

Complaints Policy

Contents

1. General	3
1.1 Definitions.....	3
2. Aims	3
3. Scope of this Policy.....	3
4. Responsibilities.....	4
4.1 The Board of Directors	4
4.2 The Chair of the Board	4
4.3 The CEO	4
4.3 Academy Principals	4
4.4 Management of Stage 3 meetings.....	4
4.5 Assistant to the Trust Executive Team.....	5
4.6 The Director of Finance and Operations	5
4.7 Staff Members	5
4.8 All Staff Responsibilities	6
4.9 The Complainant	6
4.10 The Panel Chair and Panel Member.....	6
5. Information for parents/carers.....	7
5.1 Formal procedure.....	8
5.2 Guidelines	8
5.2.1 Stage 1 Informal.....	8
5.2.2 Stage 2 Written Formal Complaint	9
5.2.3 Stage 3 Panel Hearing	9
6. Dealing with complaints through Education, Skills and Funding Agency	10
7. Vexatious and Persistent complaints	11
8. Investigating complaints.....	12
9. Resolving complaints	12
10. Reporting and recording.....	13
11. Monitoring and review	13
Appendix 1. Hatton Academies Trust Complaint Form Stage 2.....	14
Appendix 2. Hatton Academies Trust Complaint Form Stage 3.....	16
Appendix 3. Contact Details:.....	18
Appendix 4. Stage 3 Panel Hearing Agenda	19

1. General

Hatton Academies Trust aims for excellence in the provision of all services (educational or non-educational) to parents/carers of students in all of our academies and other parties. Where it is believed that the Trust, or any member academy, has provided a service which falls below the level expected, the Trust Board wishes to ensure that systems and procedures are in place which:

- a) ensure that complaints can be made and dealt with in an efficient and effective manner and
- b) deal with complaints to the standard required by the Education (Independent School) Standards (England) Regulations 2014 Schedule 1, Part 7

1.1 Definitions

Principal – the term applies to Principal, Head teacher, Vice Principal, Deputy Head or any other member of the School Leadership team who has delegated authority to deal with the complaint.

2. Aims

This policy aims to ensure that all complaints from parents/carers, (and also pupils and others) are dealt with as quickly and sensitively as possible, and by the person best able to do so.

To this end, the Trust has adopted a three stage process for dealing with complaints:

- Stage 1: Informal – A conversation/meeting with a member of staff who is not the subject of the complaint.
- Stage 2: Formal – Written complaint to the Trust using the Complaint Form (see Appendix 1).
- Stage 3: A Panel Hearing – Written complaint using the Trust Complaint Form (see Appendix 2).

3. Scope of this Policy

This policy and the procedures encompassed within should be used for all general concerns and complaints regarding the actions of the Trust, or any member of staff within its member academies. It should be noted that separate policies exist for the specific matters listed below:

- Staff Disciplinary Policy
- Matters relating to the curriculum
- Exclusions appeals
- Admissions appeals
- Safeguarding / Child Protection Allegations
- Employment related grievances
- Whistleblowing
- Assessments of SEN

4. Responsibilities

4.1 The Board of Directors

The Board of Directors hold the following responsibilities:

- To ensure that the policy is promoted throughout the Trust on academy websites with the supporting complaints form
- The management of these responsibilities will be delegated to the CEO.

4.2 The Chair of the Board

The Chair of the Board holds the following responsibilities:

- Hearing/receiving Stage 1 or 2 complaints about the CEO or a Director
- Arrange panel hearings at Stage 3 in relation to unresolved complaints about the CEO or in the absence of the CEO
- To receive complaints at Stage 3 relating to the Trust, nominate panel members with at least one who is independent of the Trust

4.3 The CEO

The CEO holds the following responsibilities:

- To hear or receive complaints at Stage 1 or 2 which are made against an academy Principal, the Director of Finance & Operations, or which it would be inappropriate for the Principal to hear
- To hear or receive written complaints delegated at Stage 2 as required, ensuring that the procedures are followed
- To receive complaints at Stage 3, nominate a panel of Directors/academy committee members/independent panel members to hear the appeal, and to check that the correct procedure is followed.
- Approving the policy, procedures, and guidelines (on behalf of the Board of Directors)
- Conducting a review of the policy annually and an annual evaluation of the nature of complaints received.

