

Complaints Policy

(for complainants who are **NOT** parents/carers of current pupils in our Trust and/or where the complaint does **NOT** relate to the individual's child [who is a pupil in our Trust])

If you **are** a parent/carer of current pupil(s) in the School/Trust and your complaint relates to your child(ren), please refer to our separate policy for current parents/carers.

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1. Policy Statement

This policy outlines Manor Multi Academy Trust's ('we' / 'our' / 'us') approach to complaints made by individuals who are **not** parents/carers of pupils in our Trust, or if the complainant is a parent but the complaint does not relate to their child(ren) – for example, a complaint related to the Manor Teaching School Hub. Such individuals will from this point be referred to in the policy as 'you' / 'your' etc.

We are committed to equality and value diversity. As such we are committed to fulfilling our Public Sector Equality Duty (Equality Duty) obligations and expect all staff and volunteers to share this commitment.

The Equality Duty requires us to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation.
- Advance equality of opportunity.
- Foster good relations between people who share protected characteristics, such as age, gender, race and faith, and people who do not share them.

We are responsible for ensuring the effective implementation of this policy. As part of equality monitoring we will review and monitor the operation and impact of the policy on a regular basis and in accordance with the policy review date. As part of this monitoring and review this policy will be equality impact assessed.

2. Scope & definitions

[DfE guidance](#) for academies confirms that [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#) only applies to complaints from parents/carers of pupils at your school, regarding their child. Therefore, as confirmed in the Policy Statement above, this policy applies to individuals who are **not** parents/carers of pupils in our Trust and/or where your complaint does **not** relate to your child [who is a pupil in our Trust].

We have therefore developed this separate (shorter) procedure for complaints which do not fall under the remit of our Complaints Policy for current parent/carers.

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. We will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

We intend to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when you would like to raise your concerns formally. This policy outlines the procedure relating to handling such complaints.

For the avoidance of doubt, the below matters will **not** be dealt with under this policy:

Exceptions	Who to contact
School admissions	Concerns about admissions should be handled through a separate process – please see the Manor MAT <i>Admissions Policy</i> for details of the appeals process.
Statutory assessment of special educational need/disability (SEND)	Concerns about this should be raised with the SENDCo/relevant Local Authority as per SEND Policy.
Matters likely to require a Child Protection investigation, related to safeguarding	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you should follow local procedures for child protection referrals.
Suspension and exclusion of children from school	Concerns and complaints about the application of statutory suspensions and exclusions procedures should be made as part of those procedures, in line with our Suspensions and Exclusions Policy.
Examination results	Concerns about the results of examinations will be dealt with using the appropriate appeals processes.
Data protection	Any complaints relating to how a data protection matter has been handled should first be referred for internal review by our Data Protection Officer. If you remain unhappy with our response, you may complain to the Information Commissioner’s Office.
Staff grievances	Complaints from staff and former staff will be dealt with under our internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under our 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.

Exceptions	Who to contact
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. Please refer to our Whistleblowing Policy. 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: www.education.gov.uk/contactus
Provision of third-party services	Complaints about services which are delivered by third parties (e.g. catering) should be addressed to the appropriate organisation and dealt with under their complaints procedures. Please contact the Trust school office if you need details of who to get in touch with.

If other bodies are investigating aspects of your 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.

3. Aims & Principles

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect your desire for confidentiality
- Treat you with respect
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep you informed of the progress of the complaints process
- Consider how your complaint can feed into school/Trust improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

We will always aim to give you the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on our website.

1. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What you feel would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and you will be sent details of the new deadline with an explanation for the delay.

We expect that complaints will be made as soon as possible after an incident arises and no later than **3 months** afterwards, or, where a series of associated incidents have occurred, within 3 months of the last of these incidents.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and where your complaint can still be investigated in a fair manner for all involved.

Complaints received outside of term time

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

2. Stages of complaint

At each stage in the procedure, we want to resolve your complaint. If appropriate, we will acknowledge that your 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 that the matter complained of will not recur;
- An explanation of the steps that have been or will be taken to ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- An undertaking to review our policies in light of your complaint;
- An apology.

