



COMPLAINTS POLICY (NON PARENT/CARER)

Blessed Edward Bamber Catholic Multi Academy Trust

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Previous versions

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1.0	CEO	4.4.25	Anonymous complaints: this paragraph has been amended to align with that from the 'complaints (parent/carer) policy'.

PLEASE NOTE:

WHERE THIS POLICY REFERS TO 'HEADTEACHER' THIS INCLUDES EXECUTIVE HEADTEACHERS AND INTERIM/ACTING HEADTEACHERS.

This is a Trust-Wide Policy which applies to all academies within the Trust

Colossians 3:13

Bearing with one another and, if one has a complaint against another, forgiving each other; as the Lord has forgiven you, so you also must forgive.

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1. Policy Statement

This policy outlines The Blessed Edward Bamber Catholic Multi Academy Trust's approach to complaints made by individuals who are **not** parents/carers of pupils in our Trust, or if the complainant is a parent but the complaint does not relate to their child(ren). Such individuals will from this point be referred to in the policy as 'you' / 'your' etc.

We are committed to equality and value diversity. As such we are committed to fulfilling our Public Sector Equality Duty (Equality Duty) obligations and expect all staff and volunteers to share this commitment.

The Equality Duty requires us to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation.
- Advance equality of opportunity.
- Foster good relations between people who share protected characteristics, such as age, gender, race and faith, and people who do not share them.

We are responsible for ensuring the effective implementation of this policy. As part of equality monitoring, we will review and monitor the operation and impact of the policy on a regular basis and in accordance with the policy review date.

2. Scope and Definitions

[DfE guidance](#) for academies confirms that [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#) only applies to complaints from parents/carers of pupils at a school within the Trust, regarding their child. Therefore, as confirmed in the Policy Statement above, this policy applies to individuals who are **not** parents/carers of pupils in our Trust and/or where your complaint does **not** relate to your child [who is a pupil in our Trust].

We have therefore developed this separate (shorter) procedure for complaints which do not fall under the remit of our Complaints Policy for current parent/carers.

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". We 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".

We intend to resolve complaints informally where possible, at the earliest possible stage.

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

For the avoidance of doubt, the below matters will **not** be dealt with under this policy:

Admissions to schools, statutory assessment of special educational need/disability (SEND), matters likely to require a child protection investigation, related to safeguarding, suspension and exclusion of

children from school, staff conduct, staff grievances, provision of third party services, whistleblowing.

If other bodies are investigating aspects of your complaint, for example the police, local authority (LA) 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.

3. Aims and Principles

When responding to complaints, we aim to:

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

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

We will always aim to give you the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on our website.

4. Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What you feel would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and you will be sent details of the new deadline with an explanation for the delay.

We expect that complaints will be made as soon as possible after an incident arises and no later than **3 months** afterwards, or, where a series of associated incidents have occurred, within 3 months of the last of these incidents.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and where your complaint can still be investigated in a fair manner for all involved.

5. Complaints Received Outside of Term Time

We will consider any complaints made outside of term time to have been received on the **first working school day** after the holiday period.

6. Stages of Complaint

At each stage in the procedure, we want to resolve your complaint. If appropriate, we will acknowledge that your complaint is upheld in whole or in part. In addition, 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 that the matter complained of will not reoccur;
- An explanation of the steps that have been or will be taken to ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- An undertaking to review our policies in light of your complaint;
- An apology.

Stage 1: Informal

We will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

You (or a third party acting on your behalf, as long as they have appropriate consent to do so) should raise your informal complaint as soon as possible with the relevant member of staff or the Headteacher, either in person or by letter, telephone or email.

If your complaint is about the Headteacher, please refer your concern to the Chair of the Local Governing Body. If your complaint is about the Chair of the Local Governing Body, the CEO, member of the Trust Central team or a Trust Director, please refer your concern to our Governance Professional. The Governance Professional will liaise with the appropriate Executive Leader/Director in the Trust for your concern to be investigated and responded to. Complaints against the CEO will be investigated and responded to by the Chair of the Trust. **Email: admin@bebcmat.co.uk and mark the email for the attention of the Governance Professional.**

If you are unclear who to contact you should contact our Governance Professional. Your informal concern will be acknowledged within **5 school days**.

Please note: Complaints which appear to state an issue against the CEO/MAT simply to bypass appropriate staff and reach the Chair of the Trust will not necessarily be directed to the Chair of the Trust. An assessment will be made as to the appropriate individual(s) to whom the complaint should be directed, in consultation with Executive Leaders.

If you have difficulty discussing your concern with a particular member of staff, you can be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with

your concern, the senior leader/Governance Professional will refer you to another staff member. The alternative member of staff may be more senior but does not have to be. The ability to consider your concern objectively and impartially is more important. There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion. However, it would be expected that most issues will be resolved in around **15 school days**. If this deadline is unable to be met, you will be provided with an update and revised response date.

The informal stage may involve a meeting between you and the relevant member of staff, if appropriate.

If your concern is not resolved informally, you will be advised that if you wish for your concerns to be considered further, you should contact the Headteacher/Chair of Local Governing Body (or via our Governance Professional if your complaint is against the Governors under Stage 2 of this procedure within **15 school days** (as detailed below).

Stage 2: Formal (final stage)

The Formal stage of this procedure involves you putting your formal complaint in writing to the Chair of the Local Governing Body, or for complaints about Chair of Governors or the Trust to the Governance Professional at admin@bebcmat.co.uk.

Your written complaint must provide details of the nature of your complaint and the relevant dates, times and the names of witnesses of events, alongside copies of all relevant documents. You should also state what you feel would resolve your complaint. To assist you in detailing your complaint, a model template is included in [Appendix A](#). If you need assistance raising your formal complaint, you can contact our Governance Professional.

Your formal complaint will normally be acknowledged in writing (either by letter or email) within **5 school days** of receipt, along with a target date for providing a response to your complaint.

The delegated member of staff will then conduct their own investigation. The written conclusion of this investigation will be sent to you within **20 school days**. Should it not prove possible for this timescale to be met (for example, due to the complexity of your complaint), you will be informed.

The response will detail any actions taken to investigate your complaint and provide an explanation of the decision made by the relevant investigating officer and the reason(s) for it. Where appropriate, it will include details of actions we will take to resolve your complaint.

THIS COMPLETES THIS COMPLAINTS PROCESS.

7. Referring Complaints on Completion of Our Procedure

If you believe we did not handle your complaint in accordance with this procedure or you believe we acted unlawfully or unreasonably in the exercise of our duties under education law, you can contact the Department for Education (DfE) after you have completed Stage 2 of this procedure.

The DfE will not normally reinvestigate the substance of complaints or overturn decisions made by us. They may consider whether we have adhered to education legislation and any statutory policies connected with your complaint and whether we have followed the 2014 legislation:

<https://www.legislation.gov.uk/uksi/2014/3283/schedule/made>

You can refer your complaint to the DfE online at:

[https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education)

The DfE will only consider your complaint if you can provide evidence that we:

- do not have a complaints procedure
- did not provide a copy of our complaints procedure when requested
- do not have a procedure that complies with statutory regulations
- have not followed our published complaints procedure
- have not allowed our complaints procedure to be completed.

The DfE will inform you that they are not able to:

- overturn our decision
- re-investigate your original complaint
- review the accuracy of minutes taken or documents provided
- order that compensation is paid
- direct us to discipline/exclude pupils
- force us to discipline/dismiss staff
- instruct us to apologise.

8. Persistent and/or Unreasonable or Vexatious Complaints

Where you try to re-open the issue with us after our complaints procedure has been fully exhausted and we have done everything we reasonably can in response to your complaint, the Trust will inform you that the matter is closed. This may be in the form of a letter sent via our Governance Professional.

We will ensure when making this decision that complainants making any new complaints are heard, and that we act reasonably.

For further details, please refer to our Managing Vexatious or Persistent Complaints.

9. Unreasonable and Persistent Complaints

We are 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 us.

You should try to limit your communication with us in relation to your complaint, while your 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.

10. Duplicate Complaints

If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent or a child not attending this School/Trust, we will remind them that we have already considered the complaint and that the process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

11. Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Headteacher, Chair of Governors or CEO, if appropriate, will determine whether the complaint warrants an investigation. An outcome of any findings will be recorded in the school or Trust's recording systems.

12. Withdrawal of a Complaint

If you want to withdraw your complaint, we will ask you to confirm this in writing.

13. Record-keeping

We will record the progress of all complaints, including information about actions taken at all stages, the stage at which your 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 where relevant.

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

- they are requested by the Secretary of State (or someone acting on their behalf); or
- you request access to records of a complaint through a Freedom of Information (FOI) request under the terms of the Data Protection Act; or
- you request access to the records of your complaint through a Subject Access Request under the terms of the Data Protection Act; or
- the material must be made available during a school inspection; or
- under other legal authority.

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 and Retention Policy.

14. Learning Lessons

We will review any underlying issues raised by complaints with Executive Leaders, where appropriate, and respecting confidentiality, to determine whether there are any improvements that we can make to our procedures or practice to help prevent similar events in the future.

15. Monitoring Arrangements

The Trust Board will monitor the effectiveness of this complaints procedure in ensuring that complaints are handled properly. The Trust Board will track the number and nature of complaints, and review underlying issues as stated in this policy. The complaints records are logged and managed by the Headteacher in each school (and by the CEO/Governance Professional at MAT-level).

This policy will be reviewed annually (or upon notification of legislative updates). At each review, the policy will be approved by the Trust Board.

16. Appendix A: Complaints Form (Stage 2 – Formal)

Please complete and return to school/Trust who will acknowledge receipt.

If your complaint is about:	Refer to:	How to contact:
A member of staff at the school (except the Headteacher)	Headteacher	School office
Headteacher	Chair of Governors	Via the school office or the clerk to the governors
Chair of Governors, any governor or the whole governing body	Chief Executive Officer	admin@bebcmat.co.uk
The Trust, its policies or practices or an issue with a member of the BEBCMAT central team	Chief Executive Officer	admin@bebcmat.co.uk
CEO or a Director of the Trust	Governance professional	admin@bebcmat.co.uk

Name:

Contact information:

Please give concise details of your complaint, (including dates, names of witnesses etc.) to allow the matter to be fully investigated.

You may continue on separate paper or attach additional documents if you wish.

Number of additional pages attached =

What action, if any have you already taken to try to resolve your complaint?

(Who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

School/Trust use: **Stage 2**

Date form received:		Received by:	
Date acknowledgement sent:		Sent by:	
Issue referred to:		Date:	
Date response sent:		Sent by:	

Official use: Stage 2

Record of action taken:

Signature:

Date: