



Multi Academy Trust

Grievance and Complaints Policy

(Including Policy for Dealing with Persistent or Vexatious Complaints)

***Dover Federation for the Arts
Multi Academy Trust***

Policy adopted and ratified:	November 2018
Policy review date:	November 2020

Introduction

This document sets out the Trust's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school/college or the education provided, you are encouraged to discuss the matter first with your child's class teacher or Director of Year at the earliest opportunity. The school/college considers any concerns very seriously and most problems can be resolved at this stage.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures, copies of which can be obtained from the school/college.

All other complaints are handled by the school/college according to the arrangements set out below.

Aims and Objectives

The school/college will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding.

Our Procedure Aims to:

- Be easily accessible and published
- Be simple to use and understand
- Be impartial
- Be non-adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- Address all points of issue, providing an effective response and appropriate redress, where necessary
- Provide information to the school's/college's senior management team so that services can be improved.

Complaints Procedure

Stage 1

You should address your concerns through informal discussion with the relevant member of staff. If you are not satisfied with the outcome and wish to have the matter formally investigated, this process begins with the completion of a complaints form (Appendix 3), which you will find at the end of this pack. The completed form should be returned to the Principal of School/College or the Senior Executive Leader if it is about the Principal of School/College. If the complaint is about the Senior Executive Leader it should be addressed to the Chairman of the Board of Trustees. The complaint form should be returned to the

school/college office, marked confidential, for the attention of either the Principal, Senior Executive Leader or Chairman of the Board of Trustees as appropriate. The Principal of School/College, Senior Executive Leader or Chairman of the Board of Trustees will acknowledge, in writing, receipt of the complaint form within **3 working days** after receiving it and will enclose a copy of the school's/college's complaints procedure with the acknowledgement.

Those concerns/complaints falling under the Principal's responsibility will be investigated by the Principal or a senior member of staff nominated by the Principal (see Appendix 1).

Those concerns/complaints falling under the Senior Executive Leader's responsibility will be investigated by the Senior Executive Leader or a senior member of staff nominated by the Senior Executive Leader (see Appendix 1).

Stage 2

If you are not satisfied with the outcome of Stage 1, you should formally refer your complaint to the Principal.

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the Model Procedure for Managing Staff Disciplinary Matters as those procedures cover capability. You will be notified if this is the case with your complaint, but we will not be able to tell you the final outcome.

Monitoring and Review

The Board of Trustees monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Principal of School/College logs all formal complaints received by the school/college and records how they were resolved. The Board of Trustees examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

A copy of this procedure is available to all parents on request and is also available from the Reception Desk at Astor College or from the general office in other schools.

APPENDICES

Appendix 1

Complaint/concern under Principal of School/College's responsibility.

Appendix 2

Complaint/concern under the Trustees responsibility.

Appendix 3

The Dover Federation for the Arts Complaints Form.

Appendix 4

The Dover Federation for the Arts Procedure for conducting a Board of Trustees complaints panel hearing.

Appendix 5

Policy for Dealing with Persistent or Vexatious Complaints

APPENDIX 1

General Complaints Procedure

Stage 1

Director of Year

Stage 2

Principal

If your complaint is about the Principal, Stage 2 needs to be referred to the SEL

Stage 3

SEL

If you feel that the resolution offered in Stage 2 is inadequate, you may forward your complaint to the SEL. He will investigate your complaint either personally or may appoint an Investigating Officer. You will be contacted again within the result within 10 days.

Stage 4

If you feel that the resolution or decision in Stage 3 is inadequate you may forward your complaint to the Chairman of the Trustees. He will form a Complaints Panel of at least three people who have not been involved in the procedure. The panel will listen to your complaint and your reasons for rejecting the previous resolutions or judgements. The panel can then either dismiss the complaint or uphold the complaint, in full or in part, and offer some resolutions. You will be informed of the decision in writing within 5 days of the hearing.

This is the final stage of the school-based complaints procedure.

If you are dissatisfied with the handling or outcome of your complaint you have the right to contact the Education Funding Agency.

APPENDIX 3

The Dover Federation for the Arts Multi Academy Trust Complaints Form

Please complete and return to the School/College Office, marked for the confidential attention of the Principal of School/College or the Senior Executive Leader or Chairman of the Board of Trustees. Most complaints have to be read by the Principal of School/College in the first instance. They can then go to the Senior Executive Leader if they are not resolved. Finally, if there is still no resolution, the Senior Executive Leader will pass your complaint to the Chairman of the Board of Trustees.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.

(Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

APPENDIX 4

Procedure for conducting a Trustee's Complaints Panel Hearing

The Board of Trustee's Complaints Panel operates according to the following formal procedures:

1. The Chair of the Board of Trustee's Complaints Panel will aim to arrange for the panel meeting to take place within **10 working days**.
2. The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint.
3. Ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school.
4. The Chair of the Board of Trustee's Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
5. The Principal/SEL or designated person will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
6. The Chair of the Board of Trustee's Complaints Panel will inform you, the Principal, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school/college; but we will do what we can to make alternative arrangements if you prefer.
7. With the letter, the Chair of the Panel will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
8. The letter from the Chair of the Panel will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
9. With the agreement of the Chair of the Panel, the Principal/SEL may invite members of staff directly involved in matters raised by you to attend the meeting.
10. Witnesses will be invited to the hearing and give statements but withdraw once they have done so.
11. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
12. No evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the request.
13. The Chair of the Panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
14. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If

the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.

