

Anthem Complaints Policy

Purpose and Scope

This policy is for individuals or organisations (Complainants) dissatisfied with Anthem at a Trust level, for example a complaint against any action taken by Trust Directors or Trustees or a Trust-wide decision. Individuals and parents who are dissatisfied with anything relating to one of Anthem's schools should refer to the school's own concerns and complaints policy, available on the school's website.

Procedure

This policy sets out a four stage concerns and complaints procedure:

Stage 1: informal raising of a concern raised orally or in writing

Stage 2: formal complaint in writing to an Education Director or COO

Stage 3: formal complaint in writing to the CEO

Stage 4: a referral to the Anthem Complaints Panel

Timescales

The Trust aims to resolve any concerns, difficulties and complaints in a timely manner. The timescales for each stage of the procedure are set out below under the relevant section. When this policy refers to working days, we mean Monday to Friday. Some of the procedures may take longer during the school holidays when personnel may be on leave. Although every effort will be made by the Trust to comply with the time limits specified under each stage of the procedure, it may not always be possible to do so, for example due to the complexity or quantity of matters raised, or due to the unavailability of the complainant to attend a meeting, if offered. In all cases, where a time limit cannot be complied with, the Trust will write to the complainant within the specified time limit, setting out the reasons why the time limit cannot be complied with, and confirming the new time limit which will apply.

Stage 1: informal concern/complaint

Initial concerns or complaints: We expect that most concerns or complaints can be resolved informally. Certain serious complaints such as discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1.

Notification: In the first instance and if appropriate the complainant should raise their concern or difficulty with the Compliance Officer via email (complaints@anthemtrust.uk), phone (0118 9021637) or in writing to: Compliance Officer, Anthem Schools Trust, Highbridge House, 16-18 Duke Street, Reading, RG1 4RU.

Acknowledgement: We will acknowledge a written notification by email, within four working days of receipt during term-time and as soon as practicable if received during the holidays. A concern raised orally will not necessarily be acknowledged in writing, but a written record will be made.

Unresolved concerns: A concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

Stage 2: formal complaint

Notification: A concern or difficulty raised under Stage 1 of this Complaints Policy which remains unresolved after 15 working days, or a serious matter which requires formal investigation from the outset, should be set out in writing as a formal complaint to the Compliance Officer, Anthem Schools Trust, Highbridge House, 16-18 Duke Street, Reading, RG1 4RU or by email (complaints@anthemtrust.uk). Should a formal written complaint be received by another member of the staff, it will immediately be passed on to the Compliance Officer. The complainant should clearly set out the matters in dispute, the relevant dates, the full names of the persons involved and what the complainant believes the Trust should do to resolve the complaint. Any documentation relied upon by the complainant should be attached to the formal complaint. If the complainant requires assistance with writing the formal complaint, because of, for example, a disability, he/she should contact the Trust office.

Acknowledgement: Your complaint will be acknowledged by email or letter within four working days during term time, indicating the action that is being taken and the likely time scale. A written record will be made of the acknowledgment.

Investigation: A complaint at Stage 2 will be addressed by an Education Director or the Chief Operating Officer. A senior member of staff may be asked to assist by acting as Investigator. Additional information may be requested from the complainant and a phone call or face-to-face meeting is likely to be arranged. The outcome of the investigation will be recorded in writing and the complainant will be notified by telephone, email or letter of the decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to the complaint, including a written record of the decision.

Timeframe: We will aim to inform you of the outcome of any investigation and decision and reasoning within 28 working days from the receipt of the complaint.

Stage 3: reference to the CEO

Notification: If you are unsatisfied with the decision under Stage 2 of the procedure, your complaint may be made in writing to the CEO at the trust address provided above within five working days of you receiving the decision at Stage 2. The complainant should not repeat the matters raised in their original letter or attach documentation already provided but should clearly set out how and why the complainant does not accept the findings made under Stage 2. **Acknowledgement:** Your letter will normally be acknowledged by email or letter within four working days of being received during term time. We will indicate the action that is being taken and the likely timescale.

Action by the CEO: The CEO will usually arrange for your complaint to be investigated following procedures equivalent to those at Stage 2 above. When the CEO is satisfied that he has established all the material facts, so far as is practicable, he will notify you of his decision and the reasons for it.

Timeframe: The CEO will aim to provide you with a response within 28 working days of receiving your letter.

Stage 4: reference to the Anthem Complaints Panel

Notification

If the complainant is dissatisfied with the outcome of the review under Stage 3, the complaint may be referred to the Panel Hearing by writing to the Compliance Officer within five working days of receiving the Stage 3 decision letter. The request will usually only be considered if the complainant has completed the procedures at Stages 1, 2 and 3.

The complainant should not repeat the matters raised in their original letter or attach documentation already provided but should clearly set out how and why the complainant does not accept the findings made under Stage 3.

Acknowledgement

We will write to the complainant within four working days acknowledging receipt of their request.

Composition of the Panel

The Compliance Officer will be responsible for convening the Panel as soon as reasonably practicable. The Panel will normally consist of a minimum of three individuals who were not directly involved in the matters detailed in the complaint. One member of the Panel will normally be from the Anthem Board of Trustees and one member will be independent of the management and running of the Trust.

Convening the Complaint Panel Hearing

The Compliance Officer will liaise with the Panel, the complainant and the Trust's representative to agree a mutually convenient date for the Panel Hearing, which will usually take place within 20 working days of receipt of the complainant's request, unless there are exceptional circumstances. The Compliance Officer will write to or email the complainant confirming the date, time and place of the Panel Hearing within 10 working days of receipt of the complainant's request, together with brief details of the Panel members who will be present. If the Panel Hearing will not take place within 20 working days of receipt of the complainant's request, the letter will set out the exceptional circumstances involved. The Panel reserves the right to convene at their convenience rather than that of the complainant.

Attendance

The complainant will be allowed to attend the Hearing and be accompanied if he/she wishes. For the avoidance of doubt, the complainant's companion will be present for moral support only and will not play any part in the proceedings, unless invited to do so by the Panel. The Panel Hearing is not a legal hearing and it is not appropriate for either the complainant or the trust to be legally represented. The trust will be represented at the Panel Hearing by the person who dealt with the complaint under Stage 3, which will usually be the CEO.

The role of the Panel

The Panel's task is to establish the facts surrounding the complaints that have been made by considering the documents and any representations provided by both parties. If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel decide that

the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.

Hearing

The Hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner. The Hearing will be conducted in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The Hearing is not a legal proceeding and all statements made at the Hearing will be unsworn. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his/her comments will be recorded.

Conduct

All those attending the Hearing are expected to be polite and show courtesy, restraint and good manners or after due warning, the Hearing may be adjourned or terminated at the discretion of the chair of the Panel. If terminated on the grounds of poor conduct, the previous decision regarding the complaint will stand.

Adjournment

The chair of the Panel may, at his/her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

Notes

All present will be entitled to make their own notes for reference purposes if they so wish. A minute of the proceedings will be taken during the Hearing.

Private proceeding

The Hearing is a private proceeding. No notes or other records, or oral statement, about any matter discussed in or arising from the Hearing shall be made available directly or indirectly to the press or other media.

Decision

After due consideration of the matters discussed at the Hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations will be notified to the complainant within 10 working days of the Hearing, as well as to Anthem, the Trust's representative and where relevant, any person about whom the complaint has been made. The decision of the Panel will be final.

Late complaints

Where a complaint is submitted more than six months after the incident or event (or where the complaint relates to a series of incidents or events, more than six months from the date of the latest incident or event), the Trust reserves the right to refuse to investigate the complaint under this Complaints Policy if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint. Where the Trust decides that a complaint which was submitted late will not be investigated, the Trust will write to or email the complainant notifying them of the decision within

four working days of the complaint being received. If the complainant is dissatisfied with the decision not to investigate a complaint which was submitted late, the complainant may write to the COO asking for the decision to be reviewed. The COO will be provided with all documentation relating to the complaint, together with the letter from the Trust to the complainant and will review the decision not to investigate the complaint. The COO will not investigate the complaint itself during this review. The COO will write to the complainant with the outcome of the review within 10 working days of the date that the letter from the complainant seeking the review was received and provide the Trust with a copy of the letter. If the COO quashes the decision not to investigate the complaint, it will be referred to the Trust to be dealt with under this Complaints Policy in the usual way.

Anonymous complaints

The Trust will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Compliance Officer who will decide what, if any, action should be taken.

Persistent or repetitive complaints

Where a complainant tries to re-open an issue with the Trust after the complaints procedure has been fully exhausted and the Trust has done everything it reasonably can in response to the complaint we may inform the complainant that the matter is closed. If the complainant subsequently contacts the Trust again about the same issue, the Trust can choose not to respond. The normal circumstance in which we will not respond is if:

- the Trust has taken every reasonable step to address the complainant's needs, and
- the complainant has been given a clear statement of the Trust's position and their options (if any), and
- the complainant is contacting the Trust repeatedly but making substantially the same points each time.

However, this list is not intended to be exhaustive. The Trust will be most likely to choose not to respond if:

- we have reason to believe the individual is contacting the trust with the intention of causing disruption or inconvenience, and/or
- the individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- the individual makes insulting personal comments about, or threats towards, Trust staff.

Unreasonable behaviour which is abusive, offensive or threatening will not be accepted.

Once the Trust has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The Trust will ensure when making this decision that complainants making any new complaint are heard, and that the Trust acts reasonably.