Stage 1: Informal

We will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

You (or a third party acting on your behalf, as long as they have appropriate consent to do so) should raise your informal complaint as soon as possible with the relevant member of staff or the Headteacher(HT)/Head of School(HOS) (or for concerns regarding the Teaching School Hub (TSH), raise your concern with the Director of the TSH), either in person or by letter, telephone or email.

If your complaint is about the HT/HOS/Director of TSH(DTSH), the MAT, MAT Director(s) or a Parent and Community Advisory Forum (PCAF) representative, please refer your concern to our Governance Professional, who will in turn liaise with the appropriate Executive Leader/Director in our Trust for your concern to be investigated and responded to). For example, complaints against a Headteacher or the DTSH will be investigated and responded to by the Chief Executive Officer(CEO)/Chief Executive Advisor(CEA). Complaints against the CEO/CEA or a PCAF representative will be investigated and responded to by the Chair of the Trust. **Email: governanceprofessional@manormat.com**

If you are unclear who to contact you should contact our Governance Professional. Your informal concern will be acknowledged within **5 school days**.

Please note: Complaints which appear to state an issue against the CEO/CEA/MAT simply to bypass appropriate staff and reach the Chair of the Trust will not necessarily be directed to the Chair of the Trust. An assessment will be made as to the appropriate individual(s) to whom the complaint should be directed, in consultation with Executive Leaders.

If you have difficulty discussing your concern with a particular member of staff, the HT/HOS/DTSH/Governance Professional will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with your concern, the HT/HOS/DTSH/Governance Professional will refer you to another staff member. The alternative member of staff may be more senior but does not have to be. The ability to consider your concern objectively and impartially is more important. There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion. However, it would be expected that most issues will be resolved in around **15 school days**. If this deadline is unable to be met, you will be provided with an update and revised response date; this may come directly from the HT/HOS/DTSH or via the Governance Professional.

The informal stage may involve a meeting between you and the HT/HOS and/or the subject of your concern, if appropriate.

If your concern is not resolved informally, you will be advised that if you wish for your concerns to be considered further, you should write to the HT/HOS/DTSH (or via our Governance Professional if your complaint is against the HT/HOS/DTSH) under [Stage 2](#) of this procedure within **15 school days** (as detailed below).

Stage 2: Formal (final stage)

The Formal stage of this procedure involves you putting your formal complaint to the HT/HOS/DTSH **in writing** either to the HT/HOS/DTSH, or for complaints about the HT/HOS/DTSH/the MAT/a Director or PCAF representative, to governanceprofessional@manormat.com. Alternatively, you can submit your written complaint in the form of a letter (hand in to any one of our school offices marked “Private and confidential – for the attention of...” [insert relevant job title depending on the nature of your complaint e.g. Headteacher/Governance Professional])

Your written complaint must provide details of the nature of your complaint and the relevant dates, times and the names of witnesses of events, alongside copies of all relevant documents. You should also state what you feel would resolve your complaint. To assist you in detailing your complaint, a model template is included in [Appendix A](#). If you need assistance raising your formal complaint, you can contact our Governance Professional.

Your formal complaint will normally be acknowledged in writing (either by letter or email) within **5 school days** of receipt, along with a target date for providing a response to your complaint.

The HT (or other person appointed by the HT for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to you within **20 school days**. Should it not prove possible for this timescale to be met (for example, due to the complexity of your complaint), you will be informed.

The response will detail any actions taken to investigate your complaint and provide an explanation of the decision made by the relevant investigating officer and the reason(s) for it. Where appropriate, it will include details of actions we will take to resolve your complaint.

This completes this complaints process.

3. Referring complaints on completion of our procedure

If you believe we did not handle your complaint in accordance with this procedure or you believe we acted unlawfully or unreasonably in the exercise of our duties under education law, you can contact the Department for Education (DfE) after you have completed Stage 2 of this procedure.

The DfE will not normally reinvestigate the substance of complaints or overturn decisions made by us. They may consider whether we have adhered to education legislation and any statutory policies connected with your complaint and whether we have followed the 2014 legislation: <https://www.legislation.gov.uk/ukxi/2014/3283/schedule/made>

You can refer your complaint to the DfE online at:

[https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education)

The DfE will only consider your complaint if you can provide evidence that we:

- do not have a complaints procedure
- did not provide a copy of our complaints procedure when requested
- do not have a procedure that complies with statutory regulations
- have not followed our published complaints procedure
- have not allowed our complaints procedure to be completed

The DfE will inform you that they are not able to:

- overturn our decision
- re-investigate your original complaint
- review the accuracy of minutes taken or documents provided
- order that compensation is paid
- direct us to discipline/exclude pupils
- force us to discipline/dismiss staff
- instruct us to apologise

Persistent complaints

Where you try to re-open the issue with us after our complaints procedure has been fully exhausted and we have done everything we reasonably can in response to your complaint, the Chair of the Trust (or other appropriate person in the case of a complaint about the Chair, for example, the Vice-Chair of the Trust) will inform you that the matter is closed. This may be in the form of a letter sent via our Governance Professional.

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once we have decided that it is appropriate to stop responding, you will be informed in writing, either by letter or email.

We will ensure when making this decision that complainants making any new complaints are heard, and that we act reasonably.

For further details, please refer to [When to stop responding](#) below.

Unreasonable and persistent complaints

We are 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 us.

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.

We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of your contact with us, such as, if you:

- refuse to articulate your complaint or specify the grounds of your complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuse to cooperate with our complaints investigation process;
- refuse to accept that certain issues are not within the scope of our complaints procedure;
- insist on your complaint being dealt with in ways that are incompatible with our complaints procedure or with good practice;
- introduce trivial or irrelevant information that you expect to be taken into account and commented on;
- raise large numbers of detailed but unimportant questions, and insist they are fully answered, often immediately and to your own timescales;
- make unjustified complaints about staff who are trying to deal with the issues and seek to have them replaced;
- change the basis of your complaint as the investigation proceeds;
- repeatedly make the same complaint (despite previous investigations or responses concluding that your complaint is groundless or has been addressed);
- refuse to accept the findings of the investigation into that complaint where our complaints procedure has been fully and properly implemented and completed including referral to the DfE;
- seek an unrealistic outcome, such as the inappropriate dismissal of staff;
- make excessive demands on our time by frequent, lengthy and complicated contact with staff regarding your complaint in person, in writing, by email and by telephone while your complaint is being dealt with;
- use threats to intimidate;
- use abusive, offensive or discriminatory language or violence;
- knowingly provide falsified information; and/or
- Publish unacceptable information on social media or other public forums.

You should try to limit your communication with us in relation to your complaint, while your complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached. Whenever possible, the HT/HOS or the investigating officer (IO) will discuss any concerns with you informally before applying an '*unreasonable*' marking.

If the behaviour continues, the HT/HOS (or IO if different) will write to you explaining that your behaviour is unreasonable and ask you to change it. If you excessively contact us, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a personalised communication plan. This will be reviewed after six months.

If your behaviour is causing a significant level of disruption, regardless of whether or not you have raised a complaint, we can implement a tailored communication strategy.

For example, we can:

- restrict you to a single point of contact via an email address
- limit the number of times you can make contact, such as a fixed number of contacts per term

Different procedures apply to freedom of information (FOI) and data protection (DP) correspondence, as detailed in our Data Protection Policy. All requests for FOI and DP information should be sent via email to the Trust's Data Protection Officer: dpo@manormat.com.

We will act reasonably and consider any new complaint. Anyone has the right to raise a genuine new complaint at any time.

We may also suggest that you ask a third party to act on your behalf, such as the local Citizen's Advice Bureau.

If you persist to the point that may constitute harassment, we will seek legal advice. In some cases, injunctions and other court orders may be requested.

Once we have decided that it's appropriate to stop responding, you will be informed.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring you from our premises.

Vexatious complaints

The DfE defines vexatious complaints as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

When to stop responding

The decision to stop responding should never be taken lightly.

We will stop responding to complaints if we can demonstrate:

- We have taken every reasonable step to address your concerns
- You have been given a clear statement of our position and your options
- You contact us repeatedly, making substantially the same points each time

The case to stop responding is stronger if we agree with one or more of these statements:

- Your letters, emails, or telephone calls are often or always abusive or aggressive
- You make insulting personal comments about or threats towards staff
- We have reason to believe you are contacting us with the intention of causing disruption or inconvenience

We will not stop responding just because an individual is difficult to deal with or asks complex questions.

