



## Complaints Policy

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**Scope:**

This policy applies to parents or carers of pupils and students at any Academy within the QEGSMAT (the Trust) and members of the public. Its aim is to ensure that any complaint, including a complaint against a member of staff, is handled by the Trust fairly, effectively and within the timescales identified by this policy.

It underlines the principle aim of dealing with concerns swiftly and effectively and outlines the process by which complaints can be made, what can be expected during the period of investigation and communication during the process.

The policy is available on the QEGSMAT website and can be made available upon request in more accessible format, including larger print.

The Department for education (DfE) highlights 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 lack of action’”*

It is in everyone’s interest that concerns are dealt with at the earliest stage so they do not escalate into complaints. Many issues can be resolved informally and the Trust and the Academies in it make every effort to resolve concerns raised as quickly as possible.

The QEGSMAT needs to know as soon as possible about any areas of concern or dissatisfaction. Parents, carers and members of the public should never feel - or be made to feel - that a concern raised, or a complaint, made in a reasonable and appropriate way, will be taken amiss or adversely affect a pupil or student or their opportunities at any Academy within the Trust. We recognise that a complaint which is not resolved quickly and fairly can soon become a cause of resentment, damaging to relationships and to our culture. Therefore, we will investigate all complaints and try to resolve them in a positive manner, treating all complaints as an opportunity to:

- Put right any matter which may have gone wrong
- Review our systems and procedures in the light of the relevant circumstances

The Director of Finance and Operations is the nominated Complaints Officer of the QEGSMAT and has responsibility for the operation and management of the Trust’s complaints procedure. Any communications to the Director are via the Executive PA.

**Dealing with concerns:**

In most cases concerns can be dealt with quickly and will not reach the stage of becoming a formal complaint. They can be raised in person, by telephone, email or letter. We will listen to concerns and take appropriate action to reassure, provide information, monitor ongoing situations and follow up where necessary. Very often, the staff member first approached will be able to resolve the concern and offer an apology immediately where necessary and appropriate.

Concerns relating to individual Academies within the Trust can be raised directly with them.

We will aim to resolve the matter within 10 school days or as soon as reasonable practicable during school holidays.

If the informal approach does not resolve the matter and the person raising the concern remains dissatisfied, they may decide to proceed to the next stage and register a formal complaint.

**The formal process:**

A formal complaint must be made in writing.

Brief notes of all meetings, telephone calls and conversations will be kept and a copy of any written response added to the record. The QEGSMAT and its Academies will keep a record of the progress of a complaint and the final outcome. Depending on the level of the complaint either the Headteacher, the nominated Complaints Officer or Executive PA will hold these records confidentially. The complainant has the right to copies of these under the Freedom of Information and Data Protection Acts.

At each stage of the procedure the person investigating the complaint or the panel will seek to establish:

- What has happened and who has been involved
- The nature of the complaint and what remains unresolved
- What the complainant feels would put things right

And:

- Interview those involved and/or those complained of, allowing them to be accompanied if they wish
- Conduct the interviews with an open mind
- Keep notes of interviews

## **Resolving Complaints:**

At each stage in the procedure the Trust will keep in mind ways in which a complaint may be resolved. It may be that is appropriate to acknowledge that the complaint is valid in whole or in part and 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 explanation of what steps have been taken to ensure that situation will not recur
- An undertaking to review policies in light of the complaint

It is useful if the complainant can state what they feel would resolve the situation at any stage. An admission that the situation could have been handled better is not an admission of negligence.

### **Stage 1:**

For a complaint about a specific Academy, the complaint should be made to the nominated Academy Complaints Co-ordinator (this will be the Headteacher or a member of the Leadership Team). This information can be found on the individual Academy website.

- The complaint should be made in writing
- The complaint will be logged and an acknowledgement sent out within 3 school days or as soon as reasonably practicable in school holidays
- The nominated Complaints Co-ordinator will investigate as outlined above
- When they are satisfied they have all the necessary information, the Complaints Co-ordinator will provide a decision in writing to the complainant with the reasons for the decision within 20 school days of receipt of the written complaint. If this deadline is not going to be met a letter explaining the reasons why and the expected full response date should be sent. A summary of the decision will be communicated to the Director of Finance and Operations, via the Executive PA, at the QEGSMAT.

For complaints about QEGSMAT issues, not specific to an Academy, the complaint should be addressed to the Director of Finance and Operations, via the Executive PA, details of whom can be found at **Appendix 1**. The schedule above will be followed.

**Stage 2:**

Where the complainant remains dissatisfied with the response, they may decide to proceed to Stage 2 of the complaints process, a Complaints Panel Hearing. The aim of the hearing will be to resolve the complaint and achieve reconciliation with the complainant. The panel will not consider any new complaints that have not been raised as part of the initial complaint. After due consideration of all the facts considered relevant, the panel will reach a decision. They can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part
- Decide the appropriate action to be taken to resolve the complaint
- Recommend changes to systems or procedures to ensure that problems of a similar nature do not recur

It is recognised that the complainant may still be dissatisfied after a hearing if the outcome is not in their favour. It may only be possible to establish the facts and make recommendations which satisfy the complainant that their complaint has been taken seriously. The decision of the panel is final and is the last stage of the complaints procedure. There are no further rights of appeal.

- To request a Panel Hearing the complainant should write to the Executive PA of the QEGSMAT within 10 school days of receipt of the decision under Stage 1, requesting a panel hearing, giving full details of the complaint and enclosing all the relevant supporting material/documents. The request will be acknowledged within 3 school days or as soon as reasonably practicable in school holidays.
- A request for a panel hearing will usually only be considered if the informal route and stage 1 have been completed.
- Academies must ensure that they have a process in place to forward any mail for the Executive PA without delay.
- Members of the panel should not have had any previous involvement in the complaint handling. Complaints will not be shared with the whole governing body, except in very general terms.
- For Academies, the Chair or nominated Governor will, once in receipt of the complaint, schedule a hearing to take place as soon as practicable and normally within 10 school work days or as soon as reasonably practicable in school holidays.
- The Chair or nominated governor will, via the Executive PA of QEGSMAT, convene a Complaints Panel of 3 people who have not been involved in previous consideration of the complaint. The panel must comprise of:

- The Chair or nominated Governor from the relevant Academy
- Two members of the QEGSMAT Board of Directors/Trustees
- The Executive PA will write to the complainant and tell them about the date, time and venue for the hearing, not less than 5 working days in advance. Also, that they may be accompanied if they wish.
- After the hearing the Chair of the Panel will write to the complainant informing them of the Panel's decision and the reasons. The decision will also be communicated to the Headteacher and the Local Governing Body, if the complaint concerns an Academy, the QEGSMAT Director of Finance and Operations and the Executive Headteacher/Chief Executive. This should be within 20 days of receipt of initial request for a Panel Hearing. If it is not possible to meet this deadline a letter of explanation and the proposed full response date will be sent to the complainant. The formal response must state clearly that the panel's decision is final and there is no further avenue for appeal within the QEGSMAT internal complaints procedure.

Parents or carers may make a complaint to OFSTED. The QEGSMAT will provide OFSTED, upon request, with a written record of all complaints made during a specified period, the action taken, the decision and outcome.

### **Serial and Persistent Complaints:**

We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. We ask complainants to understand the need to behave in a similar way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible.

The QEGSMAT does not expect its staff, Trustees or Governors to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and they will take action to protect staff, Trustees or Governors from any such behaviour if it occurs.

In cases where an Academy is contacted repeatedly by an individual making the same points, or if a complainant tries to re-open the same issue, the Chair of Governors of an Academy or the Director of Finance and Operations for the QEGSMAT, will write and inform them that the procedure has been completed and that the matter is now closed.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

We anticipate that such behaviour will be a very rare occurrence, but if we consider a complainant's behaviour is unacceptable or unreasonably persistent, we will tell them why and ask them to change it. If the behaviour continues, we may take action to restrict the complainant's contact with the Academy.

The decision to restrict access to an Academy within QEGSMAT will be taken by the Headteacher and Chair of the Local Governing Body, having discussed this with the Executive Headteacher/Chief Executive. Any restrictions imposed will be appropriate and proportionate. They may include:

- Requesting contact in a particular form (for example, emails only)
- Requiring contact to take place only with a named member of staff or member of the Local Governing Body
- Restricting telephone calls, meetings or emails to specified days and times
- Asking the complainant to enter into an agreement about their conduct

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it.

Where a complainant continues to behave in a way which is unacceptable or unreasonably persistent, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint if it is still ongoing. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint 6 months later, we will carry out a review and decide if restrictions will continue. Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, Trustees or Governors, we will consider other options, for example reporting the matter to the police and/or taking legal action. In such cases, we may not give the complainant prior warning of that action.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on the merit of that new complaint.

### **Managing and Recording Complaints:**

The QEGSMAT and its Academies will keep a written record of all formal complaints (including whether resolved at stage 1 or proceeded to a stage 2 panel hearing), the date on which they were received and their final outcome. Written records will be kept for at least 3 years. Brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record.

In the individual Academies, the Academy Complaints Coordinator is responsible for records and their safe storage. All correspondence, and statements and records of complaint must be kept confidential but must be shown to HMI when requested.

The Local Governing Body and Board of Trustees should monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure.

**Publicising the Procedure:**

There is a legal requirement for the Complaints Procedure to be published. The policy will appear on the QEGSMAT website, with local contact details published on the individual Academy websites.

## **Appendix 1 – Contact details**

### **QEGSMAT Details**

The Director of Finance and Operations is the nominated Complaints Officer of the QEGSMAT and has responsibility for the operation and management of the Trust's complaints procedure. All communications to the Director of Finance and Operations will be made via the Executive PA.

Director of Finance and Operations: Mrs L Key  
Contact details: QEGSMAT, The Green Road, Ashbourne, Derbyshire, DE61EP; FTAO  
Email Mrs L Key: info@qegsmat.com

### **Academy Details**

Each QEGSMAT Academy will publish their local arrangements (including details of who their Complaints Co-ordinator is) within this Appendix of the policy published on their Academy website.

Academy Name:  
Academy Complaints Coordinator:  
Contact details for Academy Complaints Coordinator:

**Appendix 2 - Flowchart of Complaints Procedure**

