

DOCUMENT INFORMATION – FRONT SHEET

PURPLE: Trust Policy

This cannot be changed and will be put on the Trust website with link published on the School Website.

Please note - physically printed copies of this policy may be out of date. For the most up to date policy please go to the Trust website [here](#)

POLICY OWNER/AUTHOR	NEW POLICY	CURRENT POLICY - REDRAFT/AMENDMENTS	
Sian Griffiths	No	No – no changes	
VERSION HISTORY			
VERSION NO	2	PREVIOUS REVIEW DATE	Summer, 2023
DATE APPROVED/REVIEWED	01.07.2024	APPROVED BY	Trust Board
REVIEW CYCLE	Biannually unless guidance changes	NEXT REVIEW	31 st August, 2026
UNION CONSULTATION REQUIRED	No	IF YES, PLEASE STATE DATE OF CONSULTATION	

*delete where applicable

LIFE 3RD PARTY COMPLAINTS POLICY & PROCEDURE

The policy only applies to 3rd party complaints i.e. not from Parents/Carers of pupils at the Trust/School, regarding their child as there is a separate policy to cover those complaints. All complainants should be given the opportunity to complete the Complaints Procedure in full.

The 3rd Party Complaints Policy and Procedure will be reviewed by the Board biannually unless there are legislative changes or new guidance. The review timescale must be adhered to, failure to do so could constitute a failure to adhere to the procedure. The policy should be uploaded on to the Trust/School Websites.

The Schools within the LIFE Multi Academy Trust are – Ashby School, Bosworth Academy, Braunstone Frith Primary Academy, Countesthorpe Academy, Desford Community Primary School, Dove Bank Primary School, Ibstock Community College, Ivanhoe School, Kingsway Primary School and The Winstanley School.

1. WHO CAN MAKE A COMPLAINT?

The 3rd Party Complaints Policy and Procedure is limited to complaints which **fall outside of the Complaints Policy for Parents/Carers of Children who are registered at Schools within the LIFE Multi Academy Trust**. As public bodies, the Secretary of State for Education expects Academies to handle complaints from people who are not Parents of Children at Schools within the LIFE Multi Academy Trust respectfully and expediently those complaints will be dealt with through this Policy.

The following complaints are dealt with under separate statutory procedures –

- Pupil - Admissions, Exclusions, SEND statutory assessments, National Curriculum, Safeguarding.
- Staff - Grievances, Conduct, Reorganisation Proposals.
- Whistle Blowing

Where a complaint is dealt with under one of the above separate procedures it may not be possible to share the outcomes e.g. Staff Disciplinary or Safeguarding.

2. THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*. A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of this 3rd Party Complaints Policy & Procedure. All Schools should take concerns seriously and should make every effort to resolve the matter as quickly as possible.

3. ANONYMOUS COMPLAINTS

Anonymous Complaints will not normally be investigated, however, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

4. TIMESCALES

The complaint must be raised within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. In exceptional circumstances those timescales can be extended.

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Wherever possible the School will adhere to the timescales as stated in this Complaints Policy, if this is not possible the delay and reason for the delay will be communicated to the complainant.

Where other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA) Safeguarding teams or Tribunals, this may impact on the Schools ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the School in relation to their complaint, consideration will be given as to whether to suspend the Complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaints received outside of term time will be deemed to have been received on the first School day after the holiday period.

5. RESOLVING COMPLAINTS

At each stage in the procedure, the School wants to resolve the Complaint. If appropriate, the School will acknowledge that the complaint is upheld in whole or in part. In addition, the School may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the School will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review School Policies in light of the complaint
- an apology.

6. WITHDRAWAL OF A COMPLAINT

At any point during the process a complainant may withdraw their complaint, they will be asked to confirm this in writing.

7. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

a. INFORMAL STAGE

A concern or complaint can be made in person, in writing or by telephone. In the first instance concerns should be raised with the School Office or the Headteacher (or Deputy Headteacher in his/her absence). If the issue remains unresolved, the next step is to make a formal complaint.

At no point during the process should complainants approach individual Trustees or Governors to raise concerns or complaints. Trustees and Governors have no power to act on an individual, where a direct approach is made to a Trustee or Governor, he/she should refer the matter to the Headteacher.

For ease of use, a Complaint Form (Appendix A) has been included in this Complaints Policy & Procedure.

b. STAGE 1

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The Headteacher will only consider the complaint as stated on the Complaint Form and will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. Any further/additional complaints must be dealt with separately and referred back to the Informal Stage (see 7a. above) of the Complaint Procedure. Complaints should be made in the first instance, to the Headteacher via the School Office preferably on a completed Complaint Form and include details of the complaint, who has been contacted and possible outcomes to resolve the issue, the member of Staff receiving the complaint should record this on the form for record purposes.

The Headteacher should arrange a meeting, this can be a telephone call or remote or in person meeting to discuss the contents of the Complaint Form.

Note: The Headteacher may delegate the investigation to another member of the School's Senior Leadership Team but not the decision to be taken.

During the investigation, the Headteacher (or Investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of the investigation the Headteacher will provide a formal written response within 10 School days of the date of receipt of the complaint. If the Headteacher 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 the School will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

ii. HEADTEACHER

Complaints that involve or are about the Headteacher should be addressed to the Governance Professional (governanceprofessionals@lifemultiacademytrust.org.uk) on a completed Complaint Form and include details of the complaint, who has been contacted and possible outcomes to resolve the issue. The Chair of Governors will either investigate the complaint or delegate to a suitably skilled Governor.

The Chair (or skilled Governor) should arrange a telephone call or remote or in person meeting to discuss the contents of the Complaint Form.

During the investigation, the Chair (or Investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of the investigation, the Chair will provide a formal written response within 10 School days of the date of receipt of the complaint. If the Chair is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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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 the School will take to resolve the complaint.

The Chair will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

iii. MEMBERS OF THE GOVERNING BOARD (incl. CHAIR AND VICE CHAIR)

Complaints about the Chair of Governors, any individual Governor or the whole Local Governing body should be addressed to the Governance Professional (governanceprofessionals@lifemultiacademytrust.org.uk) preferably on a completed Complaint Form and include details of the complaint, who has been contacted and possible outcomes to resolve the issue.

The process will be as per b. above with the exception of –

Complaint against the Chair – the complaint would be investigated by the Vice Chair or an appropriately skilled Governor or Trustee.

Complaint jointly about the Chair and Vice Chair, the entire Governing body or the majority of the Governing body will be considered by an Independent Investigator appointed by the Governing body. At the conclusion of their investigation, the Independent Investigator will provide a formal written response.

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2.

iv. COMPLAINTS ABOUT THE CEO AND/OR MAT

An Independent Investigator appointed by the Trust Board would be appointed, at the conclusion of their investigation, the Independent Investigator will provide a formal written response.

c. STAGE 2

Stage 2 is the final stage of the Schools 3rd Party Complaints procedure. A request to escalate to Stage 2 must be made to the Governance Professional (governanceprofessionals@lifemultiacademytrust.org.uk) within 5 School days of receipt of the Stage 1 response. The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 School days. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The Stage 2 process will only consider the complaint as stated on the Complaint Form and will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. Any further/additional complaints must be dealt with separately and referred back to the informal (Stage 0) of the Complaint procedure.

A complaint which has been escalated to Stage 2 will be considered by written representations and considered by 2 Governors impartial (no prior knowledge) appointed by the Chair or in his/her absence the Vice Chair. The exception would be complaints made against the Chair and Vice Chair or whole governing board, those complaints will be considered by 3 Trustees appointed by the Chair of the Trust Board or in his/her absence the Vice Chair, and would also be through written representations. The Governors may be from a Local Governing Board from a different School within the MAT, who has no conflict of interest or prior knowledge of the complaint

The complainant and the School will be asked to provide written submissions by the Governance Professional for consideration by the Governors/Trustees..

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Note: Complaints about Staff conduct will not be handled under the Complaints procedure. Complainants will be advised that any Staff conduct complaints will be considered under Staff Disciplinary procedures, if appropriate, but outcomes will not be shared with them.

The Governors/Trustees will consider the complaint and all the evidence presented and can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the Governors/Trustees will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the School's systems or procedures to prevent similar issues in the future.

The Governors/Trustees, through the Governance Professional, will provide the complainant and the School with a full explanation of their decision and the reason(s) for it, in writing, within 5 School days.

8. MANAGING SERIAL AND UNREASONABLE COMPLAINTS

All Schools within the LiFE Multi Academy Trust are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our School. However, we do not expect our Staff to tolerate unacceptable behaviour and will take action to protect Staff from that behaviour, including that which is abusive, offensive or threatening.

Schools within the LiFE Multi Academy Trust define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to cooperate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the Complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the Complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about Staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the School's Complaint procedure has been fully and properly implemented and completed.
- seeks an unrealistic outcome
- makes excessive demands on the School's time by frequent, lengthy and complicated contact with Staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

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Complainants should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as this could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 the School.

9. ROLES AND RESPONSIBILITIES

a. Complainant

The complainant will receive a more effective response to the complaint if they:

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

b. Investigator (Headteacher/Chair/Governor)

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

- providing a comprehensive, open, transparent and fair consideration of the complaint through: sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved interviewing Staff and Children/Young People and other people relevant to the complaint consideration of records and other relevant information analysing information.
- liaising with the complainant as appropriate to clarify what the complainant feels would put things right.

The Investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond

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- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Governors/Trustees will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

c. Governance Professional (Clerk to the Governing Body)

The Governance Professional is the contact point for the complainant and the Governors/Trustees and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to Trust/School complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- collate any written material relevant to the complaint (for example; Stage 1 paperwork, School and Complainant submissions) and send it to the parties in advance of the Governors/Trustees considerations.
- notify all parties of the committee's decision.

e. Governors/Trustees

Governors/Trustees should be aware that:

- the process must be independent and impartial and should be seen to be, so no Governor/Trustee may be part of the consideration/determination process if they have had prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the process is to resolve the complaint and achieve reconciliation between the School and the complainant it is recognised that the complainant might not be satisfied with the outcome if the Governors/Trustees do not find in their favour. It may only be possible to establish the facts and make recommendations.

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APPENDIX A

Complaint Form please note this form is in pdf format, the form is available as a word document by either clicking on this [link](#) or contacting the School Office, completed forms to be returned via email to the Headteacher (Stage 1) or Clerk to the Board – governanceprofessionals@lifemultiacademytrust.org.uk (Stage 2) or in an envelope marked Private & Confidential to the School Office.

Your name:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the School about it.

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

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

Signature:

Date:

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APPENDIX B – FLOWCHART

