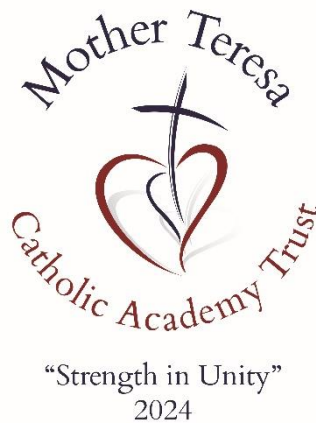




TRUST

Complaints Policy

Parent / Members of Staff / Other

September 2024

Mother Teresa Catholic Academy Trust

Date approved by Directors	1st September 2024
Review Date	1st September 2025
Body Responsible for Review	Full Board

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V1.0	30.01.24

MTCAT VISION & VALUES

VISION

"STRENGTH IN UNITY" - The power of a couple or team pulling together, working for the same goal, striving to reach a common destination, is far greater than the sum of its parts.

OUR VISION is to create a nurturing and enriching educational community where the light of Christ shines brightly, guiding the journey of our children aged 2-19. In unity, we will provide an exceptional Catholic education that empowers children to achieve their highest potential, guided by the light and truth of Christ. Together, we build a future filled with hope, love, and the promise of a brighter tomorrow.

STATEMENT OF INTENT

It is the intention of the Trust /schools to deal swiftly and fairly with any complaints received regarding any aspect of Trust/schools. In the first instance the Headteacher will be responsible for dealing with any complaint received. We will endeavour to negotiate any resolution using informal procedures in a spirit of fairness, truthfulness and open dialogue with all those concerned. The complaints procedure is reciprocal and includes complaints, in respect to this policy, received by members of the public, parents and all school staff. It is our intention to remain true to the Trusts / schools mission statements and the spirit of mutual respect for people and their rights.

This policy outlines the procedures for complaints made by:

- ❑ A parent with a child in a MTCAT school
- ❑ An employee of MTCAT
- ❑ Any other relevant person

CITATION, COMMENCEMENT AND APPLICATION

These Regulations may be cited as the Education (School Government) (General Complaints Procedures) Regulations 1999 and came into force on 1st September 1999.

These Regulations apply for the purposes of section 39(1) of the 1998 Act, whereby the Directors/Governing Body of a maintained school must, in accordance with these Regulations -

- (a) establish procedures for dealing with all complaints relating to the school other than those

falling to be dealt with in accordance with any procedures established in relation to the school by virtue of any other statutory provision; and

- (b) publicise the procedures so established.

Where there is any dispute as to which is the relevant procedure for dealing with a particular complaint, the opinion of the Directors/Governing Body shall prevail.

All complaints procedures must be established within six months of the date on which the Directors/Governing Body of the school are fully constituted as the Directors/Governing Body of an academy under an instrument of government made in accordance with Schedule 12 to the 1998 Act.

Wherever a person has a complaint relating to the Trust /school, which -

- (a) They have made known to a member of staff or to a Director/governor/CEO, whether in writing or orally; and

- (b) Has not been resolved to their satisfaction;

they shall be entitled to make a formal complaint.

MAKING A FORMAL COMPLAINT (Parent, member of staff, other)

A formal complaint shall be made in writing to the complaints' officer who is designated by the Directors/Governing Body to be the Headteacher.

The Headteacher shall investigate the complaint and reach a decision as to what action, if any should be taken in response to it.

A decision letter must be sent within **ten school days of receipt of the complaint**.

Where for reasons beyond his control (including the nature of the complaint), it is not possible to comply with the time limit set out above, the Headteacher shall instead, **within ten school days of receipt of the complaint**, inform the complainant of why the deadline cannot be met and the date by which he intends to issue his decision letter.

The decision letter shall state clearly the right of the complainant to refer the matter to the Chair of Directors/Governors, as well as the time limit for doing so.

Appeal to the Directors/Governing Body

The complainant may appeal against the decision of the head teacher, provided that he notifies the head teacher in writing, **within 10 school days of receipt of the decision letter**.

If he wishes, he may include in his notification a statement detailing his complaint. Within 5 school days of receipt of the notification, the head teacher shall send to the Chair of the Directors/Governing Body a notice of appeal and shall attach to it any statement which has been supplied to him by the complainant

Investigation by the Directors/Governing Body.

