



# MacIntyre Academies

## **MAT Complaints Policy and Procedure**

Version	Purpose/ Change	Responsibility	Date

**Person Responsible:**

Chief Executive Officer

**Date of first draft:**

Mar 2020

**Date adopted by the Trust Board:**

**Date of implementation:**

**Date reviewed:**

**Date of next review:**

## Complaints Policy and Procedure

### 1. Purpose

This policy sets the processes and procedures for responding to complaints received by MacIntyre Academies Trust (MAT) in accordance with relevant legislation and best practice including guidance published by the Education and Skills Funding Agency (ESFA).

### 2. Scope

This policy applies to all matters of concern received from parents of pupils and/or other external persons which cannot be dealt with under the individual school's Complaints Policy, either because the concerns relate to MacIntyre Academies' Central Team employees, or the concerns relate specifically to Trust matters.

This policy does **not** cover complaints procedures relating to: Admissions, Statutory assessments of special educational needs (SEN), Safeguarding matters, Exclusion or Whistle-blowing. Please refer to these specific policies for the process for managing complaints in relation to these areas.

This policy also does not cover complaints from MacIntyre Academies' employees which should be dealt with under the MAT Grievance Policy or appeal process of relevant staff policies such as the Disciplinary Policy and Procedure.

### 3. Introduction

MacIntyre Academies Trust will ensure it meets its statutory obligations when responding to complaints from parents of pupils 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
- Respect complainants' desire for confidentiality wherever possible
- Treat complainants with respect and courtesy
- Ensure that 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
- We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.
- 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 the Trust website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## Complaints Procedure for Parents or Pupils

### Making an informal complaint

Generally, it is expected that where the matter relates to a child/young person it will have been raised informally first with the child's/young person's class teacher or residential team leader under the school's complaint policy and procedure as set out on their website. You can however, make your complaint to any member of Academy staff. They will take details of your complaint and refer you to the most relevant person to deal with this.

Sometimes you may still feel dissatisfied with the outcome of your discussions and want to discuss the matter further with a Senior Member of staff or the Academy Principal. If you are in this situation you may wish to make an appointment with the appropriate person. An appointment will be arranged as soon as possible (usually within 10 working days).

Complaints made under this MAT Complaints Policy may be redirected to the relevant Academy Complaints Policy where the concerns raised relate to individual school matters.

Any complaint relating to any MacIntyre Academies Principal must be raised in the first instance with the CEO of MacIntyre Academies (or the chair of the LAB) who will, if an informal resolution cannot be reached, designate a Trust leader to investigate in the same way as in the first stage of the formal process outlined below.

We will inform you about the results of the investigation within 15 working days of the date you notified us of your complaint. If you are not happy with the way your informal complaint has been handled you can make a formal complaint.

### **Making a formal complaint**

If you want to make a formal complaint you should complete our standard complaint form which can be downloaded from our individual school's websites or the MacIntyre Academies Trust website (see appendix 1).

Your complaint will be investigated by a Trust Leader or, where applicable be considered by a Complaints Panel of the Local Advisory Board; such as for complaints relating to Principals.

You will receive the results of the investigation within 15 working days of receipt of your formal complaint. Where appropriate this will include a proposal for resolving the issue. The results may be communicated with you initially at a meeting but you will receive them in writing as well.

### **Complaints Procedure for Other Parties**

#### **Making an informal complaint**

If you are not a parent/carer of a student at a MacIntyre Academies school and you wish to make a complaint about our work or bring something to our attention, please write to or email the Principal of the Academy or the Chief Executive Officer at MacIntyre Academies Trust:

**Email us at [info@macintyreademies.org](mailto:info@macintyreademies.org)**

**Or write to:**

MacIntyre Academies  
602 South Seventh Street  
Milton Keynes  
MK9 2JA

Your complaint will be investigated informally by MacIntyre Academies and you will receive a response within 20 working days.

MacIntyre Academies reserves the right not to investigate complaints which are of an abusive, vexatious or repeated nature.

## **Making a formal complaint**

If you want to make a formal complaint you should complete our standard complaint form which can be downloaded from our individual school's websites or the MacIntyre Academies Trust website (see appendix 1).

Your complaint will be investigated by a Trust Leader or, where applicable be considered by a Complaints Panel of the Local Advisory Board; such as for complaints relating to Principals.

You will receive the results of the investigation within 20 working days of receipt of your formal complaint. Where appropriate this will include a proposal for resolving the issue. The results may be communicated with you initially at a meeting but you will receive them in writing as well.

## **Appeals**

If you are not satisfied with the results of the investigation or our proposal to resolve it you can appeal to an independent appeal panel. Details of how to appeal will be provided in our response.

If you are still not satisfied with how we have handled your complaint you may be able to appeal to the Education Funding Agency (EFA). The EFA will investigate complaints about undue delay or non-compliance with published complaints procedures or allegations that the Academy has acted unlawfully or failed to comply with a contractual duty imposed on it under its Funding Agreement with the Secretary of State or any other legal obligation.

If you wish to make an appeal against a needs assessment or the contents of an Education, Health and Care plan, you should contact your Local Authority.

## **Persistent Complaints**

### **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 the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- 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 we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We 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

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 an individual from our school site.

### Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

### Complaint campaigns

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

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

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

### Recording complaints

MacIntyre Academies Trust will keep a written record of all complaints, which may contain the following information:

- Date when the issue was raised
- Name of person making the complaint
- Description of the issue
- Records of all investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of telephone conversations).

### Confidentiality

Correspondence, statements and records relating to individual complaints will be kept for 3 years confidentially except where the Secretary of State, or a body conducting an inspection under section 162A of the Education Act 2002, requests access to them, or under other legal authority.



### Complaints Form

Your name:	Student name:
Your relationship to student:	Student date of birth and form:
Address and postcode:	Daytime telephone number:
	Evening telephone number:
Full details of complaint (including the names of all persons involved and the dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint (for example, 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:

<b><i>For office use only</i></b>	
Date acknowledgement sent:	
Name of person complaint referred to	
Signature:	Position:
	Date: