



Complaints Policy

Date agreed by trustees: Autumn 2017
Review Date: Autumn 2020

Signed:

Aim

The aim of this policy is to ensure that any complaint, including a complaint against a member of staff, is handled by the Pilgrim Multi Academy Trust (the Pilgrim MAT) sympathetically, efficiently and at the appropriate level, and resolved as soon as possible.

Doing so is:

- Good for relationships.
- Good education practice.
- Good business practice.

Statement

The Pilgrim MAT needs to know as soon as possible if there is any cause for dissatisfaction. Parents should never feel - or be made to feel - that a complaint, made in a reasonable and appropriate way, will be taken amiss or will reflect adversely on the pupil or his/her opportunities at any Academy within the MAT.

We will investigate and try to resolve every complaint in a positive manner and will treat every complaint as an opportunity:

- To put right any matter which may have gone wrong.
- To review our systems and procedures in the light of the relevant circumstances.

We recognise that a complaint which is not resolved quickly and fairly can soon become a cause of resentment and damage to relationships.

Who this policy applies to?

Parents of pupils at any Academy within the Pilgrim MAT. This policy is available on the Pilgrim Multi Academy Trust's website and can also be made available upon request.

Procedures

The Pilgrim MAT is clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

Informal Stage – Initial Complaints and Minor Concerns

In many cases, a concern can be resolved quickly and will not reach the stage of becoming a formal complaint. In most cases an individual member of Academy staff will receive the first approach. It is helpful when staff are able to resolve issues on the spot, including apologising where necessary and appropriate. Concerns relating to individual Academies should be raised with the Academy directly, with reference to the Academy Complaints Policy. Should the matter not be resolved informally within 10 school days or as soon as reasonably practicable during school holidays, or where parents are not satisfied with the response to the complaint raised informally, parents may proceed with Stage 1 of this Procedure.

Stage 1

Parents may invoke Stage 1 when initial attempts to resolve the issue at the Informal Stage are unsuccessful and the person raising the concern remains dissatisfied and wishes to take

the matter further. The CEO is the nominated Complaints Coordinator of the Trust and has responsibility for the operation and management of the MAT's complaints procedure.

The Headteacher or senior leader nominated by the Headteacher of each Academy will act as the Complaints Coordinator for their Academy. A letter of acknowledgement will state the action being taken and the likely time scale.

A formal complaint may be:

- heard by a senior staff member (not the subject of complaint); or
- heard by the Complaints Co-ordinator.

Complaint Heard by Staff Member

A complaint can be made in writing to a member of any Academy Staff, who will investigate and offer a written resolution to the issue. The staff member should inform the Complaints Coordinator of a summary of the complaint and its resolution.

Complaint Heard by Complaints Coordinator

A party who remains dissatisfied or who wishes to complain about an aspect of the Federation or individual Academy policies, procedures, management or administration should write to the Complaints Coordinator with details of the complaint.

The Complaints Coordinator will investigate the matter or delegate the investigation to another senior member of staff, making sure that they:

- Review the initial complaint and how it was handled (informal stage - if applicable).
- 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 to clarify information if necessary.
- Clarify what the complainant feels would put things right.
- Formally meet with persons involved in the matter (allowing them to be accompanied if they wish).
- Keep detailed written records of their investigation.
- When he/she is satisfied that, so far as is reasonably practicable, that they have all the necessary information, give a decision in writing. Parents will be informed of this decision together with written reasons for the decision in accordance with the timeframe identified below.

The following timeframes will be adhered to for complaints heard by Academy staff under stage 1:

- A formal complaint in writing will be acknowledged by telephone on the date of receipt if practicable and in writing within three school days or as soon as reasonably practicable during school holidays.
- Formal response will be provided within 20 school days of receipt of the written complaint wherever practicable. If it is not possible to respond to the complainant within this timeframe, a letter explaining the reasons for this and an expected full response date will be issued.

Stage 2

Complaint Heard by Panel of the Local Governing Body (LGB) of the Academy:

If the parent(s) remains dissatisfied with the response, or wishes to escalate the complaint, they should write to the Clerk to the LGB giving full details of the complaint enclosing all relevant supporting documentation within 10 working days of receipt of the decision under Stage 1.

A request for a panel hearing will usually only be considered if parents have invoked the informal stage and Stage 1.

The Chair of the LGB or nominated complaint's panel co-ordinator will, once in receipt of the complaint, schedule a hearing to take place as soon as practicable and normally within 10 school days or as soon as reasonably practicable during school holidays. They will arrange for the Panel to be convened to consider the matter at the hearing.

The Chair of the LGB or nominated co-ordinator will convene a panel of local governors consisting of at least three people who have not been involved in previous consideration of the complaint. At least one of the members of the panel must be independent of the management and running of the Academy. Each of the Panel members shall be appointed by the Chair or nominated co-ordinator.

If the Panel deems it necessary, the Chair will arrange for the complaint to be further investigated. Parents may be accompanied to the hearing if they wish. This may be a relative, teacher or friend.

Legal representation will not normally be necessary.

The aim of the hearing is for the Panel will review the decision reached at Stage 1 with the aim of resolving the complaint and to achieve reconciliation between the Academy and the complainant. The Panel will not consider any new complaints that have not been raised as part of the initial complaint. After due consideration of all facts the Panel considers relevant, it will reach a decision on the balance of probabilities as to whether or not the complaint is made out.

The Panel can:

- Dismiss the complaint in whole or in part if the complaint is not made out.
- Uphold the complaint in whole or in part if the complaint is made out.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to systems or procedures to ensure that problems of a similar nature do not recur.

It is recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which satisfy the complainant that his or her complaint has been taken seriously.

The Chair of the Panel will write to the parents informing them of the Panel's decision and the reasons for this decision. The Panel's findings and, if any, recommendations will be sent by electronic mail or otherwise confirmed in writing to the parents, the Headteacher of the Academy, the Academy's LGB, the Board of Trustees and, where relevant, the person

complained of. The Panel's decisions, findings and any recommendations will also be made available for inspection on the Academy's premises.

The following timeframes will be adhered to for complaints heard by Academy LGB under stage 2:

- A formal complaint in writing will be acknowledged by telephone on the date of receipt if practicable and in writing within three school days or as soon as reasonably practicable during school holidays. A panel will be convened as soon as possible and normally within 10 school days (or as soon as practicable within the school holidays).
- Formal response will be provided within 20 school days of receipt of the written complaint wherever practicable. If it is not possible to respond to the complainant within this timeframe, a letter explaining the reasons for this and an expected full response date will be issued.

Stage 3

Complaint Heard by Panel of the Trustee Board

If the parent(s) remains dissatisfied with the response, or wishes to escalate the complaint, they should write to the Clerk to the Trustee Board giving full details of the complaint enclosing all relevant supporting documentation within 10 working days of receipt of the decision under Stage 2.

A request for a panel hearing will usually only be considered if parents have invoked Stages 1 and 2. The Chair or nominated director/trustee will, once in receipt of the complaint, schedule a hearing to take place as soon as practicable and normally within 10 working days or as soon as reasonably practicable during school holidays. The Chair or nominated director/trustee will arrange for the Panel to be convened to consider the matter at the hearing. The Panel will consist of at least three people who have not been involved in previous consideration of the complaint. At least one of the members of the panel must be independent of the management and running of the MAT. Each of the Panel members shall be appointed by the Chair or nominated director/trustee.

If the Panel deems it necessary, the Chair will arrange for the complaint to be further investigated. Parents may be accompanied to the hearing if they wish. This may be a relative, teacher or friend. Legal representation will not normally be necessary.

The aim of the hearing is for the Panel will review the decision reached at Stage 2 with the aim of resolving the complaint and to achieve reconciliation between the MAT and/or Academy and the complainant. The Panel will not consider any new complaints that have not been raised as part of the initial complaint.

After due consideration of all facts the Panel considers relevant, the Panel will reach a decision on the balance of probabilities as to whether or not the complaint is made out.

The Panel can:

- Dismiss the complaint in whole or in part if the complaint is not made out.
- Uphold the complaint in whole or in part if the complaint is made out.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to systems or procedures to ensure that problems of a similar nature do not recur.

It is recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which satisfy the complainant that his or her complaint has been taken seriously.

The Chair of the Panel will write to the parents informing them of the Panel's decision and the reasons for it normally within 10 working days. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent by electronic mail or otherwise confirmed in writing to the parents, the CEO of the MAT, the Board of Trustees and, where relevant, the person complained of. The Panel's decisions, findings and any recommendations will also be made available for inspection on the Academy's premises.

The following timeframes will be adhered to for complaints heard by the panel of the Board of Trustees under Stage 3:

- A formal complaint in writing will be acknowledged by telephone on the date of receipt if practicable and in writing within three school days or as soon as reasonably practicable during school holidays.
- A panel will be convened as soon as possible and normally within 10 school days (or as soon as practicable within the school holidays).
- Formal response will be provided within 20 school days of receipt of the written complaint wherever practicable. If it is not possible to respond to the complainant within this timeframe, a letter explaining the reasons for this and an expected full response date will be issued.

3. Resolving Complaints:

At each stage in the procedure the Pilgrim MAT 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 explanation of what steps have been taken to ensure that the situation will not recur.
- An undertaking to review policies in light of the complaint.

It is useful if complainants are able to state what actions they feel might resolve the problem at any stage. An admission that the situation could have been handled better is not an admission of negligence.

4. Referral to the Education Funding Agency

Once a complaint has been through all the stages of this Complaints Policy, if the Complainant/s believe that this Complaints Policy does not comply with the Regulations, or that the Trust has not followed the procedures in this Policy, they can refer their complaint to the Education Funding Agency for consideration. More guidance and an online form can be found at:

<https://www.education.gov.uk/Schools/leadership/Trustperformance/b00212240/making-complaint-Trust/complaints-free-Schools-academies>

The complainant/s should be aware that the Education Funding Agency will not usually investigate the complaint itself, or interfere with the findings of the Complaint Panel, unless the decision made was manifestly unreasonable.

The Academy will provide Ofsted, upon request, with a written record of all complaints made during any specified period and the action taken and conclusion reached.

5. Unreasonably persistent complainants and unreasonable complainant behaviour

We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. We ask complainants to understand the need to behave in a similar way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. However, the Pilgrim Multi Academy Trust does not expect its staff, Members of the Board or Academy Local Governors to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and they will take action to protect staff, Members of the Board or Academy Local Governors from any such behaviour if it occurs. Also, there may be complainants who, because of the frequency of their contact with the Academy, hinder our consideration of their or other people's, complaints and potentially the running of the Academy.

We anticipate that such behaviour will be a very rare occurrence, but if we consider a complainant's behaviour is unacceptable or unreasonably persistent, we will tell them why and ask them to change it. If the behaviour continues, we may take action to restrict the complainant's contact with the Academy.

The decision to restrict access to the academy will be taken by the Headteacher and chair of the Academy LGB. Any restrictions imposed will be appropriate and proportionate.

They may include:

- requesting contact in a particular form (for example, emails only);
- requiring contact to take place only with a named member of staff or Member of the Academy LGB;
- restricting telephone calls, meetings or emails to specified days and times;
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it.

Where a complainant continues to behave in a way which is unacceptable or unreasonably persistent, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, members of the Board or Academy LGB, we will consider other options, for example reporting the matter to the police and/or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all

correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.

6. Managing and Recording Complaints

The Pilgrim MAT and its Academies will keep a written record of all complaints (including whether resolved at the preliminary stage or proceeded to a panel hearing), the date on which they were received and their final outcome. Written records will be kept for at least three years. Brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record.

The Complaints Co-ordinator is responsible for records and their safe storage. All correspondence, and statements and records of complaint must be kept confidential but must be shown to HMI/Ofsted when requested.

The Academy LGBs and Board of Trustees should monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure.

7. Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be published.