

Complaints Policy & Procedure

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Contents

1. General Principles	3
2. Legislation and Guidance	5
3. Definitions and Scope	6
4. Complaints Against the Executive Head Teacher, Head of School, Academy Advisors, The Academy Advisory Committee, The Board of Trustees	6
5. Raising a complaint/concern: <ul style="list-style-type: none">• Informal• Formal• Review process	7
6. Referral to the Education Standards Funding Agency	10
7. Unreasonably persistent complaints and unreasonable complainant behaviour	10
8. Record Keeping	11
9. Learning Lessons	12
10. Monitoring Arrangements	12

Appendix 1: Meeting Request Form	13
Appendix 2: Form Complaint Form	15
Appendix 3: Review Request Form Process	18
Appendix 4: Managing serial and unreasonable complaints	23

This complaints procedure is applicable to all pupils, staff and parents of The Mead Academy Trust.

1. General Principles

Meeting our obligations

This Complaints Procedure is intended to allow individuals to raise a 'concern' or 'complaint' relating to the schools within The Mead Academy Trust or the services provided by the Trust. Our Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

Our approach to resolving concerns and complaints

When responding to concerns or complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair exploration or investigation by an independent person or panel, where necessary
- Address all the points of issue and provide an effective and prompt response
- Respect Complainants' desire for confidentiality
- Treat Complainants with respect
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep Complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

Reasonable adjustments

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete the complaints procedure; for example, by providing information in alternative formats, or by holding meetings in accessible locations.

Informal resolution

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

Publishing our policy

To support this, we will ensure we publicise the existence of this policy and make it available on the Academy Trust / school websites.

Anonymous concerns or complaints

An anonymous concern or complaint will not normally be investigated under this procedure, unless there are exceptional circumstances. A decision to investigate an anonymous concern or complaint will be taken by the Chair of Trustees / Chair of the Academy Advisory Group, in conjunction with the Head of School.

Involvement of other agencies / bodies

If other agencies/bodies are investigating aspects of the complaint, for example the police, the local authority 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.

Complainants commencing legal action

If a complainant commences legal action against The Mead Academy Trust, or schools within the Trust, 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.

Withdrawal of a complaint

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

Representatives from the media

Are not permitted to attend any meeting held within the context of any concern or complaint raised with The Mead Academy Trust / schools within the Trust.

Confidentiality

The Mead Academy Trust / schools within the Trust will treat concerns and complaints with respect and with confidentiality. Any concern / complaint that is hindered by the publication of information on social media, or any other public forums (for example Facebook) will not be considered. Our position on managing serial and unreasonable complaints applies (see Appendix 4).

General timescales:

- **'Out of time'**
To enable a proper investigation, concerns or complaints should be raised as soon as possible. In general, any matter raised more than 3 months after the event will not be considered. We will consider complaints made outside this timeframe if exceptional circumstances apply, where there are valid reasons for not making a complaint at that time, and the complaint can still be investigated in a fair manner for all involved.
- **Term time periods / school closure periods**
Timelines identified within this policy relate to school days within term time periods. Days that fall within school closure / holiday periods are not counted.
- **Meetings to discuss a concern / complaint**
As a general principle, the Trust / school will provide three meeting date options to complainants, to take place within a 30-day timeframe of the concern / complaint being received. Unless exceptional circumstances prohibit attendance, if a meeting has not taken place within the 30 days, due to non-attendance, cancellation or lack of availability of the complainant, the complaint will be deemed as resolved / invalid.
- Where further investigations are necessary, new time limits will be set, and the complainant will be given details of the new deadline with an explanation for the delay.

Outcomes / Resolving Complaints

At each stage in the procedure, The Mead Academy Trust / schools wish to resolve concerns expressed or complaints submitted. If appropriate, we will:

- Acknowledge that a complaint is upheld, in whole or in part
- Dismiss the complaint in whole or in part

Additionally, 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

Complaints about our fulfillment of Early Years requirements

We will investigate all written complaints relating to the school's fulfillment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 8) and make this available to OFSTED on request.

Parents and carers can notify OFSTED if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by OFSTED. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

2. Legislation and Guidance

This document 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 <https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019> from the Department for Education (DfE).

This policy complies with our funding agreement and Articles of Association.

In addition, it addresses duties set out in the Early Years Foundation Stage Statutory Framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and Scope

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined 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 as “an expression of dissatisfaction however made, about actions taken or a lack of action”. The school intends to resolve complaints informally where possible, at the earliest possible stage

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

Exemptions – Outside of Scope

This policy does not cover complaints procedures relating to:

- Admissions to schools
- National Curriculum content (please contact the Department for Education at www.education.gov.uk/contactus)
- Statutory assessments of Special Educational Needs (SEN)
- Matters likely to require a child protection investigation
- Exclusion of a child from school
- Whistle-blowing
- Staff grievances
- Staff conduct

Please see our separate procedures relating to these types of concerns / complaints.

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher / Special Educational Needs Co-ordinator (SENCO) / Head of School; they will then be referred to this complaints policy. Our SEN policy and information report 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.

4. Complaints Against the Executive Head Teacher, Head of School, Academy Advisors, The Academy Advisory Committee, The Board of Trustees

- Complaints made against the Executive Head Teacher should be directed to the Chair of Trustees
- Complaints made against the Head of School should be directed to the Chair of the Academy Advisory Group for the school concerned

- Complaints made against the Chair of an Academy Advisory Group, the Academy Advisory Group, or any of the Board of Trustees / Members should be made in writing to the Clerk to the Academy Advisory Group, or the Executive Secretary to the Board of Trustees / Members, in the first instance

The general principals of the Complaints Policy and Procedure will apply.

5. Raising a Concern or Complaint

a. Informal Stage – Concerns / Complaints

The Trust / school will take informal concerns seriously and make every effort to resolve matters quickly. It may be the case that the provision or clarification of information will resolve the issue, and it is anticipated that most concerns will be resolved by this Informal Stage.

Initial Conversations

The complainant should raise the concern / complaint as soon as possible with the relevant member of staff or the Head of School, either in person or by letter, telephone or e-mail to the school office. If the complainant is unclear who to contact or how to contact them, they should contact the school office. A Meeting Request Form is available in Appendix 1.

Third Party

A concern or complaint may be raised by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

The Trust / school will acknowledge informal concerns / complaints as soon as is feasibly possible but within 5 days, and explore / investigate and provide a response within 30 days.

The informal stage may involve additional meeting(s) between the complainant and the investigating officer, if appropriate, which may affect the timelines as described above.

Serious Concerns

In the case of serious concerns, it may be appropriate to address them directly to the Head of School. If, however, the concern is:

- About the Head of School, the complainant's communication can be addressed to The Chair of Academy Advisory Group
- About the Executive Head Teacher, the complainant's communication can be addressed to the Chair of the Academy Trustees

If a complainant is uncertain about who to contact, they can seek advice from the school office or the Clerk to the Academy Advisory Group.

b. Formal Stage

If a concern or complaint is not resolved to the complainant's satisfaction at the informal stage, the formal stage may be instigated.

Submitting the complaint

The formal stage involves the complainant putting the complaint to the Head of School and / or the subject of the complaint. This can be in a letter, e-mail to the school office, by phone, in person, or through a third party acting on their behalf, and by completing a Formal Complaint Form, available in Appendix 2.

Supplying relevant details

The complainant should provide details such as relevant dates, times and names of witnesses of events, alongside copies of any relevant documents. The complaint should also state what they feel would resolve the complaint. If the complainant needs assistance raising a formal complaint, they can contact the school office.

Once completed, the Complaint Form should be handed into the school office in a sealed envelope, or e-mailed. The envelope should be addressed to the Head of School, or to the Clerk to the Academy Advisory Group, as appropriate.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Academy Advisory Group in case a Review Panel needs to be organised at a later point.

Acknowledgement of formal complaint

The complainant should learn in writing, usually within 5 days of the school receiving their formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

Initial clarification meeting

The Head of School, or Chair of Academy Advisory Group, may invite the complainant to a meeting to clarify their concerns and to explore the possibility of an informal resolution. If the complainant accepts an invitation, they may be accompanied by a friend, if they wish, to assist them in explaining the nature of their concerns. Alternatively, the officer dealing with the complaint may decide that an initial clarification meeting is not necessary, and can provide a response without such a meeting.

The aim of a clarification meeting will be that the complaint will be resolved through this initial meeting. If a resolution cannot be agreed, arrangements will be made for the matter to be fully investigated, using the appropriate procedure.

Investigation

The Head of School (or other person appointed) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 30 days.

Meeting date options

As per section 1 above, General Principles, the Trust / school will provide three meeting date options to complainants, to take place within a 30 day timeframe of the concern / complaint being received. Unless exceptional circumstances prohibit attendance, if a meeting has not taken place within the 30 days, due to non-attendance, cancellation or lack of availability of the complainant, the complaint will be deemed as resolved / invalid.

Review of the process

If a complainant is not satisfied with the manner in which the process has been followed, they may request that the Academy Advisory Group reviews the process followed by the school. Any such request must be made in writing to the Clerk to the Academy Advisory Group, within 10 school days of receiving notice of the outcome of the investigation, and include a statement specifying any perceived failures to follow the procedure. The review process described below will be followed. The Review Request Form is available in Appendix 3.

c. Review process

Complaints will be escalated to the review process and possible panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The panel will decide whether to deal with the complaint via written representation / response, or via a meeting(s). In making this decision, they will be sensitive to the complainant's needs.

Appointment of an independent panel

The panel will:

- Be appointed by or on behalf of The Mead Academy Trust
- Consist of at least three people who were not directly involved in the matters detailed in the complaint
- Usually comprise of Academy Advisors or Trustees who will be selected from across the Trust
- Have at least one panel member that is independent of the management and running of the relevant school. The panel cannot be made up solely of Academy Advisory Group Advisors of the school, as they are not independent of the management and running of that school. If necessary, an independent panel member will be sought from staff / Academy Advisors from outside the Trust
- Prior to the first panel meeting, the panel members will decide themselves who will act as Chair. This decision cannot be made by the relevant school / Trust, to ensure independence

Perceived bias

Complainants have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Academy Advisory group, who will not unreasonably withhold consent.

Access to records

The panel will have access to the existing record of the complaint's progress (see section 8).

Date of a review panel hearing

The complainant must have reasonable notice of the date of a review panel hearing; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel hearing, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the hearing.

Attending the review hearing

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

The review panel process

At the hearing, 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(s) will be given the chance to ask and reply to questions. Once the Complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel findings and recommendations

The panel must 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 individual who is the subject of the complaint, and make a copy available for inspection by the Trust and the Head of School. The school will inform those involved of the decision in writing within 30 days of the panel hearing.

6. Referral to the Education Standards Funding Agency (ESFA)

If the complainant is unsatisfied with the outcome of a complaint considered within the Complaints Policy and Procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the Trust / the School. The ESFA will not overturn a Trust's / 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 Policy and Procedure
- Whether the Trust / school was in breach of its funding agreement with the Secretary of State
- Whether the Trust / school has failed to comply with any other legal obligation

If the Trust / school did not deal with the complaint properly, it will be asked to reinvestigate the complaint. If the Trust'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

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

7. Unreasonably persistent complaints and unreasonable complainant behaviour

Where a complainant tries to re-open the issue with the school after the Complaints Procedure has been fully exhausted and the Trust / school has done everything it reasonably can in response to the complaint, the Chair of Academy Advisory Group (or other appropriate person in the case of a complaint about the Chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the Trust / school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

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

- The Trust / school has reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, *and / or*
- The individual's letters / emails / telephone calls are often or always abusive or aggressive, *and / or*
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

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

The Trust / school will ensure when making this decision that complainants making any new complaint(s) are heard, and that the school acts reasonably.