4.3 Academy Principals

Academy Principals hold the following responsibilities:

- Hearing informal complaints at Stage 1 and responding to those complaints as required
- Overall internal management of the procedures
- To hear or receive written complaints delegated at Stage 2 as required, ensuring that the procedures are followed. To attend Stage 3 meetings as required to give evidence

4.4 Management of Stage 3 meetings

If the complaint relates to a matter from an individual academy, the panel must contain one person who is independent of the management and running of the Trust academy that the complaint refers to.

If the complaint relates to a matter from the Trust, the panel must contain one person who is independent of the Trust.

Ensure that:

- parent/party has the right to be accompanied
- the parties understand the procedure
- the issues are addressed
- key findings of fact are established
- complainants are put at ease
- the hearing is conducted as informally as possible
- the panel is open-minded and acts independently and objectively
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously
- all parties have the chance to be heard
- any written material presented is seen by all parties
- one member of the panel is independent of the management of the Trust
- all panel members must not have been directly involved in the matter detailed in the complaint
- meetings are minuted

4.5 Assistant to the Trust Executive Team

The Assistant to the Trust Executive Team will act as the reference point for the complainant at Stages 2 and 3.

The Assistant to the Trust Executive Team must:

- set convenient dates and times and venues for hearings
- collate any written material and forward it to the parties
- meet and welcome the parties
- record the proceedings in written form
- notify the parties of the decision on behalf of the Chair of the Panel Hearing.

4.6 The Director of Finance and Operations

The Director of Operations and Finance holds the following responsibilities:

- To ensure the efficient operation and management of the policy and procedures
- To train staff on how to deal appropriately with complaints
- To keep parents, pupils and other parties informed of the procedures
- To implement and maintain a management information system to record all academy complaints at Stage 2 and Stage 3
- To compile reports for the CEO as required
- To investigate all administrative, environmental and financial concerns and complaints on behalf of the CEO as required.

4.7 Staff Members

Heads of Department and other middle managers are responsible for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at Stage 1 of the procedures.

Managers/Senior Leaders are responsible for dealing with and where possible resolving complaints concerning overall student progress, student discipline issues, pastoral care at Stage 1 of the procedures.

Managers of support staff teams are responsible for dealing with and where possible resolving complaints concerning any aspect of their service provision at Stage 1 of the procedures.

The Designated Senior Person in each academy will deal with complaints relating to Child Protection and pupils with medical conditions in the first instance in accordance with the Trust's Child Protection procedures.

4.8 All Staff Responsibilities

All staff are responsible for hearing any concerns brought to them by:

- Parents
- Students
- Any other parties

The staff member must:

- Reassure the complaint will be dealt with as quickly as possible by the appropriate member of staff
- Inform the relevant member of staff of the concerns raised as soon as possible
- Pass any complaints received from other people who are not parents or students to the Principal or other relevant member of senior staff as soon as possible.

4.9 The 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.

4.10 The Panel Chair and Panel Member

The panel'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 panel 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 General Data Protection Regulation (GDPR).
- 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 panel is open-minded and acts independently
- no member of the panel 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).

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- many complainants will feel nervous and inhibited in a formal setting
- 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 panel should respect the views of the child/young person and give them equal consideration to those of adults.
- the welfare of the child/young person is paramount.

5. Information for parents/carers

All academies within the Trust will include a copy of this policy and supporting complaint form (Stage 2) on their website. The Trust will provide a copy of this policy and supporting Trust complaint form (Stage 3) on its website. Full contact details can be located in Appendix 3.

The Trust and its academies are committed to ensuring that our work with your child is successful and meets your expectations. We have a range of policies which detail matters relating to your child's education and our expectations of them. Our home school agreement sets out the expectations of the trust/academy; yourselves as parents/carers and our pupils/students.

