



AGAPE
MULTI ACADEMY TRUST

A collaboration of schools which enhances the educational experiences and outcomes for children, maximising the benefits of working together, whilst maintaining the individual culture and ethos of each individual school

Complaints Policy & Procedures

Author:	CEO/Governance Professional
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1. Concerns

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’.

Any concern that a parent/carer has should be raised promptly with the class teacher/form tutor or member of staff responsible for the area or action causing the concern via telephone or in writing. A concern can also be made by a third party so long as they have the appropriate consent to do so. If a concern is more serious parents may prefer to make an appointment to discuss it with a more senior member of staff in the leadership structure. All staff will make every effort to resolve a problem promptly at this stage.

Where concerns are raised it is expected that parents/carers or third parties will engage with the school/trust to resolve the concern. The formal complaints procedures will not be initiated until all avenues have been exhausted through this route.

1. Other Complaints

There are separate statutory procedures for complaints relating to curriculum, sex education, admissions, exclusions and SEN. Whistleblowing, staff grievance, capability and discipline proceedings, and child protection investigations are also outside the scope of the procedures. Concerns and complaints under a worker’s zero-hour agreement are also exempt as these are covered by the worker agreement.

Complaints about staff conduct will be dealt with under the trust’s internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a 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 our school premises and facilities should use the providers’ complaint procedures.

2. Complaint procedures

This complaints procedure is not limited to parents/carers of children that are registered at the school/trust. Any person, including members of the public, may make a complaint about any provision of facilities or services we provide. Unless complaints are dealt with under separate procedures (see section 16) we will use these complaint procedures. If a complaint is received from a member of the public it will be passed to the most appropriate member of staff to respond to.

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

If other bodies are investigating aspects of the complaint, for example the Police, the Local Authority, Tribunals etc, 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.

At each stage the Agape Trust wants to resolve the complaint. If appropriate, we will acknowledge whether 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 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 changes will be made
- An undertaking to review school policies in light of the complaint
- An apology

The person(s) who are the subject matter of the complaint will be forwarded a copy of the complaint and have an opportunity to respond unless there are compelling reasons as determined by the person investigating the complaint.

Complainants should not approach individual governors or trustees 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 3 of the procedure.

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

We understand that there are occasions when people would like to raise a concern formally. In this case we will attempt to resolve the issue internally through the stages outlined within these complaint procedures.

The Trust has determined that complaints will be dealt by:

Subject of the complaint	Stage 1 (Informal)	Stage 2 (Formal)	Stage 3 (Appeal)
Member of staff except the Headteacher	Member of staff concerned in the complaint	Headteacher	Governor/Trustee Panel
Headteacher	Headteacher	Chair of the Local Governing Committee	Governor/Trustee Panel
Member of the Central Trust Team except the CEO	Member of staff concerned	CEO	Governor/Trustee Panel
CEO	CEO	Chair of the Trust Board	Trustee Panel
Individual governor	Individual governor concerned	Chair of the LGC	Trustee Panel
Chair of the LGC	Chair of the LGC	Chair of the Trust Board or delegated representative	Trustee Panel
Individual trustee	Individual trustee concerned	Chair of the Trust Board or delegated representative	Trustee Panel
Chair of the Trust Board	Chair of the Trust Board	Trustee Panel	Panel of independent and Diocesan professionals
<ul style="list-style-type: none"> • Chair and Vice Chair of the Local Governing Committee (LGC) 	<ul style="list-style-type: none"> • Chair and vice chair of the Local Governing Committee (LGC) 	Chair of the Trust Board or delegated representative	Trustee Panel

<ul style="list-style-type: none"> • Majority of the LGC • Entire LGC 	<ul style="list-style-type: none"> • Majority of the LGC • Entire LGC 		
<ul style="list-style-type: none"> • Chair and vice Chair of the Trust Board • Majority of the Trust Board • Entire Trust Board 	<ul style="list-style-type: none"> • Chair and vice Chair of the Trust Board • Majority of the Trust Board • Entire Trust Board 	Independent investigator appointed by the Trust Board or by the Oxford Diocesan Board of Education	Panel of independent and Diocesan professionals not involved in stage 2

3. Early Years Foundation Stage

This section only applies to the schools in our trust with an Early Years Foundation Stage.