The Mead Academy Trust's position on managing serial and unreasonable complaints is outlined in Appendix 4.

Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the Trust / school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

8. Record Keeping

The Trust / school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or by the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a Freedom of Information (FOI) request or through a Subject Access Request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy / record retention schedule.

9. Learning Lessons

The Academy Advisory Group / other forum as designated by the Trust, will review any underlying issues raised by complaints with the Executive Head Teacher / Head of School, Strategic Leadership Team and other employees where appropriate, in order to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

10. Monitoring Arrangements

The Academy Advisory Group / other governance forum as designated by the Trust, will monitor the effectiveness of the Complaints Policy and Procedure in ensuring that complaints are handled properly. Specifically, they will track the number and nature of complaints, and review underlying issues as stated in section 9.

The complaints records are logged and managed by School Business Managers.

This policy will be reviewed by the Academy Advisory Group / other governance forum every three years. At each review, the policy will be approved by The Academy Advisory Group / other governance forum.

Appendix 1
Meeting Request Form

Complaints Policy and Procedure Meeting Request Form

Please complete this form and return it to the school office.

I wish to meet (name of person)to discuss the following matter.

Brief details of topic to be discussed	
Your name	
Your relationship with the school (e.g. parent / carer)	
Your child's name (if relevant)	
Your address	
Your contact details	Contact number: Email address:
Signed	
Date	

For school use

Date received	
Received by	
Date response sent	
Sent by	

**Appendix 2
Formal Complaint Form**

Complaints Policy and Procedure Formal Complaint Form

Please complete this form and return it to the school office.

Your name	
Your relationship with the school (e.g. parent / carer)	
Your child's name (if relevant)	
Your address	
Your contact details	Contact number: Email address:
Please give concise details of your complaint (including dates and names of witnesses) so that we can fully investigate the matter.	You may continue on separate paper, or attach additional documents, if you wish.
Number of additional pages attached	

<p>What action, if any, have you already taken to try to resolve your complaint? (Who have you already spoken / written to, and what was the outcome?)</p>	
<p>What actions do you feel might resolve the complaint at this stage?</p>	
<p>Signed</p>	
<p>Date</p>	

For school use

<p>Date received</p>	
<p>Received by</p>	
<p>Date acknowledgement sent</p>	
<p>Acknowledgement sent by</p>	
<p>Referred to</p>	
<p>Date of referral</p>	

**Appendix 3
Review Request Form**

Complaints Policy and Procedure Review Request Form

Please complete this form and return it to the school office.

Your name	
Your address	
Your contact details	Contact number: Email address:
Date your formal complaint was submitted	
Name of person you submitted your complaint to	
Name of person who responded to your complaint	
Please give concise details of why you are dissatisfied with the way your complaint has been handled	
Number of additional pages attached	You may continue on separate paper, or attach additional documents, if you wish.

What actions do you feel might resolve the complaint at this stage?	
Signed	
Date	

Please attach copies of your formal complaint and the response(s) from the school before handing this to the school office.

For school use

Date received	
Received by	
Date acknowledgement sent	
Acknowledgement sent by	
Referred to	
Date of referral	

Appendix 4
Managing Serial and Unreasonable Complaints

Managing Serial and Unreasonable Complaints

This policy can be used to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

The Mead Academy 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(s). 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.

The Mead Academy 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 not following the Complaints Policy and Procedures and 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 Trust's / school's Complaint Procedure has been fully and properly implemented and completed including referral to the Department for Education
- Seeks an unrealistic outcome
- Makes excessive demands on the Trust's / school's 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

Complainants should try to limit their communication with the school that relates to their complaint while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Head of School or Chair of the Academy Advisory Group / other Governance forum will discuss any concerns with the complainant informally before applying an 'unreasonable' status.

If the behaviour continues, the Head of School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact The Mead Academy Trust / school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from any school site within The Mead Academy Trust.