15. During the meeting, you can expect there to be opportunities for:

- you to explain your complaint;
- you to hear the school's response from the Principal/SEL/College/DFAMAT;
- you to question the Principal/SEL about the complaint;
- you to be questioned by the Principal/SEL about the complaint;
- the panel members to be able to question you and the Principal/SEL;
- any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
- you and the Principal/SEL to make a final statement.

14. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Principal/SEL and yourself **within five working days**. All participants other than the panel and the clerk will then leave.

15. The panel will then consider the complaint and all the evidence presented in order to:

- reach a majority decision on the complaint;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend, where appropriate, to the Trustees changes to the DFAMAT's systems, policies or procedures to address the issues raised.

16. The Chair of the Panel will send you and the Principal/SEL a written statement outlining the decision of the panel **within five working days**. If you are not satisfied with the outcome you may appeal to the Education Funding Agency Academies Division, details of which should be provided in the letter.

17. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

APPENDIX 5

Policy for Dealing with Persistent or Vexatious Complaints

The Principal and staff deal with specific complaints as part of their day-to-day management of the school/college in accordance with the **School/College Complaints Policy**.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school/college and directly or indirectly the overall well-being of the children or staff in the school/college. In these exceptional circumstances, the school/college may take action in accordance with this policy.

Aims of Policy

The aims of this policy are to:

- Uphold the standards of courtesy and reasonableness that should characterise all communications between the school/college and persons who wish to express a concern or pursue a complaint.
- Support the well-being of children, staff and everyone else who has a legitimate interest in the work of the school/college, including Trustees and parents.
- Deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school/college while ensuring that other stakeholders suffer no detriment.

Parents' Expectations of the School/College

Parents/carers/members of the public who raise either informal concerns or formal complaints with the school/college can expect the school/college to:

- Regularly communicate to parents/carers in writing:
 - how and when problems can be raised with the school/college.
 - the existence of the school's/college's complaints procedure, and
 - the existence of the Policy for Dealing with Persistent or Vexatious Complaints.
- Respond within a reasonable time.
- Be available for consultation within reasonable time limits bearing in mind the needs of the pupils/students within the school/college and the nature of the complaint.
- Respond with courtesy and respect.
- Attempt to resolve problems using reasonable means in line with the school's/college's complaints procedure, other policies and practice and in line with advice from the Trust's Legal Services keep complainants informed of progress towards a resolution of the issues raised.

The School's/College's Expectations of Parents/Carers/Members of the Public

The school/college can expect parents/carers/members of the public who wish to raise problems with the school/college to:

- Treat all school/college staff with courtesy and respect.
- Respect the needs and well-being of pupils and staff in the school/college.
- Avoid any use, or threatened use, of violence to people or property.
- Avoid any aggression or verbal abuse.
- Recognise the time constraints under which members of staff in schools/colleges work and allow the school/college a reasonable time to respond.
- Recognise that resolving a specific problem can sometimes take some time.
- In the case of a complaint, follow the School's/College's Complaints Procedure.

Who is a Persistent Complainant?

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school/college, and whose behaviour is unreasonable. Such behaviour may be characterised by the following.

- Actions which are obsessive, persistent, harassing, prolific, repetitious.
- Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint.
- Uses Freedom of Information requests excessively and unreasonably.
- An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes.
- An insistence upon pursuing complaints in an unreasonable manner.
- An insistence on only dealing with the principal on all occasions irrespective of the issue and the level of delegation in the school/college to deal with such matters.
- An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school/college because it is unlawful.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as above in such a way that they:

- appear to be targeted over a significant period of time on one or more members of school/college staff and/or
- cause ongoing distress to individual member(s) of school/college staff and/or
- have a significant adverse effect on the whole/parts of the school/college community and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

The School's/College's Actions in Cases of Persistent or Vexatious Complaints or Harassment

In the first instance the school/college will verbally inform the complainant that his/her behaviour is considered to be/becoming unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy.

This will be confirmed in writing (Model Letter 1).

If the behaviour is not modified the school/college will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school/college community.

- Inform the complainant in writing that his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (see Model Letter 2).
- Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties (see Model Letter 2).
- Inform the complainant that, except in emergencies, all routine communication with the complainant to the school/college should be by letter only (see Model Letter 2).
- In the case of physical, or verbal aggression - take advice from Legal Services (services purchased by the Board of Trustees) and consider warning the complainant about being banned from the school/college site; or proceed straight to a temporary ban.
- Consider taking advice from the Legal Services on pursuing a case under Anti-Harassment legislation.
- Consider taking advice from the Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Principal but only with a third person to be identified by the Board of Trustees of the school/college, who will investigate, determine whether or not the concern/complaint is reasonable or vexatious and then advise the Principal accordingly.

Thus, based on last bullet point above, legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints. However, the school/college will be advised by the Legal Services.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school/college may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the Legal Services.

Review

The School/College will review as appropriate, and at a minimum once in a school/college year, any sanctions applied in the context of this policy.