



COMPLAINTS POLICY

**Presented to Full Trustees
16 March 2023**

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| Date approved: ¹ | 3 October 2018 Trustees Standards Committee |
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| Date of next review: ³ | Spring 2026 |

Addendum for Manor Drive Primary / Secondary Academy for academic years 2022/23 and 2023/24 - see page 7

¹ This is the date the policy was approved by the meeting

² This is the date the policy was reviewed prior to its approval above

³ This is the date as set by the policy review clause or the date approved plus three years

Footnote:

- Headteacher also means Head of College and Principal
- School also means College, Academy or Academies
- MAT refers to Multi-Academy Trust

COMPLAINTS POLICY

This policy outlines how the Four Cs Multi Academy Trust deal with complaints. They believe that in the first instance it is advisable to speak to the relevant member of staff as soon as there is a concern. This will mostly likely be the class teacher. This informal approach is nearly always the quickest and most effective way of resolving concerns.

If it is felt that the concern has not been resolved, then it is important to speak to a Line Manager within the school (for example Head of Year, Head of Department, Phase Leader) who will look into the concern. Please contact the Headteacher's PA to arrange this.

Introduction

1. The following procedures are to be applied in considering complaints about the School.

It is a condition of this Procedure that, unless the Trust Board agrees that special circumstances exist, no complaint may be brought after a period of three (3) months has elapsed since the circumstances giving rise to the complaint first came to the notice of the complainant.

2. If, in the course of consideration of a complaint, it is decided that disciplinary proceedings should be initiated, separate action will be taken as appropriate.

3. The complainant may make his or her representations up to Stage 3 of the procedures in person, accompanied by a friend if so desired. Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representations.

4. The procedures consist of 4 main stages:

Stage 1 Informal discussion with the Line Manager.

Stage 2 Formal written complaint to the Headteacher. This matter will then be delegated to a member of the Senior Management Team (SMT).

Stage 3 Appeal to the Appeals Panel which will normally consist of the Headteacher and 2 Governors.

Stage 4 Further appeal in writing to the Chair of Trustees.

Further recourse beyond Stage 4 then lies with the Department for Education (DfE).

It should be noted, however, that the DfE will not consider complaints or matters covered by the procedure until the previous stages have been exhausted.

5. In respect of complaints relating to the school, parents / carers should use the formal complaints policy, and should not air any grievances or concerns on Social Media sites, as this could be potentially damaging to the School and the students.

STAGE 1

6. The DfE expects that any concerns expressed by parents / carers will, in the first instance, be dealt with in informal discussion with staff and/or a Line Manager. If the complainants are dissatisfied with the outcome, they may then write to the Headteacher as described in Stage 2.

STAGE 2

7. Complainants must set out their complaint in writing addressed to the Headteacher, making it clear that the complaint is formal, and specifying its nature as exactly as possible.
8. If, in the Headteacher's view, the complaint falls outside the scope of the procedures, the Headteacher will advise complainants in writing of any other recourse they may have.
9. The Headteacher will delegate the investigation of the complaint to a member of SMT who will consider the complaint quickly, and in any event, will inform the complainant in writing within 10 school days (a school day being defined as a day when the school is normally in session) of:
 - (a) the decision reached, and the reason for it; and
 - (b) any action taken or proposed.
10. If the complainant is dissatisfied with this response, or has not received a decision within the time limit imposed in paragraph 9, the complainant may appeal to the Headteacher and the Appeals Panel. This should be done in writing explaining clearly why the complainant is unsatisfied with the decision reached in Stage 2.

