



Complaints Policy

COMPLAINTS POLICY AND PROCEDURES

[VERSION 4.0]

CONCORDIA MULTI ACADEMY TRUST

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1. Document Control

Amendment History

Version No.	Date	Comments
2.0	June 2022	
3.0	Sept 2022	Updated wording to mirror order of support
4.0	Jan 2023	Update to include option of remote meeting and clarification on who a complaint should be sent to

Review Dates

Next Review Date
June 2023 (Annual review)

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2. Introduction

Complaints relating to the following issues are covered by a separate/specific policy.

- **Safeguarding:** covered through the safeguarding policies of individual schools in the Trust.
- **Exclusions:** dealt with through the exclusion policies and appeals procedures of individual schools in the Trust.
- **Special Educational Need and Disability (SEND):** any concerns should be raised with the Local Authority SEND Team.
- **Allegations of abuse:** allegations of abuse or inappropriate conduct by a member of staff must be reported to the Head of the school concerned immediately. Allegations of abuse against the head of a Trust school must be reported to the Chair of Local Academy Board and the CEO immediately.
- **Staff grievances & disciplinary issues:** these matters will be dealt with through the internal grievance and disciplinary policies of the Trust and individual schools.
- **Whistleblowing:** The Trust has specific whistleblowing policies & procedures.
- **Complaints re external providers:** providers should have their own procedures to deal with complaints and should be contacted directly.
- **Admissions:** please see the Trusts admissions statement.

This policy complies with Schedule 1, Part 7 of the Education (Independent School Standards) (England) Regulations 2014 and advice given by the Education Funding agency with regard to dealing with complaints in Academies and Multi Academy Trusts.

Timescales

We aim to resolve any complaints in a timely manner. Timescales are indicated in relevant sections of this policy.

Scope of the Procedure

Complainants may be anyone with an interest in the work of the school or Multi Academy Trust (MAT). It is expected that it will be mainly parents/carers or guardians who will make use of the procedures outlined in this policy, but please note the same procedures will be used for complaints from people who are not parents of pupils within the Trust.

Policy Aim

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, and it is fair to those concerned and helps promote parents' and pupils' confidence in the schools'/Trust's ability to respond fairly and promptly when an issue arises. We will try to resolve every concern or complaint in a positive way ensuring transparency at every stage.

Concordia Multi Academy Trust expects that most concerns can be resolved informally but guarantees to treat seriously and confidentially all concerns whether raised informally or formally.

Policy Statement

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships. We intend that parents and pupils should never feel or be made to feel that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at any of the schools in the Trust. The policy does, however, distinguish between a concern or difficulty which can be resolved informally and a formal complaint which will require further investigation.

3. The difference between a concern and a complaint

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint’s procedure. All schools should take concerns seriously and should make every effort to resolve the matter as quickly as possible.

Where a Parent/Carer has difficulty discussing a concern with a particular member of Staff, the School should respect those views and arrange an alternative Staff member who will listen to the Parent/Carers. Similarly, if the member of Staff directly involved feels unable to deal with a concern. The school may wish to nominate a member of Staff to deal with any such requests. The ability to consider the concern objectively and impartially is more important.

Anonymous complaints

Anonymous complaints will not normally be investigated, however, the Headteacher or Chair of the Local Academy Board, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

The complaint must be raised within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. In exceptional circumstances those timescales can be extended.

Wherever possible the school will adhere to the timescales as stated in this complaints policy if this is not possible the delay and reason for the delay will be communicated to the complainant.

Where other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA) Safeguarding teams or Tribunals, this may impact on the school’s ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the school in relation to their complaint, consideration will be given as to whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaints received outside of term time will be deemed to have been received on the first school day after the holiday period.

4. Resolving complaints

At each stage in the procedure, the school wants to resolve the complaint. If appropriate, the school will acknowledge that the complaint is upheld in whole or in part. In addition, the school 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 the school 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.

Withdrawal of a complaint

At any point during the process a complainant may withdraw their complaint, they will be asked to confirm this in writing.

5. How to raise a concern or make a complaint

Stage 0 - Informal Complaints

Concerns

Concerns raised by parent/carers should be resolved informally. This process should also be followed if it is perceived a complaint may be made enabling preventative steps to be taken.

Unresolved concerns

If the issue cannot be resolved as an informal complaint, then it should be referred as follows for an investigation in accordance with Stage 1.

Record of concerns

In the case of concerns raised under Stage 0 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

Stage 1 - Formal Complaints

Notification

A concern or complaint against school staff (except the Headteacher) should be made in the first instance to the Headteacher via the school office preferably on a completed complaint form and include details of the complaint, who has been contacted and possible outcomes to resolve the issue. The member of staff receiving the complaint should record this on the form for record purposes.

At no point during the process should complainants' approach individual members of the Local Academy Board (previously known as Governors) to raise concerns or complaints. These representatives have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure (prior knowledge). Where a direct approach is made to a representative of the Academy Board, he/she should refer the matter to the Headteacher.

For ease of use, a Complaint Form (Appendix B) has been included in this complaints policy.

Acknowledgement

The complaint will be acknowledged in writing normally within 3 school days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

Investigation and resolution

The Headteacher/Chair of Local Academy Board/Chair of the Trust Board/Chief Executive Officer (CEO) may act as investigating officer or delegate to a senior member of staff, representative of the Local Academy Board, Trustee, or member. The 'investigating officer' may request additional information from the complainant and will fully investigate the issue. In all cases, the investigating officer will meet or speak with the parent/carer to discuss the matter. The person who is allocated

to carry out the investigation is able to appoint another party to carry out the investigation if agreed with the CEO or Chair of Trustees.

Complaints that involve members of school staff, volunteers or third parties (excluding the Headteacher) should be raised directly with the Headteacher. The Headteacher will either investigate the complaint or delegate to another member of staff. At the conclusion of their investigation a formal written response will be provided.

Complaints that involve or are about the Headteacher should be addressed to the Clerk of the Trust Board trust@concordiamat.co.uk on a completed complaint form. These complaints will be investigated by the Chair of the Local Academy Board or CEO, who may consider appointing an independent investigator. At the conclusion of their investigation a formal written response will be provided.

Complaints about representatives of the Local Academy Board should be addressed to the Clerk of the Trust Board trust@concordiamat.co.uk on a completed complaint form. These complaints will be investigated by the Chair of the Local Academy Board, who may consider appointing an independent investigator. At the conclusion of their investigation a formal written response will be provided.

Complaints about the Chair of the Local Academy Board should be addressed to the Clerk of the Trust Board trust@concordiamat.co.uk on a completed complaint form. These complaints will be investigated by the Trust Board, who may consider appointing an independent investigator. At the conclusion of their investigation a formal written response will be provided.

Complaints about members of the Central Team (excluding the Clerk) should be addressed to the Clerk of the Trust Board trust@concordiamat.co.uk on a completed complaint form. These complaints will be investigated by the Trust Board, who may consider appointing an independent investigator. At the conclusion of their investigation a formal written response will be provided.

Complaints about the Clerk should be addressed to the CEO CEO@concordiamat.co.uk on a completed complaint form. These complaints will be investigated by the CEO, who may consider appointing an independent investigator. At the conclusion of their investigation a formal written response will be provided.

Complaints about Trustees should be addressed to the Clerk of the Trust Board trust@concordiamat.co.uk on a completed complaint form. These complaints will be investigated by the Members, who may appoint an independent investigator. At the conclusion of their investigation a formal written response will be provided.

Outcome

The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days from the receipt of the complaint. Please note that any complaint received during a school holiday or within 15 working days of the end of term or half term may take longer to resolve.

Record of complaints

Written records will be kept of any meetings and interviews held in relation to the complaint.

Unresolved Complaints

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

Stage 2 – Formal Complaint

Request

A request to escalate to Stage 2 must be made in writing by the complainant within 5 school days of the date of the decision made at Stage 1. This request should be made to the Clerk of the Trust Board Trust@concordiamat.co.uk including a copy of the original written complaint, indicating which matters remain unresolved. No new issues or complaints may be included.

Acknowledgement

Where a request is received, the Clerk to the Trust Board will act as Clerk to the Complaints Board.

The complaint will be acknowledged in writing normally within 3 school days of receipt during term time and as soon as practicable during the holidays. The Clerk will be the contact point and inform the complainant of the steps involved in the process.

Complaint Board Hearing

The Clerk will aim to convene the complaints board hearing as soon as possible and inform the complainant, normally no later than 20 working days after receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At least 15 School days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time, and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties (subject to the 3 dates being offered) and that the venue and proceedings are accessible. The meeting may be held remotely subject to the agreement of all parties.
- request copies of any further written material to be submitted at least 10 School days before the meeting.

Any written material will be circulated to all parties at least 7 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The complaints board will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

Complaints board membership

The complaints board will consist of two representatives who have not previously been involved in the complaint and one person independent of the management and running of the school.

In deciding the make-up of the Board, representatives need to try and ensure that it is a cross-section of the categories and sensitive to the issues of race, gender, and religious affiliation.

The Chair of the complaints board will be agreed prior to the meeting after discussion with the Clerk.

The remit of the complaints board

The complaints board can:

- ◁ 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
- ◁ where appropriate, recommend changes to the school's or Trust's systems or procedures to ensure that problems of a similar nature do not recur.

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school/Trust and the complainant. The Chair of the Board will ensure that the proceedings are as informal as possible. The order of the complaints meeting is outlined in appendix A.

In exceptional circumstances and in relation to more complex cases the complaints board may choose to adjourn the meeting to further deliberate, request additional information or commission an independent investigation.

Attendance

The following are entitled to attend a hearing, submit written evidence, and address the complaints board:

- ◁ the complainant, who may have someone to provide support
- ◁ the person complained against who may have someone to provide support
- ◁ any other person who the complaints board considers to have a reasonable and just interest in the appeal and whose contribution would assist them in their decision making
- ◁ the meeting may be held remotely subject to the agreement of all parties.

Evidence

All parties will be given the opportunity to submit written evidence to the complaints board in support of their position including.

- ◁ documents
- ◁ chronology and key dates
- ◁ written statements setting out further detail

The evidence will be considered by the complaints board along with the initial submission.

All written evidence must be received by the Clerk no later than 5 working days in advance of the complaints board. The Clerk will distribute the evidence to all parties no later than 3 working days in advance of the meeting.

6. Roles and Responsibilities

The Role of the Clerk

The Clerk is the contact point for the complainant and required to:

- ◁ set the date, time, and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- ◁ collate any written material and send it to the parties in advance of the hearing
- ◁ meet and welcome the parties as they arrive at the hearing
- ◁ record the proceedings
- ◁ notify all parties of the complaints board decision

The Role of the Chair of the complaints board

The Chair of the complaints board has a key role, ensuring that:

- ◁ the remit of the board is explained to the parties and each party has the opportunity of putting their case without undue interruption
- ◁ the issues are addressed
- ◁ key findings of fact are made
- ◁ parents or others who may not be used to speaking at such a hearing are put at ease
- ◁ the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- ◁ the complaints board is open minded and acting independently
- ◁ no member of the board has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- ◁ each side is given the opportunity to state their case and ask questions
- ◁ written material is seen by all parties. If a new issue arises it would be useful to give all parties, the opportunity to consider and comment on it

7. Decision

The complaints board will reach a decision and make any recommendations within 10 working days of the hearing. The decision reached is final but if the complainant is not satisfied regarding the handling of their complaint, they can appeal to the Trust Board for a review to ensure the correct policies and procedures were followed.

In the event that the complainant believes the Trust did not handle their complaint in accordance with the published complaints procedure they may refer the matter to the Education and Skills Funding Agency (ESFA) after they have completed Stage 2. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the ESFA as below

- ☉ calling the National Helpline on 0370 000 2288
- ☉ using the ESFA's [Contact Form](#)
- ☉ writing to the ESFA at the following address - Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency, Cheylesmore House, Coventry, 5 Quinton Road, Coventry, CV1 2WT.

Notification of the complaints board Decision

The complaints board's findings will be sent, in writing, to the Clerk, to the parents/carers, the Headteacher and, where relevant, to the person complained about. The letter will state the reasons for the decision reached and any recommendations made by the LAB or TB including the above details re appealing to the ESFA.

Record Keeping

The school and/or trust will keep a record (minutes of meetings, correspondence, written evidence) of all complaints, appeals, decisions, and recommendations of the complaints board.

8. Unreasonable Complainants

Please refer to the managing serial and unreasonable complaints policy.

Concordia Multi Academy Trust 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 our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.

Concordia Multi Academy Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school. Please refer to policy.

Appendix A – Order of complaints board hearing

1. The Chair welcomes the complainant and his/her representative and introduces the board including the role of the clerk and procedure for taking minutes.
2. The Chair explains the purpose of the meeting, the procedure and asks for confirmation that all written evidence has been made to all parties.
3. The complainant is invited to explain the complaint calling in witnesses if appropriate.
4. Members of the complaints board are invited to ask questions of the complainant and any witnesses.
5. The complainant and companion leave the meeting.
6. The Chair welcomes the person complained against and his/her representative. The Chair explains the purpose of the meeting, the procedure and asks for confirmation that all written evidence has been made to all parties.
7. A response to the complaint is given including a description of the action taken to address the complaint at Stages 1 & 2 of the procedure and calling witnesses if appropriate.
8. Members of the board are invited to ask questions.
9. The person complained about, and representative then leave the meeting.
10. The complainant, together with his/her representative are invited back into the room to make a final statement and informed that the decision of the board will be communicated in writing of within 10 working days.
11. The person complained about, and representative are invited back into the room to make a final statement and informed that the decision of the board will be communicated in writing within 10 working days.
12. The board will consider the information that has been presented and must reach a majority decision. The board will also decide what action if any to take to resolve the complaint and if appropriate recommend to the Local Academy Board/Board of Trustees any changes to ensure similar complaints are not made in the future. The clerk will be asked to leave, and the deliberations will not be recorded.
13. The Chair of the complaints board will liaise with the Clerk to confirm all outcomes in writing to both parties in accordance with the complaint's policy.

Appendix B - Complaint Form

Please complete and return to the Clerk for the Trust, Trust@concordiamat.co.uk who will acknowledge receipt and explain the complaints process.

What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was their response?)

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature:
Date:
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Date: