

Introduction

This policy applies to any matter which has been raised with the Academy by parents of pupils as a matter of concern, but which has not been capable of resolution informally and which the complainant or the Academy considers should be dealt with on a formal basis.

The Multi-Academy Trust expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. The Multi-Academy Trust will consider exceptions to this time-frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

NB: usually matters relating to admissions and exclusions, statutory SEN assessments, matters involving child protection involvement, will not be considered as they have their own appeal or complaint processes. Where necessary the Academy will exercise its discretion. Whistleblowing and staff grievances and discipline matters will not be considered under this policy.

Serial or persistent complainants

The Multi-Academy Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who have cause to complain.

We do not normally limit the contact that complainants have with the Academies; however unacceptable behaviour towards staff, including that which is abusive, offensive or threatening will not be tolerated.

The Multi-Academy Trust defines serial or persistent complainants as *those who, because of the frequency or nature of their contacts with the Academies, hinder our consideration of their or other people's complaints (Appendix A)*.

All Multi-Academy Trust staff are trained to respond appropriately to complainants, but it is recognised that there are times when there is nothing further that can reasonably be done to rectify a real or perceived problem.

If a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the chair of governors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, and that continued correspondence is vexatious and that the academy will not respond to any further correspondence on this issue or a closely related issue.

This policy must be made available to parents of pupils.

For the avoidance of doubt this policy does not apply to those who are not parents of pupils at the Multi-Academy Trust. Complaints that fall in to this category will be dealt with as follows: Complainants should first attempt to address their complaint to the individual Academy informally. Only if this fails to resolve the situation should the complaint be submitted in writing to the Head Teacher, or to the Chair of Governors (if the complaint is about the Head Teacher specifically). The Headteacher and/or Chair of Governors (as appropriate) will acknowledge receipt of the complaint before considering it and issuing a final written response.

Stage 1 – Informal Resolution

It is expected that where a matter of concern relates to a pupil it will have been raised with the pupil's class teacher before a request is made to deal with it under this policy.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the Academy's behaviour code adopted from time to time. The chair of governors shall have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent may elevate it to the formal stage.

Stage 2 – Formal Resolution (Investigation by a Nominated Individual)

1. The complainant must put the complaint in writing, addressed to the Headteacher, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations.
2. An investigation will be carried out by a nominated individual identified by the Headteacher as appropriate, who may offer the complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the complainant and if no meeting is to take place within 25 school days of the complaint being received.

Any complaint relating to the Headteacher must be raised in the first instance with the chair of governors (or vice-chair in the absence of the chair) who will, if an informal resolution cannot be reached, designate a governor to investigate in the same way as in the first stage of the formal process outlined above.

Where a complaint is brought against a governor, the chair of governors will investigate the complaint (or appoint another governor to do so) in the same way as in the first stage of the formal process outlined above.

If the complaint is against the chair of governors, then the vice-chair will investigate the complaint (or appoint another governor to do so) in the same way as in the first stage of the formal process outlined above.

Stage 3 – Formal Resolution (Panel Hearing)

1. If the complainant is not satisfied with the response of the investigator, s/he may request that the complaint be considered by the complaints panel of the governing body and Trust Board which will comprise at least three people who have not previously been directly involved in the matter including one person who is independent of the management and running of the academy (this will be a governor from the local governing body of another Robus academy). That request must be in writing, addressed to the clerk to the governors

at the academy, within 10 school days of the response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.

2. The clerk will invite the school to put in writing its response to the complainant's reasons. The academy will do this within 15 school days of receiving the request and at the end of that period (whether or not the academy has responded) the clerk will convene a meeting of the complaints panel of the governing body. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the academy and the members of the panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
3. The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The academy will have the opportunity to put its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.
4. The panel may make findings and recommendations and a copy of those findings and recommendations will be
 - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) available for inspection on the academy premises by the academy trust and the principal.
5. The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the clerk to the governors will notify all concerned.

Attendance at a Complaints Panel Hearing

The complaints panel will proceed *irrespective of whether or not* the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will *still proceed in their absence and the process will continue to its conclusion*. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, or whether it proceeded to a stage 3 panel hearing. The action taken by the academy as a result of a complaint (regardless of whether they are upheld) will also be recorded.

Confidentiality

Correspondence, statements and records relating to individual complaints will 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.

Education and Skills Funding Agency (ESFA)

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA.

If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at: <https://form.education.gov.uk>

or they may write to the Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD

Complaints Relating to Fulfilment of the EYFS Requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within 5 days;
- The Headteacher will investigate the concern or complaint which may include meeting with the complainant. A written response notifying the complainant of the outcome of the investigation will be sent within 28 days of the complaint being received.
- Where the complainant remains dissatisfied, the Headteacher will ensure that a formal complaints panel will be convened in accordance with stage 3 of this policy

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Serial or Persistent Complainants

A complaint may be regarded as unreasonable when the person making the complaint:

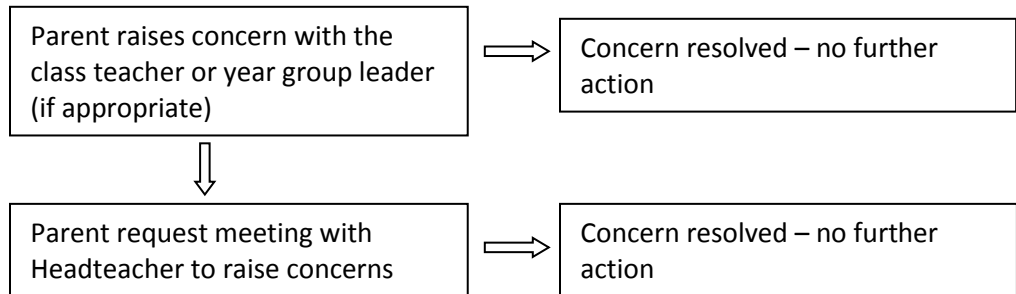
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on or raises large numbers of detailed but unimportant questions and insists that 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 unfounded or has been addressed;
- refuses to accept the findings of the investigation into that complaint where the Multi-Academy Trust's complaints procedure has been fully and properly implemented and completed, including referral to the Department for Education (DfE);
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone whilst the complaint is being dealt with

A complaint may also be considered to be unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

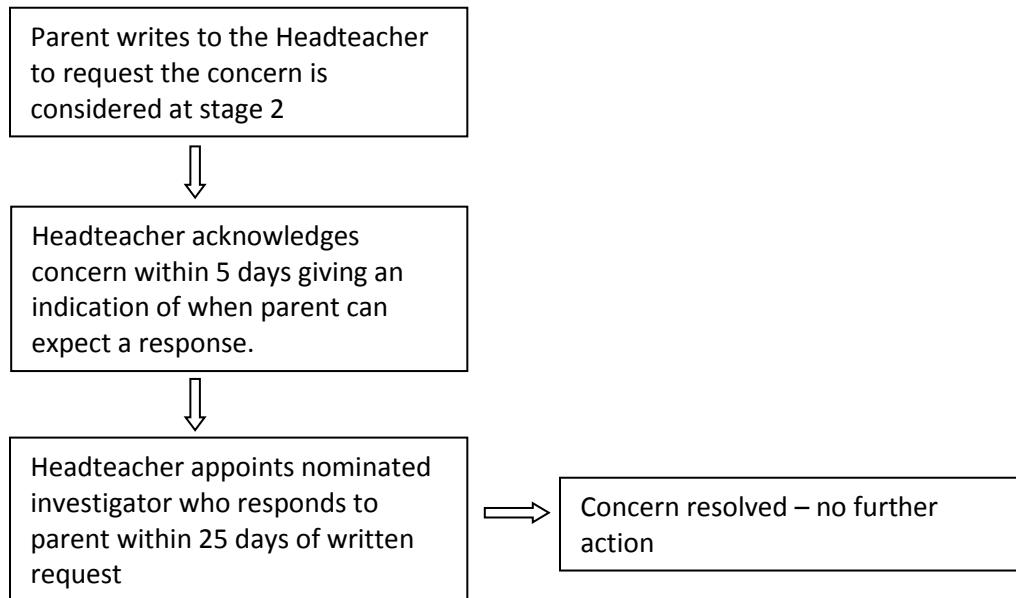
- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers

Flowchart of procedure for handling general complaints concerning a pupil or member of staff

Stage 1 – informal



Stage 2 – formal resolution



Stage 3 – Panel Hearing (Review by Governing Body)

