



# **COMPLAINTS POLICY (NON PARENT/CARER)**

**Blessed Edward Bamber Catholic Multi Academy Trust**

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### Previous versions

Version	Author	Date	Changes
1.1	CEO	4.4.25	<b>Anonymous complaints:</b> this paragraph has been amended to align with that from the 'complaints (parent/carer) policy'.
2.1	CEO	March 26	<ul style="list-style-type: none"> <li>➤ Review period updated from annual to two years in line with Complaints policy (parent/career).</li> <li>➤ Updated to include clearer escalation routes (section 4).</li> <li>➤ Stages of complaints updated in line with Complaints policy (parent/carer).</li> <li>➤ Revised timescales in line with Complaints policy (parent/carer).</li> <li>➤ Social media guidance added in line with Complaints policy (parent/carer).</li> <li>➤ Enhanced clarification of policy exclusions (appendix D).</li> </ul>

### 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 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.

See [Appendix D](#) for matters which are not covered under this policy.

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. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. Please ensure all written complaints are marked 'Private and Confidential' and addressed to the appropriate person as below:

If your complaint is about:	Stage 1	Stage 2	Contact
A member of staff at the school (except the Headteacher)	Headteacher	Governors	School office
Headteacher	Governors	Additional Governors	Via school office or governance professional
Chair of Governor/Governors	Chief Executive Officer	Directors	admin@bebcmat.co.uk
The Trust	CEO	Complaint Panel	admin@bebcmat.co.uk
CEO/Director	Chair of the Trust Board	Complaint Panel	admin@bebcmat.co.uk
Chair of Directors (Chair of the Trust Board)	Vice-Chair of the Trust Board	Complaint Panel	admin@bebcmat.co.uk

Please be aware that the complaint will be investigated by either the person to whom it was referred or a nominated person.

### **Expectations of engagement**

In line with this policy, we expect that all complainants will have made reasonable attempts to resolve their concern informally before progressing to formal stages.

Should a complaint regarding a member of staff employed by the Trust require management in accordance with any of the Trust's HR Policies or Procedures or referral to a separate body through legal compliance, such processes would run concurrently with this complaints policy.

### **Anonymous complaints**

The Trust will not normally investigate anonymous complaints however the merits of investigating anonymous complaints will be determined by the appropriate person on receipt. If the Headteacher, Chair of Governors or CEO believes that the gravity of an anonymous complaint justifies investigation, the complaint will be investigated and the results will be recorded on file.

### **Timescales**

All complaints must be raised as soon as possible and within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this timeframe if exceptional circumstances apply.

Complaints will be dealt with in a prompt manner. Realistic time-limits are set for each stage of the process, but these may differ according to the complexity of the issue concerned. **Timescales are intended as best practice. Where these cannot be met, the complainant will be notified with a revised target date.** Timescales in this document refer to school working days i.e. excluding weekends, school holidays etc.

### **Complaints received outside of term-time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period. Complaints received in the evening or over a weekend will be considered to have been received on the next working day.

### **Complaints against members of staff**

If the complaint relates to a member of staff, the individual will be fully informed of the nature and details of the complaint. Members of staff will be given an opportunity to explain their actions and be advised that they may have a work colleague or union representative present during any part of the process.

### **Pupils as witnesses**

Only in exceptional circumstances should pupils be interviewed when investigating a complaint, i.e. where there are no adult witnesses, and the matter is sufficiently serious to warrant it. This will be down to the discretion of the Headteacher and/or Trust Lead depending on the nature of the complaint and who is investigating. The investigator is advised to seek parental consent before any interview with a child where

they are being asked to clarify facts concerning a parental complaint. Where permission has been given for the interview, the child should be accompanied by either a responsible adult or the parent.

### **Audio or video evidence**

Unless exceptional circumstances apply, we do not routinely permit recordings of meetings or conversations. We will definitely not accept as evidence, recordings of conversations or meetings that were obtained covertly or without informed consent of all parties being recorded. If CCTV is used as part of evidence, it will be viewed via an accompanied viewing, it will not be released.

**Unauthorised filming/photos/voice recordings on school premises is not permitted.**

### **Meetings with Complainants**

Meetings with complainant will be conducted either fact to face or online. If either party wishes for a meeting to be documented, the school/Trust will make arrangements for minutes/transcription of the meeting to be taken.

### **Complaint forms**

There are complaint forms which can be used by those wishing to register a complaint ([see Appendices A-C](#)). These may be helpful to complainants and enables each school and the Trust to be systematic in the way we handle and monitor complaints. However, the Trust will accept an email or letter of complaint and process accordingly.

### **Social media**

In order for complaints to be resolved as quickly and fairly as possible, the Trust requests that complainants do not discuss complaints publicly via social media such as Facebook and X (formerly Twitter). Complaints will be dealt with confidentially for those involved, and we also expect complainants to observe confidentiality.

### **Withdrawal of a complaint**

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

### **Safeguarding of pupils**

The Trust takes the safeguarding of its pupils very seriously and we recognise that it is extremely important that any allegation made against a member of staff is managed quickly and effectively. It is also important that low-level safeguarding concerns are recognised and reported so behaviour can be appropriately managed. In responding to safeguarding allegations, the Trust will follow the Managing Allegations against Staff policy and will refer to the Local Authority Designated Officer (LADO) as appropriate.

## 5. Stages of complaint

Each stage in the complaints procedure should be completed before moving to the next stage. In very exceptional circumstances it may be decided, usually in consultation with the CEO, to omit a stage.

### Informal

As soon as possible after the incident (within 3 months) about which you have concerns, you should ask to meet with the appropriate member of staff to discuss the matter.

Many concerns can be resolved by simple clarification or the provision of information.

If you wish to hold a meeting to discuss your concern or complaint, it would be helpful if you could explain the nature of your concern or the complaint in advance. You may wish to use the Meeting Request Form ([Appendix A](#)) provided.

It is anticipated that most complaints will be resolved by this informal stage within 20 working days of being notified of the complaint.

There is no requirement for an informal complaint to be put in writing, but you may find it helpful to put in a meeting request form. Where appropriate, you may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.

All informal concerns should be logged by the school or Trust in accordance with record-keeping procedures.

There is no suggested timescale for resolution at this stage, given the importance of informal discussion, although it would be expected that most issues will be resolved within 20 school days. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should write to school under the formal Stage 1 of this procedure, within 10 school days.

### Formal - Stage 1

If the complaint has not been resolved informally the following procedure will apply:

Within 10 school days of being notified of the outcome of the informal complaint - you must put your complaint in writing. A Complaint Form is provided to assist with this ([Appendix B](#)).

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. **It is very important that you include a clear statement of the actions that you would like to resolve your concern.** Without this, it is much more difficult to proceed. The appropriate body will then ensure that it is investigated appropriately.

Responsibility for handling the complaint at this stage should be determined by referring to the table in [Section 4](#), which outlines the appropriate escalation route.

If a formal complaint is not made within 10 days the school will assume that no further action is required.

On receipt of the complaint form or email - we will acknowledge the complaint (within 5 school days) and may invite you to a meeting to discuss the issue.

Where you decline the invitation to a meeting the complaint will continue to be formally investigated in line with the policy.

Once all the relevant facts have been established, as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any).

You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be moved to Stage 2.

### Formal - Stage 2 (final stage for complaints covered by this policy)

If you are not satisfied with the outcome of the Stage 1 investigation the following will apply:

Within 10 school days of being notified of the outcome of the Stage 1 investigation you must put your complaint in writing. A complaint form is provided to assist with this ([Appendix C](#)).

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. **It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern.** Without this, it is much more difficult to proceed. The appropriate body will then ensure that it is investigated appropriately.

Responsibility for handling the complaint at this stage should be determined by referring to the table in [Section 4](#), which outlines the appropriate escalation route.

If a formal complaint is not made within 10 days the school will assume that no further action is required.

On receipt of the complaint form or email we will acknowledge the complaint (within 5 school days) and may invite you to a meeting to discuss the issue. Where you decline the invitation to a meeting the complaint will continue to be formally investigated in line with the policy.

Once all the relevant facts have been established, as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). Where possible, this will be within 20 school days of receiving your complaint.

**Stage 2 is the final stage of the Trust's complaints procedure for complaints covered by this policy. There is no further right of internal appeal.**

## 6. Complaints that Result in Staff Capability or Disciplinary

If at any stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the person dealing with the complaint and/or the individual's line manager and Headteacher. The complainant is entitled to be informed that the matter is being dealt with appropriately, but they are not entitled to participate in the proceedings and will not receive any detail about them or the outcome.

## 7. Serious Allegations or Complaints

If the complaint refers to criminal activity which may require the involvement of the Police, the Chair of Governors and CEO will be notified.

If the allegations relate to financial or accounting irregularities involving misuse of public funds, the Chair of Governors and CEO will be informed. The CEO will seek the advice from the Chief Financial Officer (CFO) of the Trust.

## **8. Persistent or Vexatious Complaints or Harassment**

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the Trust/school and directly or indirectly the overall wellbeing of the children or staff. In these exceptional circumstances the school or Trust may take action in accordance with the Managing Vexatious or Persistent Complaints policy.

## **9. 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 the 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.

## **10. Complaints Recording Procedure**

A written record will be kept of all complaints made in accordance with this policy when they are resolved following a formal procedure or proceed to a panel hearing. In addition, written records will be kept of the action taken by the school as a result of those complaints (regardless of whether they are upheld).

Records of all conversations and meetings to resolve complaints will be kept.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or body conducting an inspection under section 109 of the 2008 Act requests access to them.

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.

## **11. Monitoring of Complaints**

The CEO and Directors of the Trust will monitor complaints to ensure that the procedure is effective in dealing with concerns. Some of the areas related to monitoring of complaints are:

- The number and nature of complaints;
- Whether the complaints were dealt with within agreed time limits;
- The stage at which complaints were ended satisfactorily.

Under the Education (Independent School Standards) (England) Regulations 2014, academy trusts and academies (schools) are required to log the number of complaints lodged under their formal procedures each year and whether they are resolved at the preliminary stages or proceed to a panel hearing, along with what actions have been taken, regardless of the decision. While complaints under this policy do not fall within Part 7 of the Regulations, the Trust records and monitors them in line with the same principles of transparency and accountability.

## 12. Resolving Complaints

At each stage in the procedure, the Trust wants to resolve the complaint. If appropriate, we will acknowledge that the 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 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.

## 13. 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.

## 14. 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/ukxi/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.

## **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 Trust level).

This policy will be reviewed every 2 years (or upon notification of legislative updates). At each review, the policy will be approved by the Trust Board.

## Appendix A – meeting request form (informal)

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

I wish to meet a member of staff to discuss the following matter.

Your Name:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Brief details of the topic to be discussed:

Dates/times when it would be convenient to meet:

Signature:

Date:

School/Trust use: **Informal**

Date form received:		Received by:	
Date acknowledgement s		Sent by:	
Date response sent:		Sent by:	

**Official use: Informal**

**Record of action taken:**

**Signature:**

**Date:**

## Appendix B – complaints form (formal - stage 1)

Please complete and return to school/Trust who will acknowledge receipt. Please refer to the table section 3 - How To Raise a Concern or Make a Complaint

Name:

Contact information:

Please give concise details of your complaint, (including dates, names of witnesses etc.) to allow 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 1**

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

**Official use: Stage 1**

**Record of action taken:**

**Signature:**

**Date:**

## Appendix C – complaints form (formal - stage 2)

Please complete and return to school/Trust who will acknowledge receipt. Please refer to the table section 3 - How To Raise a Concern or Make a Complaint

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:**

## Appendix D – exclusions to the complaints policy

The following concerns and complaints cannot be considered under this policy. There are separate agencies, policies and procedures that deal with them.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority. Please see the admissions policy on the school’s website.
Child protection matters	<p>Complaints about child protection matters are handled under our safeguarding and child protection policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding</p> <p>Blackpool LADO: <a href="mailto:lado@blackpool.gov.uk">lado@blackpool.gov.uk</a></p> <p>Lancashire LADO: <a href="mailto:LADO.Admin@lancashire.gov.uk">LADO.Admin@lancashire.gov.uk</a></p>
Complaints about services provided by other suppliers who may use school premises or facilities	Complaints about external providers should be addressed through the providers’ complaints procedures. Please contact them directly.
Complaints (parent/carer)	Complaints made by individuals who are parents/carers of pupils in the Trust are directed to the Complaints Policy (Parent/Carer).
Exclusions*	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .</p> <p>*Complaints about the application of the behaviour policy can be made through the school’s complaints procedure which can be found on individual school websites.</p>
Freedom of information matters	Complaints about our compliance with the Freedom of Information Act 2000 are handled under our freedom of information policy and in accordance with relevant guidance from the ICO. If you have serious concerns, you may wish to contact the ICO directly, but the ICO will usually expect you to have raised your concerns with us in the first instance.

Staff conduct	<p>Complaints about staff conduct will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
Statutory assessment of special educational needs	<p>Concerns about statutory assessments of special educational needs should be raised directly with local authorities</p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>A whistle-blower is deemed to be someone with privileged knowledge. These may be:</p> <ol style="list-style-type: none"> <li>1. Members of staff (e.g. teachers, Headteachers, administration support employees)</li> <li>2. Volunteers (eg Trustees, governors)</li> </ol> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters directly with their employer. Concerns can be raised with the ESFA using their contact form: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>You can read further how the ESFA handles whistleblowing disclosures here: <a href="https://www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures">https://www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures</a></p>

If the complaint falls outside the remit of this policy the complainant will be advised of this in writing within 10 school days following receipt of the complaint with an explanation as to why. In some circumstances, it may be decided that the concern(s) fall within the remit of another policy or procedure.