



DIOCESE OF SOUTHWELL
& NOTTINGHAM

MULTI ACADEMY TRUST

**SNMAT
COMPLAINTS
POLICY**

1.0 INTRODUCTION

Everyone involved in the life of our school / academy works hard to try and get things right for the pupils. However, from time to time concerns and complaints do arise and schools are required to have a policy and procedures in place under the terms of the Education (Independent School Standards, England) Regulations 2010 Part7 http://www.legislation.gov.uk/ukxi/2010/1997/pdfs/ukxi_20101997_en.pdf to deal with these matters and to publish that policy. This policy sets out the procedures that the school / academy will follow in such cases.

2.0 SCOPE OF THE POLICY

2.1 This policy covers all concerns or complaints against the school / academy by people who do not have an alternative statutory avenue. Therefore, it may be used by parents, carers or members of the wider public e.g. local residents or stakeholders or pupils who wish to raise a concern or complaint with the school.

2.2 There are some areas e.g. safeguarding, admissions, exclusions and SEN assessments where concerns or complaints will need to be handled in a different way and these are detailed in the relevant policies.

2.3 Staff of the school / academy cannot use this policy to raise a concern or complaint but have alternative staffing procedures. Refer to other policies: SNMAT Confidential Reporting and Whistleblowing and NCC policies for Grievance and Disciplinary procedures.

2.4 If at any stage in the procedure it becomes apparent that the complaint falls outside of this general concerns and complaints policy, the person will be informed.

3.0 GENERAL PRINCIPLES

3.1 Our school / academy aims to be fair, open and honest when dealing with any concern. We aim to give careful consideration to concerns or complaints and deal with them as swiftly as possible. We try and solve any concern through dialogue and mutual understanding and, in all cases, we put the interests of the child / young person above all other issues. We try to provide sufficient opportunity for any concern to be fully discussed, and then resolved.

3.2 During any investigations that need to take place the person will be kept informed of progress and, at the end of that process, the outcome will be communicated except where this is confidential e.g. in the case of a staff disciplinary process. The length of time that it takes to deal with a concern or complaint will vary with the gravity and complexity of the issues and the urgency with which it needs to be settled. All references to working days refer to days on which the school is open to pupils and for staff training days. Where the timescales in this procedure cannot be adhered to, the person will be kept informed as to why this is the case, and given a revised timeline for dealing with the complaint.

3.3 Anonymous concerns or complaints will not be investigated under this procedure unless there are exceptional circumstances. To enable proper investigations, concerns or complaints should be brought to the attention of the school as soon as possible.

3.4 If a complainant believes that the academy has failed to comply with its own complaints procedure or that the academy's complaints procedure does not comply with statutory requirements the complainant may inform the Multi Academy Trust.

3.5 If anyone faces communication challenges e.g. hearing difficulties, disability, language barrier or other cross-cultural issues we will always look at ways to overcome these challenges. Likewise,

if you do not understand any part of this policy please do not hesitate to raise your questions at the time of registering your concern or complaint.

4.0 INFORMATION MANAGEMENT

We hope that our concerns and complaints procedure is easy to follow for all users. It is intended that we deal with any information as follows: -

- the initial response should be timely and courteous and reassure you that you are being taken seriously
- concerns and complaints should be responded to in an objective and unbiased manner
- responses should seek to address all the points at issue
- information related to the concerns and complaints procedure should be treated confidentially
- our approach to handling concerns and complaints will show a commitment to resolving complaints by taking action
- where appropriate the outcomes on concerns and complaints should provide information to the school's senior leadership team so that things can be improved

5.0 RESOLVING CONCERNS AND COMPLAINTS

5.1 At each stage in the procedure we will want to consider the ways in which a concern or complaint can be resolved. It might be sufficient to acknowledge that the concern or 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 a situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

5.2 Those raising concerns or complaints are encouraged to state what action they feel might resolve the problem at any stage. It is hoped that this will identify areas of agreement between the parties and clarify any misunderstandings that may have occurred in order to create a positive climate to resolve any outstanding issues. An admission that the school could have handled the situation better is not the same as an admission of negligence.

6.0 STAGE ONE DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY

6.1 If a parent or carer is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's tutor or class teacher. Most matters of concern can be dealt with in this way. Teachers want children to be happy at school and make good progress so they need to know if there is a problem. This means they can do something before the problem seriously affects the child's progress. The class teacher or tutor will either take action, or work with appropriate colleagues to resolve the concern. Concerns and complaints will be acknowledged quickly, although it may not be possible to provide a full answer immediately. If a member of staff receives a concern or complaint they cannot resolve straight away, they should make a clear note of the date, name, contact details and brief details of the concern/complaint. All complaints should be made as soon as possible after the incident arises and must be made within three months.

6.2 If the class teacher or Tutor is the subject of your concern please contact another member of staff e.g. a Head of House, Head of Year or key-stage co-ordinator who will clarify the nature of the issues and who is involved. They will be responsible for discussing the complaint and taking action.

6.3 If as a parent or carer or pupil you feel that the initial contact and discussions made with a member of staff have not resolved your concern, or that your concern is of a serious nature, you should make an appointment to discuss it with a senior member of staff /Headteacher. S/he will ensure your concern is taken seriously and arrange for it to be investigated thoroughly. Most concerns are normally resolved at this stage.

6.4 If you feel that your concern has not been dealt with to your satisfaction you may contact our Complaints Governor or Chair of Governors. Please complete Annex A at the back of this policy in order that we can deal with your concern most efficiently. Any correspondence to the Complaints Governor or Chair of Governors must be marked 'confidential' and addressed to them at the school office. The governor in question will do all they can to resolve the issue through a dialogue with the school and yourself and the complaint will be fully investigated. If you remain unhappy with the outcome you can make a formal complaint, as outlined in the next section.

6.5 If your concern or complaint is about the Headteacher, you should first make an informal approach to the Governing Body's Complaints Governor or Chair of Governors.

6.6 Only if all attempts to resolve your concerns informally (as outlined in this section) fail to resolve the matter should a formal complaint be made.

7.0 STAGE TWO DEALING WITH COMPLAINTS FORMALLY

7.1 A formal complaint must be made in writing, stating the nature of the complaint, how the school has handled it so far and how they would like the situation resolved. The parent or carer should complete Annex B at the end of this policy and send it to the school, marked Private and Confidential, to the Chair of Governors. (Where a complaint is made against the Chair of Governors, Form B should be addressed to the Diocese of Southwell & Nottingham Multi Academy Trust, Jubilee House, Southwell, Nottinghamshire NG25 0JH)

7.2 A complaints panel (comprising of at least three people not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the school) will consider all written complaints within fifteen working days of receipt. The panel will arrange a meeting so the nature of the complaint can be understood, and the complainant(s) have an opportunity to explain the complaint in more detail. The complainant may, if they wish, bring a supporter with them. The school will give the complainant at least 7 working days' notice of the meeting. The meeting will be minuted.

7.3 The clerk will set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and the venue and proceedings are accessible. All written materials will be collated and sent to all parties at least 7 working days in advance of the hearing. A copy of the procedure at the meeting will also be sent to all parties. All parties will be welcomed to the hearing and the proceedings recorded formally.

7.4 At the meeting the complaints panel will consider the evidence collected and witness statements/or hear witnesses as appropriate. The aim of the hearing, which is held in private, and is independent and impartial, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

7.5 The chair of the panel will explain the remit of the panel to the parties and give each party the opportunity to put their case without undue interruption. There will be a focus on clarifying the actions the complainant feels would resolve the complaint. The panel members will be reminded

that they should be open minded, act independently and no member of the panel should have a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.

The chair will ensure that all issues are addressed and key findings of fact are made. The committee may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Parents/carers should be put at ease and the chair will ensure that each party treats the other with respect and courtesy. Each side will be given the opportunity to ask questions and state their case. Written material is seen by all parties in advance of the meeting.

7.6 After listening to all parties and all the evidence, the complaints panel will consider their decision and inform the parent or carer about the outcome in writing. It is recognised that on occasions 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 will satisfy the complainant that his or her complaint has been taken seriously.

7.7 If a complaint concerns the whole Local Governing Body of the school, an independent complaints panel may be drawn from governors of other schools who have no connection with the complaint. The complaints form should be returned to the Multi Academy Trust at Jubilee House, Westgate, Southwell, Nottinghamshire NG25 0JH.

7.8 This procedure should limit the number of complaints that become protracted. 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 is able, under this policy, to inform them in writing that the procedure has been exhausted and that the matter is closed.

7.9 If any parent or carer is still not content that the complaint has been dealt with properly, then they are entitled to appeal to the Academies Group - Central Division, Education Funding Agency, 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH, email academy.questions@education.gsi.gov.uk

8.0 MONITORING AND REVIEW

8.1 Staff confidence in handling complaints depends on their having clear information about procedures and in them being encouraged to use good interpersonal skills when dealing with people who are upset or angry. We will try to ensure staff have clear information about which staff have which responsibilities so that complainants do not get passed from one person to another.

8.2 The local governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Formal complaints received by the school will be logged and the log will be examined by governors. The resolution of the complaint will be recorded. The Head Teacher will report any formal complaints in the Headteacher's Report to Governors and to the Multi Academy Trust Board of Directors.

8.3 Governors will consider any local or national decisions that affect the school's complaints process, and make any modifications necessary to this policy.

8.4 As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to academy improvement. When individual complaints are heard, the local governing body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the academy and the local governing body will be a useful tool in evaluating the academy's performance.

9.0 ACCEPTABLE BEHAVIOUR

Whilst the academy recognises that the process of raising a concern or complaint can be very stressful, the Diocese of Southwell & Nottingham Multi Academy Trust will not tolerate aggressive, violent, abusive or anti-social behaviour towards anyone on the academy site. Parents and members of the public are required to behave in a polite and courteous manner. Academy staff are expected to behave in a courteous and professional manner when dealing with parents and member of the public at all times.

10.0 SERIOUS AND PERSISTANT COMPLAINTS

On very rare occasions, complaints are made that are vexatious, in that an individual persists unreasonably with his/her complaints, or makes complaints in order to make difficulties for the school rather than genuinely to resolve a concern. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters repeatedly. The frequency of contact with the school in such situations may hinder the consideration of the complaint and impede the ability of the Headteacher and school to meet the needs of all pupils equitably.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they have done everything they can in response to a complaint.

If a complainant tries to reopen the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, schools must be careful that they do not mark a complaint as 'serial' before the complainant has completed the procedure.

11.0 UNREASONABLE COMPLAINTS (model policy)

The (insert name of Academy) 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The (insert name of Academy) defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints.*'

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 cooperate 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 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 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 school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered 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.

Complainants should limit the numbers of communications with a school 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 asking them to change it. For complainants who excessively contact (insert name of Academy) causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from (insert name of Academy).

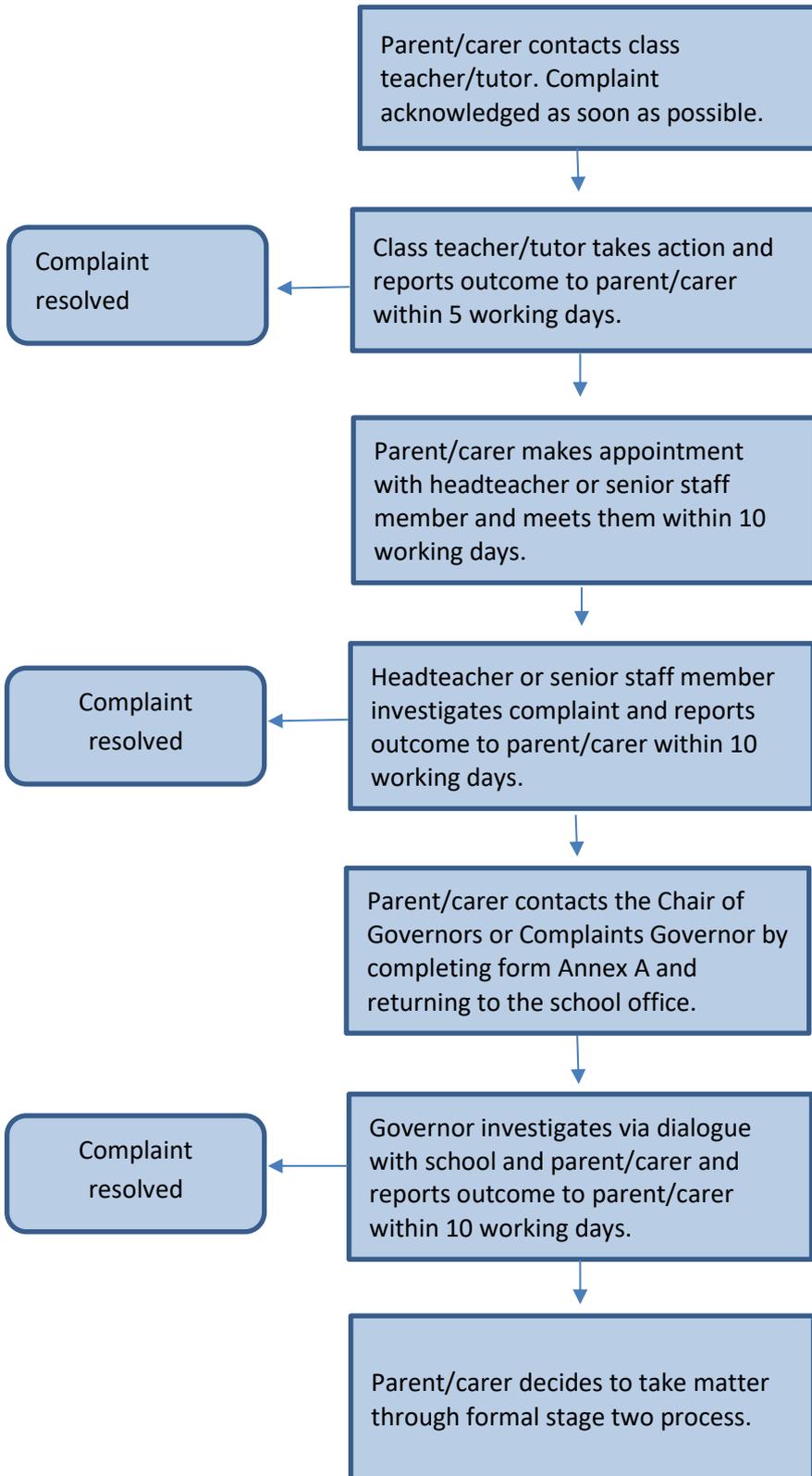
12.0 PUBLICISING THE PROCEDURE

There is a legal requirement for the complaints procedure to be publicised. Each academy will include this information on the academy website. A copy will also be included in the policy file held in the academy office.

