Date ratified at Directors Meeting 23 March 2016	Review Date Audit Committee March 2018

St John the Baptist

Catholic Multi Academy Trust

THE MAT MISSION STATEMENT

Our family of schools is united in the belief that God's love, peace, truth, and joy is for all. We are dedicated to the achievement of excellence in all we do. We cherish the uniqueness of each of our school communities and celebrate together as one Trust family. By following Jesus' example we bear witness to the greatness of God.

'To think, to feel, to do' *Pope Francis*

St John The Baptist Catholic MAT
Company No: 7913261
Registered Office: Surrey Street, Norwich NR1 3PB

PROCEDURE FOR COMPLAINTS

IN TRAN
communication for all

If you need this document in large print, audio, Braille, alternative format or in a different language please contact the Company Secretary on 01603 611431 and we will do our best to help.

A Procedure for handling concerns and complaints
St John the Baptist Catholic MAT

We want our pupils to be healthy, happy and safe, and to achieve. St John the Baptist Catholic MAT recognises that parents, guardians or carers play an essential part in making this happen. Cooperation between pupils, parents, staff LGBs and Directors leads to a shared sense of purpose and a good atmosphere in each school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

Level 1 – informal

Anyone with a concern should, in the first instance, make an appointment to speak to the relevant class teacher, Head of Department or the Head of Year about the concern, depending on the nature of the concern. It is best to resolve issues at this point.

Guidance on informal level 1:

- *Concerns should initially be handled informally in a manner that offers the best way of resolving issues.*
- *A class teacher, Head of Department or Head of Year should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.*
- *It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.*
- *The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.*

Level 2 - informal

Anyone dissatisfied with the result of the discussions with the class teacher, Head of Department or Head of Year should ask for an appointment to meet with the Headteacher or a member of the Leadership Team, a Deputy Headteacher or Assistant Headteacher. School staff will meet with the complainant as soon as possible, and in any event, within 10 school days of the request for a meeting.

If an appointment is requested with the Headteacher the Headteacher may, at their discretion and dependent on the gravity of the complaint, advise that the matter be more appropriately delegated at this point to a member of the Leadership Team, a Deputy Headteacher or Assistant Headteacher.

If a resolution to the issue is proving difficult to find, the Headteacher, a member of the Leadership Team, a Deputy Headteacher or Assistant Headteacher can speak to a member of the Local Governing Body (LGB) about the issue who may be willing to offer informal intervention. However, there is no obligation on any Governor to become involved at this level.

Guidance on informal level 2:

- *It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the teacher, Head of Department or Head of Year then he/she can ask for an appointment to meet with the Headteacher or a member of the Leadership Team, a Deputy Head or Assistant Headteacher.*
- *It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.*
- *The aim should be that discussions end on a positive note with no bad feeling.*
- *It is good practice for Headteachers or member of the Leadership Team, a Deputy Head or Assistant Headteacher to write a letter to parents summarising what has been agreed regarding the issue.*
- *The Headteacher, a member of the Leadership Team, a Deputy Head or Assistant Headteacher may feel that a particular Governor's input would be helpful in bringing about a resolution but there is no obligation on any Governor to become involved at this level.*

It is hoped that most problems will have been resolved by now.

Level 3 – formal complaint letter to Headteacher

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Anyone wishing to move to level 3 must write a formal letter of complaint to the Headteacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved. A person with a complaint should use the template form in Annex B of this policy.

The Headteacher may appoint an investigating officer to make enquiries on their behalf about the matter.

The Headteacher should consider the complaint and discuss a resolution with the complainant. The Headteacher should offer a resolution to the complainant in writing within 15 school days of receipt of the official complaint letter.

It is important to be aware that the decision that the Headteacher has made as a result of the complaint does not become a new complaint about the Headteacher.

Therefore any subsequent referral to a Level 4 Formal LGB Panel is to review the original complaint, and does not form a complaint against the Headteacher.

Guidance on level 3- formal:

- *An unresolved issue may now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.*

Level 4 – formal complaint requesting a LGB' Complaints Panel.

If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a LGB' Complaints Panel.

If the concern or complaint is specifically about the Headteacher and has not been resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of the LGB.

The School or Company Secretary will provide the Chair of LGB's name and the complainant should write to the Chair of the LGB at the school address, marking the envelope 'urgent, private and confidential'. The formal complaint letter must be received within 10 school days of the last meeting with the Headteacher concerning the issue. The letter will need to set out the complaint and show why the matter is not resolved. A template form is included as Annex B of this policy.

The Chair of the LGB should acknowledge the complainant's letter in writing within 5 school days of receipt, and may consider contacting external agencies for advice.

Time Scales:

Receipt of complainant's letter	**Acknowledgement within 5 school days**
Receipt of complainant's letter	**LGB' Panel meeting within 20 school days (unless this goes into school holidays)**
Written documentation sent to LGB' Panel Members and complainant and Headteacher	**5 school days before meeting.**
LGB' Panel members decision communicated to all concerned	**As soon as possible but within 10 school days of meeting.**

Before the meeting:

The Chair of the LGB should appoint a clerk to the LGB' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a LGB' Complaints Panel to meet within 20 school days of receipt to consider the complaint. The LGB Complaints Panel will comprise three Local Governors of the school and one individual who is independent of the management and running of the school. If the letter is received within 19 school days to the end of term it may not be possible to organise the LGB panel meeting before the end of term. In this case the matter should be dealt with within 15 school days of the school reopening.

The Headteacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the LGB Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and Headteacher will be invited to attend the LGB Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting:

The complainant and Headteacher (or their representative) should provide all the relevant information they wish and the LGB Complaints Panel members should clarify any points. After the complainant and the Headteacher (or their representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk. The LGB Complaints Panel members will consider the complaint and the school's response and come to a decision regarding the issue(s). Whilst it is hoped that such a situation does not occur, for the purposes of clarity, in the event of a 'split decision' the Chair has the casting vote.

After the meeting:

The LGB Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the LGB Complaints Panel is final.

If a complainant is not satisfied that the complaint has been properly dealt with by the school, they may contact the Directors of the St John the Baptist Catholic MAT, who will review the LGB Complaints Panel Decision. Only if there are exceptional circumstances, such as undue delay or failure to follow the complaints procedures above correctly, would the Directors rerun Level 4 of the Complaints procedure above, with Directors replacing the Local Governing Body representatives.

If a complainant is still not satisfied that the complaint has been properly dealt with by the school or the MAT, they may contact Education Funding Agency (EFA). This acts on behalf of the Secretary of State for Education. Complaints about how the school or MAT has handled the original complaint should be sent via the EFA's online School_Complaints_Form or by post to Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

Note that the EFA will check whether the complaint has been dealt with properly by the school and MAT. It will consider complaints about schools/academies that fall into any of the following three areas:

1. where there is undue delay or the school/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 a school/academy has failed to comply with any other legal obligation

The EFA will not overturn an academy's or MAT's decision about a complaint. However, if an academy did not deal with a complaint properly the EFA will request the complaint is looked at again and that procedures meet the requirements set out in the Regulations.

If the MAT's complaints procedure does not meet the Regulations, the EFA will ask the MAT to put this right. The EFA may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

Guidance on level 4 - formal:

Before the meeting:

- *The formal complaints letter should be passed to the Vice-Chair if the Chair will be unable to receive the letter within 5 days.*
- *Members of the LGB Complaints Panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff Governors will be members of the panel.*

At the meeting:

- *The Complaints Panel must be made up of at least three local governors, a member who is independent of the running and management of the school, with a clerk in attendance.*
- *Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.*
- *Everyone attending should be in the room at the same time until the panel convene to consider their decision.*
- *Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.*
- *The clerk should take notes of the meeting, listing who is present:*

  Governors, stating who is the Chair of the LGB Complaints Panel
  The independent member of the panel
  Headteacher (or their representative) and any other members of school staff
  Parents and anyone accompanying them e.g. friend
  Clerk
- *The chair of the LGB Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.*
- *People present should introduce themselves stating their reason for being at the meeting.*
- *The chair of the LGB Complaints Panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why s/he feels the issue has not been resolved. The LGB Complaints Panel members can ask questions to make sure they understand the issue from the parent's point of view.*
- *The chair of the LGB Complaints Panel should request a verbal statement from the Headteacher (or his representative) in support of his/her written account of the complaint and the steps taken to resolve the issue. The LGB Complaints Panel members can ask questions to make sure they understand the issue from the Headteacher's point of view.*
- *The members of the LGB Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.*
- *The Chair of the LGB Complaints Panel must ask the complainant and the Headteacher (or his representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.*
- *When the LGB Complaints Panel members understand all the issues, the Chair will ask all parties to leave except the panel members and the clerk.*

After the meeting:

- *The LGB Complaints Panel members then discuss the issues in private and the clerk remains to record the decision.*
- *The Panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.*
- *When the Panel have reached a decision the Clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the panel meeting.*

The decision of the LGB Complaints Panel is final.

