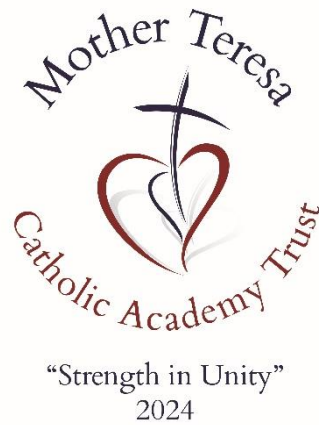




# TRUST / SCHOOL Complaints Policy September 2024

## Mother Teresa Catholic Academy Trust

|                                    |                                      |
|------------------------------------|--------------------------------------|
| <b>Date approved by Directors</b>  | <b>1<sup>st</sup> September 2024</b> |
| <b>Review Date</b>                 | <b>1<sup>st</sup> September 2025</b> |
| <b>Body Responsible for Review</b> | <b>Full Board</b>                    |

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## **MTCAT VISION & VALUES:**

### **VISION**

**"STRENGTH IN UNITY"** - The power of a couple or team pulling together, working for the same goal, striving to reach a common destination, is far greater than the sum of its parts.

OUR VISION is to create a nurturing and enriching educational community where the light of Christ shines brightly, guiding the journey of our children aged 2-19. In unity, we will provide an exceptional Catholic education that empowers children to achieve their highest potential, guided by the light and truth of Christ. Together, we build a future filled with hope, love, and the promise of a brighter tomorrow.

### **STATEMENT OF INTENT**

It is the intention of the Trust / schools to deal swiftly and fairly with any complaints received regarding any aspect of the Trust / schools. In the first instance, the Headteacher will be responsible for dealing with any complaint received. We will endeavour to negotiate any resolution using informal procedures in a spirit of fairness, truthfulness, and open dialogue with all those concerned. The complaints procedure is reciprocal and includes complaints, in respect to this policy, received by the Trust, members of the public, parents and all school staff. It is our intention to remain true to the Trust's / school's mission statements and the spirit of mutual respect for people and their rights.

This policy outlines the procedures for complaints made by:

- Persons who are members of the Directors / Local Governing Body of the school at the time they make a formal complaint.
- Parents / Carers of pupils that are registered at any Trust school.
- Persons who are pupils at any of the Trust's schools at the time they make a formal complaint.

## **CITATION, COMMENCEMENT AND APPLICATION**

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

## CONTENTS

- 1.** Who can make a complaint?
- 2.** The difference between a concern and a complaint
- 3.** How to raise a concern or make a complaint
- 4.** Anonymous complaints
- 5.** Timescale for making a complaint
- 6.** Complaints received outside of term-time
- 7.** Audio or video evidence
- 8.** Deviation from the procedure
- 9.** Scope of this complaints procedure
- 10.** Resolving complaints
- 11.** Withdrawal of a complaint
- 12.** Concerns and informal complaints
- 13.** Formal complaints
- 14.** Stage 1 – CEO / Headteacher investigation
- 15.** Stage 2 – Director / Governor Investigation
- 16.** Stage 3 – Panel Hearing
- 17.** Complaints about Directors / Governors
- 18.** Next Steps
- 19.** Roles and Responsibilities
- 20.** Procedure for managing serial and unreasonable complaints
- 21.** Procedure for managing complaint campaigns

Appendix A – Trust and School contact details

Appendix B – Stage 1 Complaint form

## 1. Who can make a complaint?

This complaints procedure is not limited to parents or carers of pupils that are registered at a school within the Mother Teresa Catholic Academy Trust (MTCAT). Any person, including members of the public, may make a complaint to the Trust or a Trust School about any provision of facilities or services that are provided. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the Trust or School will use this complaints procedure.

## 2. 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 complaints procedure. MTCAT and its Schools take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of the Trust / staff, we will respect your views. In these cases, you will be referred to an appropriate alternative Trust / staff member. Similarly, if the member of Trust / staff directly involved feels unable to deal with a concern, you will be referred to another Trust / staff member. The Trust / staff member may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, MTCAT and its Schools will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## 3. How to raise a concern or make a complaint

A concern can be raised in person, in writing or by telephone. They may also be made by a third party acting on behalf of the person with the concern, so long as they have appropriate consent to do so. Concerns should be raised with either the class teacher / Headteacher or Trust.

If the issue remains unresolved, the next step is to make a formal complaint, using the Complaint form (Appendix B). If you require assistance with completing the form, please contact the Trust / School office.

Complainants should not approach individual Directors / 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 a later stage of the procedure.

A template Complaint form is included at the end of this procedure, for use at any stage of the procedure as required. If you require help in completing the form, please contact the Trust / School office. You can also ask a third-party organisation such as 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.

#### **4. Anonymous complaints**

We will not normally investigate anonymous complaints. However, the Trust, Headteacher, or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

#### **5. Timescale for making a complaint**

You must raise the complaint 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 period only if exceptional circumstances apply.

#### **6. Complaints received outside of term-time**

We will consider complaints made outside of termtime to have been received on the first school day after the holiday period.

## 7. Audio or video evidence

Complainants should make sure they obtain informed consent from all parties present before recording conversations or meetings. In line with DfE guidance, we do not normally accept electronic recordings as evidence when we are asked to consider a complaint. Unless exceptional circumstances apply, we will not accept, as evidence, recordings of conversations that were obtained covertly and without informed consent of all parties being recorded.

## 8. Deviation from the procedure

There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure. In these cases, the complainant will be kept informed and reasons for the deviation given.

## 9. Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by Mother Teresa Catholic 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"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul> | Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the relevant local authority.                                                                                                                                                                                 |
| <ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>                                                                    | Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance.                                                                                                                                                                                           |
| <ul style="list-style-type: none"><li>• Exclusion of children from school*</li></ul>                                                                                            | Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .                                                                                                                                               |
| <ul style="list-style-type: none"><li>• Whistleblowing</li></ul>                                                                                                                | <p>We have an internal whistleblowing procedure for all Trust employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at:</p> |

|                                                                                                           |                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                           | <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .<br>Volunteer staff who have concerns about our Trust / school should complain through the Trust's / school's complaints procedure.                                                                                                                |
| • Staff grievances                                                                                        | Complaints from staff will be dealt with under the Trusts / Schools' internal grievance procedures.                                                                                                                                                                                                                                    |
| • Staff conduct                                                                                           | Complaints about staff will be dealt with under the Trusts / school's internal disciplinary procedures, if appropriate.<br>Complainants will not be informed of any disciplinary action taken against a Trust / staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed. |
| • Complaints about services provided by other providers who may use Trust / school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.                                                                                                                                                                                                                |
| • National Curriculum - content                                                                           | Please contact the Department for Education at:<br><a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>                                                                                                                                                                                                  |

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 this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against Mother Teresa Catholic Academy Trust or any of its schools in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

## 10. Resolving complaints

At each stage in the procedure, The Trust / Schools want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we 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 we will try to ensure the event complained about 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.

In addition, mediation can provide a helpful mechanism for discussion when a complaint is raised and can help to rebuild the relationship between parties once all of the investigative stages of the complaints procedure have been complete.