Updated and approved by SNMAT Standards Committee – July 2017

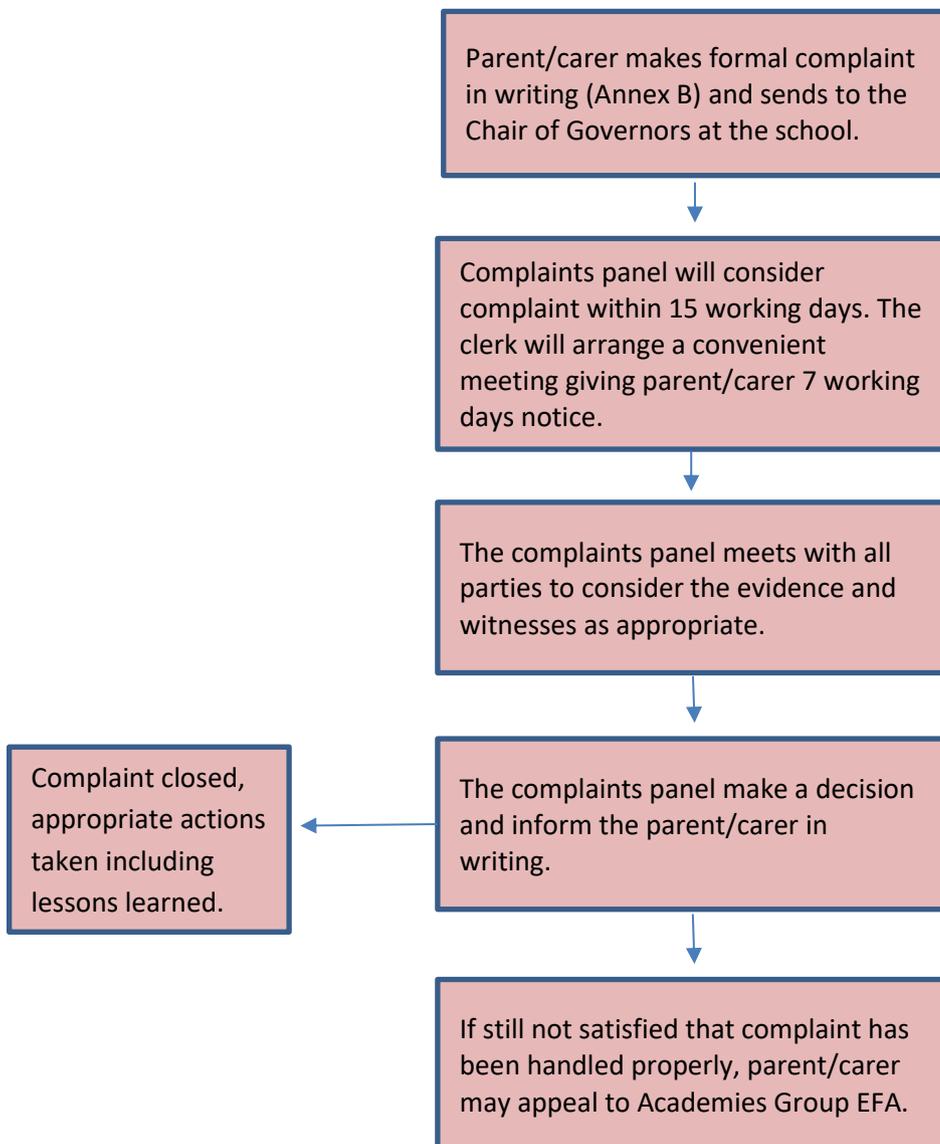
Complaints flow diagram – **STAGE ONE DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY**

If, due to investigations taking place the timescales noted in the diagrams below are unable to be met, the complainant will be informed.



Complaints flow diagram – STAGE TWO DEALING WITH COMPLAINTS FORMALLY

If, due to investigations taking place the timescales noted in the diagrams below are unable to be met, the complainant will be informed.



Annex A

Please complete and return to the complaints governor(Academy),
.....(Address) who will acknowledge receipt and explain what action will be taken.

Name:

Student's name:

Your relationship to the student:

Address:

Telephone number:

Detail of concern (continue on a separate sheet if necessary):

Details of action you have already taken to try and resolve your concern. Who did you speak to and what was the response? What actions do you feel might resolve the concern at this stage? Are you attaching paperwork? If so please give details:

Signature:

Date:

For academy use only

Date acknowledgement letter sent:

By whom:

Concern referred to:

Date:

Annex B

Academy Name:

Please complete and return to the complaints governor(Academy),
.....(Address) who will acknowledge receipt and explain what action will be taken.

Name:

Student's name:

Your relationship to the student:

Address:

Telephone number:

Date and Details of your original concern:

Detail of complaint:

Details of discussions with the complaints governor and the reasons why you do not feel your concern has been satisfied:

What actions do you feel might resolve the complaint at this stage:

Are you attaching paperwork or additional paperwork to that already provided? If so please give details:

Signature:

Date:

For academy use only

Date acknowledgement letter sent:

By whom:

Concern referred to:

Date: