant. This will enable the issue to be investigated effectively and whilst information is fresh in the minds of all parties.

## Note

### 1. Complainants are asked to note that:

- There is a clear distinction between whether the grievance is related to the schools systems and processes (*in which case the schools complaints policy should be actioned*) or the conduct of the Appropriate Body services (*in which case this policy should be actioned*)
- *The Teaching School Hub will keep a written record of all concerns and complaints, including whether a complaint is resolved following the formal procedure or whether it proceeds to a panel hearing and actions taken by the Appropriate Body (i.e. whether a complaint is upheld or not and efforts to resolve the complaint);*
- *All complaints raised will be dealt with in confidence. Effort will be made to ensure that correspondence, statements and records relating to the individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them;*
- *Anonymous complaints will not usually be investigated except in exceptional circumstances. This is due to the absence of a complainant to respond to;*
- *If the complaint concerns the conduct of the Teaching School Hub Director, it will be dealt with initially at Stage 4 of this procedure;*
- *A concern/complaint will not be referred to the next stage unless and until the previous stage of this procedure has been completed;*
- *The local authority has no role in consideration of complaints relating to the Teaching School Hub*
- *If a complaint relates to a member of staff and includes any of the following it will (and must) be considered in accordance with the Trust and Teaching School Hubs safeguarding and HR procedures:*
  - *behaviour in a way that has harmed a child, or may have harmed a child;*
  - *possible commission of a criminal offence against or related to a child; or*
  - *behaviour towards a child or children in a way that indicates that he or she may pose a risk of harm if they work regularly or closely with children.*
- *Complainants will be advised of the outcome of their complaints. However, complainants **will not** be advised of any disciplinary action that may be taken against staff.*

### **Stage 1: Concern/complaint heard by staff member**

The purpose of this stage is to seek to resolve any concern/complaint as quickly as possible.

In the first instance, a complainant should discuss the concern/complaint with the AB Lead and Deputy Director of the Teaching School Hub. The aim will be to resolve any concern/complaint at this stage. However, if a complainant feels unable to approach the member of staff involved, the concern/complaint must be made direct to the Teaching School Hub lead, who will arrange for another member of staff to investigate the concern/complaint (for the avoidance of doubt, the referral to the Director of the Teaching School Hub and subsequent appointment of another member of staff will not be treated as at Stage 2).

The member of staff who investigates the concern/complaint will:

- invite the complainant(s) to suggest what they think might resolve the concern/complaint;
- subject to discussion of any suggestions made, investigate the concern/complaint; and
- where the concern/complaint is investigated advise the complainant of the next steps and findings/conclusions.

The investigation will be objective, impartial and fair.

Timescales for Stage 1: normally, we would expect this stage to be resolved within ten school days.

### **Stage 2: Concern/complaint heard by the Teaching School Hub Director**

This stage applies when a complainant is not satisfied with the way the concern/complaint was dealt with at the informal Stage 1. The purpose of this stage is to provide reassurance that concern/complaints will be taken seriously.

**The aim of the Teaching School Hub Director will be to resolve at Stage 2 the concern/complaint as quickly as and as amicably as possible.**

If the complainant wishes to pursue a complaint to Stage 2, where it will be considered 'formal', they must make the complaint in writing to the Teaching School Hub Director. This should be within ten school days of Stage 1 being concluded. The written complaint should be concise and specify precisely what the complainant's ground(s) of complaint are and the outcome(s) sought.

While the Teaching School Hub Director may ask another member of staff to collate and/or verify information concerning the complaint, it is the Teaching School Hub Director that will determine the outcome of the complaint at this stage.

The Teaching School Hub Director will normally:

- meet the complainant, hear the complaint, investigate and make every effort to resolve the issue;

- write to the complainant summarising the findings and outcome from the investigation.

Timescale for Stage 2: normally we would expect this stage to be completed within ten school days of receipt of the letter from the complainant.

### **Stage 3: Complaint heard by 3 members of the Complaints Panel**

The purpose of this stage is to provide a further opportunity to seek to resolve the complaint.

If the complainant is not satisfied with the outcome from Stage 2, they must write to the Teaching School Hub within ten school days of the outcome of Stage 2.

The letter must explain precisely why the complainant is not satisfied with the outcome of Stages 1 and 2.

If the complaint relates to the Teaching School Hub Director or Hub staff, the complainant must write to L.E.A.D. Academy Trust, setting out the issue in detail.

The complaints panel members will:

- invite the complainant(s) to suggest what they think might resolve the issue;
- review the matter and attempt to resolve the issue. Where appropriate the board members will explore other resolution options.
- a copy of the Teaching School Hub Director's letter/email concluding Stage 2.

The Complaints Panel Members will normally:

- investigate and make every effort to resolve the issue;
- write to the complainant summarising the findings and outcome from the investigation.

Timescale for Stage 3: normally we would expect this stage to be completed within ten school days of receipt of the letter from the complainant.

This is the final stage of the complaints process, the purpose of this stage is to provide a further opportunity to seek to resolve the complaint.



## **Mediation Meeting**

If at any stage 1-3 a mediation meeting would be helpful in resolving the issue, a meeting between the complainant and appropriate staff or panel member/s will be organised.

A summary note of proceedings will be made. A copy of the note will be provided to the complainant.

## **Outcomes**

At stages 2-3 the following options will be communicated in writing to the complainant:

### **Option 1: Complaint upheld**

Where this is the case the Independent Panel or Teaching School Hub Director will notify the complainant of the proposed solution in writing.\*

### **Option 2: Complaint not upheld**

Where this is the case, the Independent Panel or Teaching School Hub Director will inform the complainant in writing of their reasons for not upholding the complaint in writing. \*

*\*Where Option 1 or Option 2, and where the complainant is not satisfied with the decision or the solution proposed, the complainant may proceed to Stage 4 of this Procedure.*

### **Option 3: Complaint partially upheld**

Where this is the case, the Independent Panel or Teaching School Hub Director will inform the complainant in writing of their reasons for not upholding the complaint in writing. \*

### **Option 4: Complaint not reasonable OR continuation with the complaint would not be reasonable**

Where, after careful consideration of the case, the Chair considers:

- the outcome of the review(s) of the complaint;
  - the nature of the complaint;
  - the action(s) taken by the Teaching School Hub to resolve the matter; and
  - the outcome from the mediation meeting (if applicable) and,
- Where the Chair elects for Option 4 they will:
    - a) specify the reasons for this

- b) if the recommendation is accepted a “Notice of Closure of Procedure letter” will be issued to the complainant.
- c) the Teaching School Hub Director will notify the complainant of the decision, and any next steps, in writing.

### **Confidentiality**

Efforts will be made to ensure that confidentiality is maintained for all concerned.

Information should be handled and disseminated on a “need to know” basis only, however, correspondence, statements and records relating individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

The Teaching School Hub and L.E.A.D. Academy Trust is committed to data protection at all times for all parties. All confidential information will be stored securely on academy/Trust premises and is managed in accordance with the GDPR Policy.

## APPENDIX 1: Complaints Not Covered by the Procedure

Issues not covered by this Procedure	Whom to Contact
Whistleblowing	All L.E.A.D. academies have an internal Whistleblowing procedure for employees and voluntary staff. Refer to the Whistleblowing policy.
Staff Grievances and Disciplinary Procedures	These matters will be dealt with by the disciplinary procedures of L.E.A.D. Academy trust. The outcome of these procedures will remain confidential.
Complaints relating to the services provided at Hub premises by third party providers	Third party providers are required, as a condition of providing services/facilities at the Hub, to have their own complaints procedure. Third party providers must be contacted directly unless the matter involves a Safeguarding issue in which case the matter should also be raised with the Teaching School Hub directly.

## **Unreasonable complaints and unacceptable behaviours**

Whilst the Teaching School Hub will always respond positively to concerns and/or complaints, there may be occasions when it would not be appropriate for the Hub to follow this procedure or when the Hub takes the view that the procedure should be brought to a close. For example:

- where the complainant is considered unreasonable: the Hub sets out examples of behaviour it considers to be acceptable- see previous section;
- where this complaints procedure has been exhausted, the issue closed and the complainant seeks to raise the same or similar issues again;
- where the Appropriate Body believes it has made every reasonable step to address the reasonable concerns of the complainant.
- where the Appropriate Body believes that the complainant is intent on causing disruption or inconvenience; or
- where the complainant demonstrates abusive or aggressive behaviour towards the Teaching School Hub or any member of staff at the Teaching School Hub.

Ultimately, if a complainant persists in pursuing a complaint to the point where the Teaching School Hub considers that the behaviour of the complainant constitutes harassment, discrimination and/or is threatening or intimidating to the staff of the Teaching School, it may be necessary for the Hub to take further and proportionate action, including (by way of example) the imposition of a ban on the complainant from contacting the Hub and/or attending Hub premises and/or taking legal action (which may include seeking an injunction or court order), or notifying the Police;

### **Complaints likely to be considered unreasonable by the Teaching School Hub**

One or more of the examples listed below may result in the Hub taking the view that a complaint, or continuation with this procedure is not reasonable and therefore that the procedure should be brought to a close:

- a complainant refusing to articulate the complaint or to specify the grounds of complaint;
- a complainant refusing to specify the outcome sought by raising the complaint and/or seeking an unrealistic outcome;
- a complainant refusing to co-operate with the complaints investigation including, for example a meeting with the Chair, a mediation meeting (if applicable) or attendance at a Complaints Panel meeting where a meeting or the complainants attendance would be reasonable;
- a complainant insisting that the complaint be dealt with outside of this procedure;
- a complainant raising trivial or irrelevant information or raising large numbers of detailed but unimportant questions and/or insisting on answers within their own timescales;
- a complainant making unjustified complaints or allegations about staff who are trying to deal with the issues raised and/or seeking to have those staff replaced;
- a complainant changing the basis of the complaint as the investigation proceeds;
- a complainant repeatedly making the same complaint, notwithstanding that investigations have resulted in the matter being concluded or declared groundless;
- a complainant refusing to accept the findings and/or conclusions of the investigation where this procedure has been fully and correctly implemented;
- a complainant making unreasonable and excessive demands on the Teaching School Hub time by frequent, lengthy, complicated and/or stressful contact with staff, either in person, in writing, via e-mail, text or by telephone while the complaint is being dealt with;
- a complainant publishing or verbalising unacceptable or false information or comments about the Hub or any member of school staff in any social media or newspaper;
- a complainant using threatening or abusive language or behaviour to any member of staff.