## **11. Withdrawal of a complaint**

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

## **12. Concerns and informal complaints**

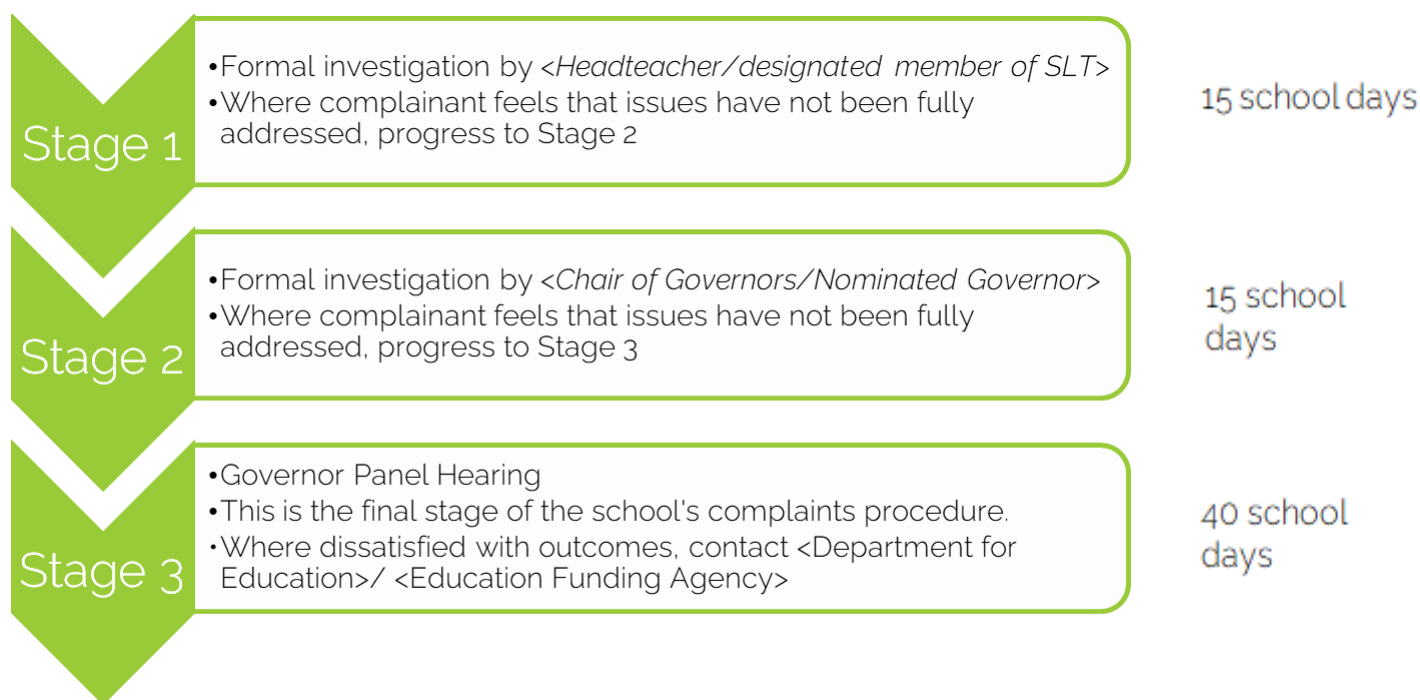
It is to be hoped that most concerns can be expressed and resolved on an informal basis, within 10 school days.

Concerns should be raised with either the class teacher, year head / subject head or Headteacher.

Complainants should not approach individual Directors / 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 a later stage of the procedure.

If the issue remains unresolved, the next step is to make a formal complaint.

## 13. Formal Complaints



### Stage 1: CEO / Headteacher Investigation

- Acknowledgement of receipt of complaint to be sent within 3 school days of receipt of the complaint.
- Complaint to be investigated and written response to be received by complainant within 15 school days of receipt of the formal complaint.

### Stage 2: Director / Governor Investigation

- If the complainant believes that their complaint has not been fully addressed at Stage 1, they may request to move to Stage 2. This request must be made within 10 school days of the receipt of the outcome letter at Stage 1.
- Acknowledgement of receipt of complaint to be sent within 3 school days of receipt of the complaint.
- Complaint to be investigated and written response to be received by complainant within 15 School days of receipt of the Stage 2 formal complaint.

### Stage 3: Panel Hearing

- If the complainant believes that their complaint has not been fully addressed at Stage 2, they may request to move to Stage 3. This request must be made within 10 school days of the receipt of the outcome letter at Stage 2.
- Acknowledgement of receipt of request to escalate complaint to Stage 3 to be sent within 5

school days.

- Hearing to be held within 30 school days of receipt of request to go to Stage 3.
- Paperwork for Stage 3 hearing to be received from all parties at least 10 school days before the hearing.
- Paperwork for Stage 3 hearing to be sent to all parties at least 5 school days before the hearing.
- Outcome letter from panel to be received by complainant within 10 school days of the hearing.

**Note: In all cases, timescales refer to school days so exclude weekends, school holidays and INSET days.**

## **14. Stage 1 – CEO / Headteacher Investigation**

Formal complaints must be made to the CEO (Trust) / Headteacher (Schools) (unless they are about the CEO / Headteacher), using the Complaint form (see Appendix A for the contact details of the CEO / Headteacher, and Appendix B for a copy of the form). The form is useful as it ensures that relevant information is communicated at the outset.

The CEO / Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within **3 school days**.

Within this response, the CEO / Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The CEO / Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

**Note: The CEO / Headteacher may delegate the investigation to another appropriate person, but not the decision to be taken.**

During the investigation, the CEO / Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the CEO / Headteacher will provide a formal written response within **15 school days** of the date of receipt of the complaint.

If the CEO / Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust or its Schools will take to resolve the complaint.

The CEO / Headteacher will advise the complainant of how to escalate their complaint if they believe it has not been fully addressed at this stage.

If the complaint is about the CEO / Headteacher, or a member of the Trust Board / Governing Body (including the Chair or Vice-Chair), a suitably skilled Director / Governor will be appointed to complete all the actions at Stage 2.

Complaints about the CEO / Headteacher or member of the Trust / Governing Body must be made to the Clerk of the Trust / Clerk of the School, via the Trust / School office.

- If the complaint is: jointly about the Chair and Vice-Chair of Trust or Governing Body; or
- the entire Trust / Governing Body; or
- the majority of the Trust / Governing Body,

the complaint will move to Stage 2 and will be considered by an independent investigator appointed by the Trust / Governing Body or Diocese of Portsmouth. At the conclusion of their investigation, the independent investigator will provide a formal written response to the complainant with a copy to the Trust / Governing Body CEO / Headteacher.

## **15. Stage 2 - Director / Governor Investigation**

The Chair of Trust / Governors should decide who is the most appropriate Director / Governor to undertake the investigation. If appropriate, it may be helpful to arrange for a Director / Governor from a different Trust / school to undertake the investigation e.g. if there is no one appropriate on the Directors' Board or a school's own Governing Body. When identifying a Director / Governor to undertake the investigation, the following points should be considered:

- Is the Director / Governor impartial, with no previous involvement in the issues raised?
- Does the Director / Governor have the time to complete the investigation within the timescale?
- Is the Director / Governor fully conversant with the complaints procedure (preferably having attended training), and do they have the relevant skillset?

### **Planning the Investigation**

The investigator may wish to use Appendix A as a template for planning their investigation.

Investigators should remember that their actions will be considered in detail if the complaint is escalated, and therefore a structured plan and structured report format may be helpful.

## **Meeting with Complainant**

We recommend that the investigator should meet with the complainant at the outset of the investigation, in order to:

- Gather details about the specific issues involved in the complaint (e.g. dates, names of those involved etc.)
- If there has been a Stage 1 investigation, to establish the element(s) of the complaint that the complainant believes have not been addressed.
- Establish desired outcomes.
- If possible, identify a resolution or way forward.

The investigator may wish to invite the Area Schools Officer to attend the meeting, in order to offer impartial procedural advice to both parties.

Notes should be taken at the meeting, ideally by a designated note-taker rather than any of the participants. The notes should be circulated to all parties after the meeting. If the complainant disputes the content of the notes, and the matter cannot easily be rectified, the school may offer to retain the complainant's version on file alongside the school's version.

At the beginning of the meeting, it may be helpful to state that electronic recordings will not be permitted, unless a complainant's own disability/special needs require it. Prior knowledge and consent of all parties attending must be obtained before recording takes place. Consent (or the fact that it was not given) will be recorded in the notes. Investigators should bear in mind, however, that the complainant may record the meeting anyway.

The investigator should ensure that all parties have received a copy of the Trust's / school's current complaints procedure.

The investigator should approach the process with an open mind, and as an opportunity to improve practice. A genuine intention to investigate the complaint fully and openly should be demonstrated, with no indication of any predetermined outcomes.

At the end of the meeting, the investigator should thank the complainant for attending, and summarise their concerns, areas for investigation and/or agreed actions. Ideally the complainant should be asked to sign this summary at the conclusion of the meeting.

## **Conducting discussions with children/young people**

Consideration should be given to ensuring that routine record keeping procedures are robust enough to support a potential complaints investigation at a later date. This particularly applies to complaints about bullying and behaviour management issues.

It may not always be possible to conduct an interview/discussion with a pupil in case it prejudices another procedure e.g. referral to the Local Authority Designated Officer (LADO) or police investigation.

In most cases pupil witness statements will be obtained by staff and shared with the investigating Director / Governor as appropriate. If the investigating Director / Governor needs to meet with the child of the complainant, care should be taken to create a supportive atmosphere in which the child is able to talk freely about their concerns and their feelings and wishes. The discussion should take place in the presence of an appropriate member of staff or the parent. If the parent is not present their prior consent should be obtained.

### **Conducting Interviews with Staff/Other Witnesses**

The investigator should explain the complaint and their role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.

Staff may have a colleague present to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.

The investigator should:

- Use open, not leading questions.
- Not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary, and not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

It should be noted that any written information could form part of the evidence considered at further stages of the complaint and may be disclosable as part of a Subject Access Request (SAR).

## **Outcomes**

The investigator should provide the complainant with their findings in writing within **15 school days** of receipt of the complaint. Within this formal written response there should be a clear statement of the evidence considered, the reasons why the investigator has reached their conclusions, and next steps to be taken/recommendations (see Appendix H, Letter A). Conclusions should be based on the balance of probabilities. In some cases, it may not be possible to reach a definitive conclusion about an issue, and this should be clearly stated in the letter.

## **Complaints that Result in Staff Capability or Disciplinary**

If it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and/or the individual's line manager. The complainant is entitled to be informed that the matter is being dealt with appropriately, but they are not entitled to participate in the proceedings and will not receive any detail about them or their outcome.

## **16. Stage 3 - Panel hearing**

If the complainant does not believe that their complaint has been fully addressed at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3. This consists of a Panel hearing with at least three Directors / Governors who were not directly involved in the matters detailed in the complaint or in any previous investigation, with consideration being given to one of whom being an independent / Director / Governor. Complainants can request an independent complaints committee if they believe there is likely to be bias in the proceedings. They should provide evidence of bias in support of their request, as it is the panel's decision whether to agree to it. If the appearance of bias is sufficient to taint the decision reached, then it is recommended that the panel grants such requests. This is the final stage of the school's complaints procedure.

## **Timeline**

A request to escalate to Stage 3 must be made to the Clerk of the Trust or School, via the Trust / School office, within **10 school days** of receipt of the Stage 2 response. Requests received outside of this period will only be considered if exceptional circumstances apply and are explained to the Clerk at the same time that the request for a Stage 3 hearing is made.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **5 school days**.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **30 school 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 three proposed dates, without good reason, the Clerk will decide when to hold the meeting. In this case the Panel will meet, with the Clerk and Area Schools Officer in attendance and consider the complaint on the basis of written submissions from both parties, with neither party being present.

At least **15 school days** before the meeting, the Clerk will:

- confirm and notify both parties 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; and
- inform both parties that copies of any further evidence should be submitted to the clerk at least **10 school days** before the meeting. Any evidence submitted after this, including on the day of the hearing, will only be considered in exceptional circumstances with the agreement of the panel, whose decision is final.

Any written material will be collated and circulated by the clerk to all parties so that it is received at least **5 school days** before the date of the meeting. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

### **Attendees at the meeting**

The Clerk will invite the following parties:

- a panel of three Directors / Governors, one or more of whom may be independent of the school
- the complainant
- the CEO / Headteacher
- investigating member of Board of Directors / SLT (if appropriate)
- the investigating Director / Governor who dealt with the complaint at Stage 2
- relevant witnesses
- Area Schools Support Service representative (procedural advice).

The complainant may ask to be accompanied to the meeting by a supportive companion, interpreter, or advocate. It is not advisable for this person to be a member of the Trust / school community, for



reasons of confidentiality and to avoid conflict of interest. The complainant must advise the Clerk to the Complaint Review Panel of the name and role of this additional person prior to the hearing, and the Clerk will seek agreement from the Chair of the Panel. If the additional person is attending as an advocate, they will be presenting the complainant's case and speaking on their behalf, and therefore the complainant will not be able to address the Panel directly. If the additional person is attending as a supportive companion, they will not be able to address the Panel directly.

As this is not a legal process, neither party may bring legal representation with them except in exceptional circumstances, by prior agreement of the Panel.

If the attendance of any pupils is required at the hearing, parental permission will be sought if the pupil is under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing. The Panel should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.

Representatives from the media are not permitted to attend.

### **Conduct of the meeting**

The aim of the meeting should be to resolve the complaint and achieve reconciliation between the Trust / School and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations. Financial compensation is not a possible outcome of the process.

The panel hearing will consider the complaint as was submitted at Stages 1 and 2. Any new issues will need to be dealt with by a separate complaint procedure.

The Panel will not only consider the handling of the complaint at the previous stages but will also consider those aspects of the original complaint which the complainant believes have not been fully addressed.

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

The format of the meeting is that the complainant is given a set amount of time to make their case. The Panel and the Trust / School may then ask the complainant questions for clarification. The Trust / School then has the same amount of time to make their case. The Panel and complainant then have the opportunity to seek clarification from the Trust / School. Both parties then leave the meeting, and the Panel will deliberate.

The Panel will consider the complaint and all the evidence presented and will come to their decisions on the balance of probabilities.

The Panel can:

- uphold the complaint in whole or in part;
- dismiss the complaint in whole or in part;
- determine that all or part of the complaint is out of their scope to consider.

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

- decide on the appropriate action to be taken to resolve the complaint;
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and the Trust / School with a full explanation of their decision and the reason(s) for it, in writing, and a copy of the minutes of the Panel hearing, within **10 school days**.

The letter to the complainant will include details of how to contact the Department for Education if they believe that their complaint has been handled unreasonably or unlawfully by the Trust / School.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust / School will take to resolve the complaint.

The Panel will ensure that those findings and recommendations are sent by post, electronic mail or otherwise given to the complainant and, where relevant, the person complained about, with a copy

to the CEO / Headteacher.

The complaint investigator / the Chair of the Complaint Review Panel will ensure that a copy of all relevant information relating to the complaint is kept at the Trust / School in a secure, confidential\* file, separate from staff and pupil records. This information should be retained for six years from the date of the complaint, in line with guidance from the Information and Records Management Society ([www.irms.org.uk](http://www.irms.org.uk)) and in accordance with the principles of the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR). The complainant should be informed that this will be done.

\* Please note that the Secretary of State or a body conducting an inspection under S109 of the Education and Skills Act 2008 may request access to complaints documentation.

## **17. Complaints about Directors / Governors**

If the complaint is:

- jointly about the Chair and Vice-Chair; or
- the entire Trust Board / Governing Body; or
- the majority of the Trust Board / Governing Body,

Stage 3 will be heard by a committee of Directors / Governors who are independent of the Trust / School.

## **18. Next steps**

If the complainant believes the Trust / School did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust / School. They will consider whether the Trust / School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on 0370 000 2288 or by writing to: Department for

## **19. Roles & responsibilities**

### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the Trust / school in seeking a resolution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **Investigator**

The investigator's role is to provide a comprehensive, open, transparent, and fair consideration of the complaint through:

- sensitive and thorough discussion with the complainant to establish their perspective and desired outcomes
- interviewing staff and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the Clerk as appropriate to clarify what the complainant feels would put things right.

### **Clerk to the Stage 3 Panel Hearing**

The Clerk is the contact point for the complainant and the Panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the Panel hearing
- notify all parties of the Panel's decision.

### **Panel Chair**

The Panel's Chair, who is nominated in advance of the complaint meeting, will ensure that the meeting is conducted in line with the complaints procedure and best practice principles.

### **Panel Members**

Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No Director / Governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- They should read all documentation and understand the aims and purpose of the meeting.

## **20. Procedure for managing serial & unreasonable complaints**

Mother Teresa Catholic 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. This is covered under our vexatious complaints policy.

## **21. Procedure for managing complaint campaigns**

In the rare event that the Trust / school receives a large volume of complaints all based on the same subject, from complainants unconnected with the Trust / school, we will either send a template response to all complainants or publish a single response on the Trust's / school's website.

**BACKGROUND DOCUMENTATION**

This document is a statement of the Complaints Policy for Mother Teresa Catholic Academy Trust. It was developed by the Trust Directors in consultation with Headteachers, Governors and Directors within the Trust.

|                                                  |                 |                 |
|--------------------------------------------------|-----------------|-----------------|
| Signed:                                          | Date:           | Review Date:    |
| Col David Kenny OBE<br><b>Chair of Directors</b> | <b>01.09.24</b> | <b>01.09.25</b> |

## **Appendix 1 – Trust and School Contact details**

### **TRUST**

Mother Teresa Catholic Academy Trust C/O St. Joseph's Catholic Primary School, Bridge Road, Aldershot GU11 3DD

### **SCHOOLS**

- All Hallows Catholic School, Weybourne Road, Farnham GU9 9HF
- St. Anne's Catholic Primary School, Pinkerton Road, Basingstoke RG22 6RE
- St. Edmund Campion Catholic Primary School, Atwood Road, Maidenhead SL6 4PX
- St Francis Catholic Primary School, Coronation Road, Ascot SL5 9HG
- St Joseph's Catholic Primary School, Bridge Road Aldershot GU11 3DD
- St. Margaret Clitherow Catholic Primary School, Penbroke Hanworth, Bracknell RG12 7RD
- St Mary's Catholic Primary School, Crookham Road, Maidenhead SL6 7EG
- St Teresa's Catholic Primary School, Easthampsted Road, Wokingham RG40 2EB

**Appendix 2 – Complaint Form (Stage 1)**

|                                                                          |
|--------------------------------------------------------------------------|
| <b>Name:</b>                                                             |
| <b>Pupil’s Name (if relevant):</b>                                       |
| <b>Your relationship to the pupil (if relevant):</b>                     |
| <b>Contact Details:</b>                                                  |
| <b>Please give details of your complaint: (Or attach)</b>                |
| <b>What actions do you feel might resolve the problem at this stage?</b> |
| <b>Please give details of any additional paperwork attached.</b>         |



|                                             |
|---------------------------------------------|
| <b>Signature:</b>                           |
| <b>Date:</b>                                |
| <b>For Internal Use only:</b>               |
| <b>Date of acknowledgement and by whom:</b> |
| <b>Stage:</b>                               |
| <b>Complaint referred to:</b>               |
| <b>Action Taken:</b>                        |
| <b>Date:</b>                                |