Duplicate complaints

If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent or a child not attending this School/Trust, we will remind them that we have already considered the complaint and that the process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

Complaint campaigns

Where we receive a large volume of complaints about the same topic or subject, we may respond to these complaints by:

- Publishing a single response on our website
- Sending a template response to all of the complainants

If complainants are not satisfied with our response, or wish to pursue the complaint further, the normal procedures will apply.

Anonymous complaints

Anonymous complaints will not usually be investigated. However, the IO (as relevant to the subject of the complaint, as detailed earlier in this policy) will determine whether or not the complaint warrants investigation. The IO will attempt to adhere to the timescales set out in this policy but will be unable to respond to the complainant if no contact information is provided.

4. Withdrawal of a complaint

If you want to withdraw your complaint, we will ask you to confirm this in writing.

5. Record-keeping

We will record the progress of all complaints, including information about actions taken at all stages, the stage at which your complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls where relevant.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel, except where:

- they are requested by the Secretary of State (or someone acting on their behalf); or
- you request access to records of a complaint through a Freedom of Information (FOI) request under the terms of the Data Protection Act; or
- you request access to the records of your complaint through a Subject Access Request under the terms of the Data Protection Act; or
- the material must be made available during a school inspection; or
- under other legal authority.

Records of complaints will be kept securely, only for as long as necessary and in line with Data Protection law, our Privacy Notices and Records Management and Retention Policy.

6. Learning lessons

We will review any underlying issues raised by complaints with Executive Leaders, where appropriate, and respecting confidentiality, to determine whether there are any improvements that we can make to our procedures or practice to help prevent similar events in the future.

7. Monitoring arrangements

The Trust Board will monitor the effectiveness of this complaints procedure in ensuring that complaints are handled properly. The Trust Board will track the number and nature of complaints, and review underlying issues as stated in this policy. The complaints records are logged and managed by the HT/HOS in each school (and by our Governance Professional at MAT-level).

This policy will be reviewed by the CEO/CEA annually (or upon notification of legislative updates). At each review, the policy will be approved by the Trust Board.

If you commence legal action against us in relation to your complaint, we will consider whether to suspend the complaints procedure in relation to your complaint until those legal proceedings have concluded.

Appendix A: Model Complaint Form

Your name:	
Email:	
Telephone:	
Address:	
Please give details of your complaint, including whether you have spoken to anybody at the School/Trust 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:	

Appendix B: Roles and Responsibilities

Complainant ('you')

You will receive a more effective response to your complaint if you:

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

Investigating Officer (IO)

The IO's role is to establish the facts relevant to your complaint by:

- providing a comprehensive, open, transparent and fair consideration of your complaint through:
 - sensitive and thorough interviewing of you to establish what has happened and who has been involved
 - interviewing staff and children and other people relevant to your complaint
 - consideration of records and other relevant information
 - analysing information
- Liaising with you and the complaints co-ordinator (e.g. Governance Professional) as appropriate to clarify what you feel would put things right.

The IO should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond within
- Prepare a comprehensive report for the HT/HOS/CEO/CEA/Chair of the Trust that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The relevant senior officer will then determine whether to uphold or dismiss the complaint and communicate that decision to you.

Complaints Co-ordinator

(This could be the HT/HOS or other staff member providing administrative support e.g. our Governance Professional)

The complaints co-ordinator should:

- ensure that you are fully updated at each stage of the procedure
- liaise with staff members/Directors as appropriate to ensure the smooth running of the complaints procedure

- Keep records and be aware of issues regarding:
 - sharing third party information
 - additional support which may be needed by you when making a complaint e.g. interpretation support
- Ensure that the correct procedure has been followed.
- meet with you, if appropriate

Governance Professional

Our Governance Professional is the main contact point for you to reach the Chair of the Trust in relation to complaints against the CEO/CEA/MAT and should:

- share information with the Chair of the Trust without delay e.g. within **2 school days**
- prompt the Chair of the Trust to respond to you to acknowledge receipt within **5 school days**

Please note: Complaints which appear to state an issue against the CEO/CEA/MAT simply to bypass appropriate staff and reach the Chair of the Trust will not necessarily be directed to the Chair of the Trust. An assessment will be made as to the appropriate individual(s) to whom the complaint should be directed, in consultation with Executive Leaders.

