

Complaints Policy

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Dyslexia Friendly

As a Trust that fully supports 'Dyslexia Friendly' practice, all behaviours, teaching and learning will be supported with reasonable adjustment to meet the individuals' needs.

1.0 Purpose

All schools are required by law to have a complaints policy. This policy should help resolve problems and provide a means for issues of concern to be raised and subsequently addressed. All complainants will be treated respectfully during and after the course of any complaints investigation and will receive a written response to their complaint, unless appropriate and reasonable measures have been put in place as a result of the 'Persistent and/or Vexatious Complainants' policy set out below.

1.1 Expressing Concerns (Stage 1)

There are inevitably issues that arise that, if dealt with promptly and in a considerate manner, will avoid the need for a formal complaint. Any problem or concern should be raised promptly with the class teacher or member of staff responsible for the area you are concerned about. If your concern is more serious you may prefer to make an appointment to discuss it with the Headteacher or a member of the school's leadership team. All staff will make every effort to resolve your problem promptly at this informal stage.

1.2 Formal Complaints

Formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. All details of a complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution. The complaint will be dealt with in line with the Trust's complaints procedure.

In most cases it will be your choice as to whether to mount a formal complaint, but the Trust reserves the right to utilise the formal complaint procedures where the Trust feels that 'informal' methods of resolving concerns have been exhausted but a complainant clearly remains dissatisfied.

It should be noted that some outcomes of a complaint may lead to action being initiated under other formal procedures, such as safeguarding or disciplinary matters. Where this is the case you will be advised and informed of the procedures that are to be followed. It should be noted, however, that the Trust will not necessarily be able to provide you with the details of the outcome of those procedures for data protection reasons or otherwise, depending on the circumstances.

If a formal complaint is made to the Trust you will be provided with a copy of this complaints policy. It is not a requirement that a formal complaint is made in writing, but the Trust will need to be clear what the complaint is about, and may therefore request clarification from you before investigating the complaint.

2.0 Stage 2 (Chief Executive Officer or Chair of the MAT Directors Board)

It may be that the Chief Executive Officer has not been aware of the concern raised prior to this point. At this stage the CEO will seek to investigate your concerns, as well as attempting to resolve the matter to the satisfaction of all concerned. This may involve having a discussion/meeting with you.

If the complaint is about the Chief Executive Officer it will be considered by the Chair of the MAT Directors Board (“the Chair”) at this stage. The Chair will seek to resolve the matter through discussion with the Chief Executive Officer and you. In doing so and, if considered appropriate, the Chair may wish to meet with you in person.

The Trust will endeavour to respond, in writing to a Stage 2 complaint within 10 school days after receiving the complaint.

Where concerns cannot be resolved by the Chief Executive Officer (or the Chair if applicable) then you will be advised that details of your continuing concerns will be accepted either in writing or verbally and then referred to the MAT Complaints Committee (Stage 3).

2.1 Stage 3 (MAT Complaints Committee)

If a complaint has been referred to the MAT Complaints Committee complaints (“Complaints Committee”) then the Complaints Committee will arrange to meet to consider the complaint. The Complaints Committee will endeavour to provide you with a written response within 20 school days.

Membership of the Complaints Committee will ensure that there is a cross-section of the different categories of MAT Directors to ensure impartiality. The Complaints Committee panel will include at least one member who is independent of the management and running of the MAT. The Chief Executive Officer and Chair of MAT Directors will not be members of this committee, which will elect its own chair, although one or both may be present at the meeting held to consider the complaint.

You will be given the opportunity to attend the complaints meeting to make representations in person and you may be accompanied by a friend/family member. The Committee will therefore meet at a time and a venue convenient to all parties. If you decide not to attend the complaints hearing then it may be held in your absence.

2.2 MAT Complaints Committee – Procedure

The Complaints Committee will want to ensure that the nature of the complaint is understood and, where possible, will seek to establish from you what actions you feel might resolve the problem. In helping to reach a conclusion, the committee will seek to identify possible sources of information and advice to help collate the necessary evidence.

Should you choose to attend the complaints hearing you must notify the Chair of the Committee at least 24 hours prior to the hearing and include the name and relationship of your chosen companion. In normal circumstances the Headteacher and/or chair of Directors will also attend the hearing, but will not take any part in the decision-making process. A typical hearing may adopt the structure shown on the following page.

MAT Complaints Committee – Procedure

The hearing will be as informal as possible.

Complainants will be invited to attend and be accompanied if they wish.

Witnesses may be required to attend but only for the part of the hearing in which they give their evidence.

After introductions, you will be invited to explain your complaint, and you will be followed by your witnesses (if any).

The Chief Executive Officer / Chair of the Complaints Committee may ask questions of both you and your witnesses after each has spoken.

The Chief Executive Officer / Chair of the Complaints Committee will then be invited to explain the Trust's actions and will be followed by the Trust's witnesses.

You may ask questions of both the Chief Executive Officer / Chair of Directors and the witnesses after each has spoken.

The Committee may ask questions at any point.

You will then be invited to sum up your complaint.

The Chief Executive Officer / Chair of Directors will be invited to sum up the Trust's actions and response to the complaint.

The Complaints Committee chair will explain that both parties will hear from the committee in writing within 10 school days.

Both parties leave together while the panel remains to decide on the issues and reach a conclusion.

The above procedures for the complaints hearing may vary with the approval of all parties.

3.0 Outcomes of Investigations

Whether the complaint has been investigated by the Headteacher, chair of Directors or a complaints committee, a written response will be sent outlining the outcome of the investigation and how the conclusion has been reached. The letter will also tell you where to next take the complaint, if not satisfied with the response provided.

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between you and the Trust. Nevertheless, it is acknowledged that sometimes you may not be satisfied with the outcome if matters are not found in your favour.

3.1 The Role of the Secretary of State for Education (the Department for Education)

If you still remain dissatisfied and feel the Trust has acted unreasonably, or that it has failed to discharge a statutory duty, you may wish to refer your complaint to the Secretary of State for Education.

This can be done through the EFA's online complaints form which can be accessed via

https://form.education.gov.uk/fform.php?self=1&form_id=cCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

or by post to :

EFA Complaints Chief Executive's Office
53-55 Butts Road, Earlsdon Park
Coventry CV1 3BH

4.0 Persistent or Vexatious Complaints

You may remain dissatisfied despite all the procedures having been followed and reasonable responses being provided. It may be the case that it is not possible to resolve all your concerns and meet all your wishes. Sometimes it is preferable to 'agree to disagree' and move on.

If you continue to make representations to the Trust or continue correspondence into the same issues, the Governing Body reserves the right to inform you, in writing, that the appropriate procedures have all been followed, that all reasonable actions have been taken to try to resolve the issue and that the matter is now closed.

Dealing with Persistent and/or Vexatious Complaints

A vexatious or persistent complainant is not someone who raises legitimate concerns or criticisms of a complaints procedure as it progresses, for example, with regard to timescales, nor are they someone who is unhappy with the outcome of a complaint and are therefore seeking to challenge it.

Occasionally however there may be situations where the Headteacher and/or governing body have done all they can to resolve matters, and it is therefore appropriate to consider closing a complaint as it has been on-going for some time. Alternatively, there may be some circumstances in which there will be a valid reason for not following the full complaints process. Closing complaints may be appropriate in particular where responding to continual communications from a complainant is detracting from the Trust's responsibility to look after the interests of all the children in its care.

The MAT Board of Directors therefore reserves the right to close complaints from those who demonstrate any of the following behaviours:

- frequently complaining about a variety of different matters, or the same issue through a number of different channels in an obsessive, persistent, harassing, prolific and/or repetitious manner;
- seeking unrealistic outcomes relative to the issue being raised and stating that their intention is to persist until that outcome is achieved;
- insisting upon pursuing valid complaints in an unreasonable manner;
- persistently making the same complaint with minor differences but never accepting the outcome of any investigation into their complaint;
- challenging a historical decision/action which cannot be changed;
- contacting the Trust frequently in a lengthy and/or complicated way;

- behaving aggressively and provocatively towards the Trust and individual members of staff;
 - changing aspects of the complaint, or the desired outcome part way through the investigation and/or after the investigation is completed and a conclusion has been reached;
 - refusing to co-operate with the investigation process;
 - insisting on the complaint being dealt with in ways which are incompatible with the adopted procedure or with good practice;
 - making what appear to be groundless complaints about the staff dealing with the complaint, and seeking to have them replaced by someone more senior or with a person the complainant names;
 - refusing to accept information provided, for no justifiable reason;
 - making statements the complainant knows are not true or persuading others to do so;
 - supplying manufactured 'evidence' or other information the complainant knows is incorrect;
 - raising a large number of detailed but unimportant questions and insisting that they are all fully answered;
 - lodging a number of complaints in batches over a period of time, resulting in related complaints being at differing stages of the complaints procedure;
 - pressing for further investigation of matters that have already been addressed;
 - electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved;
 - using obscene, racist, offensive or threatening language in written or verbal communications;
 - threatening or aggressive or abusive behaviour in direct personal contacts with staff;
 - using the vehicle of valid new complaints to resurrect issues which were included in previous complaints;
- and/or
- persistently sending communications which demand responses, or making telephone calls seeking interview with staff, after the Trust has closed the investigation into a complaint and all rights of review and appeal have been exhausted.

Any complainants demonstrating such behaviour will be given an opportunity to modify their behaviour before correspondence is closed.

All correspondence relating to a complainant will be kept on file for a period of six years after the date of the complaint's resolution, as will any other relevant documentation including notes of telephone calls or meetings referring to the matter.