We will investigate all written complaints relating to the fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing enquiries@ofsted.gov.uk. An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

4. Stage 1 (Informal)

Complaints should be made within three months from the date of the first incident giving rise to the complaint. Complaints will not be considered if they are made more than three months after the incident unless there are extenuating circumstances justifying the complaint to be made out of time.

A complaint may be made via telephone, in writing or by completion of our complaint form (Appendix 1). Sending a complaint form is our preferred method as it ensures we have the required information to be able to investigate your complaint. A third party may make a complaint on another's behalf so long as they have appropriate consent to do so.

Please address your informal complaint to the subject matter of your complaint. This can be done via:

- telephone
- writing a letter marked for their attention and marked private and confidential. The letter should be left with the Main Office of the school the member of staff works at or posted to the relevant school address

The letter should be made clear if the matter is to be dealt with as a complaint. The person dealing with the complaint will investigate the complaint further and provide a response. Wherever possible, this will normally be within 15 school days of receipt of the written complaint, but complainants are kept informed if, for example, more time is needed to complete the investigation. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reasons for

it. Where appropriate it will include details of actions taken to resolve the complaint. The complainant will be advised how to escalate their complaint should they remain dissatisfied with the outcome of stage 1.

5. Stage 2 (Formal stage)

The time limit for proceeding to Stage 2 is 15 school days after the matter has been considered at the informal stage. The person/body responsible for investigating the complaint under stage 2 reserves the right not to consider any complaint made more than 15 school days after the matter has been considered at the informal stage unless there are extenuating circumstances justifying a delay in the complaint being made. That decision will be made by the person/body responsible for investigating the matter under stage 2.

Please refer to the table on page 4 as to whom will be dealing with complaints at this formal stage. Please mark all complaints as private and confidential and address them to the named person/body in table 4.

The relevant contact details can be found in section 13 below.

The letter should make it clear if the matter is to be dealt with as a formal stage 2 complaint. The relevant person/body will acknowledge receipt of the complaint within 3 working days. They will also investigate the complaint further and provide a written response. Wherever possible, this will normally be within 15 school days of receipt of the written complaint, but parents are kept informed if, for example, more time is needed to complete the investigation. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reasons for it. Where appropriate it will include details of actions taken to resolve the complaint. The complainant will be advised how to escalate their complaint should they remain dissatisfied with the outcome of stage 2.

If the complaint is:

- jointly about the Chair and Vice Chair of the Trust Board or
- the entire Trust Board or
- the majority of the Trust Board

Stage 2 will be considered by an independent investigator appointed by the Trust Board or by the Oxford Diocesan Board of Education. At the conclusion of their investigation, the independent investigator will provide a formal written response. Please contact the Governance Professional/Company Secretary Mrs Rebecca Marr via email MarrR@agapetrust.co.uk or post The Agape Trust, Twyford Road, Wargrave, RG10 8DS if this applies.

6. Stage 3 (Appeal stage)

If dissatisfied with the response at the end of Stage 2, the complaint can be referred to stage 3 (please refer to the table on page 4 as to whom will be dealing with the complaint at this stage and the relevant contact details in section 13 below).

The Governance Professional will record the date that the complaint is received and acknowledge receipt of the complaint in writing (by email or letter) within 3 school days. Further references to the Governance Professional in Stage 3 refers to either the Governance Professional of the Trust Board or the Governance

Professional of the relevant Local Governing Committee. The Complainant will be advised who is the relevant person.

The time limit for proceeding to Stage 3 is 15 school days after receipt of the letter sent under Stage 2 of the complaint procedures. The body investigating stage 3 reserves the right not to consider any complaint made outside the time limit unless there are extenuating circumstances justifying a delay in the complaint being made. That decision will be made by the Chair of the Panel convened to hear the complaint.