STAGE 3

11. Upon receipt of a written appeal to the Headteacher, the Clerk will write to the complainant with details of how the Appeals Panel will consider the complaint, and of the complainant's rights as explained in paragraph 3 and the paragraphs below.
12. The Clerk will convene a meeting of the Appeals Panel to consider the Stage 2 investigation within 12 – 20 school days of receipt of the written appeal letter.
13. The Appeals Panel will be provided with:
 - A copy of the written complaint
 - Any correspondence between the school and complainant regarding the matter
 - Any relevant record of any meeting between the school and complainant
14. The investigating member of SMT may be asked to clarify the findings of the Stage 2 investigation and will take no part in the decision making process. They may be accompanied by a representative if they wish.
15. The Appeals Panel shall consider the complaint and any relevant information or factors. The Appeals Panel shall decide whether or not to:
 - (a) reject the complaint; or
 - (b) investigate the complaint further with the possibility of a formal hearing
16. The Clerk shall inform the complainant in writing of the decision reached by the Appeals Panel and the reasons for the decision within 5 school days.

STAGE 4

17. If the complainant is unsatisfied with the decision of the Appeals Panel they may write to the Chair of Trustees, who will review all aspects of the complaint and respond accordingly:
- (a) Where the Chair of Trustees decides that the complaints process has not been duly followed or that the Appeals Panel has acted unreasonably or is in default of its statutory duties, the Chair of Trustees may decide that the Appeal should be heard again and appoint a Panel of Trustees for this purpose. This panel will include at least one person who has had no direct involvement in any aspect of the complaint or its investigation.
 - (b) Where the Chair of Trustees decides that the complaints process has been followed correctly, the complainant will be informed in writing of this within 10 days. The complainant will be advised that further recourse lies in a complaint to the Department for Education.

However, it should be pointed out that the Department for Education's powers do not extend to reviewing decisions of the Appeals Panel. The Secretary of State only has the power to decide whether the Trust Board concerned has acted unreasonably or is in default of its statutory duties.

18. The Secretary of State may require the Trust Board to make annual returns to the Department for Education giving the number of formal complaints dealt with and their outcomes. These returns will not, however, identify individual complainants.

APPENDICES

19. Appendix 1 – Managing Serial and Unreasonable Complaints

Appendix 2 – Interim arrangements for Manor Drive Academies in years 2022/3 and 2023/4

REVIEW

19. The Trust will review this policy in line with the procedure for policy review.

Date for Review

If no other reason for review, this policy will be reviewed every three years.

Appendix 1:

Managing Serial and Unreasonable Complaints

The Four Cs 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 schools. 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 Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with schools, 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 Trust'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 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.

NB: please note the above list is not exhaustive.

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 Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact a school, causing a significant level of disruption, schools may specify methods of communication and limit the number of contacts in a communication plan. Any further complaints made (not in accordance with the communication plan) will only be responded to if the Headteacher considers there is reasonable justification. Any such arrangements would be reviewed after six months.

In response to any serious incident of aggression or violence, schools will immediately inform the police and communicate our actions in writing. This may include barring an individual from a school premises.

Appendix 2:

Addendum for Manor Drive Primary / Secondary Academy for academic years 2022/23 and 2023/24

During the academic years 2022/23 and 2023/24, the following amendments may be made to the Trust Complaints Policy:

- Stage 1 - Informal discussion with the Line Manager: Complaints should be considered informally by another school colleague on the same or higher level (not the Headteacher where possible). In the event the complaint is about the Headteacher, this should be dealt with as a Stage 2 complaint.
- Stage 2 - Formal written complaint to the Headteacher. This matter will then be delegated to a member of the Senior Management Team (SMT). In the event that the complaint is about a member of the Senior Team, the Headteacher should investigate. In the event the complaint is about the Headteacher, this should be referred to the Headteacher of the other Manor Drive Academy to investigate and respond (ie the Headteacher of Manor Drive Secondary Academy will investigate and respond regarding a complaint about the Headteacher of Manor Drive Primary Academy).
- Stage 3 - Appeal to the Appeals Panel which will normally consist of the Headteacher and 2 Governors. In the event that the complaint is about the Headteacher, the Appeals Panel should comprise 2 Governors and the Trust CEO.
- Stage 4 - Further appeal in writing to the Chair of Trustees.