On receipt of a notice of appeal, or of a complaint referred by the head teacher, the Directors/Governing Body shall delegate the investigation and resolution of the complaint to the disciplinary and complaints committee of the Directors/Governing Body.

The committee shall set a timetable for the investigation and shall communicate that timetable to the complainant and to the Directors/Governing Body.

The committee shall hold an oral hearing on the particular facts of the case, where they consider it appropriate

The committee shall reach a decision as to the action to be taken in response to the complaint.

Oral hearings

Where an oral hearing is held, the following requirements must be satisfied:

The complaint shall be heard by the members of the Disciplinary and Complaints committee

The committee shall ensure that the complainant receives a fair hearing. In particular, all parties to the complaint shall be entitled to be represented at the hearing.

Copies of all written statements submitted to the committee shall be sent to all parties at least **five school days before the date of the hearing**.

Constitution of the Disciplinary and Complaints committee

The Disciplinary & Complaints committee shall be made up of at least three persons.

A majority of the members of the committee must be directors/governors.

The Disciplinary & Complaints committee is established at the beginning of each academic year and

will include a director/governor who has a child in the school, if possible.

Complaints against the Headteacher, Executive Principal a Director/Governor, Executive Officers or the Directors/Governing Body as a whole

Where a complaint is made which concerns the conduct of the Headteacher, a director/governor (other than the chairman of the Directors/Governing Body) or the Directors/Governing Body as a whole, the Headteacher shall, on receipt of the formal complaint, refer the matter immediately to the Chairman of the Directors/Governing Body who shall act as complaints officer for the purpose of that complaint.

The Chair of directors/governors shall investigate the complaint and reach a decision as to what action, if any should be taken in response to it. A decision letter must be sent within **ten school days of receipt of the complaint.**

Where for reasons beyond his control (including the nature of the complaint), it is not possible to comply with the time limit set out above, the Chair of directors/governors shall instead, **within ten school days of receipt of the complaint, inform the complainant of the reason why the deadline cannot be met and the date by which he intends to issue his decision letter.**

The decision letter shall state clearly the right of the complainant to refer the matter to the Directors/Governor's Disciplinary & Complaints Committee as well as the time limit for doing so.

The complainant may appeal against the decision of the Chairman of the Directors/Governing Body, provided that he gives notice in writing to the Directors/Governing Body **within 10 school days of receipt of the decision letter.** On receipt of a notice of appeal, the Directors/Governing Body shall delegate the investigation and resolution of the complaint on appeal to the Disciplinary and Complaints committee of the Directors/Governing Body.

Where the Directors/Governing Body think it appropriate in the interests of fairness, they may, for the purposes of appeal only, appoint any three members of the complaints panel to investigate the complaint and make a decision by way of recommendation to the Directors/Governing Body, and any decisions of such a committee shall be by majority decision.

Complaints against the chair of the Directors/Governing Body

Where the complaint concerns wholly or in part the conduct of the Chair of the Directors/Governing Body, the Headteacher shall, on receipt of the formal complaint, refer the matter immediately to the clerk to the Directors/Governing Body who shall table the complaint for discussion at the next full

meeting of the Directors/Governing Body.

The Chairman shall withdraw from the discussion of the complaint.

The Directors/Governing Body shall reach a decision as to whether to refer the matter to the appropriate diocesan authority.

If they do not consider it appropriate to refer the matter they shall delegate the investigation of the complaint to the Disciplinary & Complaints committee constituted in accordance who shall conduct the investigation.

The complainant may appeal against the decision reached by the Directors/Governing Body provided that he notifies his intention to appeal **within ten days of receipt of the decision letter**, and provided that the Directors/Governing Body votes at a full meeting to allow an appeal to the appropriate diocesan authority.

Whether considering the matter on appeal or otherwise, the appropriate diocesan authority shall make a decision, by way of recommendation to the Directors/Governing Body.

Withdrawal of complaints

Formal complaints may be withdrawn at any stage by notice in writing.

BACKGROUND DOCUMENTATION

This document is a statement of the Complaints (Directors/ Governor/Pupil) Policy for Mother Teresa Catholic Academy Trust. It was developed by the Trust Directors in consultation with Headteachers, Governors and Directors within the Trust.

Signed:	Date:	Review Date:
Col David Kenny OBE Chair of Directors	01.09.24	01.09.25