

Amadeus Primary Academies Trust COMPLAINTS POLICY

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Status: Statutory	Leadership Lead: S Bridges

Introduction

The Amadeus Primary Academies Trust (APAT) recognises that on occasions parents/carers, students or members of the public may need to raise a concern or complaint about the Trust or one of its Academies. The Trust takes all concerns and complaints seriously and is committed to seeking to resolve any matter raised in a positive way and make any identified improvements.

Scope and Purpose of this Policy and who it applies to

This policy applies to all concerns and complaints made about, or against the Trust and its Academies, about any provision of its facilities or services provided with the following exceptions for which there are separate procedures:

- Admissions to Academies
- Exclusions from Academies
- Statutory Assessment of Special Educational Needs (“SEN”)
- Academy re-organisation proposals
- Matters likely to require a child protection investigation
- Employee grievances
- Whistleblowing matters
- External examination results
- Complaints about services provided by external bodies using an Academy’s premises or facilities

More information about these exceptions and who to contact can be found at Appendix 1.

A “concern” is an “expression of worry or doubt over an issue considered to be important for which reassurances are sought.” Parents should feel free to raise their concerns with a class teacher, Phase Leader or other appropriate member of staff by telephone or in writing, or by an appointment in person agreed through the Academy office.

A “complaint” is an “expression of dissatisfaction about actions taken or lack of action.”

To enable a proper investigation, complaints should be brought to the attention of the Academy Principal or, in the event it is about the Principal, the Trust as soon as possible. In general, this should be no later than one month after the event (or latest event, in the case of a series of incidents) to which the complaint relates.

Complaints should not be raised with the Local Governing Body who may be required to have a formal role if a complaint reaches a hearing.

Anonymous complaints will not be investigated under this policy unless there are exceptional circumstances. Any anonymous complaint received will be referred to the Chief Finance and Operations Officer who will decide what action, if any, will be taken.

This policy will be brought to the attention of all Trustees, Local Governing Body, and the Principal of each Academy. The policy will be available on the Trust and Academy websites and be available to all parents and carers, students, members of the public and staff. It will also be available to Trustees, Local Governing Body and any other appropriate stakeholders. Following any further review of the policy resulting in an updated version being adopted by the Trust, staff and stakeholders will be advised by email where they may access it and advised whether they are required to provide confirmation that they have read the document.

Guidance on any aspect of this policy can be obtained from the Chief Finance and Operations Officer whose email address is sbridges@apat.org.uk.

Responsibility for this Policy

The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory or Trust framework. The Trust has delegated day to day responsibility for operating the policy to the Trust Leadership Team and the Principal at each Academy.

The Trust Leadership Team, Trustees, Principal and any Investigating Officer appointed by the Principal at each Academy has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

Aims of this Policy

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to raise a concern or make a complaint
- To encourage the resolution of concerns by informal means, without the need to use the formal stages of the complaints policy
- To publicise the existence of our complaints procedure so that people know how to contact us to raise a concern or make a complaint
- To ensure all concerns and complaints are managed in an impartial and non-adversarial manner
- To ensure all complaints are thoroughly investigated, as quickly as possible at an appropriate level
- To ensure that complaints are, wherever possible, resolved and that relationships are maintained and enhanced
- To gather information which helps us to improve what we do

- To support the mission, vision and values of the Trust and its Academies

Concerns and Complaint resolution through this Policy

An overview of the stages within our Complaints Policy can be found within the flowchart at Appendix 2.

There are five stages to this Policy:

- Stage 1: Informal resolution of concerns.
- Stage 2: Formal Complaint.
- Stage 3: Trust Review (by a member of the Trust Leadership Team)
- Stage 4: CEO where there has been no involvement at stage 3.
- Stage 5: Trust Board / Independent Panel Hearing

We reserve the right to escalate through the stages as appropriate and determined by the evidence available. The complainant will be informed of the decision.

The aim of each stage is to ensure the concern or complaint is fully considered and a clear finding is communicated to the person who has raised the concern or complaint. The finding should either resolve the matter to the satisfaction of the Complainant or explain why this is not possible.

Complainants will be given the opportunity to complete the complaints procedure in line with policy, unless there is clear evidence that the complaint meets the unreasonably persistent or vexatious criteria defined within this Policy.

Every effort will be made to comply with the timescales within each stage of this policy. This may not be possible due to the complexity of the investigation required or the unavailability of a participant needed to attend a meeting. Where a timescale cannot be complied with, the Complainant will be written to by email or post to inform them of the reasons for the delay and the new timescale that will apply.

Timescales in this Policy are given in “school days”. i.e. during term time excluding school holidays and training days.

Contact with the Chief Finance and Operations Officer, for when required within this Policy, can be made via complaints@apat.org.uk . Any complaint incorrectly directed to the Chief Finance and Operations Officer when it is not appropriate will be redirected to the Principal of the appropriate Academy.

Stage 1: Informal resolution of Concerns

The Trust recognises from time to time there may be normal and legitimate concerns about decisions within their Academies. For example, concerns from parents or carers regarding the progress, achievement, behaviour, or welfare of their child. They are encouraged to make their concerns known at the earliest opportunity so they can be addressed.

The desire of the Trust is for concerns to be resolved quickly and informally through discussion, clarification, explanation, or provision of further information or by acknowledgement of an issue and an apology. 1 If a complaint is against the Principal of an Academy, the Stage 2 investigation is undertaken by the Trust or an independent investigator will be engaged.

Concerns should be raised in the first instance with the relevant member of staff (Class Teacher, Subject Teacher or Head of Year) or an appropriate member of staff according to the matter concerned. This may be by letter, email, telephone or requesting a meeting via the Academy office. If the member of staff is unable to deal with the concern immediately, a note will be taken of the details and the Complainant will be contacted as soon as the matter has been investigated. If a concern is raised with a member of staff who feels they are not the best person to deal with it, the matter will be referred to the Principal for them to determine the best person to deal with the matter. This does not escalate the stage of this policy the matter is being dealt with.

Concerns will wherever possible be acknowledged within 5 school days and the Complainant will receive a response to their concern within 15 school days. If it is not possible to meet this deadline the person who has raised the concern will be informed of when a response will be made.

Where a concern is raised about a Principal, the concern should be put in writing for the attention of the Director of Education. The Chief Finance and Operations Officer and Director of Education will review the concern. If it is decided that the concern requires a formal investigation the concern will be referred to an Investigating Officer, this could be a different member of the Trust Leadership Team or an external independent investigator.

Any concern about the CEO should be made in writing to the Chair of Trustees of Amadeus Primary Academies Trust (“the Chair”). The Chair will review the concern. If it is decided the concern requires a formal investigation, it will be dealt with as a Formal Complaint.

Stage 2: Formal Complaint

If a Parent/Carer/student or member of the public feels that their concern has not been resolved or it is of sufficient magnitude that an informal resolution is unlikely they may raise a Formal Complaint under this policy.

The Complainant must put the complaint in writing to the Principal using the Trust’s Complaint Reporting Form which can be found on the Trust and Academy’s websites. (Copy at Appendix 3), unless the Complainant has a disability, learning difficulty, or difficulties with the English language in which case the Complainant may contact the Academy for assistance.

When completing the Complaint Reporting Form, the Complainant should provide as much detail as possible about the matter including dates and times of events, potential witnesses, copies of any relevant documents, and a clear indication of the action(s) they seek to resolve the complaint.

Once received, the Principal should immediately forward a copy of the Complaint Reporting Form to the Chief Finance and Operations Officer who will oversee the progress of the complaint and provide advice and guidance as needed.

The Principal will acknowledge receipt of the complaint within 5 school days and pass the complaint to a nominated senior member of staff (“the Investigating Officer”), as appropriate for investigation. The acknowledgement of receipt of the complaint will identify the Investigating Officer.

The Investigating Officer will be a senior member of staff who has had no prior involvement with the complaint. This is to enable detachment and independence from the complaint

The Investigating Officer will investigate the complaint and report to the Principal. The investigation could include: Contacting the Complainant to confirm the methodology that will be used to investigate the complaint; Seeking any clarification from the Complainant if required to support an effective and thorough investigation; Gathering all relevant information to establish the facts of the matter. This may include interviewing and taking statements from any student or member of staff who is the subject of the complaint and from any witnesses or others involved in the matter.

Any student who is the subject of a complaint and is interviewed should usually be interviewed with a parent/carer present. If this is not possible, the interview should be attended by a member of staff who the student feels comfortable with such as a learning mentor.

The Investigating Officer should keep written records of all meetings and telephone conversations undertaken as part of the investigation together with any other relevant documentation.

The Principal supported by the Investigating Officer will discuss the findings of the investigation with the Complainant where the Complainant agrees to this. This may be during a meeting or over the telephone. Where reasonably possible, such discussion will take place within 15 school days of the complaint being received. The purpose of the discussion is to provide an opportunity to ensure clarity of the issues discussed and to avoid misunderstandings which can occur through written communication.

The Principal will then put their findings in writing and indicate what steps, if any, should be taken to resolve the matter. Whenever reasonably possible, this will be done within 5 school days of the discussion of the findings of the investigation with the Complainant. The Principal will refer to what the Complainant can do if they are not satisfied with the Principal's findings.

The written response may include the following:

- That in the view of the Principal the complaint requires no further action and the reasons why
- That in the view of the Principal there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld
- That the situation could have been handled differently or better
- An apology
- An explanation of the steps that have been taken to ensure it will not happen again
- That the Academy or Trust will review procedures following consideration of the complaint

If the Complainant has a disability, learning difficulty or difficulties with English, the Academy will provide appropriate assistance.

The written response must include that if the Complainant is dissatisfied, they may refer the matter for Trust Review within 10 school days of the written response. The Complainant should contact the Chief Finance and Operations Officer in writing clearly stating their reasons for requesting a review.

It must also include that if the Complainant wishes, they may request that the complaint be considered either by an independent panel hearing or Chief Executive Review dependent on the status of the complaint, and that such request must be in writing and addressed to the Chief Finance and Operations Officer at the Trust. The request must set out clearly the reasons why the Complainant is dissatisfied with the response and may include any evidence to support their reasons.

A copy of the written response should be provided to the Chief Finance and Operations Officer to support the monitoring of any actions.

Stage 2: Formal complaint against a Principal

If the subject of the formal complaint is the Principal. The complaint should be put in writing to the Chief Finance and Operations Officer. The Trust will appoint an Investigating Officer to review the matter. A Principal will not be considered under this policy to be directly involved in a complaint through undertaking their management overview role.

The Chief Finance and Operations Officer who will oversee the progress of the complaint and provide advice and guidance as needed.

The Trust will acknowledge receipt of the complaint within 5 school days and pass the complaint to a nominated senior member of staff (“the Investigating Officer”), as appropriate for investigation. The acknowledgement of receipt of the complaint will identify the investigating officer.

The Investigating Officer will be either a member of the Trust Leadership Team, or a member of the Central HR Team (or an external investigator where appropriate) who has had no prior involvement with the complaint. This is to enable detachment and independence from the complaint.

The Investigating Officer will investigate the complaint who will report to the Trust. The investigation may include:

- Contacting the Complainant to confirm the methodology used to investigate the complaint
- Seeking any clarification from the Complainant if required to support an effective and thorough investigation
- Gathering all relevant information to establish the facts of the matter. This may include interviewing and taking statements from any student or member of staff who is involved in the matter

Any student who is interviewed should usually be interviewed with a parent/carer present. If this is not possible, the interview should be attended by a member of staff who the student feels comfortable with such as a learning mentor.

The Investigating Officer should keep written records of all meetings and telephone conversations undertaken as part of the investigation together with any other relevant documentation.

The Trust Leadership Team supported by the Investigating Officer will discuss the findings of the investigation with the Complainant where the Complainant agrees to this. This may be during a meeting or over the telephone. Where reasonably possible, such discussion will take place within 15 school days of the complaint being received.

The purpose of the discussion is to provide an opportunity to ensure clarity of the issues discussed and to avoid misunderstandings which can occur through written communication. The Trust will then put their findings in writing and indicate what steps, if any, should be taken to resolve the matter. Whenever reasonably possible, this will be done within 5 school days of the discussion of the findings of the investigation with the Complainant. The Trust will refer to what the Complainant can do if they are not satisfied with the Trust's findings.

The written response may include the following:

- That in the view of the Trust the complaint requires no further action and the reasons why
- That in the view of the Trust there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld
- That the situation could have been handled differently or better
- An apology
- An explanation of the steps that have been taken to ensure it will not happen again
- That the Academy or Trust will review procedures following consideration of the complaint

The written response must include that if the Complainant wishes, they may request that the complaint be escalated to stage 3 of this Complaints Policy. The Complainant must make it clear whether they wish for their complaint to be considered either by an independent panel hearing dependent on the status of the complaint, and that such a request must be in writing and addressed to the Chief Finance and Operations Officer at the Trust within 10 school days. The request must set out clearly the reasons why the Complainant is dissatisfied with the response and should include any evidence to support their reasons.

A copy of the written response should be provided to the Chief Finance and Operations Officer who will support the monitoring of any agreed actions.

Stage 2: Formal Complaint against the Chief Executive Officer ("CEO")

If the subject of the formal complaint is the CEO. The complaint should be put in writing to the Chair of the Trust Board of Amadeus Primary Academies Trust ("the Chair"). The Chair of the Trust Board will appoint an Investigating Officer to review the matter, this may be an external investigator. The Chair will also nominate a Director of the Trust to make a recommendation or decision based on that investigation report. The Chair may fulfil this role if this is more appropriate. The CEO will not be considered as being directly involved in a complaint through undertaking their management overview role.

Once received, the Chair should immediately forward a copy of the Complaint Reporting Form to the Chief Finance and Operations Officer who will oversee the progress of the complaint and provide advice and guidance as needed.

The Chair will acknowledge receipt of the complaint within 5 school days and pass the complaint to the nominated Investigating Officer, as appropriate for investigation. The acknowledgement of receipt of the complaint will identify the Investigating Officer.

The Investigating Officer will be an external Investigator Officer who has had no prior involvement with the complaint. This is to enable detachment and independence from the complaint.

The Investigating Officer will investigate the complaint who will report to the Chair or their nominated director. The investigation may include:

- Contacting the Complainant to confirm the methodology used to investigate the complaint
- Seeking any clarification from the Complainant if required to support an effective and thorough investigation
- Gathering all relevant information to establish the facts of the matter. This may include interviewing and taking statements from any student or member of staff who is involved in the matter.

Any student who is interviewed should usually be interviewed with a parent/carer present. If this is not possible, the interview should be attended by a member of staff who the student feels comfortable with such as a learning mentor.

The Investigating Officer should keep written records of all meetings and telephone conversations undertaken as part of the investigation together with any other relevant documentation.

The Chair or their nominated Director supported by the Investigating Officer will discuss the findings of the investigation with the Complainant where the Complainant agrees to this. This may be during a meeting or over the telephone. Where reasonably possible, such discussion will take place within 15 school days of the complaint being received. The purpose of the discussion is to provide an opportunity to ensure clarity of the issues discussed and to avoid misunderstandings which can occur through written communication. The Chair or their nominated director will then put their findings in writing and indicate what steps, if any, should be taken to resolve the matter. Whenever reasonably possible, this will be done within 5 school days of the discussion of the findings of the investigation with the Complainant. The Chair or their nominated director will refer to what the Complainant can do if they are not satisfied with the Chair or their nominated director's findings.

The written response may include the following:

- That in the view of the Chair or their nominated Director the complaint requires no further action and the reasons why
- That in the view of the Chair or their nominated Director there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld
- That the situation could have been handled differently or better
- An apology
- An explanation of the steps that have been taken to ensure it will not happen again
- That the Trust will review procedures following consideration of the complaint.

The written response must include that if the complainant is dissatisfied, they may refer the matter for Trust Review within 10 school days of the written response. The complainant should contact the Chief Finance and Operations Officer in writing clearly stating their reasons for requesting a review. It must also include that if the Complainant wishes, they may request that the complaint be considered by an independent panel hearing.

The request must set out clearly the reasons why the complainant is dissatisfied with the response and may include any evidence to support their reasons.

A copy of the written response by the Chair's nominee should be submitted to the Chair and the Chief Finance and Operations Officer who will support the monitoring of any agreed actions.

Stage 3: Trust Review

If the Complainant is not satisfied with the outcome of a Formal complaint heard by the Principal and not against the CEO, the Complainant should contact the Chief Finance and Operations Officer in writing clearly stating their reasons for requesting a review of their complaint within 10 school days of the date of the written response from Stage 2.

The Trust will carry out an independent review of the complaint. They may contact the Complainant if they need any clarification of further information to assist with their review. The Trust may instruct the person who provided the Stage 2 written response to carry out further investigation into areas of the complaint and will make recommendations regarding suitable resolution if they find that issues have been overlooked or not appropriately addressed at Stage 2.

The Trust will appoint a Review Officer who will be a senior member of staff who has not previously been involved with the complaint. This is to maintain detachment and independence from the complaint.

The Review Officer will contact the Complainant and the person who provided the Stage 2 written response. The Review Officer will confirm the methodology to be used to conduct the review and to seek any clarification or further information from either party to assist with the review. The Complainant must agree to verbally discuss the matter with the Review Officer including their findings.

Any student who is interviewed by the Review Officer should usually be interviewed with a parent/carer present. If this is not possible, the interview should be attended by a member of staff who the student feels comfortable with such as a learning mentor.

The Review Officer should keep written records of all meetings and telephone conversations undertaken as part of the review together with any other relevant documentation.

The Review Officer will provide a written decision to the Complainant and the person who provided the Stage 2 written response. This may include:

- That in the view of the Review Officer the matter has been thoroughly investigated and the Review Officer sees no need for the Investigating Officer or Principal to reconsider the matter
- That in the view of the Review Officer there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld
- A direction to the person who provided the stage 2 written response to carry out further investigation into the formal complaint
- A recommendation regarding suitable resolution if they find that issues have been overlooked or not appropriately addressed at stage 2.

The Review Officer must include in their written decision that the Complainant's complaint can be considered at a Trust CEO Review dependent on the status of the complaint.

The Review will aim to be concluded within 20 school days of receipt of the Complainant's request for a Trust review. This timeframe will include confirming the outcome of the review to the Complainant and the person who provided the stage 2 written response. The written response must include that if the complainant is dissatisfied, they may refer the matter to stage 4 within 10 school days of the written response.

A copy of the Review Officer decision letter will be provided to the Principal of the Academy, the Complainant and the Chief Finance and Operations Officer who will monitor any agreed actions.

Stage 4: CEO

If the Complainant is not satisfied with the outcome of a Formal complaint other than one against a Principal or the CEO, the Complainant should contact the Chief Finance and Operations Officer in writing clearly stating their reasons for requesting a review of their complaint within 10 school days of the date of the written response from Stage 3.

The CEO will carry out an independent review of the complaint. They may contact the Complainant if they need any clarification of further information to assist with their review. The CEO may instruct the person who provided the Stage 3 written response to carry out further investigation into areas of the complaint and will make recommendations regarding suitable resolution if they find that issues have been overlooked or not appropriately addressed at Stage 3.

The CEO may appoint a Review Officer who will be a senior member of staff who has not previously been involved with the complaint or an external person to the Trust. This is to maintain detachment and independence from the complaint.

The Review Officer will contact the Complainant and the person who provided the Stage 3 written response. The Review Officer will confirm the methodology to be used to conduct the review and to seek any clarification or further information from either party to assist with the review. The Complainant must agree to verbally discuss the matter with the Review Officer including their findings.