The Governance Professional will convene a Panel. Please refer to the table on page 4. The Panel will be made up of two members of the Local Governing Committee or Trust Board as appropriate and an Independent Person (apart from when the complaint lies against the Chair of the Trust Board or the Trust Board). The Panel will select a panel chair from amongst themselves.

It is a matter for the Local Governing Committee or Trust Board, as relevant, to identify a suitable independent person. The independent person may not be in the employment or involved in the running and/or management of the academy the complaint relates to. The independent person may be for example a Headteacher (serving or retired), a person experienced in governance such as a serving Trustee or Governor or an employee of the Oxford Diocese. Governors on the Local Governing Committees may sit as an independent member on another academies' panel within the trust if they have no prior knowledge of the complaint and there is no conflict of interest.

No member of the Panel may be directly or indirectly involved in the complaint.

All parties shall be entitled to attend the hearing and be accompanied by a friend or representative.

Representatives from the media are not permitted to attend.

The Complainant will be informed in writing of the Panel hearing time, date and location. They will also be informed of the arrangements for the Complainant to call witnesses if they wish. If a trust employee is called as a witness in a complaint hearing, they may wish to be supported by their union representative or friend.

The complainant will have reasonable notice of the date of the panel hearing; however, the Panel reserves the right to convene at their convenience rather than that of the Complainant.

If the Complainant rejects the offer of 3 proposed dates without good reason, the Governance Professional will set a date.

All written statements submitted to the Panel will be sent to the parties at least 5 school days before the date of the hearing. The Panel will attempt to conciliate between the parties with a view to reaching an amicable settlement.

Wherever possible a stage 3 meeting will normally be arranged within twenty school days of the complaint progressing to stage 3, depending on the availability of all concerned.

The Panel will call for and consider any information it deems necessary. Where appropriate, the subject of complaint must be invited to respond in writing unless a statement has already been included in the trust's submission.

The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted. 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 the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence. The Panel, the Complainant and the Trust Representative(s) will be given the chance to ask and reply to questions. Once the Complainant and Trust Representative(s) have presented their cases, they will be asked to leave and evidence will then be considered. The Panel will then put together its findings and recommendations from the case. No further evidence and information will be considered by the Panel after the meeting unless the Panel wishes to clarify any matter.

The Panel will not accept, as evidence, recordings of conversations or video that were obtained covertly and without the informed consent of all parties being recorded.

The Panel 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.

In coming to a decision the panel may take advice from such bodies as it thinks fit. In particular, it must take into account, in appropriate cases, the professional judgment inherent in the trust decision(s) and be aware of the facts available at the time those decisions were made. Where new facts emerge at the hearing the panel will adjourn at the request of either party.

The Panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the trust/school's systems or procedures to prevent similar issues in the future

The Governance Professional will notify the complainant in writing of the decision, normally within 10 school days, giving details of any action taken or proposed. No action is to be taken to implement the decision until all the parties are notified simultaneously. For most complaints the decision of the Governors/Trustees is the last step in the procedure.

A letter outlining the Panel findings and recommendations will be also be sent to the CEO and or/other appropriate parties; this includes the Chair of the Governing Body and Chair of the Trust Board.

A complaint may be withdrawn in writing at any stage.

7. Right of Appeal

If the complainant is unsatisfied with the outcome of our complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by us. The ESFA will not overturn a school's decision about a complaint, but will intervene if we have:

- Breached a clause in its funding agreement

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the trust's complaints procedure is found to not meet regulations, we will be asked to correct our procedure accordingly.

For more information or to refer a complaint, see the following webpage:

[Complaints procedure - Education and Skills Funding Agency - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-education-and-skills-funding-agency)

We will include this information in the outcome letter to complainants.

8. Recording of complaints

A written record of all complaints is kept by the trust with details of whether they were resolved at Stage 1, 2 or 3. Correspondence, statements and records relating to individual complaints will be confidential except where the Secretary of State or a body conducting an inspection requests access to them.

9. Pupils raising a complaint and attending complaint meetings/hearings

We are fully committed to listening to pupil voice and any pupil can raise a concern or a complaint. We however acknowledge that there may be instances where it is not appropriate for pupils to attend complaint meetings/hearings given either the nature of the complaint, where there are concerns over the mental welfare of the pupil and/or where it may lead to a deterioration in the relationship between the pupil and the staff of the trust. If we feel that this applies, we will inform the pupil directly (if they have raised the complaint) and/or the parents/carers of the pupil. We would ask parents/carers to carefully consider whether it is appropriate to involve their child but recognise that it is ultimately a decision for the parents/carers to take. We would suggest parents/carers ask their child to appoint a trusted adult to represent them at any meetings.

10. Support

At any stage of this procedure, complainants are welcome to bring with them a supportive friend who is not involved in the matter. It is not appropriate for staff of the Trust to engage in meetings to which complainants bring legal representatives or advisors and staff will not generally enter into any correspondence with solicitors or others in place of direct communication with parents/ complainants.

11. Complaint campaigns

In cases where we receive large volumes of complaints:

- all based on the same subject and/or
- from complainants unconnected with the Trust

We will either send a template response to all complainants and/or publish a single response on our Trust's website.

12. Anonymous complaints

This policy encourages complainants to put their name to any allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Headteacher in discussion with the Chair of the Local Governing Committee. In exercising discretion the factors to be taken into account would include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from credible or attributable sources.

13. Serial and/or unreasonable complaints (see procedure detailed on page 11)

There may be occasions when the complainant is deemed to be serial and/or unreasonable. This could be because it is clear that the complainant has insufficient grounds for complaint and is seeking to annoy, or that the complaint has been investigated and is found not to be justified, but the complainant persistently engages in making further accusations relating to the same issue. Any such case will be dealt with on an individual basis but a Headteacher, CEO, Chair of the Local Governing Committee, Chair of the Trust Board and/or Panel reserves the right to close the complaint if the complainant is deemed to be serial or unreasonable and to determine that the matter is concluded.

14. Complaints against trust staff

If a complaint amounts to or includes an allegation against a member of staff, this may need to be considered under the trust's staff disciplinary procedure. Complainants will be advised if these procedures are to be used in dealing with a complaint.

15. Trust Contact details

Headteacher (Altwood Church of England School) - Mr Neil Dimbleby via School Office, Altwood CofE School, Altwood Road, Maidenhead, SL6 4PU. Telephone: 01628 622236

Headteacher (Wargrave Piggott) - Mrs Rebecca Alexander, Headteacher, via Mrs C Preston PrestonC@piggottschool.org (The Headteacher's PA) or via post The Piggott School, Twyford Road, Wargrave, RG10 8DS. Telephone 0118 940 2357

Headteacher (Charvil Piggott) - Mrs Claire Waite WaiteC@piggottschool.org Park Lane, Charvil, RG10 9TR. Telephone 01189 320033

Chair of Altwood's Local Governing Body – Mrs J McLucas via the Governance Professional Mrs C Fanning, Altwood CofE School, Altwood Road, Maidenhead, SL6 4PU. cfanning@altwoodschoo.co.uk telephone number: 01628 622236

Chair of The Piggott School's Local Governing Committee – Dr. Barbara Zesik, via the Governance Professional Mrs Rebecca Marr MarrR@piggottschool.org or via post The Piggott School, Twyford Road, Wargrave, RG10 8DS. Telephone 0118 940 2357

CEO – Mr Derren Gray via the Governance Professional Mrs Rebecca Marr MarrR@agapetrust.co.uk or via post Agape Trust, Twyford Road, Wargrave, RG10 8DS. Telephone 0118 940 2357

Chair of the Trust Board – Mr Richard Thiele, via the Governance Professional Mrs Rebecca Marr MarrR@agapetrust.org or post Agape Trust, Twyford Road, Wargrave, RG10 8DS. Telephone 0118 940 2357

Trustee Panel - via the Governance Professional Mrs Rebecca Marr MarrR@agapetrust.org or post Agape Trust, Twyford Road, Wargrave, RG10 8DS. Telephone 0118 940 2357

17. Procedure for serial and/or unreasonable complainants:

Definition:

1. Persons seeking to be disruptive by pursuing an unreasonable course of conduct and/or
2. Persons whose requests cause disproportionate and repeated demands on staff, governors and trustees

This behaviour can include repeated and unreasonable requests made under the Freedom of Information Act 2000.

Examples:

1. A complainant who persists after Stage 3 has been concluded.
2. A complainant who changes the substance of the complaint and/or continually raises new issues
3. A complainant who focuses on a trivial matter out of proportion to its significance
4. A complainant who makes an excessive number of contacts with the trust or individual schools
5. A complainant who makes threats of violence towards trust staff
6. A complainant who is abusive, offensive, verbally aggressive or uses discriminatory language
7. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
8. Refuses to co-operate with the complaints investigations process
9. Refuses to accept certain issues are not within the scope of the complaints process
10. Insists on the complaint being dealt with in ways that are incompatible with the complaints procedure or with good practice
11. Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales

12. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
13. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
14. Seeks an unrealistic outcome
15. Make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice
16. Are known to have recorded meetings or telephone conversations or circulated such records to third parties without the prior knowledge and consent of the parties involved
17. Knowingly provides falsified information
18. Publishes confidential, personal or unacceptable information, pictures, audio or video on social media or other public forums, including communications from the trust staff

When and who should invoke?

It will be invoked usually after Stage 3 of the complaints procedures have been exhausted, though it may be invoked prior to that stage.

It can be invoked by either a Headteacher, the CEO, Chair of the Local Governing Body, Chair of the Trust Board or a Panel comprising 2 or more governors or trustees.

Procedure:

1. Whenever possible, concerns will be raised with the complainant informally before applying an 'unreasonable' marking
2. The Governance Professional of the Trust Board or of the Local Governing Committee will contact the parent in writing, notifying them of the reasons for the classification (as serial or vexatious) and what action will be taken
3. The Governance Professional will also give details of the review procedure
4. Others involved will be copied into this notification
5. In response to any serious incident of aggression or violence we will inform the Police and communicate our actions in writing. This may include barring an individual from the trust sites.
6. Copies of all decisions relating to the marking of a person as 'unreasonable' will be sent to the Governance Professional who will hold and maintain a central register of such decisions.
7. Statistical information will be presented, where necessary, annually to the Local Governing Committee or Trust Board as relevant with details of complainants who are classified as serial, persistent, vexatious or unreasonable.

Strategies:

1. **Withdraw contact:** one form of contact will be maintained for the purposes of parent to school contact in relation to the complainant's child(ren) at school (if the complainant is a parent), but other forms of contact (e.g. email, telephone, in person or mail) to be withdrawn.
2. **Restricted contact:** contact limited to a single member of staff
3. All further contact will be acknowledged but further contact on this or related issues will not be answered. The parent/ complainant will be informed of these strategies.
4. **Suspended contact:** all contact may be withdrawn for a specified period.

Review period:

Once the above has been invoked it will be reviewed after 6 months by a panel of 3 governors/trustees. At that stage it may be withdrawn or amended. If the panel considers it appropriate to withdraw the marking of 'unreasonable' normal contact with the complainant and application of the trust's complaints process will be resumed. The complainant will be given notice of this decision. The complainant will be notified and a record kept of this decision

This policy will be reviewed triennially or earlier if DfE guidance changes.

Appendix 1: Complaint Form

Your name:
Student/Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:

Please give details of your complaint, including whether you have spoken to anybody at the trust/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 who:

Complaint referred to:

Action taken:

