



"Strength in Unity"
2024

TRUST

Complaints Policy

MTCAT Directors / Members LGB / Pupils

September 2024

Mother Teresa Catholic Academy Trust

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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:

- ❑ Persons who are members of the Directors/Local Governing Body of the school at the time they make a formal complaint.
- ❑ Persons who are pupils at any of the Trust's schools at the time they make a formal complaint.

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 a maintained school 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, 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 COMPLAINT: Pupils

Complaints received from children/ pupils / students will be dealt with by the Headteacher of an individual MTCAT school, informally. If either party is unable to find a satisfactory resolution then both parties will have recourse to other procedures. (Complaints for a person other than a child in the school or a member of the school's Directors/Governing Body instigated by the Headteacher or the child's parents). It is our intention to listen to the children/ pupils / students and act in an appropriate manner that protects their rights under the Children's Act. The health, safety and wellbeing of the child /pupil / student will be the most influencing, contributory factor regarding any forthcoming outcomes.

MAKING A COMPLAINT: Director/Governor

Director/Governor complaints will be directed towards the Chair of Directors/Governors/CEO, whichever is most appropriate. In the first instance this should be undertaken informally but Directors / Governors have the right to formally make their views known in writing. Where the complaint can be resolved informally, the Chair Directors/Governors/CEO will be required to discuss the complaint at a full meeting of the Directors/Governing Body. **Where the complaint cannot be resolved the Chair of Directors/Governors/CEO must follow a formal complaints procedure.**

The Chair of Directors/Governors/CEO 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/CEO shall instead, within ten school days of receipt of the complaint, inform the complainant of the reason the deadline cannot be met and the date by which he intends to issue his decision letter.

APPEAL AGAINST THE CHAIR OF DIRECTORS/GOVERNORS/CEO'S DECISION

The complainant may appeal against the decision of the Chair of Directors/Governors/CEO, provided that they notify the Chair of Directors/Governors/CEO in writing, **within 10 school days of receipt of the decision letter**. If they wish, they may include in this notification a statement detailing the complaint. Within 5 school days of receipt of the notification, the Chair of Directors/Governors/CEO shall send to the chairman of the appropriate Disciplinary and Complaints committee a notice of appeal and shall attach to it any statement which has been supplied to him by the complainant. On receipt of a notice of appeal, or of a complaint the appeals' committee shall set a timetable for the appeal and shall communicate that timetable to the complainant and to the Directors/Governors/CEO.

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

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

ORAL HEARINGS

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

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

The appeals 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 appeals committee shall be sent to all parties at least **five school days before the date of the hearing**.

CONSTITUTION OF THE DISCIPLINARY AND COMPLAINTS APPEAL COMMITTEE

The Disciplinary & Complaints appeals 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 a trust school, if possible.

The decision of the Disciplinary and Complaints committee is final and written confirmation of its decision will be given to the complaint and circulated during the next full Directors/Governing Body meeting.

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