Once a LGB Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened by the LGB or by the Directors. If a request is received in this respect, the Chair of Directors should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.

Vexatious Complaints: This procedure is intended to limit the number of complaints that become protracted and ensure that all complaints are dealt with efficiently and speedily. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Local Governing Body and / or the Chair of Directors is able under this policy to inform them in writing that the procedure has been exhausted and that the matter is now closed.

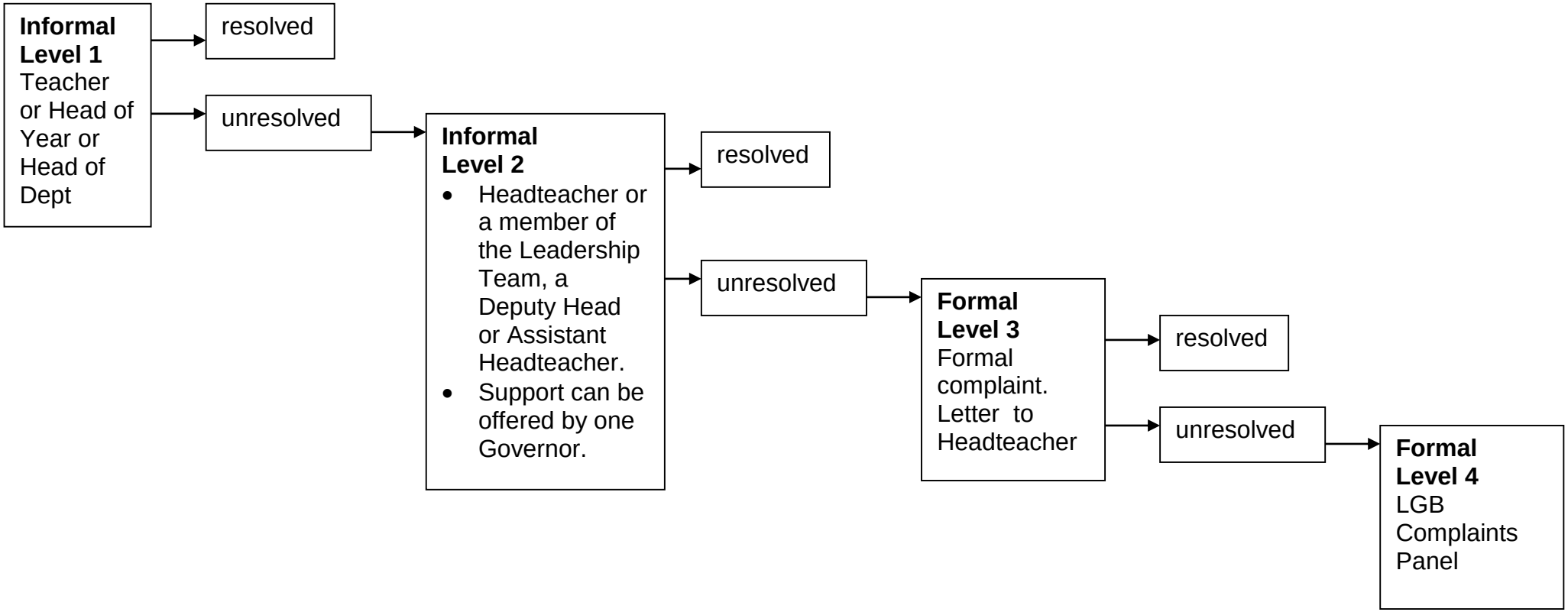
It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine. There is no way of avoiding evaluating each complaint.

Relevant Legislation

Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7.

The Regulations set out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.

Annex A - Flowchart of procedure for handling concerns and complaints



Annex B – Complaint Form

Level 3 Complaints
Please complete and return to the Headteacher of the specific school named in the complaint within the St John the Baptist Catholic MAT who will acknowledge receipt and explain what action will be taken.

Level 4 Complaints – Request for a LGB Complaints panel to meet.
Please complete and return to the Chair of the LGB of the specific school named in the complaint within the St John the Baptist Catholic MAT who will acknowledge receipt and explain what action will be taken.

These forms (both the same) are shown on the following pages.

Your name:
Pupil's name & School (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**
Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?
What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By who: