



# COMPASS EDUCATION TRUST LTD

Comprising: The Billericay School  
The Bromfords School and 6<sup>th</sup> Form College

---

## Complaints Procedure

<b>Date of Last Review:</b>	September 2021
<b>Status:</b>	Recommended
<b>GB Lead:</b>	Trust Board
<b>Staff Lead:</b>	Manuela Gordea
<b>Review Process:</b>	Annually
<b>Location:</b>	R:\SLT\Policies
<b>Date of Next Review:</b>	September 2022

CEO: Mr Ahson Mohammed

The 'Compass Education Trust Limited' is a charitable company limited by guarantee.  
Registered company no: 07666213. Registered office: The Billericay School, School Road, Billericay, CM12 9LH

The Trust encourages feedback or opinions from pupils and parents. In practice this dialogue is continuous, sometimes directly and also indirectly. Any person may make a complaint to the Trust and its academies about any provision of facilities or services provided. *It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage.*

This policy complies with our funding agreement and articles of association and 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 of pupils at the school. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

#### **Difference between a concern and a complaint:**

A **concern** is defined by DfE as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible.

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

This policy does **not** cover complaints procedures relating to: Admissions, Statutory assessments of special educational needs (SEN), School Re-organisation proposals, Safeguarding matters, Exclusion, Whistle-blowing, Staff grievances, Staff conduct/discipline, the content of the National Curriculum. Please see separate policies for procedures relating to these types of complaint.

A concern or complaint can be made in person, by telephone or in writing, by letter or email. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the educational needs co-ordinator (SENCO); they will then be referred to this complaints policy. The SEN policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

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

#### **Concerns**

It is natural that parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning one school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

***The Trust and its academies welcomes enquiries from parents about any matter. Teachers and other staff will explain each school practices, policies, and how they affect the pupils. The majority of concerns will be handled by the head of house, tutor or head of department/faculty as appropriate. Often a member of the pastoral support team will discuss and seek to resolve issues with parents.***

The usual format is to contact the school to discuss your concern and all staff will try to help to resolve a problem where they can. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The trust and its academies takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If occasionally parents feel they must state their concern formally, this too is not a problem. The trust has defined procedures for handling complaints. We understand that there are occasions when people would like to raise their concerns formally. In this case, each academy of the Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher of each school will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

Concerns should be raised with either the appropriate member of staff, the class teacher or headteacher. Each school aims to resolve the concern through informal contact at the appropriate level. If the issue remains unresolved, the next step is to make a formal complaint.

Many concerns will be dealt with informally when they are made known to the Trust or its academies. Normally the first point of contact should be the child's head of house or a member of the pastoral team. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.

Each school will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. The school will confirm this in writing if necessary.

The school will ensure that they speak to all appropriate persons who may be able to assist with enquiries into your concern.

The school will discuss with you at the earliest opportunity the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.

If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

## **Complaints**

The trust's policy is to broadly follow the recommended DfE/ESFA guidelines when handling concerns and complaints. It would be unusual to deviate from these procedures but the trust and its schools retains discretion in these matters and each headteacher may deviate from the procedure if this is

warranted by particular circumstances, for example if there is a safeguarding issue which warrants referral to an external agency.

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 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the clerk located in the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the clerk located in the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office.

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 Trust or its schools will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

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 a complainant commences legal action against the trust or one of its schools 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.

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

- an explanation
- an admission that the situation could have been handled differently or better

- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

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

**In summary, the standard procedure for complaints is divided into two stages:**

### **Stage 1**

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

### **Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

## **COMPLAINTS PROCEDURE**

### **Guidance for Parents**

Our policy, and that of the Government is that parental concerns and complaints should be dealt with locally, that is at school level, wherever possible. This is because we want to build and maintain good relations with you and to work with you to provide the best possible education for your child.

Wherever possible, we prefer to resolve any concerns informally, so as to make the best use of valuable time in supporting all the children in our care.

**If, therefore, you have any concerns about your child's education or welfare at school, please contact us via the school office to speak to a member of staff or arrange a meeting to discuss your concerns. We will then explain what action we can take to help to resolve the problem.**

From time to time, situations can arise where parents feel that they must state their concern more formally. The procedures set out in this document explain how the school handles such cases.

The school recognises that parental concerns can give rise to stressful situations, both for families and for the school's staff. We therefore ask parents and carers to bring any concerns to us in a spirit of positive willingness to seek a solution or improve the situation and the school will respond accordingly.

As partners in your child's education we believe that difficulties need to be addressed calmly by both parents and school, without aggression, so that problems can be resolved in a constructive manner.

### **Complaints about racist incidents and cases covered by Child Protection arrangements**

- We are required by law to report to the Local Authority any apparently racially motivated incidents, and cases that come under child protection legislation.
- Allegations of this kind are extremely serious and are treated as such by both the schools and the local authority.
- Parents and others are asked also to acknowledge the seriousness of such cases and the implications when unfounded claims are put forward.
- Child protection arrangements may apply in cases where children only are involved and such incidents must also be reported in accordance with established procedures of which all schools are aware.
- Special arrangements, underpinned by employment law, apply in the case of concerns about members of staff, including the headteacher, teachers and support staff where potential child protection issues may be involved.
- Depending on the exact nature of your concern, the case may be handled under these special personnel procedures, which for legal reasons are confidential in nature.
- Any case involving staff other than the headteacher would be investigated by the headteacher; concerns about the headteacher's conduct (not necessarily in connection with a child protection issue) would be investigated by the chair of governors or a governor designated to deal with the matter.
- Parents are entitled to know that such an investigation has taken place, but under the law the details (what action, if any, has been taken) may not be disclosed. Where appropriate, however, the academy would take professional HR or legal advice so parents can be assured that such cases are dealt with thoroughly and, where necessary, appropriate disciplinary action is taken.

## **Stage 1 - Formal consideration of your complaint**

The complainant will get a more effective and timely response to their complaint if they follow these procedures, co-operate with the school throughout the process, and respond to deadlines and communication promptly, treat all those involved with respect and not publish details about the complaint on social media.

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

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

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.

The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken. The appointed individual will 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 and prepare a comprehensive report to the headteacher or complaints committee which includes the facts and potential solutions. The headteacher (or a person designated by him) will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, if necessary, the headteacher or the designated person will seek to clarify the nature of the complaint (what has happened), ask what remains unresolved and who was involved and what outcome the complainant would like to see (that feels would put things right). The headteacher can consider whether a face to face meeting is the most appropriate way of doing this. If so, he (or designated member of the senior leadership team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

In order to assist the headteacher, the clerk to the governing board can be the contact point for the complainant and the school, including circulating the relevant papers and evidence before meetings, arrange the complaints hearing, record and circulate the minutes and outcome of the hearing.

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions each school will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor/committee will be appointed to complete all the actions at Stage 1. Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is jointly about the Chair and Vice Chair or the entire governing body or the majority of the governing body, Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

## **Stage 2**

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. The clerk 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.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The clerk will inform the governors about the escalated complaint and governors will select a complaints committee from amongst themselves.

If the complaint is jointly about the Chair and Vice Chair or the entire governing body or the majority of the governing body, Stage 2 will be heard by a committee of independent governors.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2. At least one member of the panel is independent of the management and running of the academy. The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is the responsibility of the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

The committee chair will: chair the meeting, ensuring that everyone is treated with respect throughout and make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.



The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

In this case, the Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

When the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- request copies of any further written material to be submitted to the committee at least school 3 days before the meeting.

Any written material will be circulated to all parties at least 2 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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 must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The complainant and representatives from the school, as appropriate, 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.

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 the school 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.

The committee will consider the complaint and all the evidence presented. The committee 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 committee 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 Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school 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>

### **Persistent Complaints**

Whilst the school will seek to resolve concerns and complaints to the satisfaction of all parties, it may not always be possible to achieve this in every case. For this reason, the school is entitled to close correspondence on a complaint after stage 2 has been completed, where it is felt that all reasonable action has been taken to resolve the complaint.

Where the complaints procedure has been completed at all stages and the complainant persists in their complaint the academy will be entitled to close correspondence (including personal approaches, as well as letters and telephone calls.)

This will not prevent parents raising other concerns which may subsequently arise. We will do all we can to help to resolve a complaint but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

In very exceptional circumstances it may be necessary for the academy to invoke its persistent and unreasonable complaints policy.

Correspondence, statements and records relating to individual complaints will be kept confidential.

## Complaint Form

Please complete and return to *either headteacher / Clerk / complaints co-ordinator / designated governor ( school to delete as appropriate)* who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Day time telephone number:</b>
<b>Evening telephone number:</b>

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**

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

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

## **Roles and Responsibilities**

### **Complainant**

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

- explain the complaint with full details 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.
- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) 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.

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.

### **Clerk to the Governing Body**

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 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.

### **The role of ESFA**

It is the responsibility of academies to make sure that their complaints procedure is fully compliant. ESFA's responsibility is to ensure academies comply with their funding agreements.

If a complaint goes to ESFA the agency will check whether the complaint has been dealt with properly by the academy. They will consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
2. Where the academy is in breach of its funding agreement with the Secretary of State
3. Where an academy has failed to comply with any other legal obligation

ESFA will not overturn an academy's decision about a complaint. However, if they find an academy did not deal with a complaint properly, they will request the complaint is looked at again and procedures meet the requirements set out in the regulations.