Any student who is interviewed by the Review Officer should usually be interviewed with a parent/carer present. If this is not possible, the interview should be attended by a member of staff who the student feels comfortable with such as a learning mentor.

The Review Officer should keep written records of all meetings and telephone conversations undertaken as part of the review together with any other relevant documentation.

The Review Officer will provide a written decision to the Complainant and the person who provided the Stage 3 written response. This may include:

- That in the view of the Review Officer the matter has been thoroughly investigated and the Review Officer sees no need for the Investigating Officer or Principal to reconsider the matter
- That in the view of the Review Officer there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld
- A direction to the person who provided the stage 3 written response to carry out further investigation into the formal complaint

- A recommendation regarding suitable resolution if they find that issues have been overlooked or not appropriately addressed at stage 3.

The Review Officer must include in their written decision that the Complainant's complaint can be considered at a Trust Board / Independent Review Hearing dependent on the status of the complaint.

The Review will aim to be concluded within 20 school days of receipt of the Complainant's request for a Stage 5 review. This timeframe will include confirming the outcome of the review to the Complainant and the person who provided the stage 3 written response.

A copy of the Review Officer decision letter will be provided to the Principal of the Academy, the Complainant and the Chief Finance and Operations Officer who will monitor any agreed actions.

Complaints from Non-parents/Legal Guardians of students within one of the Trust's Academy's may request a CEO review. The CEO will review the procedural fairness of the investigation undertaken at Stage 3 and the determinations made. The CEO will not consider additional or new complaints. The CEO may delegate their Review to a senior member of Trust staff who has not previously been involved in the complaint. The review will be undertaken within 20 school days of receipt of the review request.

Stage 5: Trust Board / Independent Panel Hearing

If the Complainant is not satisfied with the outcome of the previous applicable stages, the Complainant may request that the complaint be considered at Stage Five.

A request to use this stage must be in writing and addressed to the Chief Finance and Operations Officer within 10 school days of the previous stage 4 (or earlier if complaint has escalated due to whom it is against) response being sent to the Complainant. The request must set out clearly the reasons why the Complainant is dissatisfied with the response and may include any evidence to support their reasons.

Complaints from Parents/Legal Guardians of students within one of the Trust's Academy's will have a Trust Board panel hearing which will comprise of 2 members of the Trust Board who have no prior knowledge of the complaint and one person independent of the Trust and Academy. The selection of the independent member will be supported by the Chief Finance and Operations Officer.

New allegations that have not been raised at Stage 3 may not be raised at this point. New evidence which was not provided before the completion of the Stage 3 investigation will not normally be considered. The chair of the Trust / Independent Panel shall have discretion to permit further evidence if it is relevant to the matters to be considered as part of the appeal.

The role of the Panel is not to conduct a further investigation of the complaint. The Panel's role is to consider the procedural fairness of the investigation undertaken at Stage 3 as well as the review at Stage 4, and the determination made.

The Company Secretary will appoint a Clerk for the Hearing. The Clerk provides an independent source of advice on procedure for all parties and will liaise with the Trust for legal support where appropriate.

The Hearing will be held as quickly as practicable given the need to find a date that is reasonably convenient for the Complainant, the Academy, and the members of the Panel. Whenever possible the Panel will be held within 30 school days of receipt of the hearing request.

The Complainant must engage with the Clerk in providing details of convenient school days for attendance. In the absence of engagement, the Clerk in discussion with the independent Panel Hearing and the Panel chair may list the Hearing.

All parties will be provided with a minimum of 10 school days' notice of the date of the hearing.

The following are entitled to attend the Panel Hearing, submit written representations and relevant documents, and address the panel:

- The Complainant(s) accompanied if they so wish by a friend, relative or other third party (it is not appropriate for this to be legal representation)
- The Principal of the Academy is accompanied if they wish by a colleague. The colleague may include any investigating or Review Officer
- The Trust's independent Panel Hearing to address any procedural questions which may arise. If the independent Panel Hearing is not in attendance, they may be contacted by the Chair of the Panel or the Clerk to the Trust Board during the Hearing to address any procedural questions
- Any other interested person who the Panel considers having a reasonable and just interest in the Hearing and whose contribution would assist the Panel in their decision making.

Any written representations/relevant documentation for consideration by the Panel and the names of any representatives attending the Hearing, should be sent to the independent Panel Hearing at least 6 school days prior to the Hearing. Any submissions or documents not submitted in accordance with this timescale will not be considered unless the panel in their absolute discretion, believes it is just to accept them.

All parties will be issued with papers 5 school days prior to the hearing.

The Panel may request to speak to witnesses and this decision will be at the discretion of the Panel.

Conclusion of Stage 5 and retention of written records

The Trust Panel Hearing findings and recommendations will be sent in writing to the Complainant and the Academy. The letter may include:

- That in the view of the panel the matter has been thoroughly investigated and the panel sees no need for the Principal to reconsider the matter
- That in the view of the panel there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld

- A direction to the Principal who provided the stage 2 written response to carry out further investigation into the formal complaint
- A recommendation regarding suitable resolution if they find that issues have been overlooked or not appropriately addressed at stage 2

A copy of the findings and recommendations and accompanying letter will be sent in writing to:

- The Complainant
- The Principal of the Academy
- Where relevant the person complained about
- Independent Panel Hearing

A written record will be kept of all Stage 2 and above complaints by the Academy and by the Chief Finance and Operations Officer. The Chief Finance and Operations Officer will record at what stage they have been resolved or progressed to. All recommended actions arising from the complaint investigations will be monitored by the Chief Finance and Operations Officer.

Right to be accompanied

The Complainant(s) have a right to be accompanied by a friend, relative or other third party to any meetings or Hearings held under stages 2, 3 and 4 of the Complaints Policy. These meetings are not legal proceedings so legal representation is not necessary. If a Complainant does wish to be accompanied by someone who is legally qualified, they must notify the Chief Finance and Operations Officer at least 7 school days prior to the meeting.

Any member of staff interviewed as part of the investigation process into a complaint has a right to be accompanied to the meeting by a workplace colleague or trade union representative.

Any student interviewed as part of the investigation process or the subject of a complaint must be accompanied to the meeting/Hearing by a parent/carer or teacher who they are comfortable with.

Confidentiality and data protection

All complaints will be handled in the strictest confidence by the Trust and its Academies. Data protection principles will be applied in line with the Trust's data protection policy.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State for Education or a body conducting an inspection under section 162 A of the Education Act 2002 requests access to them, or where the Trust is otherwise required by law to disclose them.

It is expected that Complainants will also keep their complaint private and confidential. Complainants are not expected to discuss complaints publicly via any form or social media or with third parties.

Electronic recordings of meetings must not be made by either the Trust, Academy, or the Complainant. A meeting to discuss a complaint may not go ahead if the Complainant is insistent on recording the meeting.

The Trust or Academy will take notes of any meetings to discuss a complaint, which may be shared afterwards, and Complainants may do likewise.

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Due to privacy rights under data protection legislation, information disclosed relating to an outcome if it relates to a third-party individual, i.e. disciplinary action against a member of staff or another student, may sometimes be limited.

Dealing with unreasonably persistent or vexatious complaints and behaviour

We define unreasonably persistent and vexatious complaints as those which, because of the frequency or nature of the Complainants' contacts, hinder our consideration of their or other people's complaints. The description "unreasonably persistent" and "vexatious" may apply separately or jointly to a complaint.

Features of an unreasonably persistent and/or vexatious complaint include those detailed within Appendix 4. Please note that this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be so defined.

The Academy/CEO or Chair will ensure that the complaint is being, or has been, investigated in accordance with this complaints policy. If there are concerns that a complaint may fall within the category of being unreasonably persistent and/or vexatious the Principal/CEO or Chair will seek guidance and advice from the Chief Finance and Operations Officer.

If a Complainant is found to be unreasonable, persistent, and/or vexatious the Chief Finance and Operations Officer will write to the Complainant advising them of the decision and the reasons for this. The letter will state that all future correspondence from them should be directed to the Chief Finance and Operations Officer who will consider whether it raises any substantive new issue(s).

The Complainant will also be advised that if no substantive new issue is raised, any future complaints will not receive a response. They will also be advised of their right to complain about the decision to the Education and Skills Funding Agency ("ESFA").

There is no route of appeal against a decision that a complaint is persistent and/or vexatious.

If future complaints do raise substantive new issues, these will be investigated in accordance with the Complaints policy.

The Trust and its employees will investigate complaints professionally and with respect towards all individuals involved.

The Trust expects anyone raising a complaint to be respectful and avoid aggression or intimidating behaviour. This includes social media platforms. The Trust reserves the right to take action should any member of staff be mentioned in a derogatory way.

Complaints to the ESFA

If the Complainant is not satisfied with the way their complaint has been handled, they may escalate their complaint to the ESFA. The ESFA will expect the Complainant to have exhausted the Trust's complaints policy before complaining to them.

The ESFA will not overturn a Trust's decision about a complaint. If they find that a Trust did not comply with its own Complaints Policy when considering a complaint, they will request that the complaint is looked at again.

Accountability

The Academy Principal holds delegated responsibility for discharging the sound application of all Academy and Trust policies.

The Academy Principal should inform the Chief Finance and Operations Officer and their Trust Board of all matters relating to serious breaches of this policy including any major incident to be addressed under this policy promptly, preferably prior to action being taken insofar as is reasonably practicable.

Monitoring

The Chief Finance and Operations Officer will monitor the implementation and effectiveness of the policy by monitoring complaints referred and resolutions reached. The Chief Finance and Operations Officer will also deal with any queries raised by anybody who is involved in the implementation of this policy including Complainants, Investigating Officers, Review Officers, Academy Principals, the Chief Executive Officer, Clerks to Trust Board, Trustees and the Chair of the Trust Board.

The Chief Finance and Operations Officer will monitor the relevant legislation, guidelines, and information forthcoming from the relevant statutory bodies for any recommendation or changes. Where a gap, potential inequality or shortfall in performance is identified within the policy, the Chief Finance and Operations Officer will advise the Chair of the Trust Board of any changes that are needed and a proposal will be submitted to the Trust Board within an appropriate timescale. There will be a full review of the policy by the Chief Finance and Operations Officer prior to the stated review date where recommendations will be made for consideration by the Trust Board.

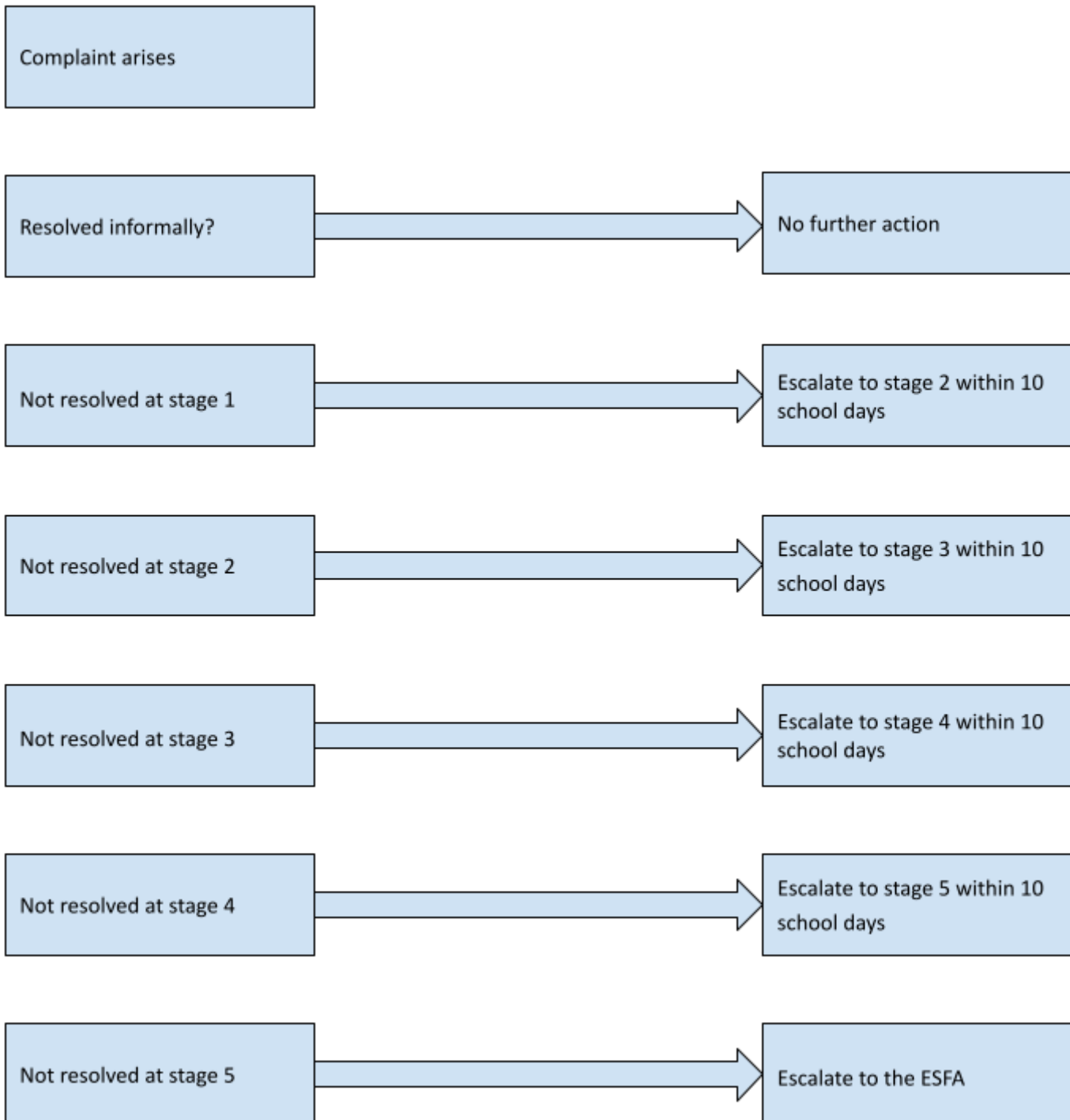
Diversity

APAT is committed to a policy of celebrating diversity, promoting equality of opportunity, providing an inclusive workplace, and eliminating any unfair treatment or unlawful discrimination. This overriding objective applies to all policies and procedures relating to staff and students. The Trust will always comply with the requirements of the Equalities Act 2010 and associated guidance produced by the Department for Education.

Appendix 1: Exceptions to the Complaints Policy

Exception	Further Information
Admissions to Academies	The Academy website will provide relevant Admissions Policies which are in place for each individual Academy within the Trust. Parents / Carers should contact the Local Authority in which the Academy is situated.
Exclusions from Academies	Details of the processes to follow will be provided by the Academy in documentation provided at the time of exclusion.
Statutory assessments of Special Educational Needs	The Trust website provides details of its SEND Policy. The Local Authority in which the Academy is situated can also be contacted.
Academy reorganisation proposals	Any consultation will provide the opportunity for Parents / Carers to comment.
Matters like to require a Child Protection Investigation	The Trust website provides details of its Safeguarding Policy. Each Academy has a Designated Safeguarding Lead who can be contacted via the Academy. Further information is also available from the Local Authority Designated Officer in the relevant authority area.
Employee Grievances	The Trust website provides details of the Trust's Grievance Policy which should be followed.
Whistleblowing Matters	The Trust website provides details of the Trust's Whistleblowing Policy.
External Examination Results	Details of the appeals procedure can be obtained from the Academy at which the examination was sat.
Complaints about services provided by external bodies using an Academy's premises or facilities	Complaints should be made to the provider of the service, club or other activity who should have their own procedure for such eventualities.

Appendix 2: Stages within the Trust Complaints Policy



**Please note the stages may be subject to change depending on the person the complaint is made against. The Trust will communicate appropriately and in a timely manner if the complaint has to be escalated to the next stage.*

Appendix 3: Complaint Reporting Form

Please complete in BLOCK CAPITALS and return to the Principal of the Academy, who will acknowledge receipt and explain what action will be taken.

Your name:	
Student's name (if applicable):	
Your relationship to student (if applicable):	
Name of Academy:	

Address, including Postcode:	
Daytime telephone number:	
Evening telephone number:	
E-mail address:	

<p>Please give details of your complaint: (Provide as much detail as possible about the matter, including dates and times of events, potential witnesses. You may also attach copies of any relevant documents)</p>

What action, if any, have you already taken to try and resolve your complaint? To whom 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:

Appendix 4: Examples of unreasonably persistent and/or vexatious complaints

Please note that this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be defined as unreasonable, persistent, and/or vexatious.

- A. There are insufficient or no grounds for the complaint and it is made only to annoy (or for reasons that the Complainant does not admit or make obvious)
- B. There are no specified grounds for the complaint despite offers of assistance
- C. The Complainant refused to co-operate with the complaints process while still wishing their complaint to be resolved
- D. The complaint is about issues not within the power of the Academy to investigate, change or influence and where the Complainant refuses to accept this
- E. The Complainant insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy (e.g. There must not be any written record of the complaint or insisting the complaint is only dealt with by the Trust Chief Executive Officer.)
- F. There appears to be groundless complaints about the staff dealing with the complaint investigation, and an attempt to have them replaced
- G. There is an unreasonable number of contacts with the Trust or an Academy, by any means, in relation to a specific complaint or complaints
- H. There are persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to a Complainant (e.g. a Complainant who insists on immediate responses to numerous, frequent, and/or complex communication)
- I. Attempt to harass, verbally abuse or otherwise seek to intimidate staff dealing with their complaint by use of foul or inappropriate language or using offensive or discriminatory language
- J. Subsidiary or new issues are raised whilst a complaint is being addressed that were not part of the complaint at the start of the complaint(s) process
- K. Trivial or irrelevant new information is introduced whilst the complaint is being investigated and an expectation that this to be considered and commented on
- L. There is a change to the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- M. The Complainant denies statements he or she made at an earlier stage in the complaint process
- N. The Complainant electronically records meetings and conversations without the prior knowledge and consent of the Academy/Trust staff involved
- O. The Complainant refuses 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
- P. The same complaint is made repeatedly, perhaps with minor differences, after the complaints process has been concluded and where the Complainant insists that the minor differences make these “new” complaints which should be put through the full complaints process
- Q. Documented evidence is not accepted as factual by the Complainant
- R. The complaint relates to an issue based on historic and irreversible decisions or incidents

Appendix 5: Equality Impact Assessment

As a public authority, Amadeus Primary Academies Trust needs to ensure that all our strategies, policies, service, and functions, both current and proposed, have had proper consideration of equality, diversity, cohesion, and integration. A screening process can help judge relevance and provides a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services, and functions. Completed at the earliest opportunity it will help to determine: the relevance of proposals and decisions to equality, diversity, cohesion, and integration. whether or not equality, diversity, cohesion, and integration is being/has already been considered, and whether or not it is necessary to carry out an impact assessment.

Appendix 6: Timeframes Summary

Stage of Complaint	Acknowledgement to be sent	Meeting / Review / Investigation to take place	Outcome to be provided	Timeframe to escalate if dissatisfied with outcome
Stage 1	5 school days		15 school days	10 school days
Stage 2	5 school days	within 15 school days	5 schools days after discussion	10 school days
Stage 3	5 school days	-	20 school days	10 school days
Stage 4	5 school days	-	20 school days	10 school days
Stage 5	5 school days 10 school days notice to be provided of meeting date / time	within 30 school days	10 school days after meeting has taken place	-