



Fields Multi Academy Trust

Complaints Policy

Adopted: December 2016
Agreed by Trust Board: December 2016
Reviewed: November 2023
To be reviewed: November 2024

“Fields Multi Academy Trust is committed to safeguarding and promoting the welfare of children and adults at all times and expects everybody working with us to share this commitment.”

Complaints Procedure

Fields Multi Academy Trust strives to ensure that its children are healthy, happy and safe, so they are able to achieve their full potential. We recognise that parents, guardians or carers play an important part in making this happen. Co-operation between parents, staff and Governors leads to a shared sense of purpose and a good atmosphere in our schools.

Our aim is to deal with issues and concerns before they become a 'complaint'. However, there is a clear protocol to follow if necessary and the steps to follow are outlined in this document.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services provided by Fields Multi Academy Trust and its schools, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs• Academy re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or academy re-organisation proposals should be raised with the relevant local authority.
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.
<ul style="list-style-type: none">• Exclusion of children from school	Further information about raising concerns about exclusion can be found at www.gov.uk/school-discipline-exclusions/exclusions
<ul style="list-style-type: none">• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff, volunteers and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus

<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the Fields MAT grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the Fields MAT 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.</p> <p>However the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at:</p> <p>www.education.gov.uk/contactus</p>

If other bodies are investigating aspects of the 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.

If a complainant commences legal action against our academy in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Timescales

The complaint must be raised 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 consider complaints made outside of this time frame if exceptional circumstances apply.

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.

Withdrawal of a Complaint

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

Anonymous complaints

We will not normally investigate anonymous complaints. However the Executive Headteacher, Chair of the Local Governing Body or Chair of the Trust Board if appropriate, will determine whether the complainant warrants an investigation.

Investigating Complaints

The person investigating the complaint will:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the complainant or contact them if further information is required.
- Clarify what the complainant feels would put things right.
- Conduct any interviews with an open mind and be prepared to persist in the questioning.
- Complete all necessary notes.

Review of Complaints

The Board of Directors will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary. The Executive Headteacher will report any formal complaints to the Board. As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to the Trust/school's improvement. When individual complaints are heard, the Local Governing Body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the Trust and Local Governing Bodies will be a useful tool in evaluating the school's performance.

Informal Stage – 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.

Concerns should be raised with either the class teacher or Headteacher. Concerns and informal complaints will be acknowledged and appropriate actions taken within 5 working days. If the issue remains unresolved, the next step is to make a formal complaint within 10 academy days of the informal outcome.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against academy staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of the Trust Board, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Local Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure (Appendix A). If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

If the concern/complaint cannot be resolved through informal discussion, the complainant should contact the school office. The complaint should be made in writing. If the complaint is made by another person on the complainant's behalf, this must be accompanied by written consent (by letter or email).

Formal Stage

Stage 1

An investigation into the complaint will follow, usually involving a meeting with the complainant and a senior member of staff, or representative of the Multi-Academy Trust, who has no direct involvement in the complaint.

A written response to the complaint will usually be given within 10 school days of receipt of the complaint. This will set out the conclusions of the investigation, including whether the complaint is upheld or not and any further action that will be taken.

Stage 2

If the complainant remains dissatisfied, they should put the complaint in writing to the Chair of Governors of the local governing body at the school. The Chair/Vice Chair or nominated Governor should meet with the complainant to discuss his/her concerns within ten school days of receiving the complaint, or as soon as is reasonably practical after this.

The Chair/Vice Chair/nominated governor will review the investigation and communicate his/her response in writing to the complainant within ten school days of receiving the written complaint.

Where the complainant is dissatisfied with this response the complaint should move to the appeal stage of the procedure.

Stage 3

This is the final stage of the Complaints Procedure

If the complainant is dissatisfied with the outcome from Stage 2 and wishes to take the matter further, they can escalate the complaint – a meeting with members of the complaints committee formed of two members from the Local Governing Body/Trust Board and the third member who must be independent of the management and running of the Trust. None of the panel members will have any prior knowledge of the complaint.

A request to escalate the complaint must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 academy days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 academy days of receipt of the Stage 3 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 the 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.

Prior to the meeting, the committee will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than two governors/Directors from the Trust available, the Clerk will source any additional, independent governors through another Trust school, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

In addition to the panel members, the complainant will be invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if an employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct

complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 5 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 and that the venue and proceedings are accessible

request copies of any further written material to be submitted to the committee at least 5 academy days before the meeting.

Any written material will be circulated to all parties at least 5 academy 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 committee 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.

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.

The committee will consider the complaint and all the evidence presented. The committee can:

uphold the complaint in whole or in part

dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

decide on the appropriate action to be taken to resolve the complaint

where appropriate, recommend changes to the academy's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant, the academy and where relevant, the person complained about, a full explanation of their decision and the reason(s) for it, in writing, within 5 academy days.

The letter to the complainant will include details of how to contact Fields Multi Academy Trust if they are dissatisfied with the way their complaint has been handled by the Committee.

In addition, it may be appropriate to offer one or more of the following:

- an apology.
- an explanation.
- an admission that the situation could have been handled differently or better.
- an assurance that the event complained of will not reoccur.
- an explanation of the steps that have been taken to ensure that it will not happen again.
- an undertaking to review Academy policies in light of the complaint.

However, please note that an admission that the Academy could have dealt with a situation differently is not the same as an admission of negligence.

All correspondence relating to any complaint is kept confidentially, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access.

What to do if you remain dissatisfied

The complainant will have no further right to appeal this decision made by the panel. However, a complainant may contact the Education Funding Agency if they are dissatisfied with the way in which their complaint has been handled once the full complaints procedure with the school has been completed.

If the complainant believes that the Governing Body has acted unreasonably, s/he can complain in writing to the Secretary of State for Education. Ofsted has certain powers to investigate certain types of complaint from parents to help them decide whether or not to inspect a school. Before complaining to the Local Authority, the Secretary of State or to Ofsted, all stages of the Academy procedure should have been exhausted.

On very rare occasions, complaints can be made that are vexatious, in that an individual persists unreasonably with his/her complaint, or makes complaints in order to make difficulties for the school rather than genuinely to resolve a concern.

Action then taken may include restricting the contact between the complainant and the school.

If at any level a complainant attempts to reopen an issue or closely related issue that has already been dealt with under this complaints procedure, the Chair of the Board may write to the complainant to inform him/her that the procedure has been

exhausted and the matter closed and that continued correspondence on the same matter, is vexatious and that the Academy Trust will not respond to any further correspondence on this issue or any closely related issue.

Fields Multi Academy Trust

Complaints Form

Please complete and return to the Executive Headteacher or Chair of the Local Governing Body who will acknowledge receipt and explain what action will be taken.

Your name:

Child's name:

Your relationship to the pupil:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try to resolve your complaint?
(Who did you speak to 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:

Official use:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: