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Complaints Procedure

Excellence together: a partnership for education in Salisbury and the surrounding area

History of Policy Changes:

Date	Page	Change	Origin of Change
May 2019	Whole document	Amended to reflect DfE guidance	DfE updated guidance
November 2020	Whole document	Amended to ensure compliance with DfE guidance. Additional minor amendments and flowchart added	ESFA feedback

Magna Learning Partnership (MLP) encourages all those who interact with us and our institutions to raise any concerns they may have with us. In this way we believe that misunderstandings can be rectified and problems can be addressed.

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about MLP as a whole, a particular academy, a specific department or about an individual member of staff. A complaint is likely to arise if a parent or another person believes that the academy has done something wrong, or failed to do something that it should have done or acted unfairly. Parents and carers can be assured that all concerns and complaints will be treated seriously and confidentially, subject to our Safeguarding Policies. You can be assured that your child will not be penalised for a complaint that you or your child raises in good faith.

This procedure covers all complaints against MLP where there is no other avenue of complaint. It does not cover:

- Admissions
- Exclusions
- School Re-organisation Proposals
- National Curriculum
- SEND Assessments
- Safeguarding
- Employee Grievances
- Employee Conduct
- Whistleblowing
- External Service Providers

Purpose

This document outlines the way in which complaints made against the academy will be handled, whether made by telephone, letter or in person. Any complaints made are likely to be from parents, pupils or members of the public, and would probably be about the conduct of staff, the management of the academy, the curriculum, internally assessed coursework or the behaviour of pupils. Complaints will always be taken seriously.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this Complaints Procedure.

Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Anonymous Complaints

It is not possible for MLP or any individual partner school to deal with anonymous complaints, or with complaints which rely on second hand information. If you believe that someone else should complain then please encourage them to do so in order that the complaint can be dealt with properly.

Process

Raising a Concern – Stage 1

Any concern should initially be directed towards the member of staff involved, such as the subject teacher or tutor. If the above is not appropriate, the concern should be referred to another staff member (for example: Pastoral Leader, Subject Leader, Deputy Head, Headteacher). Concerns will be acknowledged by the recipient and passed on to the appropriate member of staff to investigate and respond.

Formal Complaint - Stage 2

If the response by the appropriate member of staff is considered by the complainant to be unsatisfactory, the complainant should refer the matter in writing to the Headteacher/Principal of the relevant academy or CEO if the complaint is about the Headteacher/Principal. Complaints should be in writing and marked as 'Private and Confidential', complaints will be acknowledged as soon as possible (usually within 2 working days) and a full response provided after investigation and within 14 school days (if the Headteacher/CEO is unable to meet this deadline, they will provide the complainant with an update and revised response date).

Complainants should not approach individual Governors or Trustees to raise concerns and complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of this Procedure.

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3.

Formal Complaint - Stage 3

If the complainant seeks to invoke Stage 3 (following a failure to reach an earlier resolution) the matter will then be referred to a Complaints Panel for consideration. A Panel will be appointed by MLP and will consist of three persons not directly involved in the matters detailed in the complaint, at least one of whom shall be independent of the management and running of the relevant academy (this may be a MLP Trustee or a member of a Local Governing Body from another MLP academy). The Clerk to Local Governing Body of the relevant

academy or Company Secretary will, on behalf of the Panel, acknowledge the complaint and schedule a meeting to take place as soon as practicable and normally within 14 school days.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Panel will require that all particulars of the complaint or any related matter be supplied in writing in advance of the meeting. Copies of such particulars shall be supplied to all parties normally no later than 7 school days prior to the meeting. The staff member, department or academy complained of may submit a response to the complaint which shall be supplied to all parties normally no later than 5 days before the meeting (dependent on receipt of complaint particulars).

The complainant may attend the meeting but will not be invited to provide any further particulars relating to the complaint during the meeting. The complainant may be accompanied at the meeting by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate. The Panel shall determine whether to invite a person to attend the meeting, or part of the meeting, to respond to the complaint.

The Panel will ask the complainant and any person invited to attend to respond to the complaint, such questions as the Panel deems appropriate. If possible, the Panel will resolve the complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

The Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the Procedure.

After due consideration of all facts they consider relevant, the Panel will respond formally to the complaint with a full explanation of their decision and the reason(s) for it, within 7 school days. The Panel can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the Panel will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the academy's systems or procedures to prevent similar issues in the future.

Responses to Complaints

The member of staff dealing with a complaint will investigate it as fully as reasonably possible and decide on what action, if any, needs to be taken. The member of staff will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the

complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a Panel meeting, as will action taken by the academy as a result of the complaint.

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 2008 Act requests access to them.

It is MLP's intention to respond in a way which demonstrates that we have taken the complaint seriously.

It must be recognised that this action may not always be the outcome hoped for by the complainant, and that the academy must act within the law, be that criminal, civil, employment or educational statute.

Where a complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under this procedure MLP may decline to take any action in respect of that complaint.

If the complainant believes the academy did not handle their complaint in accordance with this published Complaints Procedure or they have acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 3.

Further information is available here:

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

MLP Complaints Procedure Flowchart

