

# Complaints Policy and Procedure

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**Cambridge Meridian Academies Trust Initial Teacher Training (CMAT ITT) is the umbrella organisation for both The Cambridge Partnership and The Pilgrim Partnership.**

**(CMAT ITT UKPRN 10053421)**

## **Complaints**

Whilst the vast majority of concerns raised by students can be dealt with effectively through an informal approach there may be rare instances where a student on the programme may feel the need to use the complaints procedure, and should, in the first instance, lodge their complaint with their Programme Manager or the school who will advise on the procedure to be followed thereafter.

All complaints will be followed up either formally or informally. CMAT ITT is part of Cambridge Meridian Academies Trust (CMAT) and as such must follow the CMAT complaints procedure. The policy and procedure is outlined below. Copies are available on request for all trainees.

Informal complaints are defined as issues raised either by an apprentice or an employer without using the formal complaints process. Formal complaints are more serious and the cause of the complaint is affecting the quality of an apprentice's learning opportunities.

### **1.0 Stage 1: Informal Complaints**

1.1 Informal complaints or concerns should be raised with the relevant member of staff, such as class teacher, mentor or Programme Manager. Where an informal complaint is raised with the Director, it will normally be passed to the most appropriate member of staff to deal with it informally. If the complainant indicates that they would have difficulty discussing the complaint with this member of staff, the Director may direct them to another member of staff. Similarly, if the most appropriate member of staff feels they would have difficulty in dealing with the complaint objectively, the Director may direct the complainant to another member of staff.

1.2 The complaint will be acknowledged within 2 working days of receipt during term time and as soon as practicable during school holidays.

1.3 An informal complaint should be resolved within 15 working days.

1.4 In certain circumstances, the Director may instead choose to deal with the complaint informally in person, or the relevant member of staff may ask the Director to deal with it informally in person.

1.5 If the complaint has been made in writing, the Director may choose to treat it as a formal complaint and invoke the formal procedure.

1.6 If the complaint has been made to the Chair of the Strategic Board in the first instance, he or she will refer the complaint to the Director. However, if the complaint concerns the Director and has already been taken up with the Director without being resolved, the complaint must be made in writing to the Chair using the Complaint Form (see Appendix A). The Chair will then invoke the formal procedure.

1.7 The member of staff/trainee to whom the complainant is referred will carry out an investigation and decide on any appropriate action. The complainant and the Director will be informed of the conclusions drawn from the investigation and action to be taken, together with details of how to make a formal complaint if they remain dissatisfied.

1.8 It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the Partnership Behaviour Code adopted from time to time. The Chair of the Strategic Board shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

1.9 In some cases, matters affecting general school policy may be judged by the Director, in consultation with the Chair of the Strategic Board, to be an appropriate area for discussion at Strategic Board, in order to resolve the complaint. In these circumstances care will be taken to ensure that the identity of the complainant and the individual complained of are not disclosed in case a formal complaint is made subsequently.

1.10 Every effort will be made to resolve the problem to the satisfaction of the complainant at this informal stage. Possible outcomes include:

- i. complaint resolved to the satisfaction of the complainant;
- ii. complaint not resolved to the satisfaction of the complainant;
- iii. complaint dealt with under another procedure;

1.11 Where an informal complaint remains unresolved, the complainant has 10 working days from the outcome being given to refer to formal stage 2 resolution. However, in exceptional circumstances, this may be extended.

## 2.0 Stage Two: Formal Resolution at Local Level: Investigation by a member of the Management Group/ Programme Manager

2.1 The Director will ensure the complaint is investigated fully. The Director may delegate responsibility for conducting the investigation to another member of staff.

2.2 Where the complaint concerns the Director, the Director will inform the complainant in writing that they should send a completed Complaint Form to the Chair of the Strategic Board, who will then take the place of the Director throughout the formal procedure.

2.3 The complaint will be acknowledged within 2 working days of receipt during term time and as soon as practicable during school holidays

2.4 A stage 2 complaint should be resolved within 20 working days of receiving the complaint. Where there are exceptional circumstances resulting in delays, the parent will be notified of this and informed of the new timescales as soon as possible.

2.5 Once the investigation has been completed, the Director will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to the complainant's satisfaction.

2.6 The Director will decide on the outcome and inform the complainant in writing of the decision, together with details of how to appeal against the decision if they remain dissatisfied. A meeting may also be arranged to convey the reasons for the decision.

2.7 Rarely, the decision may involve taking disciplinary action against an individual, for which there is a separate procedure. In this event, the complainant will be informed that the complaint will be pursued through disciplinary action. The Partnership's disciplinary procedures require that all details of proceedings remain confidential, and consequently the complainant will not be informed of the outcome.

2.8 Possible outcomes include:

- iv. complaint withdrawn;
- v. complaint dismissed;
- vi. complaint dealt with under another procedure;
- vii. complaint upheld.

2.9 Where a stage 2 complaint remains unresolved, the complainant has 10 working days from the outcome being given to refer to formal stage 3 resolutions. However, in exceptional circumstances, this may be extended.

2.10 Where a stage 2 complaint requires further investigation CMAT ITT will refer to the CMAT complaints policy below.

### 3..0 Stage 3 – Formal Resolution: CEO/EP

3.1 The complainant must put the complaint in writing, addressed to the CEO of the Trust, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations. The CEO may delegate this to an Executive Principal.

3.2 The complaint will be acknowledged with 2 working days of receipt during term time and as soon as practicable during school holidays

3.3 A stage 3 complaint should be resolved within 30 working days of receiving the complaint. Where there are exceptional circumstances resulting in delays, the parents will be notified of this and informed of the new timescales as soon as possible.

3.4 The CEO/EP may appoint a member of the Trust Directorate or another SLT member or Director to investigate the complaint. The investigation may include the offer of a meeting with the complainant, whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

3.5 Where the complainant remains dissatisfied he /she may request the complaint is dealt with at Stage 4 by completing Appendix B. Any such request must be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within 10 school days of the complainant receiving the findings in writing. The request must be addressed to the Trust Governance Manager who will convene a hearing.

#### 4. Stage 4: Appeals Hearing

4.1 The Complaints Panel of the Academy Trust will consider all complaints at Stage 4.

4.2 The Complaints Panel will comprise of at least three people, which will include one person who is independent of the management and running of the Academy Trust and any of its academies.

4.3 The Complaints Panel may also include one or more persons from the following categories (i) A member of the local Strategic Board of the academy where the complaint emanated from; (ii) A member of a local Strategic Board from another academy within the Academy Trust; (iii) A member of the Board of Trustees from the Academy Trust;

4.4 None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.

4.5 The [Clerk] will invite the academy to put in writing its response to the complainant's reasons. The academy will provide this within 15 school days. At the end of that period (whether or not the academy has responded) the [Clerk] will convene a meeting of the Complaints Panel. That meeting 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 Complaints Panel. Whenever possible, the meeting will be held within fifteen (15) school days of the end of the academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

4.6 The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The academy will have the opportunity to put its side of things and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.

4.7 The Panel may make findings and recommendations and a copy of those findings and recommendations will be:

(i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about

(ii) available for inspection on the academy premises by the Academy Trust, the [Head of School] and the CEO and Executive Principal of the academy concerned.

4.8 The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the [Clerk] will notify all concerned.

4.10 The Appeals Committee may:

- i. dismiss the complaint in whole or in part;
- ii. uphold the complaint in whole or in part;
- iii. decide on any further action to be taken;
- iv. If appropriate, recommend changes to the Academy's systems or procedures to ensure that problems of a similar nature do not recur.

## 5.0 Attendance at a Complaints Panel Hearing

5.1 The complaints panel hearing will be arranged and the complainant invited to attend. Should the complainant choose not to attend then the panel will consider the complaint in their absence. The outcome of the hearing will be notified to the complainant within 10 working days.

## 6.0 Serial or persistent complainants

6.1 If at any level a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of the Strategic Board may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence is vexatious and that the Partnership will not respond to any further correspondence on this issue or a closely related issue.

## 7.0 Confidentiality

7.1 All 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.

## 8.0 Record Keeping

8.1 A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. The Partnership reserves the right to record meetings. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or proceeded to a stage 4 panel hearing. The action taken by the partnership as a result of a complaint (regardless of whether they are upheld) will also be recorded.

## 9.0 Monitoring, Evaluation and Review

9.1 The Partnership will review this procedure within two years and assess its implementation and effectiveness.

## 10.0 Data Protection

10.1 Unless stated elsewhere in this policy the data gathered during this management process is processed in line with CMAT's data protection policy which can be found on the CMAT website – [www.cmatrust.net/gdpr](http://www.cmatrust.net/gdpr).

10.2 Any data gathered during this process will be held in line with our records retention policy which can be found on our website – [www.cmatrust.net/gdpr](http://www.cmatrust.net/gdpr).

10.3 If you have any questions about the way your data has been gathered or will be retained, please contact the CMAT Trust Data Protection officer at [dpo@cmatrust.net](mailto:dpo@cmatrust.net).

## 11.0 Non resolution of Complaints

11.1 In the event that the complainant is not satisfied with the handling of the complaint, they can refer to the OIA. - <https://www.oiahe.org.uk/>