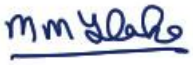
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# Complaints Policy and Procedure

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| **Policy Name: Complaints Policy and Procedure** | **Policy Reference: MAT-SP06** |
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| **Approved by: Trust Board** | **Approval Date: 26th March 2025**<br>**Annex updated: 5th November 2025** |
| **Chair of Trust Board**<br> | **Review Frequency: Annually** |
| | **Date of Next Review: Spring Term 2026** |

**Complaints Policy and Procedure**

**Aims**

At Shires Multi Academy Trust (Shires MAT), we value our relationship with students, parents and community users and we endeavour to provide a high quality service at all times. We recognise that at times things can and do go wrong. The Board of Trustees, Headteachers, staff and members of the Local Governance Committees (LGC) at all Trust Schools believe that it is in everyone's best interest to resolve concerns and complaints at the earliest possible stage.

For ease of reading, the term 'parent' has been used throughout the document to include parents, legal guardians and full time carers.

## 1. Framework of Principles

The Shires MAT Complaints procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be impartial and non-adversarial.
- Be easily accessible and publicised.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points of issue and provide an effective and prompt response.
- Respect complainants' desire for confidentiality.
- Treat complainants with respect.
- Keep complainants informed of the progress of the complaints process.
- Provide information to the leadership teams of the schools so that services can be improved.

## 2. Legislation and guidance

This document meets the requirements set out in part 7 of Schedule 1 to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at our schools. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).
In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

## 3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint. A concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible. A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action". The school intends to resolve complaints informally where possible, at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints. This policy does not cover complaints procedures relating to:

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| Admissions | Concerns about admissions and statutory assessments of Special Educational Needs should be raised with Warwickshire www.warwickshire.gov.uk /Worcestershire County Council www.worcestershire.gov.uk |
| Statutory assessments of special educational needs (SEN) | Arrangements for handling complaints from parents of children with SEN about a school's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (SENCo) or head teacher; they will then be referred to this complaints policy. Our SEN Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child. |
| Safeguarding matters | Complaints about child protection matters are handled under the school's Safeguarding and Child Protection Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the local Multi-Agency Safeguarding Hub (MASH) Warwickshire www.warwickshire.gov.uk /Worcestershire County Council www.worcestershire.gov.uk |
| Exclusion of children from school | Further information about raising concerns about exclusion can be found at School suspensions and permanent exclusions - GOV.UK (www.gov.uk) |
| Whistleblowing | Shires Multi Academy Trust has an internal whistleblowing procedure for employees, including temporary and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus Volunteer staff who have concerns about the school should complain through Shires Multi Academy Trust's Complaints Policy. You may also be able to complain direct to the DfE depending on the substance of your complaint. |

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| Staff grievances | Complaints from staff will be dealt with in accordance with Shires Multi Academy Trust's internal grievance procedure |
| Staff discipline / conduct | Complaints about staff will be dealt with under Shires Multi Academy Trust's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as result of a complaint. However, the complainant will be notified that the matter is being addressed |
| Complaints about services provided by other providers who use school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly. |
| Teacher Assessed Grades | All schools will be responsible for implementing the JCQ (Joint Council for Qualifications) guidance. |

## 4. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened?
- Who was involved?
- What the complainant feels would put things right?

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage. Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than three months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

## 5. Stages of Complaint

### STAGE 1 - THE FIRST CONTACT: GUIDELINES FOR DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY

We do not impose specific timescales for dealing with concerns at this stage however they will be considered as expeditiously as possible. There is an expectation that every effort will have been made to resolve a concern/complaint informally before escalation to Stage 2 can be considered. If anyone has a concern/complaint it may be registered either verbally or in writing. If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name, contact address, phone number and brief details of the concern/complaint. It is good practice to agree the written note of the complaint with the complainant. This information will be passed to the Complaints Co-ordinator at the earliest opportunity and recorded in the school's log.

The list of Complaints Co-ordinators can be found in Annex B.

An opportunity will be given to the complainant to discuss the concern/complaint with an appropriate member of staff, who will clarify the nature of the concern/complaint and the outcome required. The Complaints Co-ordinator will identify the appropriate procedure and either conduct the investigation themselves, or nominate an appropriate colleague to do so. The Co-ordinator will communicate verbally with the complainant to ensure they are clear about what action or monitoring of the situation has been decided on, only putting this in writing if this seems the best way to make things clear. If the complaint is not resolved informally, it will be escalated to a formal complaint – stage 2.

**STAGE 2 - FORMAL REFERRAL TO THE HEADTEACHER**

The formal stage 2 involves the complainant putting the complaint into writing using the complaint form attached at Annex A, usually to the Head teacher and/or the subject of the complaint. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint. The complaint will be acknowledged in writing within five school days, giving the name of the person who will conduct the investigation and a target date for providing a response, usually within 10 school days. The investigator may ask the complainant to meet with them to give extra information or to explain any information provided previously.

Once all the relevant facts have been established, the Headteacher or designate will provide a written response. The written response will include:

- a full explanation of the decision reached and the reasons for it.
- where applicable, what action the school will take to address the complaint and prevent recurrence.
- information on how and the timescale to request a review by the Governing Body, if not satisfied with the outcome.

If the complainant is not satisfied with the response and wishes to proceed, they should refer to Stage 3. The complainant should inform the Chair of Governors in writing within five working days of receiving the outcome at Stage 2. If the complaint is against the Head teacher, Stage 2 will be conducted by the Chair of the Local Governing Body. If the complaint is against a governor, Stage 2 will be carried out by the Chair of Governors from another Local Governing Body.

The CEO will be made aware of complaints subject to Stage 2.

## STAGE 3 – LOCAL GOVERNING BODY REVIEW OF HEADTEACHER'S DECISION

A request to review a complaint investigation should be made in writing to the Chair of the Local Governing Body within 5 school days of the date of the outcome letter from Stage 2 and should give the reasons for requesting a review.

For example:

- a claim that material information was not taken into account in investigating the complaint
- a claim that procedures have not been properly applied in handling the complaint
- a claim that there has been an incorrect interpretation of school policy

As much detail as possible should be provided. If insufficient detail is given this may result in a delay, or a request being made for further clarification. The Local Governing Body will then nominate three members to form a Complaint Panel to review the complaint and any further documents submitted by the complainant. These must be governors who have had no prior involvement with the complaint. The Panel will also include a third party who is independent of the management and running of the school and Trust. The Complaint Panel will review the complaint and any further documents submitted by the complainant. The members of the Panel must be individuals who have had no prior involvement with the complaint.

The Clerk will convene the Complaints Panel hearing within 20 school days of receipt of the review request and at the same time provide panel members with copies of all relevant correspondence and documentation. The Complaints Panel can set time limits for both sides to present their case and for the length of the hearing overall. These will be communicated to everyone involved by the Clerk. The complainant, the Headteacher and other witnesses will be given a minimum of 5 school days' notice of the hearing. The complainant will be advised of their right to bring a friend, or to be represented by someone of their choice.

The Outcome of a Review may include:

- upholding the result of the original investigation.
- upholding the result of the original investigation, but making recommendations for improving practices.
- finding the complaint was justified and overturning the original decision.

The Chair of the Panel will notify the complainant in writing of the outcome of the review and of any action to be taken, within 7 school days after concluding the review:

- a copy will be provided to the complainant and, where relevant, the person complained about;
- the findings and recommendations of the panel will be available for inspection on the school premises by the proprietor and the head teacher

The complainant will also be advised of any right of further appeal, e.g. Education and Skills Funding Agency (ESFA) within the letter explaining the outcome of the review. The Chair will ensure that any required action is put in place.

The school will:

- maintain a written record of all complaints made, along with details of whether they were resolved following a formal procedure, or progression to a panel hearing;
- the school will record the action it takes as a result of complaints (regardless of whether they are upheld);
- 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.

The Chair of Trustees will be made aware of complaints subject to Stage 3. The MAT Board will monitor complaints across all schools in the Trust and undertake audits of any LGB Complaints Hearings to ensure they have been conducted in line with MAT Policy.

**Unreasonable Behaviour by Complainants**

If a complainant acts in an unreasonable manner, for example:

- taking actions that are out of proportion to the nature of the complaint
- pursuing a complaint in an unacceptable manner by using threatening, intimidating or abusive language or behaviour
- continuing to pursue a complaint once the complaints procedure has been exhausted

The Headteacher/ Chair of the Local Governing Body may inform the complainant that their behaviour is unacceptable and take any action appropriate to limit the impact of the complainant's behaviour on the School, its staff and its representatives. This could ultimately include limiting the complainant's contact with the School to written communication with a named individual unless in an emergency.

**Data Protection Act 1998**

The personal data that you provide will be used for the purposes of investigating your complaint and for producing statistical data to enable the school's management to monitor the effectiveness of the school's complaint procedure. The information you give will be held securely and in confidence.

Annex A

**COMPLAINT FORM**

(Mr/Mrs/Miss/ Ms/Other):

First Name:

Last Name:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

If the complaint relates to a pupil, please give: Pupil's name:

And relationship to the pupil:

Please give details of your complaint

What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was the response?)

What would you like us to do to make improvements or put things right?

Are you attaching any paperwork? If so, please give details.

Signature: …… Date: ……

**ANNEX B**

Complaints Co-ordinators:

At FECKENHAM PRIMARY SCHOOL the Complaints Co-ordinator is Mrs N McElvaney, email office@fps.shiresmat.org.uk

WEBHEATH ACADEMY PRIMARY SCHOOL please speak with the School Office office@waps.shiresmat.org.uk

ASTWOOD BANK PRIMARY SCHOOL please speak with the School Office office@abps.shiresmat.org.uk

At STUDLEY HIGH SCHOOL the Complaints Co-ordinator is Mrs Y Clarke, email yclarke@shs.shiresmat.org.uk

At RIDGEWAY SECONDARY SCHOOL the Complaints Co-ordinator is Mrs M Evans, email office@rss.shiresmat.org.uk

At NORTH BROMSGROVE HIGH SCHOOL the Complaints Co-ordinator is Mrs A Kite, email akt@northbromsgrove.worcs.sch.uk

At BEOLEY FIRST SCHOOL the Complaints Co-ordinator is Amy Roadknight email office@bfs.shiresmat.org.uk