



**MANOR**  
MULTI ACADEMY TRUST

# Complaints Policy

# Complaints Policy

Manor MAT aims to be fair, open and honest when dealing with complaints. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interest of the child above all other issues.

The majority of issues raised by parents, or pupils, are concerns rather than complaints. Within all our school we are committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without the moving to formal procedure. However, in those instances where a parent does not feel a concern has been addressed, or it is sufficiently serious, then the schools formal complaints procedure should be used.

This school is an Academy and is therefore governed by The Education (Independent School Standards) (England) (Part 7 of The Education Independent School Standards) Regulations 2014 section 109)

This Complaints Policy applies to all concerns and complaints of the parent of pupils at the School, other than those involving child protection issues, or relating to admissions, exclusions and SEND, for which there are separate policies and procedures. Where a complaint is made by a member of staff, depending upon the nature and seriousness of the complaint, the matter may be dealt with under separate HR procedures, which are strictly confidential, rather than under the complaints policy.

Manor MAT School's Complaint Policy has four main stages. These are as follows:

Stage 1: Informal Complaint

Stage 2: Informal Complaint investigated by a senior member of staff Headteacher of school

Stage 3: Complaint Heard by the CEO of the Trust

Stage 4: Complaint Panel Hearing Governors from across schools within our trust (but not linked to the school the complaint is from and a governors from a school not in our Trust (sourced from Trust locally in our City)

As an academy trust a MAT is a single legal entity, a charitable company, with a board that is accountable for all of the academies within the trust. There is no lead school within a MAT. The MAT board is equally responsible and accountable for the performance of all the academies within the trust

The Procedure for handling concerns or complaints will be as follows:

## Stage 1 – Informal Complaint

Complaints can be raised at school at any time, it is in everyone's best interest to resolve any complaints at the earliest possible stage. Parents/Carers should raise complaints initially with the Class Teacher or the Lead Practitioner in the Phase. An appointment will be made as soon as

possible in order to give both parties the opportunity to talk about the issue in an appropriate manner and without being interrupted. The school will ensure that an appointment will be offered within 3 school days to discuss the complaint.

The record of the concern and the resolution will be file noted by the person dealing with the complaint.

### **Stage 2 – Formal Complaint resulting in a meeting with a member of Senior Leadership Team (Head of the School)**

If there is an unresolved complaint under stage 1, an appointment can be made with a member of the Senior Leadership team at the school where complaint is logged. This will happen within 5 working days.

The purpose of the meeting should be to establish the nature of the on-going complaint, what has been discussed with the class teacher or AHT within the phase so far and any actions arising from the initial meeting.

It is in everyone's best interests to deal with the complaints as quickly as possible, however it might be that the member of Senior Leadership team dealing with the complaint might need to look into what has happened from the initial meeting before suggestions can be made about how the complaint might be resolved. If this is the case, it should be agreed how and within what timescale contact will be made to let parents/carers know the outcome of the enquiries and what actions have been taken/proposed to take.

The member of Senior Leadership team will make a brief written record of the complaint discussed and what has been agreed.

**It is expected that most complaints will have been resolved at this stage through the informal process.**

### **Stage 3 – Written Complaint heard by the CEO of the Trust (Anita Cliff)**

An unresolved complaint under stage 2, or a complaint that is more serious and needs investigation, should be set out in writing with full detail of what the complainant considers should have been done, or where the School has not met reasonable expectations and sent with all the relevant documents and full contact details to the CEO at Manor MAT School. The complaint will be logged including the date that the school received the date and we will acknowledge receipt of the complaint within 3 working days.

An investigation will be carried out by the CEO. A meeting with the CEO and the complainant will be set up following the CEO speaking with everyone involved. Wherever possible this meeting will take place within 15 working days of the written complaint being received.

The CEO will write to the complainant putting their findings in writing and will indicate, if any, steps that have been taken to resolve the matter. This will be done within 15 working days of the meeting with the complainant.

Any complaints relating to the CEO must be raised in the first instance with the Chair of Governors for investigation.

#### **Stage 4 – Formal Written Complaints heard by the Directors of the Trust**

A complaint that is unresolved following meetings with the CEO can be considered by the Hearing Committee of the Directors which comprises of any three Governors from across our schools. As a MAT of 7 schools we currently have 5 LGBs established, we will source the panel from these LGBs so they are independent of the school the complaint is from and they are not involved in the management and running of the school and from Trusts locally. **(Directors of the trust are obviously linked to all aspects of running and managing each school in the MAT) . It is a statutory requirement that when a panel hearing is established one panel member is independent of the management and running of the school. Manor MAT will ensure that all three panel members are independent of the management and running of the school the complaint is from. (Two governors from one of our LGBs not linked to the school where the complaint is from and one governor from local trusts in our city to sit on the panel.)** The request for a complaint to be heard by the Hearing Committee must be put in writing, addressed to the Clerk of Governors of Manor MAT school, outlining why the complainant is dissatisfied with the response from the CEO.

The Clerk will invite the Governing Body to put in writing its response to the complainant and will do so within 15 working days and at the end of that period (whether or not the School has responded) the Clerk will convene a meeting of the Hearings Committee of the Governing Body. The meeting will be held as quickly as possible and will be mutually agreed by all participants. Wherever possible the meeting will be held within 15 working days of the end of the School's response. At any meeting, the complainant is entitled to be accompanied by a friend but legal representation will not be allowed.

At the meeting the parent/carer will be given the opportunity to put their reasons for dissatisfaction or to give further details that may not have previously been shared. The School will have the opportunity to put their side of things and each side, as well as the Hearing Committee will be able to ask questions. The complainant will have the opportunity to make final comments to the Hearings Committee.

The Hearings Committee may make findings and recommendations and a copy of these will be:

- I. Sent to the parent/carer and, where relevant, persons relating to the concern/complaint
- II. Made available for inspection on the School premises by Academy Trust and the CEO

The Hearings Committee will formulate its response as quickly as reasonably possible, aiming to do so within 10 working days and the Clerk to the Governors will notify all concerned.

If a parent/carer tries to reopen the same issue, the Chair of Governors may write to the complainant to inform them that the procedure has been completed and the matter closed

A written record will be kept of any formal complaints, and of whether they are resolved at the preliminary stage or proceeded to a Hearings Panel.

The academy will record the action it takes as a result of complaints (regardless of whether they are upheld)

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.

### **Time Limits**

Complaints will be considered and resolved as quickly and as efficiently as possible. As such, any complaints made under this policy must only relate to incidents or concerns occurring with the last **12 months**. A complaint will not usually be considered if a child is no longer attends Manor MAT School.

### **Vexatious or Repeated Complaints**

There will be occasions when, despite all stages of the procedure having been followed, the parent/carer remains unsatisfied or the complainant persists in making the same complaint to the school. There may be occasions when the complainant raises unreasonable persistent complaints or raises complaints about matters that don't concern them. There may also be times when the complaint is made about a matter that is clearly so trivial that it would be a waste of the School's resources to deal with it under the formal stages of the procedure.

In all these cases the school reserves the right to regard the complaint as vexatious and/or repeated and to refuse to investigate it under the procedures of the complaints policy, if it appears reasonable to do so, having regard to the circumstances surrounding the complaint.

When the school decides the complaint is vexatious and/or repeated and not be investigated, the school will write to the complainant within 10 working days of the complaint being raised to notify them of the decision.

### **Data Protection Act 1998 and freedom of Information Act 2000**

Complaints sometimes include requests for information or documentation. Such requests will either be 'subject access request' under the Data Protection Act 1998 (where the information requested relates to an identifiable individual) or a request under the Freedom of Information Act 2000 (where information is general and not related to an identifiable individual)

Subject access requests under the Data Protection Act 1998 must be responded to within forty calendar days, and requests under the Freedom of Information Act must be responded to within twenty working days, however the school will aim to provide this information as soon as practicable (where the request is valid and the Complaint is lawfully entitled to the information or documentation) in accordance with the rules of natural justice. Further details can be found in the School's Data Protection Policy and Freedom of Information Policy.

### **Retention of Records**

A full written record will be held centrally at the School of all Formal Written Complaints heard by the Headteacher or Governing Body. Records of complaints will be destroyed when the pupil

reaches the age of 18 or, in the case of a child with special educational needs, until the pupil reaches the age of 25

### **Confidentiality**

All correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State, an OFSTED registered inspector, or under legal authority.

### **Complaints to the Education Funding Agency (EFA)**

When a complainant is dissatisfied with the academy and service provided by the academy the Education Funding Agency handles complaints about academies. The EFA can only look at complaints about academies that fall into the following areas.

1. Undue delay or non-compliance with the academy's own procedure
2. An academy's failure to comply with the duty imposed on it under its funding agreement with the secretary of state
3. An academy's failure to comply with any other legal obligation, unless there is another organisation better placed to consider the matter

Further information about the Procedure for dealing with complaints about academies can be found at [www.gov.uk/government/organisations/education-funding-agency/about/complaints-procedure](http://www.gov.uk/government/organisations/education-funding-agency/about/complaints-procedure)

This Complaints Policy has been ratified by the Board of Trustees, and will be reviewed annually. It will be published on the School's Website and provided to Parents and Pupils on request at the School Office. A copy of this Complaints Policy will be provided to the Complainant when a concern, difficult or complaint is first raised.

**Reviewed August 2019**

### Formal Complaint Form

Please complete and return to school who will acknowledge and explain what action will be taken

Your Name:	Pupil's Name:
Your relationships to the pupil:	Pupil's date of birth and class:
Address including postcode	Daytime telephone number:
	Evening telephone number:
Full details of the complaint (including the names of all persons and dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint (for example, who did you speak to, when and what was the response)	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details	
Signature:	Date:
For official use	
Date of acknowledgement sent:	
Name of person complaint referred to:	
Signature:	Date:

