



Carlton Academy Trust Complaints Policy

Ratified Date: Sept 2020

Signed on behalf of the Trustees: G Logan

Signed on behalf of the CEO: A Kneeshaw

Review Date: Sept 2021

Policy Aims and Scope

This policy deals with complaints from the parents or other relevant stakeholders. Staff complaints are dealt with through other trust policies.

In addition, it does not deal with complaints relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding
- Exclusions

Procedures for Dealing with Complaints

Informal Complaints

Complaints should be made in writing to the Head of School. If the complaint is about the Head of School, the complaint should be directed to the Chief executive Officer (CEO) of the trust. If the complaint is about the CEO, the complaint should be made to the Chair of Trustees. Complaints relating to individual trustees should also be directed to the Chair of Trustees.

Where possible, complaints will be resolved informally. These can be registered in person, telephone, email or by letter. The school/trust will acknowledge these within 5 working days and provide a response within a further 10 working days.

Formal Complaints

If informal means are unsuccessful or inappropriate, a formal process will be instituted. The complaint must be made in writing, setting out the full details of the complaint and what they seek as a fair and reasonable resolution. This will be acknowledged by the school/trust within 5 working days.

An Investigating Officer from the senior leadership team will be appointed, who will seek to establish the full facts relating to the complaint, which will usually involve meeting with the complainant. The complainant may be accompanied at such a meeting by one other person. However, this must be agreed with the school/trust in advance, with the trust reserving the right to exclude persons which it feels are inappropriate or irrelevant to the case. The Investigating Officer will prepare a full report which will be provided to the Head of School/CEO/Chair of Trustees, and where appropriate recommend possible resolutions. On completion of this report, the school will formally respond to the complainant within 10 working days.

Appeals

Appeals should be made within 10 working days of the formal decision being communicated to the complainant. The appeal should be registered in person, by email, letter, or through a third party with authority to act on their behalf.

This notification should then be followed with full written details of why they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint. The appeal should be made to the CEO, or to the Chair of Trustees if the original decision was made by the CEO. If the original decision was made by the Chair of Trustees, the trust will constitute an independent panel to hear the complaint. This panel will consist of three people with no previous involvement with the complaint. It will contain at least one trustee and at least one person who is independent of the school/trust. The panel will be suitably skilled and can demonstrate that they are independent and impartial.

The complainant will be given at least 5 working days' notice of the hearing, and where possible be held within 20 working days of receipt of the full written appeal. All relevant paperwork and evidence should be exchanged within two working days of the hearing.

If the complainant is unable to attend the first meeting date, a second date will be arranged. If they are unable to attend the second meeting, the trust has discretion to hear the appeal in their absence using their written submissions as a basis for evidence. The complainant has the right to be accompanied at the appeal, but their identity must be disclosed in advance with the trust reserving the right to exclude people whose attendance is deemed irrelevant or inappropriate.

Both parties at the appeal will be offered a full opportunity to present their evidence and ask questions, after which the panel will deliberate and make the decision to either reject or uphold the appeal. This decision will be formally communicated within 10 working days. If upheld, the panel will decide the appropriate action to resolve the complaint and provide any recommendations to prevent future recurrence.

Time Scales

The complaint must be raised within 3 months of the incident/latest incident in a series of incidents. This stipulation may be waived in exceptional circumstances when this time limit was not realistic or possible.

Responsibilities

When responding to complaints the **school/trust** will:

- Be impartial and courteous
- Facilitate full and fair investigations by an independent person or panel
- Provide a prompt response
- Respect confidentiality
- Learn lessons which inform school/trust improvement.

The **complainant** must:

- Follow the procedures set out in this policy
- Co-operate with the school/trust throughout and respond to deadlines and requests in a prompt and reasonable manner
- Treat other parties with courtesy and respect
- Maintain confidentiality.

Complaints against Chair of Trustees or Trust Board

Complaints against the Chair of Trustees or Trust Board will be heard by an appeal panel independent of the trust. This will use the same methodologies found in the aforementioned appeals process.

Further Complaints on Completion of Trust Processes

At the completion of the trust complaints process, complainants have the right to refer their complaint to the Department for Education (DFE). Complainants will be informed of this in the appeal outcome letter.

The DFE does not have the power to overturn a decision. However, it will investigate if there was undue delay, failure to comply with trust policies, a breach of its' funding agreement or other legal obligation. This may result in them asking for the complaint to be re-investigated and/or correct its complaint procedures accordingly.

More information on this can be found through the following link:

<https://www.gov.uk/complain-about-school>

Unreasonable Complaints

A complaint may become unreasonable if the person:

- Has made the same complaint before, and it has already been resolved through the school/trust's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, repetitive, clearly without merit, or provides knowingly false or inaccurate information.
- Pursues a valid complaint, but in an unreasonable manner, such as refusing to articulate the complaint or co-operate with the complaints process, or insists it is dealt with in ways that are incompatible with this policy.
- Changes the basis of the complaint as the investigation progresses
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school/trust time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

If we believe a complaint to be unreasonable the trust reserves the right to stop the process. This decision will be communicated to the complainant with reasons for that decision.

Duplicate complaints

If a complaint is received from the same person or other related party duplicating one that has already been through or is currently progressing through the complaints process, the trust has discretion not to continue with the process provided that no substantial evidence or information is presented. The definition of such new information and evidence is at the discretion of the trust. This decision will be communicated to the complainant as well as their right of complaint to the DFE.

Complaint Campaigns

Where the school/trust receives a large volume of complaints about the same topic or subject, they may respond to these complaints by:

- Publishing a single response on the school/trust website
- Sending a template response to all the complainants

Record Keeping

The school/trust will keep records of all complaints received, their nature, actions taken and outcome. These will be confidential except for when authorised parties request access to these records through a freedom of information (FOI) request, subject access request under the terms of the Data Protection Act, or Ofsted inspection.