



Bacton
Primary School



Cedars Park
Primary School



Mendlesham
Primary School



Stowupland
High School



The John Milton
Sixth Form
AT STOWUPLAND HIGH SCHOOL



JOHN MILTON ACADEMY TRUST

Ambition • Aspiration • Excellence

Complaints Procedure

JMAT 001

History:

	Adoption / Review	Trust Board/Trust Committee	Amendments / Comments	Next Review Date
V1	2-September-2016	Board of Trustees	-	31 st August 2018
V2	20-July-2018	Board of Trustees	Changes to contact information	Summer 2020
V3	19-July-2019	Board of Trustees	Changes to contact information	Summer 2021
V4	16-July-2021	Board of Trustees	Reviewed and updated	Summer 2022
V5	25 August 2021	Chair of Trustees	Reviewed and updated	Summer 2022

Updates and Amendments: August 2021

Item	Description	Page
1.	Introduction New paragraph outlining purpose of the procedure and how it will be applied.	1
2.	Who is Responsible New paragraph added for clarity on who takes responsibility for this procedure.	2
3.	Complaint Resolution Section added to give clarity on process, stages and timescales.	2-3
Stage One S1.1 - S1.8	Stage One Enhanced this section for clarity and to encourage all concerns / complaints to be raised informally in the first instance.	3
Stage Four S4.2 - S4.3	Stage Four Added for clarity. New allegations at Stage Four will not be considered and new evidence will be considered at the Chair of the Panel's discretion.	5
S4.8	Enhanced to explain the role of the Panel, which is not to conduct a further investigation of the complaint but to consider the procedural fairness and the determinations made.	5
8.	Confidentiality and Data Protection Added to this section outlining the importance of confidentiality from all parties including recording meetings or posting comments on social media platforms.	7
9.	Taking a Complaint Further Added updated contact details for the ESFA to give clarity on how a complainant can take their complaint further and what the ESFA will do.	7
10.	Other Related Policies Added list of other policies referred to within this document.	7
Appendices	Updated contact details and timescales (Appendices A and D) Added a template for Stage 2 and 3 complaints (Appendix B) Added an appendix to cover Vexatious, Persistent and Unacceptable conduct (Appendix C) Added the complaints process for non-parents/carers as a separate appendix (Appendix E)	

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1. Introduction

The John Milton Academy Trust 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 schools. The Trust takes all concerns and complaints seriously and is committed to seek to resolve any matter raised in a positive way and make identified improvements.

For the avoidance of doubt, this policy **does not** apply to those who are not parents/carers of pupils at a school within the Trust. Complaints that fall into this category will follow the procedure and timescales outlined in Appendix E

This policy does apply to all concerns and complaints raised by parents/carers of pupils attending a school within the Trust relating to the Trust and its schools and any provision of

facilities or services provided with the following exceptions, for which there are separate procedures:

- admissions to schools
- matters relating to child protection or safeguarding
- employee grievances
- exclusions from school
- external examination results
- statutory assessments for Special Educational Needs (SEN)
- whistle blowing matters (employees)

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

To enable a proper investigation, concerns or complaints should be brought to the attention of the school or 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 concern or complaint relates.

Complaints relating to the Chair of the Local Board and/ or any member of the Local Board, should be addressed to the Chief Executive Officer and sent directly to JMAT Centre, Church road, Stowupland, Stowmarket, IP14 4BQ. Please mark as Private and Confidential.

Complaints about the Chief Executive Officer, or any member of Trust personnel, should be addressed to the Chair of Trustees and sent to JMAT Centre, Church Road, Stowupland, Stowmarket, IP14 4BQ. Please mark as Private and Confidential.

Complaints should not be raised with members of the Local Board or Trustees who may be required to have a formal role if a complaint reaches an Independent Panel Hearing.

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

Complaints made at weekends, or during holiday periods, will be deemed to have been received on the first school day after the weekend or break. This will also apply to complaints sent to the Trust.

This policy must be made available to parents of students at the following schools:

- Bacton Primary School
- Cedars Park Primary School
- Mendlesham Primary School
- Stowupland High School

2. Who is Responsible for this Procedure?

The Trust has overall responsibility for the effective operation of this procedure and for ensuring compliance with the relevant statutory or Trust framework. The Trust has delegated day-to-day responsibility for operating the procedure to the Central Team and the Leadership of each school.

The Senior Leadership Team at each school has a specific responsibility to ensure the fair application of this procedure and all members of staff are responsible for supporting colleagues and ensuring its success.

3. Complaint Resolution through this Procedure

An overview of the stages within our Complaints Procedure can be found at Appendix A and within the flowchart at Appendix D.

There are four stages to the Complaints Procedure:

- Stage One - Informal Resolution
- Stage Two - Formal Resolution at School Level - Senior Leader
- Stage Three - Formal Resolution at School Level - Head and/or Independent Investigator
- Stage Four - Formal Resolution - Panel Hearing

The aim of each stage is to ensure that the complaint is fully considered, and a clear finding is communicated to the complainant, which either resolves the matter to their satisfaction or explains why this is not possible.

New issues or complaints raised at Stage Two should be given the opportunity to go through Stage One in order to seek an efficient resolution for all parties involved. Complainants will be encouraged to seek resolution to the new issues or complaints through Stage One of the complaints process.

Complainants will be given the opportunity to complete the complaints procedure in line with this policy, unless there is clear evidence that the complaint meets the vexatious, persistent and unacceptable conduct criteria.

Although every effort will be made to comply with the timescales within each stage of this procedure, this may not always be possible; for example, due to the complexity of the investigation required or the unavailability of a witness to attend a meeting. Where a timescale cannot be complied with, the complainant will be written to within the specified timescale to inform them of the reasons for delay and the new timescale that will apply.

Where the procedure refers to 'school days', this means days falling within during term time excluding holidays and non-teaching days.

Any complaint which is incorrectly directed to the Trust Central Team will be redirected to the relevant school.

Stage 1 Informal Resolution

- S1.1** The Trust recognises that from time to time there may be normal and legitimate concerns about issues, matters or decisions within their schools. For example, concerns from parents/carers regarding the progress, achievement, behaviour or welfare of their child; and they are encouraged to make their concerns known at the earliest opportunity so they can be addressed.
- S1.2** The Trust publishes guidance on how matters of concern should be raised on an informal basis. For each school within the Trust, this is documented in Appendix A.
- S1.3** Concerns can often be resolved quickly and informally, through discussion, clarification, explanation or provision of further information, or sometimes simply by acknowledgement of the issue and an apology.
- S1.4** Concerns should be raised in the first instance with the relevant teacher (class teacher, form tutor, subject teacher or Progress Leader) or an appropriate member of staff according to the matter concerned. This may be by letter, email, telephone or requesting a meeting via the school office.

- S1.5** If the member of staff is unable to deal with the concern immediately, a note will be taken of the details and the individual will be contacted as soon as the matter has been looked into. If a concern is raised with a member of staff who feels that they are not the best person to deal with it, the matter will be referred to another member of staff as appropriate (still at Stage One of the Procedure).
- S1.6** Schools will acknowledge all concerns within **24 hours of receipt** and provide an informal written response within **5 school days** of any meeting or discussion with the complainant. If, for any reason, this time frame is not achievable, complainants will be contacted and advised of a revised response date.
- S1.7** If a matter is not resolved at the informal stage then a complainant may take it to the formal stage.
- S1.8** It is a precondition to the operation of this procedure 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. The Chair of Trustees shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Stage 2 Formal Resolution at Local Level: Investigation by a member of the Senior Leadership Team

- S2.1** The complainant must put the complaint in writing, addressed to the relevant senior leader setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations and what remedy is sought. The school will acknowledge the written complaint within 24 hours of receipt.
- S2.2** An investigation will be carried out by the senior leader which may include the offer of a meeting with the complainant. The senior leader will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place **within 15 school days** of the written complaint being received.
- S2.3** The senior leader will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done either within **15 school days** of any meeting with the complainant; or, if no meeting is arranged it will be within **15 school days** of the written complaint being received.
- S2.4** Any complaint relating to the designated senior leader must be raised in the first instance with the Head of School who will, if an informal resolution has not been reached, designate a member of the Trust's central staff to investigate. The member of Trust staff appointed will follow the Stage 2 process outlined above.
- S2.5** Where the complainant remains dissatisfied, they may request that the complaint is dealt with at Stage Three. Any such request **must** be set out in writing, stating where the complainant remains dissatisfied and lodged within **10 school days** of the complainant receiving the findings in writing.

Stage 3 Formal Resolution: Head of School/Executive Head (or independent investigator)

- S3.1** The complainant must put the complaint in writing, addressed to the Head of School, setting out briefly the facts and stating what it is that the complainant considers should have been done, or where the school has not met reasonable expectations and what remedy is sought.

- S3.2** The Head of School or Executive Headteacher may request a member of the Trust's central team and/or an independent investigator to investigate the complaint. The investigation may include the offer of a meeting with the complainant and, whenever reasonably possible, any meeting with the complainant will take place within **15 school days** of the written complaint being received.
- S3.3** The investigator will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done either within **15 school days** of any meeting with the complainant; or, if no meeting is arranged it will be within **15 school days** of the written complaint being received.
- S3.4** Where the complainant remains dissatisfied they may request the complaint is dealt with at Stage Four. 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 Stage Three findings in writing. The request must be addressed to the Clerk of the John Milton Academy Trust.
- S3.5** **Complaint about the Head of School or Executive Headteacher:** Where a complaint involves, or is against, the Head of School or Executive Headteacher, the complaint will be considered at Stage Three. The complainant must put the complaint in writing, addressed to the Chief Executive Officer, setting out briefly the facts and stating what it is that the complainant considers should have been done.
- S3.5.1** The Chief Executive Officer will assign a member of the Trust's Central team and / or an independent investigator 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.
- S3.5.2** The investigator will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within **15 school days** of any meeting with the complainant. Where an external investigator is leading an investigation and if no meeting with the complainant is arranged, the response should be made within **20 school days** of the written complaint being received.
- 3.5.3** Where the complainant remains dissatisfied they may request the complaint is dealt with at Stage Four. 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 Stage Three findings in writing. The request must be addressed to the Clerk of the John Milton Academy Trust.

Stage 4 **Formal Resolution: Panel Hearing**

- S4.1** The Complaints Panel of the John Milton Academy Trust will consider all complaints at Stage Four.
- S4.2** New allegations that have not been raised at an earlier Stage may not be brought before the Panel.
- S4.3** New evidence which was not provided before the completion of an earlier Stage investigation will not normally be considered, however the Chair of the Trust shall have absolute discretion to permit evidence if it is relevant to the matters to be considered as part of the appeal.
- S4.4** The Complaints Panel will comprise at least three people, which will include one person who is independent of the management and running of the Trust and of the relevant school.

- S4.5** The Complaints Panel may also include one or more persons from the following categories who have no prior knowledge of the complaint:
- (i) a member of a Local Board from within the Academy Trust; and/or
 - (ii) a member of the Board of Trustees from the Academy Trust.
- S4.6** None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.
- S4.7** The Clerk to the Trust will invite the individual school to put in writing its response to the complainant. The school will provide this within **15 school days** of the Clerk's invitation. At the end of that period (whether or not the school 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 school and the members of the Complaints Panel. Whenever possible, the meeting will be held within **15 school days** of the end of the school's response time and allowing time for the paperwork to be circulated to both parties and the Panel in advance of the hearing. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
- S4.8** The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. 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 an earlier Stage and the determinations made. The complainant will have the opportunity to put their reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each party, 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.
- S4.9** The Panel may make findings and recommendations and a copy of those findings and recommendations will be:
- (i) given in written form (hard copy) to the complainant and, where relevant, the person about whom the complaint was made;
 - (ii) available for inspection on the Trust premises by the Trust Central Team, the Executive Headteacher and the Chief Executive Officer.
- S4.10** The Panel will formulate its response as quickly as reasonably possible, aiming to do so within **10 school days** after the Panel hearing, and the Clerk will notify all concerned.

4. Attendance at a Complaints Panel Hearing

The Complaints Panel will only be arranged on the understanding that the complainant and / or their representative will attend. Once reasonable attempts have been made to find a mutually convenient date and time for the Panel and if the complainant either does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will not proceed and the complainant will lose their right to the complaint being heard, except where legal advice indicates that a hearing should be held, even in the absence of the complainants. Any further attempt to re-open the matter will be considered as falling under the serial / persistent complaint section as below.

5. Serial or Persistent Complainants

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 Academy Trust 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 Academy Trust will not respond to any further correspondence on this issue or any closely related issue.

6. Time Limit and Exemptions for Complaints

6.1 Time limits: Complaints need to be considered and resolved as quickly and efficiently as possible. As such, complaints made under this procedure must only relate to incidents or concerns occurring within the last 12 months. A complaint will not usually be able to be considered if the student concerned no longer attends the school.

6.2 Exclusions to the policy: This Policy cannot be used for any complaint relating to admissions (see the Trust's admission arrangements), exclusions (see the Trust's exclusions policy), safeguarding or related allegations against staff. Please note the following:

- Safeguarding referrals – schools have a duty to safeguard and promote the welfare of their students under section 175 of the Education Act 2002. This includes making referrals to the appropriate organisation, usually local authority children's social care services, if they have a concern about the welfare of a child. It is not for the school to investigate or make a judgement about possible abuse or neglect but they must refer any concerns they may have. As such, complaints about safeguarding referrals made in accordance with a statutory duty will not be considered under this procedure.
- Allegations of abuse – allegations against a member of school staff must be reported to the Head of School or Executive Headteacher immediately. Allegations of abuse against the Head of School or Executive Headteacher must be reported to the Chief Executive Officer immediately. In all cases, the Suffolk Safeguarding Children Board Arrangements For Managing Allegations Of Abuse Against People Who Work With Children Or Those Who Are In Positions Of Trust will be followed.

7. Record Keeping

Each school will keep a record of complaints at all stages (both informal and formal), including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. Schools will also document the actions taken as a result of all complaints, regardless of whether or not they are upheld. The records retained will also include copies of letters and emails, and notes relating to meetings and phone calls.

All material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information request or through a subject access request under the terms of the Data Protection Act 2018, or where the material must be made available during a school inspection. Subject access requests at all schools will be managed in consultation with the Trust's legal advisers and the data protection officer.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our data retention policies.

8. Confidentiality and Data Protection

All complaints will be handled in the strictest of confidence by the Trust and its schools and 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 or a body conducting an inspection under section 109 of the Education and Skills Act 2008 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. In particular, complainants are not expected to discuss complaints publicly via any form of social media or with third parties. The posting of any defamatory, offensive or derogatory comments on social media sites by parents/carers will be regarded as unacceptable conduct and will be managed in consultation with the Trust's legal advisers.

Electronic recordings of meetings must not be made by either the Trust, school or the complainant, unless a complainant's own disability or special needs require it. A meeting to discuss a complaint may not go ahead if the complainant is insistent on recording the meeting (in circumstances where the complainant does not have a disability or special needs which render the recording appropriate). The Trust / school will take notes of any meetings to discuss a complaint, which may be shared afterwards, and the complainants may do likewise.

Due to privacy rights under general data protection regulations, information relating to an outcome if it relates to a third-party individual, i.e. disciplinary action of a member of staff or another pupil / student, will not be disclosed.

9. Taking a Complaint Further

If the complainant is not satisfied with the way their complaint has been handled, they may escalate their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will expect the complainant to have first exhausted the Trust's Complaints Procedure.

The ESFA will not overturn the Trust's decision about the complaint. However, if they find that the Trust did not comply with its own Complaints Procedure when considering a complaint, they will request that the complaint is looked at again. The ESFA can be contacted via the Department for Education's [online complaint form](#) or in writing to: Complaints Team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT. Further information about this process can be found [here](#).

10. Other Related Policies

- Admissions Policy
- Behaviour Policies (school specific)
- Exclusions Policy
- External Examination Results (school specific)
- Grievance Procedure (staff only)
- Safeguarding and Child Protection Policy
- SEND Policy (school specific)
- Vexatious, Persistent and Unacceptable Conduct Policy
- Whistleblowing Policy (employees only)

APPENDIX A: Specific Procedures for each school

Stage One: Informal Procedures

Please begin by telling the form teacher / subject teacher or subject leader / progress leader about your concern. This is usually the best and quickest way of resolving issues.

- It is recommended that you make an appointment to speak to the relevant member of staff as soon as possible as this will give both parties the opportunity to talk about the issue. However, please bear in mind that schools are busy organisations and it may not be possible to offer an appointment straight away.
- The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem.
- It is good practice for the teacher concerned to make a brief written record of the concern raised and any actions agreed.

You can make contact by email or by telephoning the school:

Bacton Primary School:	01449 781367	admin@bactonschool.org.uk
Cedars Park Primary School:	01449 778230	admin@cedarspark.suffolk.sch.uk
Mendlesham Primary School:	01449 766224	admin@mendleshamschool.org.uk
Stowupland High School:	01449 674827	

Year7@stowuplandhighschool.co.uk
Year8@stowuplandhighschool.co.uk
Year9@stowuplandhighschool.co.uk
Year10@stowuplandhighschool.co.uk
Year11@stowuplandhighschool.co.uk
sixthform@stowuplandhighschool.co.uk

Please note that complaints must be directed to these designated addresses and not to the addresses of individual members of staff.

We will acknowledge any Stage 1 complaint within 24 hours and produce an informal written response within 5 school days

Stage Two: Formal Procedure (Senior Leader Level)

Bacton Primary School:	admin@bactonschool.org.uk
Cedars Park Primary School:	admin@cedarspark.suffolk.sch.uk
Mendlesham Primary School:	admin@mendleshamschool.org.uk
Stowupland High School:	enquiries@stowuplandhighschool.co.uk

At Stowupland High School, the member of the Senior Leadership Team involved at Stage Two will be as follows:

Year 7	Mrs McKendrick	Year 10	Mr Dick
Year 8	Mrs Walden	Year 11	Mr Brewster
Year 9	Ms Brown	Sixth Form	Mr Hailstone

Please note that complaints must be directed to the addresses given above and not to the addresses of individual members of staff. A template is provided to assist in presenting your complaint (Appendix B)

We will acknowledge any Stage 2 complaint within 24 hours of receipt and produce a written response within 15 school days

Stage Three: Formal Resolution (Head of School/Executive Head/Independent Investigator)

If complaints have not been resolved at Stage Two, then they may progress to Stage Three.

The complainant must put the complaint in writing, addressed to the Head of School, setting out briefly the facts and stating what it is that the complainant considers should have been done, or where the school has not met reasonable expectations.

The Head of School or Executive Headteacher will usually investigate the complaint at Stage 3 and may work alongside a member of the Local Board. However, an independent investigator may be used in place of the Head of School or Executive Head.

In the first instance, Stage 3 complaints should be addressed for the attention of:

Bacton Primary School	Ms C Eskelson	admin@bactonschool.org.uk
Cedars Park Primary School	Ms A Suhail	admin@cedarspark.suffolk.sch.uk
Mendlesham Primary School	Mr J Santy	admin@mendleshamschool.org.uk
Stowupland High School	Mr D Brewster	enquiries@stowuplandhighschool.co.uk

Timescales for investigating and responding to Stage 3 complaints are outlined in section 3 of this policy:

Meeting (if required) - within 15 school days
Written response - within 15 school days, unless a meeting has taken place in which case the written response time should be within 15 school days of the meeting
Written response (external investigator) - within 20 school days

Where a complaint involves, or is against, the Head of School or Executive Headteacher, complaints should be addressed to the Chief Executive Officer: enquires@johnmiltonacademytrust.co.uk, or sent directly to JMAT Centre at Church Road, Stowupland, Stowmarket IP14 4BQ. Depending on the circumstances, the complaint may be investigated by the CEO, working alongside a member of the Local Board, or an external investigator may be commissioned. Timescales will operate as for a Stage 3 Complaint.

Stage Four: Formal Resolution (Panel Hearing)

A Complaints Panel of the John Milton Academy Trust will consider all complaints at Stage 4.

Requests to move to Stage 4 of the Policy must be placed in writing and addressed to:

The Clerk
JMAT Centre
Church Road
Stowupland
Stowmarket
IP14 4BQ

Timescales for responding to Stage 4 complaints are outlined in section 3 of this policy:

<i>Written request to progress to Stage 4</i>	<i>- sent to the Clerk within 10 days of receiving the Stage 3 outcome letter. Acknowledgement within 24 hours of receipt</i>
<i>School's response to Stage 4 complaint</i>	<i>- within 15 school days of Clerk's request</i>
<i>Panel Hearing</i>	<i>- within 15 school days of the school's response being received</i>
<i>Panel's written response</i>	<i>- within 10 school days of the Hearing (whenever possible)</i>

APPENDIX B:**John Milton Academy Trust Complaints Form
(Stage 2 or Stage 3)**

Please complete and return to the school (see Appendix A). We will acknowledge receipt within 24 hours and advise you of the member of staff investigating your complaint.



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School name:	
Your name:	
Pupil/Student's Name:	
Your relationship to the student/pupil	
Address:	
Postcode:	
Daytime telephone number (and please advise of a convenient time to ring):	
Evening telephone number (and please advise of a convenient time to ring):	
Please give details of your complaint, including whether you have spoken to anybody at the school	

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

Is there any paperwork you would like to attach? Please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date response sent:

APPENDIX C: Vexatious, Persistent and Unreasonable Conduct

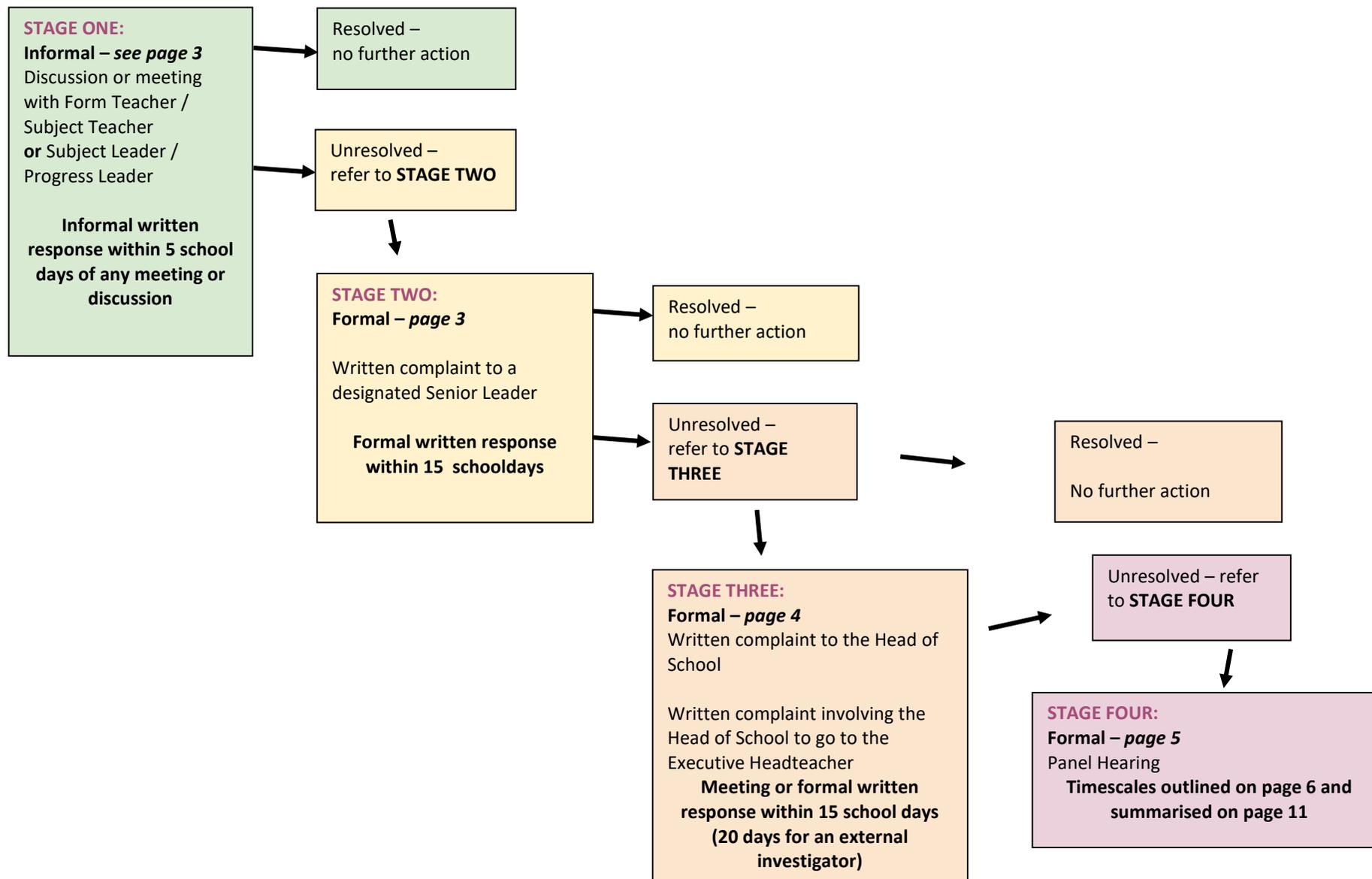
All schools, together with the Trust, are committed to dealing with complaints fairly and impartially, and to providing a high quality service to those who raise concerns. We will not usually place restrictions on the complaints process, but we also have a duty of care to all staff. In consultation with legal advisers, we will take action to protect staff from unacceptable and unreasonable conduct and behaviour, including that which is abusive, threatening or offensive.

Examples of unacceptable conduct taken from the Trust's Vexatious, Persistent and Unacceptable Conduct Policy include:

- Refusal to specify the grounds of a complaint, despite offers of assistance from School staff;
- Refusal to cooperate with the complaints investigation process or insistence on the complaint being dealt with in ways which are incompatible with the school complaints procedure;
- Interfering with the Complaints process by producing witness statements or telephoning others who may be involved (including staff, students or parents/carers);
- Making unnecessarily excessive demands on the time and resources of School staff whilst a complaint is being investigated;
- Making unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced;
- Lodging numbers of complaints in batches over a period of time, resulting in related complaints being at different stages of a complaints procedure;
- Changes the basis of the complaint as the investigation proceeds;
- Refusing to accept that issues are not within the remit of a complaints procedure or demanding outcomes which the complaints procedure cannot in itself provide. This could include the overturning of court decisions, or the dismissal or criminal prosecution of staff;
- Electronically recording meetings, telephone calls and conversations with staff;
- Publishing unacceptable information on social media or public forums;
- Seeking to coerce, intimidate or threaten staff or other people involved, whether through use of language, tone of voice or behaviour including body language. Please note: the School's right to respond to intimidating, threatening or derogatory comments includes telephone calls, email and the use of social media;
- Knowingly provides falsified information;
- Submitting repeat complaints essentially about the same issues, which have already been addressed under the school complaints procedure;
- Persistence in contacting the School and demanding responses or action long after the School has closed the enquiry / investigation into a complaint and all rights of review and appeal have been exhausted.

Wherever possible, the investigating member of staff (or Executive Headteacher) will raise concerns relating to conduct directly with the complainant. If conduct is not amended, concerns will be put in writing. Where the conduct continues, legal advice will be sought and a specific plan for communication may be put in place. Any serious incident or threat will be reported to the police and the individual concerned may be barred from the school site.

Flowchart of procedure for handling concerns and complaints:



APPENDIX E: Complaints Process for Non-parents/carers

The Trust operates a separate process for concerns and complaints relating to the Trust and its schools for members of the public who are not parents or carers.

The process is as follows:

1. Initially, complainants should address concerns informally to the Director of Operations and Finance in the first instance. The Director of Operations and Finance will liaise with schools, or other Trust personnel as appropriate, to try and resolve the issue.
2. If the informal stage fails to resolve the matter, the complaint should be submitted in writing to the Chief Executive Officer who will acknowledge the complaint within **5 school days** and thereafter issue a final written response within **15 school days**.
3. If the complainant remains dissatisfied with the response given by the Chief Executive Officer, the matter can be referred to the Chair of the Trust Board who will acknowledge receipt within **5 school days** and issue a final written response within **15 school days**.
4. Where the complaint involves the Chief Executive Officer, or any member of Trust personnel, the Chair of the Trust will acknowledge receipt within **5 school days** and issue a written response within **15 school days**.
5. Where the complaint involves any member of the Trust Board, the Chair of Trustees will acknowledge and provide a written response within the time frame above.

Please mark all complaints as Private and Confidential

Trust Address:

JMAT Centre
Church Road
Stowupland
Stowmarket
IP14 4BQ

enquiries@johnmiltonacademytrust.co.uk