

Complaints

Responsible	Chief Executive Officer
Approved by	Board of Trustees
Approval date	July 2020
Date for review	July 2024
Date for subsequent Review	July 2026

Complaints

Purpose

We recognise that there may be times when things go wrong and as a result students and/or parents/carers wish to concern. The Complaints Procedure is a mechanism for students to raise any such concerns.

BFMAT is keen to develop positive working relationships with its students, parents/carers, community etc however, it recognises that sometimes people need to raise concerns and that is important to have a transparent process in place for how such concerns will be addressed.

Scope

This policy applies to *Better Futures Multi-Academy Trust (BFMAT)* which will be referred to as BFMAT for the purposes of the policy.

Terminology for job titles may vary across *Better Futures Multi-Academy Trust (BFMAT)*. If this is the case, the terminology used within this policy is deemed to apply to staff/functions in equivalent roles and positions and of equivalent standing.

Definitions

This policy applies to Better Futures Multi-Academy Trust which will be referred to as the BFMAT for the purposes of the policy.

Terminology for job titles may vary across BFMAT. If this is the case, the terminology used within this policy is deemed to apply to staff/functions in equivalent roles and positions and of equivalent standing.

Equality Statement

Equality, freedom and treating all persons with dignity and respect are fundamental human rights. As such, BFMAT is committed to making these central in all its work.

Even though this is an informal stage, it is still good practice for a brief written record to be stored and/or provided.

A diverse student body and workforce benefit BFMAT's role as a provider of high quality education and employment in a modern and ever-changing society. BFMAT is firmly committed to the promotion of equality and will not unlawfully discriminate, or tolerate discrimination (direct or indirect, harassment or victimisation) on grounds of age, disability, ethnicity (including race, colour, caste and nationality), gender identity, marriage or civil partnership, pregnancy or maternity, religion or belief, sex and sexual orientation; this includes discrimination by association or due to perception. This policy will operate in furtherance of this.

The Policy

This policy will not cover complaints concerning incidents that occurred more than three months previously, unless there are specific and exceptional reasons why the complaint could not have been taken up on an earlier occasion.

There are some complaints that will not be handled through this procedure:

- Staff grievances;
- Student disciplinary matters;
- Exclusion from the College;
- Statements of special educational needs;
- And the availability of courses, qualifications and examination results.

When taking up any concern with BFMAT, appropriate advice will be given should the matter fall within other procedures and practices.

The complaint will be investigated by the Deputy/Vice Principal (or nominee) and a written response provided; normally within 10 working days

Stage 1 – Informal

In all cases, we strongly encourage that any complaints are informally addressed, as soon as possible, after the problem arises, to the person concerned. This often allows complaints to be resolved quicker and easier.

If an informal approach to resolve the issues is not successful, the formal complaints procedure can be accessed.

All records will be kept securely and confidential except where they are made available for inspection by the principal, BFMAT leadership and under the direct request of the Secretary of State.

Stage 2 – Formal

Any complaint addressed to the Principal of the local academy within 3 months of the date of the incident, matter or concern, will be treated as a formal complaint. Complaints made outside of the three month timeframe will not normally be investigated.

Formal complaints will be dealt with as quickly and efficiently as possible. Each stage of the procedure should be completed within 10 working days.

An individual, who is subject of a complaint, has the right to be informed, at an early stage, of any allegations made and have the opportunity to respond to them.

BFMAT welcomes suggestions for improvement, will investigate all formal complaints made in writing but will recognise a duty of care to staff with regard to unfounded malicious allegations. **If the outcome of the investigation is that the complainant has made deliberately false and malicious accusations, then the staff/student disciplinary procedure could be invoked.**

Stage 3 - Panel

Hopefully the complainant finds the response satisfactory, but if not, there is the right to access the next stage of the formal complaints procedure whereby provision will be made for a hearing before a panel. The panel will be constituted in accordance with the Schedule above, and will be comprised of at least 3 people who are not involved with matters detailed in the complaint.

Parents can attend a panel hearing, and be accompanied if they wish.

Records

A written record of the findings, recommendations and resultant actions will be kept and provided to the complainant, and if relevant, the person complained about.

Records relating to individual complaints will be kept confidential except under certain circumstances, such as inspection by the BfMAT Executive team or at the request of the Secretary of State.

Monitoring and Vexatious Complaints

That represents BFMAT's final response and any vexatious complaints will not be investigated further, unless new evidence has come to light.

BFMAT will monitor the number and nature of formal complaints made under this procedure, through **consideration of headline performance indicators**. Monitoring will also cover the time taken to deal with complaints and their outcomes, and will form part of BFMAT's quality monitoring procedures.

Please see Appendix A for definitions of what constitutes persistent or vexatious complaints.

APPENDIX A

Persistent or Vexatious Complaints

A vexatious or persistent complainant is not someone who raises legitimate concerns or criticisms of a complaints procedure as it progresses, nor are they someone who is unhappy with the outcome of a complaint and are therefore seeking to challenge it.

BFMAT will not apply the complaints policy where any of the following behaviours are in evidence and which hinder our ability to deal with their or another person's complaint.

- Challenging a historical decision/action which cannot be changed
- Changing aspects of the complaint or the desired outcome part way through the investigation and/or after the investigation is completed and a conclusion has been reached
- Frequently complaining about a variety of different matters, or the same issue through a number of different channels
- Seeking unrealistic outcomes relative to the issue being raised, and stating that their intention is to persist until that outcome is achieved
- Persistently making the same complaint with minor differences but never accepting the outcome of any investigation into their complaint
- Refusing to co-operate with the investigation process, whilst still wishing their complaint to be resolved
- Refusing to accept information provided, for no justifiable reason
- Supplying manufactured 'evidence' or deliberately falsifying information
- Raising a large number of detailed but unimportant questions and insisting that they are all fully answered
- Lodging a number of complaints in batches over a period of time, resulting in related complaints being at differing stages of the complaints procedure
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved
- Using obscene, racist, offensive or threatening language in written or verbal communications
- Threatening or aggressive or abusive behaviour in direct personal contacts with staff
- Using the vehicle of valid new complaints to resurrect issues which were included in previous complaints
- Making an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints

Any complainants demonstrating such behaviour will be given an opportunity to modify their behaviour before correspondence is closed. Correspondence received from the complainant subsequent to closure will be kept on file, indefinitely, as will notes of telephone calls and any further personal calls referring to the matter.