

## 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/carers who are dissatisfied with anything relating to one of Anthem's schools should refer to the school's Concerns and Complaints Policy, available on the school's website.

If you are not clear whether this policy or another policy applies, please contact the Anthem Complaints Coordinator (contact details below).

### Complaints Coordinator

The Anthem Complaints Coordinator is the Head of Compliance who can be contacted via email ([complaints@anthemtrust.uk](mailto:complaints@anthemtrust.uk)), phone (0118 9021637) or in writing at our registered office address – details can be found on our website <https://www.anthemtrust.uk/>

The Anthem Complaints Coordinator will remain impartial and will:

- keep records of each complaint and how matters proceed (including noting at which stage each complaint is resolved)
- coordinate the complaints procedure across the Trust
- arrange additional assistance for those raising a concern, difficulty or complaint when required
- monitor the level and type of complaints as well as the keeping, confidentiality and storage of records in relation to complaints, reporting to the Executive Team periodically and the Risk & Audit Committee on an annual basis.

### The complainant

If you wish to raise a complaint about the Trust, please do try to:

- follow these procedures
- co-operate with the Trust throughout the process, responding to timeframes and communication promptly
- say clearly what you think might resolve the issue at the earliest stage, confirming early what outcome you are seeking
- ask for assistance if needed, we are happy to support you
- not publish details about the complaint on social media
- treat all those involved with respect and use appropriate language at all times.
- contact the appropriate person or the Anthem Complaints Coordinator to raise your concern and not multiple people, as this may lead to an uncoordinated and duplicated response.
- not send repeated communication to staff about the complaint matter whilst the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email), as it could delay the issue being resolved and the outcome being reached.

## Recording meetings

Recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. All parties should agree in advance to a meeting or conversation being recorded.

Recordings of conversations that are obtained covertly and without informed consent of all parties being recorded will not be accepted as evidence and we may consider taking further action in response.

## Procedure

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

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

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

**Stage 3:** formal complaint in writing to the CEO

**Stage 4:** a referral to the Anthem Complaints Panel

## Timescales

We aim 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 school days, we mean Monday to Friday, when the school is open to students during term time. When complaints are made out of term time or on a non-school day, we will consider them to have been received on the first school day back.

Some of the procedures may take longer during the school holidays when personnel may be on leave. Although every effort will be made 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, we will write to you 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 including but not limited to discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 or 3 without action at Stage 1 or 2.

**Notification:** In the first instance and, if appropriate, you should raise your concern or difficulty with the Anthem Complaints Coordinator (contact details above).

**Acknowledgement:** We will acknowledge a written notification by email or letter, within **five school 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 school 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 school days**, or a serious matter which requires formal investigation from the outset, should be set out in writing as a formal complaint to the Anthem Complaints Coordinator (contact details above). You should clearly set out the matters in dispute, the relevant dates, the full names of the persons involved and what you believe Trust staff should do to resolve the complaint. Any documentation relied upon by you should be attached to the formal complaint. If you require assistance with writing the formal complaint, because of, for example, a disability, you should contact the Anthem Complaints Coordinator.

**Acknowledgement:** Your complaint will be acknowledged by email or letter within **five school 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 normally be addressed by an Associate Director of Education or the Chief Operating Officer. It may be appropriate in some circumstances, for example conflict or capacity, for the complaint to be delegated to another senior member of Anthem staff.

The Associate Director of Education or Chief Operating Officer, as applicable, may appoint an impartial Stage 2 investigator or may lead on the investigation directly. The Stage 2 investigator will be a senior member of Anthem staff or an independent specialist and will not have had any prior involvement in the complaint.

The Associate Director of Education, Chief Operating Officer or the Stage 2 investigator as applicable, will be provided with the records of the Stage 1 informal procedure (if applicable) and will then proceed to investigate the complaint. This will involve obtaining and considering all documentation held, which is relevant to the complaint, if applicable, including all documentation sent in by you, if any. If additional information is required from you, and others involved, this may be requested over the telephone or in writing. A meeting in person or online with you may be requested as part of the investigation.

**Timeframe:** We will aim to inform you of the outcome of any investigation and decision and reasoning within **28 school days** from the receipt of the formal Stage 2 complaint.

## Stage 3: reference to the CEO

**Notification:** If you are unsatisfied with the decision under Stage 2 of the procedure, or the matter has been deemed so serious that it needs to be dealt with at this stage at the outset, your complaint may be made in writing to the CEO via the Anthem Complaints Coordinator (contact details above) within **five school days** of you receiving the decision at Stage 2. You should not repeat the matters raised in your original email or letter or attach documentation already provided but should clearly set out how and why you do not accept the findings made under Stage 2.

It may be appropriate in some circumstances, for example conflict or capacity, for the Stage 3 complaint to be delegated to another senior member of Anthem staff or a Trustee.

**Acknowledgement:** Your letter or email will normally be acknowledged by email or letter within **five school days** of being received during term time. We will indicate the action that is being taken and the likely timescale.

**Action by the CEO (or delegate):** The CEO will usually arrange for your complaint to be investigated following procedures equivalent to those at Stage 2 above. This may include appointing an impartial Stage 3 investigator. The Stage 3 investigator will be a senior member of Anthem staff or an independent specialist and will not have had any prior involvement in the complaint. 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 (or delegate) will aim to provide you with a response within **28 school days** of receiving your letter/email.

## Stage 4: reference to the Anthem Complaints Panel

### Overview

A Complaint Panel (Panel) Hearing (Hearing) is a review of the decisions taken at the previous stages of this complaints process. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

### Notification

If you remain dissatisfied with the outcome of the review under Stage 3, the complaint may be referred to the Panel Hearing by writing to the Anthem Complaints Coordinator within **five school days** of receiving the Stage 3 decision letter. The request will usually only be considered if you have completed the procedures at Stages 1, 2 and 3, if appropriate.

You should not repeat the matters raised in your original letter or attach documentation already provided but should clearly set out how and why you do not accept the findings made under Stage 3.

### Acknowledgement

The Anthem Complaints Coordinator will write to you within **five school days** acknowledging receipt of your request.

### Composition of the Panel

The Complaints Coordinator will be responsible for convening the Panel as soon as reasonably practicable. The Panel will normally consist of a minimum of three individuals. No Panel member will have been directly involved in the matters detailed in the complaint. One member of the Panel will normally be from the Anthem Board of Trustees and at least one member will be independent of the management and running of the Trust.

### Convening the Complaint Panel Hearing

The Anthem Complaints Coordinator will liaise with the Panel, you and the Trust's representative to agree a mutually convenient date for the Panel Hearing, which will usually take place within **28 school days** of receipt of your request, unless there are exceptional circumstances.

If the complainant rejects the offer of 3 proposed dates without good reason, the Anthem Complaints Coordinator may set a date even if this is not agreed. The hearing may go ahead using written submissions from both parties.

The Complaints Coordinator will write to or email you confirming the date, time and place of the Panel Hearing together with brief details of the Panel members who will be present at least five school days prior to the Hearing. If the Panel Hearing will not take place within **28 school days** of receipt of your 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**

You will be allowed to attend the Hearing and be accompanied if you wish. For the avoidance of doubt, your 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 you or Trust staff to be legally represented.

## **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 their 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 by the complainant or the complainant's accompanying person, the previous decision regarding the complaint may be taken to stand, or the hearing may be continued in the absence of the complainant.

## **Adjournment**

The chair of the Panel may, at their 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.

## The outcome

After due consideration of the matters discussed at the Hearing, the Panel shall reach a decision unless there is an agreed position. The Panel can:

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

If the complaint is upheld, the Panel will:

- Suggest the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school or Trust's systems or procedures to prevent similar issues in the future.

The Panel's decision, findings and any recommendations will be notified to the complainant within **10 school days** of the Hearing, as well as to Anthem staff involved, 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 three months after the incident or event (or where the complaint relates to a series of incidents or events, more than three months from the date of the latest incident or event), we reserve 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 we decide that a complaint which was submitted late will not be investigated, we will write to or email you notifying you of the decision within **five school days** of the complaint being received.

If you are dissatisfied with the decision not to investigate a complaint which was submitted late, you may write to the Anthem Complaints Coordinator asking for the decision to be reviewed. The Complaints Coordinator will appoint a senior non-conflicted member of Trust staff to review the decision as to whether to proceed with your complaint. The complaint itself will not be investigated during this review. The Complaints Coordinator will write to you with the outcome of the review within **10 school days** of the date that the letter/email seeking the review was received. If the decision not to investigate the complaint is quashed, 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 Complaints Coordinator who will decide what, if any, action should be taken.

## Complaint Campaigns

If the Trust receives a large volume of complaints about the same, similar or related topic or subject, we may respond to these complaints at stages 1-3 of this policy by:

- sending a template response to all complainants; and/or
- publishing a single response on the Trust's website

Complaints on the same, similar or related topics may also be aggregated at Stage 4 and a joint Panel Hearing may be arranged. If complainants are not satisfied with the Trust's response, or wish to pursue the complaint further, the normal procedures will apply.

## Serial and unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the complainant:

- has made the same complaint before, and it has already proceeded through the Anthem's complaints procedure
- makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- makes a complaint designed to cause disruption, annoyance or excessive demands on staff time
- seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- uses abusive, offensive or discriminatory language or violence
- contacts us repeatedly, and/or we believe their intention is to cause disruption or inconvenience

This list is not exhaustive.

## Steps we will take for serial and unreasonable complaints

Where we deem a complaint unreasonable, and we believe we have taken all reasonable steps to help address the complainant's concerns, we may stop responding. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. Where we stop responding, we will inform the individual that we intend to do so.

If the complainant continues to contact the Trust in a disruptive way, we may put communications strategies in place. We may:

- give the complainant a single point of contact in the Trust via an email address
- limit the number of times the complainant can make contact, such as a fixed number per week or term
- advise the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- put any other strategy in place as necessary
- contact the police - in response to any serious incident of aggression or violence, we may immediately inform the police.

## Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we had not previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will let the new complainant know that we have already investigated and responded to this issue, and that the local process is complete. If appropriate, we will provide an excerpt of the outcome already concluded.

If there are new aspects to the complaint, we will follow this procedure again.

## Review

This policy will be reviewed every two years.

**Date of Issue:** March 2024

**Next review date:** March 2026

Approved by the Executive Team.