

Complaints Policy

Plymouth CAST Multi Academy Trust

St Mary's Catholic School

Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	Sep 2018	Louise Adams Director of Education and Standards	All Plymouth CAST Headteachers and LCBs	To provide a systematic approach to handling complaints
2.0	May 2019	Karen Cook CFOO	All Plymouth CAST Headteachers and LCBs	To update to include complaints against the Trust
3.0	Sep 2021	Kevin Butlin Director of Education	All Plymouth CAST Headteachers and LCBs	To update to include complaints against LCB, and complaint campaigns
4.1	May 2024	Rose Colpus-Fricker COO	All Plymouth CAST Headteachers and LCBs	Minor amendments to review dates
4.2	October 2024	Rose Colpus-Fricker COO	All Plymouth CAST Headteachers and LCBs	Replacement policy to strengthen and streamline approach to handling complaints, vexatious complaints, persistent complaints and campaign complaints

Approvals

This policy requires the following approvals:

Board	Chair	CEO	Date Approved	Version	Date for Review
X			September 2018	1.0	September 2019
X			May 2019	2.0	September 2019
X			October 2021	3.0	September 2024
X			May 2024	4.1	September 2027
X			December 2024	4.2	December 2026

National/Local Policy

This policy must be localised by schools

☐ This policy must not be changed, it is a trust policy (only change logo, contact details and yellow highlighted sections)

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement? ☐ Yes No If yes, the policy status is: ☐ Consulted and Approved ☐ Consulted and Not Approved ☐ Awaiting Consultation

Distribution

This document has been distributed to:

Position	Date	Version
Plymouth CAST Directors and SELT	December 2024	4.2
All Plymouth CAST HTs	December 2024	4.2
All Plymouth CAST LCBs	December 2024	4.2

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1. Vision and values:

Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.

Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust.

2. Policy Aims

Our trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Treat complainants with respect and courtesy
- Make sure any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school and 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.

3. Policy Principles

The trust will aim to give the complainant 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, and on the websites of our schools.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals. For example, Who to contact if further information on

complaints process arrangements is required, or if any specific requirements are needed to enable them to attend meetings, e.g. a remote meeting, IT equipment, visually accessible materials, adjusted timings, etc.

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors on a 'need to know' basis. Confidentiality will be maintained within the Local CAST Board/Trust to ensure sufficient governors have no prior knowledge of the complaint to enable a review panel to be convened, if required, at Stage 3.

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood. This includes the complainant's right to be accompanied by a friend or relative at discussions and hearings and/or to submit formal complaints, which have been written by another individual on their behalf.

There is no duty for Headteachers, the CEO, Local CAST Board members or Directors to pursue anonymous complaints. However, if an anonymous complaint conveys information which may be damaging to the school, it is the Headteacher's or CEO's decision whether a case needs further investigation.

4. Legislation and guidance

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 in our trust.

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.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the trust's fulfilment of Early Years Foundation Stage (EYFS) requirements.

5. Definitions and scope

5.1 Definitions

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

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)

- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- Withdrawal from the curriculum (parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship. They do not have to explain why)

Please see our separate policies for procedures relating to these types of complaints.

Complaints about services provided by other providers who use trust premises or facilities should be directed to the provider concerned.

6. Roles and responsibilities

6.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate with the school or trust throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

6.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

6.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The Senior Administrator (for school-level complaints / COO for Trust-level complaints)
- The designated complaints governor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, clerks, Chair of the Local CAST Board, and/or CEO and Chair of the Board of Directors
- Be aware of issues relating to:
    - Sharing third party information
    - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person
- Keep records

6.4 Clerk to the Local CAST Board and CAST Board of Directors

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

6.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

7. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

7.1 Timescales

The complainant must raise the complaint within 10 school days of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

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

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

7.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the trust's fulfilment of the EYFS requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. Schools will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that a school is not meeting EYFS requirements by:

- Calling 0300 123 4666
- Emailing enquiries@ofsted.gov.uk
- Using the online contact form available at https://www.gov.uk/government/organisations/ofsted#org-contacts

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

8. Stages of complaint (not complaints against the trust, CEO or Directors)

We have adopted a 4-stage process for dealing with complaints:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 –panel hearing
- Stage 4 – review by the Plymouth CAST Board of Directors

8.1 Stage 1: informal

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

The complainant should raise the concern/complaint as soon as possible with the relevant member of school staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact their school office. The school will acknowledge informal complaints within two school days and investigate and provide a response within 10 school days.

The trust considers best practice to include arranging informal meetings with the complainant to discuss the outcome of the informal investigation into the issues raised if appropriate to the circumstances.

Mediation

Wherever possible, Plymouth CAST will encourage the use of impartial mediation to help resolve issues through an informal process. Mediation aims to reduce the stress of dealing with a formal process and works with the disputants to resolve issues through mutual agreement.

This could take place with the support of a Director/Governor/School Improvement Officer or an external mediation service.

Entering into mediation shall be a voluntary process for all parties.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

8.2 Stage 2: formal

The formal stage involves the complainant putting the complaint in writing, using the form at Appendix A (unless the complainant has a sufficient reason to request a reasonable adjustment be made to amend this).

The form at Appendix A requires the complainant to detail:

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

Addressing the complaint

Complaints not involving the headteacher or a member of the Local CAST Board should be directed to the headteacher. This can be done by:

- Emailing the form at Appendix A alongside copies of any relevant documents to the school office email address. Sending the form at Appendix A to the school office, marked for the attention of the headteacher

Complaints involving the headteacher or a member of the Local CAST Board should be directed to the chair of the Local CAST Board. This can be done by:

- Emailing the form at Appendix A alongside copies of any relevant documents to the Clerk to the Local CAST Board.
- Sending the form at Appendix A to the school office, marked for the attention of the Chair of the Local CAST Board

Complaints involving the chair of the Local CAST Board should be directed to the Clerk to the Board of Directors. This can be done by:

- Emailing the form at Appendix A alongside copies of any relevant documents to the to the Board of Directors: asktheboard@plymouthcast.org.uk
- Sending the form at Appendix A to the Trust offices (Plymouth CAST, Edmund Rice Building, 21 Boniface Lane, Plymouth, PL5 3AG), marked for the attention of the Clerk to the Board of Directors

If complainants need assistance raising a formal complaint, they can contact the school office or Trust office.

Investigation

The complainant will receive written acknowledgement of their complaint within two school days.

The headteacher or the chair of the local governing body will then conduct their own investigation.

If the complaint is:

- Jointly about the chair and vice-chair of the Local CAST Board or
- The entire Local CAST Board or
- The majority of the Local CAST Board

The Trust's Board of Directors will conduct the investigation.

The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the headteacher / chair of the Local CAST Board / Trust Board of Directors 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 to be taken to resolve the complaint.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the Local CAST Board in writing, using the form at Appendix A, within 30 school days.

8.3 Stage 3: review panel

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The panel will be appointed by or on behalf of the trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of Local CAST Board members, as they are not independent of the management and running of the school.

If the complaint is:

- Jointly about the chair and vice-chair of the Local CAST Board or
- The entire Local CAST Board or
- The majority of the Local CAST Board

The panel will be made up of Directors and an independent panel member.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least three days before the date of the meeting.

At the meeting

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

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

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 school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school 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. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust and headteacher.

The outcome

The committee 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 school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within ten school days.

8.4 Stage 4: review by the trust board

Where the school-based complaints procedure has been completed, and the complainant does not feel their complaint has been addressed to their satisfaction, they may contact the trust in writing to request a review of the complaint investigation.

They can do this by:

- Emailing the form at Appendix A alongside copies of any relevant documents to the to the Chief Operating Officer: admin@plymouthcast.org.uk
- Sending the form at Appendix A to the Trust offices (Plymouth CAST, Edmund Rice Building, 21 Boniface Lane, Plymouth, PL5 3AG), marked for the attention of the Chief Operating Officer

The trust cannot overturn decisions on complaints made during the school's complaints procedure. However, it can assess whether the school considered the complaint appropriately.

9. Complaints about the trust, trust officers or trustees

9.1 Stage 1: informal

We make every effort to address any concerns or complaints early through informal measures.

The complainant should raise any concerns as soon as possible with the relevant member of the trust's central team, or the Chief Executive Officer (CEO).

If the concern regards the CEO, the complainant should contact the Chair of the Board of Directors.

If the complainant is unsure who to contact, or needs to contact the chair of the board of trustees, they should contact the Clerk to the Board of Directors by phone (01752 686710) / email (asktheboard@plymouthcast.org.uk).

The process for responding to and investigating an informal complaint about the trust or central staff is the same as that set out in section 8.

9.2 Stage 2: formal

If the complaint is not resolved satisfactorily at the informal stage, the complainant must submit a formal complaint in writing, using the form at Appendix A.

The complainant will receive written acknowledgement of their complaint within two school days.

The investigating officer will then conduct an investigation, in line with the process set out in section 8 above, providing a written response to the complainant within 10 school days.

Should the action include any formal process relating to staff regarding their conduct or capability, details will not be shared with the complainant. The Trust will protect the professional confidentiality of its employees regarding private employment matters, consistent with its legal obligations under their contract of employment.

9.3 Stage 3: panel hearing

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

A panel will be appointed by the trust, and will consist of 3 members of the board not involved in investigating the complaint in the formal stage.

If the complaint is:

- Jointly about the chair and vice-chair of the Board of Directors or
- The entire Board of Directors or
- The majority of the Board of Directors

The panel will be entirely made up of independent members.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 10 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least three school days before the date of the meeting.

The complainant and representatives from the trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

The board will ensure that the hearing is properly minuted.

At the meeting

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 must then put together its findings and recommendations from the case.

Should the action include any formal process relating to staff regarding their conduct or capability, details will not be shared with the complainant. The Trust will protect the professional confidentiality of its employees regarding private employment matters, consistent with its legal obligations under their contract of employment.

The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust.

The panel will inform those involved of the decision in writing within 10 school days.

10. Referring complaints on completion of the school and trust procedures

If the complainant is dissatisfied with the outcome of the school or trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly. The ESFA will not overturn the school or trust's decision about a complaint but will intervene if a school or trust has:

- 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 complaints procedure is found not to meet regulations, the trust will be asked to correct its procedure accordingly.

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

https://www.gov.uk/government/publications/complain-about-an-academy

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

11. Persistent complaints

11.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following this complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps the school/trust will take

The school/trust will take every reasonable step to address the complainant's concerns, and give them a clear statement of the school's/trust's position and their options. The school/trust will maintain the role of an objective arbiter throughout the process, including when meetings are held with individuals. The school/trust will follow this complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school/trust in a disruptive way, communication strategies may be put in place. The school/trust may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

Stopping responding

The school/trust may stop responding to the complainant when all of these factors are met:

- The school/trust has taken all reasonable steps to help address their concerns
- The complainant has received a clear statement of the school's/trust's position and their options
- The complainant contacts the school/trust repeatedly, and the school/trust believes their intention is to cause disruption or inconvenience

The school/trust will inform the individual that they intend to stop responding and explain that any new complaints will still be considered.

In response to any serious incident of aggression or any incident of violence, the school/trust will immediately inform the police and communicate these actions in writing. This may include barring an individual from the school/trust site.

11.2 Duplicate complaints

If the school/trust has resolved a complaint under this procedure and received a duplicate complaint on the same subject from a partner, family member or other individual, the school/trust will assess whether there are aspects that we hadn't previously considered, or any new information that needs to be taken into account.

If the school/trust is satisfied that there are no new aspects, it will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete
- Direct them to the ESFA if they are dissatisfied with the original handling of the complaint

If there are new aspects, we will follow the complaints procedure set out in this document again.

11.3 Complaint campaigns

Where the school/trust receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school/trust may respond to these complaints by:

- Publishing a single response on the school/trust website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's/trust's response, or wish to pursue the complaint further, the normal procedures will apply.

12. Record-keeping and confidentiality

The school will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome

The records will also include copies of letters and emails, and notes related to meetings and phone calls.

This material will be treated as confidential and stored securely in the school office, and will be viewed only by those involved in investigating the complaint or on the review panel.

In the case of complaints about the trust or central staff, these records will be managed by the Chief Operating Officer, and will be stored securely in the trust's offices under restricted access.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and the Plymouth CAST Data Retention Policy. After that time has elapsed, records of the complaint will be destroyed in line with the Trust's retention of records practices.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Local CAST Board of the school (or the entire trust Board of Directors) in case a review panel needs to be organised at a later point.

Where the Local CAST Board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Local CAST Board, who will not unreasonably withhold consent.

13. Learning lessons

The Chair of the Local CAST Board / Chair of the Board of Directors will review any underlying issues raised by complaints with the headteacher / CEO, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

The Trust's Senior Executive Leadership Team will receive regular reports on the types of complaints received in each school in order to support the development of appropriate support structures, and to inform any improvements to procedures or practice.

14. Monitoring arrangements

The Headteacher will monitor the effectiveness of the school complaints procedure in ensuring that complaints are handled properly.

The Chair of the Local CAST Board will track the number and nature of complaints against the school, and review underlying issues as stated in the section entitled 'Learning lessons'.

The school complaints records are logged and managed by the headteacher.

The Chief Operating Officer will monitor the effectiveness of the trust complaints procedure in ensuring that complaints are handled properly.

The Chair of the Board of Directors will track the number and nature of complaints against the trust, and review underlying issues as stated in the section entitled 'Learning lessons'.

The trust complaints records are logged and managed by the Chief Operating Officer.

The Chief Operating Officer will monitor the effectiveness of the complaints procedure trust-wide.

This policy will be reviewed by the Board of Directors every two years.

At each review, the policy will be approved by the Board of Directors.

15. Links with other policies

Policies dealing with other forms of complaints include:

- Child Protection and Safeguarding Policy and Procedures
- Admissions Policy
- Exclusion Policy
- (Staff) Grievance Policy
- (Staff) Disciplinary Policy
- SEND Policy
- Data Protection Policy
- Whistleblowing Policy

This list is not exhaustive.

Appendix A - Complaints Form - Stages 2, 3 & 4

Please complete this form in accordance with sections 8.2 or 8.4 or 9.2 of this policy. Please continue on a separate sheet if necessary.

1. Name:
……...……

2. Address:
……..…..

……
……..

……
……..

3. Telephone number(s)
……..…….

4. Email address
……

5. Name of child (parents only…….

6. Complaint Step (please circle) 2 3 4

7. Details of the complaint (please include relevant dates and times, the names of witnesses of events, what you feel would resolve the complaint and confirm whether you have already expressed your concerns informally, and to whom and when).

……..……
…….

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8 (Step 4 only) Details of why your complaint has not been addressed to your satisfaction by the Stage 3 panel hearing

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9. Do you have a suggestion for change?
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10

Please attach copies of any more information you have to back up your complaint such as letters or report.

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Signed: …… Date: ……

Appendix B - Template letter acknowledging receipt of a complaint at Stage 2 (Formal Investigation).

[Date]

Dear [Name of Complainant],

Re: Complaint

Thank you for submitting your complaints form dated [Date], received by us on [Date] requesting a formal investigation into your complaint [insert brief summary……]

In line with the school and Trust's Complaints Policy, a copy of which can be viewed here, a hard copy being available upon request, we acknowledge receipt.

We will endeavour to address your complaint fairly, transparently and briskly. The process for the management of your complaint is detailed within the policy and summarised in a flow chart at the end of the document.

You will appreciate that we may need to investigate this matter further, but it would be our intention – as outlined in this policy – to respond to you within ten working days.

Thank you once again.

Yours sincerely,

[Headteacher / Chair of Local CAST Board / Clerk to the Local CAST Board– delete as appropriate]

[Name of School]

Appendix C - Template letter inviting complainant to panel hearing (Stage 3)

[Date]

Dear [Name of Complainant],

Re: Invitation to attend a panel meeting to hear complaint (Stage 3)

Thank you for submitting your complaints form, received by us on [Date] requesting a that a panel hearing is arranged in relation into your complaint [insert brief summary……]

In relation to your complaint, we invite you to present your complaint to a panel comprising members of the school's [Local Governing Body / trust's Board of Directors – delete as appropriate] in line with Stage 3 of the school and Trust's Complaints Policy, a copy of which can be viewed here, a hard copy being available upon request.

The meeting is scheduled to take place on [Date]. Please confirm your acceptance of this date, and whether you wish to attend the meeting in person or make a written submission. If you choose to attend in person, you may be accompanied if you wish. Please also indicate if it is your intention to be accompanied at the meeting and, if so, by whom.

The format and details of the panel are found in sections [8.3 or 9.3 – delete as appropriate] of the Policy. We will continue to endeavour to address your complaint fairly, transparently and briskly. Thank you once again.

Yours sincerely,

[Clerk to the Local CAST Board or Clerk to the Board of Directors – delete as appropriate]

Appendix D: Summary of process through the Stages

Through constructive and supportive discussions, undertaken in a timely manner, it is hoped that most complaints can be dealt with in the INFORMAL STAGE. Should the person making the complaint (the complainant) wish to move to the FORMAL STAGES, this appendix summarises each step. Full details can be found within the body of this policy.

Formal Stage 2 – Headteacher / Chair of Local CAST Board / Board of Directors

If the complainant is not satisfied that their complaint has been resolved informally then they should inform the Headteacher of the school / Chair of the Local CAST Board / Board of Directors in writing that they wish to make a formal complaint. The full details of the complaint should then be submitted in full, in writing. Please use the form in Appendix A for this purpose.

The Headteacher Chair of Local CAST Board / Board of Directors will act and respond within 10 school days.

Formal Stage 3 – Panel Hearing

If the Formal Stage 2 has not resolved the complaint to the satisfaction of the complainant, then the complainant can request a panel hearing. Please use the form in Appendix A for this purpose, it should then be sent to the Clerk of the Local CAST Board /Clerk to the Board of Directors.

A Panel Hearing will take place within 10 school days of the Local CAST Board /Board of Directors receiving the complaint. The Governor Panel will respond with findings and recommendations within 10 school days.

Formal Stage 4 – Review by Plymouth CAST Board of Directors

In order to escalate the complaint to Stage 4, the complainant must explain clearly why the findings and recommendations at Stage 3 are improper, unreasonable or based on a flawed process (a fault or mistake in the process). Please use the form in Appendix A for this purpose, it should be sent to the Chief Operating Officer of Plymouth CAST at the address provided. It should be noted that the trust will assess whether the school considered the complaint appropriately, and that the trust cannot overturn decisions of a panel hearing when due process has been applied – i.e., the process has been found to **not be flawed.**

The Plymouth CAST appointed panel will respond with findings and recommendations within 10 school days.

Appendix E: Dealing with abusive, persistent or vexatious complaints and complainants

1.0 Purpose

1.1 Dealing with a complaint is a straightforward process, but in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for Plymouth CAST Multi-Academy Trust (CAST). This can happen either while their complaint is being investigated, or once the Trust has finished dealing with the complaint.

1.2 We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner.

1.3 We will not normally limit the contact which complainants have with Trust staff.

1.4 We do not expect staff to tolerate unacceptable behaviour by complainants or any service user. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening and may include:

- Using abusive or foul language on the telephone, face to face, or in writing
- Sending abusive or multiple emails
- Leaving multiple voicemails
- Using threatening or intimidating behaviour
- Demonstrating unacceptable behaviour online and/or via social media

1.5 We will take action to protect staff from such behaviour. If a complainant behaves in a way that is unreasonably persistent or vexatious, we will follow this policy.

1.6 Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant.

1.7 Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause them to be labelled vexatious or unreasonably persistent.

2.0 Aim of the policy

2.1 The aim of this policy is to contribute to our overall aim of dealing with all complainants in ways which are demonstrably consistent, fair and reasonable.

2.2 The policy sets out how we will decide which complainants will be treated as vexatious or unreasonably persistent, and what we will do in those circumstances. The policy is for the information of staff as well as service users.

3.0 Definitions

3.1 We have adopted the Local Government Ombudsman's (LGO) definition of "unreasonable complainant behaviour" and "unreasonable persistent complaints"

3.2 We define unreasonably persistent and vexatious complainants as 'those complainants who, because of the frequency or nature of their contacts with the school and/or the Trust, hinder our consideration of their or other people's complaints.' The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

Examples include the way or frequency that complainants raise their complaint with staff, or how complainants respond when informed of our decision about the complaint.

3.3 Features of an unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

An unreasonably persistent and/or vexatious complainant may:

• have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that they do not admit or make obvious)

• refuse to specify the grounds of a complaint despite offers of assistance

• refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved

• refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure

• refuse to accept that issues are not within the power of the Trust to investigate, change or influence (examples could be a complaint about something that is the responsibility of another organisation)

• refuse to accept the Trust has addressed any employment matters arising from the outcome of a complaint, or make repeated requests for details regarding such action, which will not be shared (see paragraph 4.10)

• insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint)

• make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced

• make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints

• make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails)

• harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language

• raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process

• introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on

• change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed

• deny statements they made at an earlier stage in the complaint process

• electronically record meetings and conversations without the prior knowledge and consent of the other person involved

• adopt an excessively ‘scattergun’ approach, for instance, pursuing a complaint or complaints not only with the Trust, but at the same time with a Member of Parliament, other Schools/Colleges, elected councillors of Local Authorities, the police, solicitors, Ofsted, the Information Commissioner’s Office and the Local Government Ombudsman

• refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given

• make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure

• persistently approach the Trust through different routes about the same issue

• persist in seeking an outcome which we have explained is unrealistic for legal or policy (or other valid) reasons

• refuse to accept documented evidence as factual

• complain about or challenge an issue based on a historic and irreversible decision or incident

• resort to social media or other forms of media to highlight a complaint either before, during or after it being attended to using formal channels

• canvass others in order to ‘crowd fund’ a complaint or to source a new complainant to act as a proxy for them.

• combine some or all of these features

4.0 Imposing restrictions

4.1 We will ensure that the complaint is being, or has been, investigated properly according to the corporate complaints procedure.

4.2 Unless the behaviour exhibited is deemed extreme, in which case the school may move to implement restrictions under 4.5 immediately, in the first instance the Headteacher of the Trust's school will consult with Trust Officers prior to issuing a warning to the complainant. Trust Officers will contact the complainant in writing or by email to explain why this behaviour is causing concern and ask them to change this behaviour. Trust Officers will explain the actions that the Trust may take if the behaviour does not change.

4.3 If the disruptive behaviour continues, Trust Officers will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact us in future will be restricted. Trust Officers, after consultation with the Headteacher, will make this decision and inform the complainant in writing of what procedures have been put in place and for what period.

4.4 Any restriction that is imposed on the complainant's contact with the school will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

4.5 Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:

- Banning the complainant from making contact by telephone except through a third-party solicitor/Councillor/friend acting on their behalf

- Banning the complainant from sending emails to individual and/or all Trust employees, Trust Directors, Local Governing Body members and insisting they only correspond by letter

- Banning the complainant from using the Trust's sites and schools.

- Banning the complainant from accessing any Trust building except by appointment

- Requiring contact to take place with one named member of staff only

- Restricting telephone calls to specified days/times/duration

• Requiring any personal contact to take place in the presence of an appropriate witness

• Letting the complainant know that we will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence)

4.6 When the decision has been taken to apply this policy to a complainant, Trust Officers will contact the complainant in writing (and/or as appropriate) to explain:

• why we have taken the decision

• what action we are taking

• the duration of that action

• the review process of this policy, and

• the right of the complainant to contact the Local Government Ombudsman about the fact that they have been treated as a vexatious/persistent complainant

4.7 Trust Officers will enclose a copy of this policy in the letter to the complainant.

4.8 Where a complainant continues to behave in a way which is unacceptable, Trust Officers, in consultation with the Chair of the MAT Board, may decide to refuse all contact with the complainant and stop any investigation into their complaint.

4.9 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

4.10 Where the outcome of a complaint includes any formal process relating to staff regarding their conduct or capability, details will not be shared with the complainant. The Trust will protect the professional

confidentiality of its employees regarding private employment matters, consistent with its legal obligations under their contract of employment.

5.0 New complaints from complainants who are treated as abusive, vexatious or persistent

5.1 New complaints from people who have come under this policy will be treated on their merits. Initially the school's Headteacher will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint and advise Trust Officers accordingly. We do not support a "blanket policy" of ignoring genuine service requests or complaints where they are founded.

5.2 The fact that a complainant is judged to be unreasonably persistent or vexatious, and any restrictions imposed on our contact with them, will be recorded and notified to those who need to know within the Trust.

6.0 Review

6.1 The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by Trust Officers and the Headteacher after three months and at the end of every subsequent three months within the period during which the policy is to apply.

6.2 The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.

7.0 Referring unreasonably persistent or vexatious complainants to the Local Government Ombudsmen

7.1 In some cases, relations between organisations and unreasonably persistent or vexatious complainants break down completely while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure. Where this occurs, the Ombudsman may be prepared to consider a complaint before the procedure has run its course.

8.0 Record keeping

8.1 Adequate records will be retained by Trust Officers of the details of the case and the action that has been taken. Trust Officers will retain a record of:

- The name and address of each service users who is treated as abusive, vexatious or persistent
- When the restriction came into force and ends
- What the restrictions are
- When the service user and departments were advised. The Headteacher will also keep records.