In choosing our academies we expect that you are aware of these expectations and support our ethos and high standards.

If areas of our policy and procedures are a cause of concern please contact your child's form tutor/class teacher or head of year in the first instance. Most complaints and issues are usually resolved quickly in this way.

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

If the matter is not resolved, it should be moved to Stage 2 where it will be addressed by the Trust. This should take place within 5 working days of the matter not being resolved at Stage 1.

If the complaint is still not resolved it will then move to Stage 3. The Trust should be informed via the Assistant to the Trust Executive Team. The complaint should be referred to Stage 3 within 10 working days of the completion of Stage 2 or the matter will be considered to have been resolved.

5.1 Formal procedure

Every attempt will be made to resolve complaints informally, but if this fails then this procedure will be followed:

- Stage 1: Informal – A conversation/meeting with a member of staff who is not the subject of the complaint. This may be supported at a next stage by a relevant senior member of staff.
- Stage 2: Formal – Written complaint to the Trust using the Complaint Form (see Appendix 1).
- Stage 3: A Panel Hearing – written representation using the Trust Complaint Form (see Appendix 2). The complaint will be heard by a panel of Directors including 1 Independent person.

5.2 Guidelines

All staff and Directors should be conversant with the procedures. All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

5.2.1 Stage 1 Informal

All staff should listen carefully and patiently to parents' and students' complaints, recognising that however ill-founded the complaint might be it is a matter of great concern to the parent or student.

If the matter is within the competence and authority of the member of staff to resolve quickly this should be done. Otherwise, the complainant should be reassured that the complaint will be passed to the relevant line manager/member of staff, and the relevant person should be informed by the member of staff as soon as possible.

If the senior member of staff considers the issue to be serious (but is not a child protection issue) he/she should inform the Principal. The Principal will determine the next step(s) when dealing with the complaint informally.

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of Trust staff this should be reported immediately to the Senior Designated Person or the Principal. The appropriate next steps and policies should then be followed.

If a serious complaint is made by a student, the member of staff should immediately inform a senior leader within the academy. It will be the responsibility of that person to determine whether he/she can deal with the issue, or in consultation with their line manager what the next course of action should be, including referring the matter to the Principal. Where the student complaint concerns an allegation against a member of staff this should be referred to the Designated Senior Person.

In any cases of doubt members of staff should seek the advice of their senior leader as soon as possible.

If the appropriate member of staff cannot resolve the complaint, the senior leader must refer the matter to the Principal who will attempt to deal with it informally.

At Stage 1, the academy should aim to resolve the complaint within two working days of receiving it. Where this is not possible, the staff involved will inform the parties of the action being taken as quickly as possible, and when they expect that it will be resolved.

No complaint should normally be left unresolved at this stage after three working days of receipt of the complaint. In abnormal circumstances the matter will be referred to the Principal who will determine the appropriate action, and will keep the parties informed.

5.2.2 Stage 2 Written Formal Complaint

The complainant should complete the complaints form (See Appendix 1). This should be completed and returned to the Trust at the address given on the form. The Trust will record the date the complaint is received and will acknowledge receipt of the complaint (either by letter or email) within one working day.

The Trust aims to resolve the matter within three working days of receiving notification of the complaint. Where investigation warrants more time for further investigation a longer time scale can be agreed, either by agreement with all parties, or by a decision of the CEO if no agreement is reached.

If the Trust is unable to resolve the issue it is open to the complainant to make representations to the Board of Directors. (Stage 3).

If the Trust considers that they can deal with the complaint they should attempt to do so. If a resolution cannot be found, the Trust should inform the complainant of their right to a panel hearing (Stage 3).

5.2.3 Stage 3 Panel Hearing

Complainants who are not satisfied by the decisions at Stages 1 to 2 can make representations to a panel hearing.

The complainant must be advised by the Assistant to the Trust Executive Team to write to the Chair of the Board of Directors giving details of the complaint using the Complaints Form (Appendix 2).

The representations to the Board of Directors must be received within 10 working days of the complainant expressing their dissatisfaction with the Stage 2 resolution, or the Trust will consider the matter closed.

If the complaint relates to a matter from an individual academy, the panel must contain one person who is independent of the management and running of the Trust Academy that the complaint refers to.

If the complaint relates to a matter from the Trust, the panel must contain one person who is independent of the Trust.

The panel will consist of at least 3 people who have not been directly involved with the complaint.

The hearing must be within 15 working days of the Assistant to the Trust Executive Team receiving notice of the Trust's receipt of the written representations from the complainant.

The Trust 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.

If the complainant rejects the offer of three proposed dates, without good reason, the Trust 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.

The complainant must be told of their right to be accompanied and where required translations/interpreters must be arranged by the Assistant to the Trust Executive Team in consultation with the parties. Generally, we do not encourage either party to bring legal representatives to the panel hearing.

Representatives from the media are not permitted to attend.

The panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

The agenda for a panel hearing can be found in Appendix 4.

Minutes of the meeting will be taken. Electronic recordings of the meeting or conversations are not permitted unless a complainant's own disability or special needs requires it.

If the child/young person is the complainant, the panel 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 panel 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 panel will hear the complaint, consider all the views expressed and decide the outcome.

The panel can:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint; or
- recommend changes to the Academy's or Trust's systems or procedures as appropriate, any such recommendations will be shared with the CEO and Principal of the Academy concerned.

The panel's decision is binding.

The decision at this stage must be communicated by the Chair of the Panel through the Assistant to the Trust Executive Team to the complainant and the person(s) complained about within three working days of the hearing.

The findings and recommendations of a panel will be available for inspection on academy premises by the proprietor or Principal.

6. Dealing with complaints through the Department of Education (DfE)

If the complainant believes the school/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 DfE after they have completed Stage 3.

The DfE 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 DfE online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency Cheylesmore House, 5 Quinton Road, Coventry. CV1 2WT

7. Vexatious and Persistent complaints

The 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 our school. 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.

Where a complainant tries to re-open the issue with the Academy after the complaints procedure has been fully exhausted and the Academy has done everything it reasonably can in response to the complaint, the Principal (or Chair of the Board in the case of a complaint against the CEO or a Director) will inform the complainant that the matter is closed.

The Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 DfE.
- 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.

The academy will be most likely to choose not to respond if:

- There is reason to believe the individual is contacting the academy with the intention of causing disruption or inconvenience
- The individual's letters/emails/phone calls are often or always abusive or aggressive
- The individual makes insulting personal comments about, or threats towards, academy staff.

Once the academy has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email by the Trust.

The academy will ensure when making this decision that complainants making any new complaints are heard, and that the academy acts reasonably and follows this policy's procedures.

8. Investigating complaints

The person investigating the complaint will make sure that they:

- are not the subject of the complaint, nor are linked to the subject of the complaint
- establish **what** has happened so far, and **who** has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- investigate those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interviews and investigations and make these available should a complaint move to Stage 3.

9. Resolving complaints

At each stage of the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- 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; and
- an undertaking to review academy/Trust policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. The Directors acknowledge that an apology or admission that the academy/Trust could have handled the situation better is not the same as an admission of negligence.

The Principal (in Stage 1), the Trust (in Stage 2) or Chair of the Panel (Stage 3) will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

10. Reporting and recording

In all cases it is important for complainants to use the Complaints Form (Appendix 1 and 2) so that written records of the complaint and the action taken can be recorded and tracked. Supporting documents should be attached to the form as required.

Where the person who made the informal complaint is not satisfied by the response provided by staff in the academy, this must be logged by the Trust as a Stage 2 complaint

Details of whether or not a complaint was resolved following a stage 2 or stage 3 process will be logged by the Trust.

Any action taken by the academy as a result of a complaint will also be logged by the Trust.

11. Monitoring and review

The CEO will report to the Board of Directors annually on the number and type of complaints received.

Appendix 1. Hatton Academies Trust Complaint Form Stage 2

The complainant should normally fill in this form. If you are making a complaint on behalf of someone else, please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned.

A. Your Details

Name in Full:	
Address including postcode:	
Email Address:	
Daytime Phone Number:	
Mobile Phone Number:	

B. If you are making a complaint on behalf of someone else, what are their details?

Their Name in Full:	
Address including postcode:	
What is your relationship:	
Why are you making a complaint on their behalf?	

C. About your complaint

C1. Name of the academy you are complaining about:
C2. Nature of the complaint: (please use additional sheets if required)

C3. Describe how you have been affected:
C4. When did you first become aware of the problem?
C5. If it is more than 3 months since you first became aware of the problem, please give the reason why you have not complained before:
C6. Have you already put your complaint to a member of staff at the academy (stage 1)? If so please give details of how and when you did so:
C7. How did the academy try to resolve your complaint:

Signature of complainant:		Date:	
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Signature if you are making a complaint on behalf of someone else:

Signature:		Date:	
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Please email this form including your supporting documents to Debbie Felce, Assistant to the Trust Executive Team

by email to: felced@hattonacademiestrust.org.uk

by post/hand delivery to: Debbie Felce, Hatton Academies Trust, Orchard House, 79 Gold Street, Wellingborough, Northants. NN8 4EQ

Appendix 2. Hatton Academies Trust Complaint Form Stage 3

The person who experienced the problem should normally fill in this form. If you are making a complaint on behalf of someone else, please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned.

A. Your Details

Name in Full:	
Address including postcode:	
Email Address:	
Daytime Phone Number:	
Mobile Phone Number:	

B. If you are making a complaint on behalf of someone else, what are their details?

Their Name in Full:	
Address including postcode:	
What is your relationship:	
Why are you making a complaint on their behalf?	

C. About your complaint

C1. Name of the academy you are complaining about:
C2. Nature of the complaint (please use additional sheets if required):

C3. Stage 1 – the date you first logged your complaint and the name of the member of staff who dealt with the complaint.
C4. Stage 2 – the date you logged your complaint form to the Trust (please enclose a copy of this form).
C5. Detail why your complaint remains unresolved after Stages 1 and 2, explaining why you wish to escalate to Stage 3 (please use additional sheets if required)

Signature of complainant:		Date:	
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Signature if you are making a complaint on behalf of someone else:

Signature:		Date:	
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Please email this form including your supporting documents to Debbie Felce, Assistant to the Trust Executive Team

by email to: felced@hattonacademiestrust.org.uk

by post/hand delivery to: Debbie Felce, Hatton Academies Trust, Orchard House, 79 Gold Street, Wellingborough, Northants. NN8 4EQ

Appendix 3. Contact Details:

Sir Christopher Hatton Academy

www.hattonacademy.org.uk

Mr Alastair Mitchell & Mr Nick Salisbury – Co-Principals

Email: head@hattonacademy.org.uk

Victoria Primary Academy

<http://www.victoria-pri.northants.sch.uk/>

Ian Pearson - Principal

Email: pearsoni@victoriaprimaracademy.org.uk

Oakway Academy

<http://www.oakwayacademy.org.uk/>

Claire Byron - Principal

Email: c.byron@oakwayacademy.org.uk

Ecton Village Primary Academy

<http://ectonvillageacademy.org.uk/>

Kate Cleaver – Principal

Email: cleaverk@ectonvillageacademy.org.uk

Hatton Academies Trust

<http://www.hattonacademiestrust.org.uk/>

Debbie Felce – Assistant to the Trust Executive Team

Email: felced@hattonacademiestrust.org.uk

Appendix 4. Stage 3 Panel Hearing Agenda

1. Introduction
2. Presentation by Complainant
3. Questions from Academy/Trust Representative
4. Questions from the Panel
5. Presentation by Academy/Trust Representative
6. Questions from the Complainant
7. Questions from the Panel
8. Adjourn for Deliberation on Decision
9. Meeting Close