



Complaints Policy

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To be read alongside all relevant Matrix Academy Trust policies and procedures

1. Introduction

- 1.1 The majority of issues raised by parents, pupils or the community are concerns rather than complaints. The school is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. The prime aim of the school's policy is to resolve the complaint as fairly and speedily as possible. The following details outline the stages that can be used to resolve complaints.
- 1.2 A written record will be kept of all complaints along with details of whether they were resolved following a formal procedure or progression to a panel hearing. All correspondence, statements and records relating to individual complaints are to be marked confidential. The Secretary of State or a body conducting an inspection under section 109 of the 2008 Act have the right to request access to them. Any action taken as a result of the complaint must be recorded, regardless of whether or not it is upheld.
- 1.3 All meetings will be minuted so the Academy does not permit audio or visual recording without the consent of all those present. This includes phone conversations and face to face meetings.
- 1.4 Any recordings/videos of conversations with staff, without permission, will not be admissible evidence when dealing with a complaint.
- 1.5 Please note that a complaint is distinct from a 'concern' where a concern can be defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought. Our Academies wish to work with parents/carers to resolve such matters and these can be raised with the school at any time. Please raise such concerns with a Head of House or Deputy Headteacher. If unresolved then please refer to section 1.6.
- 1.6 "Concerns or complaints should be brought to our attention as soon as possible. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 calendar months of the last of these incidents) will not be considered unless the Headteacher accepts that there are exceptional circumstances to justify accepting the complaint out of time."
- 1.7 This Complaints Policy has three main stages:
 - Stage 1 informal** A complaint is raised with the Headteacher. If the complaint is about the Headteacher then the complaint will also go to the Chief Executive Officer (CEO).
 - Stage 2 formal** This must be in writing and addressed to the CEO.
 - Stage 3** Complaint is heard by Complaints Appeal Panel.

2. Stage 1 – Informal Stage

- 2.1 Informal complaints can be raised with the school at any time and will usually result in a speedy response, which will resolve the complaint. The school requests that parents make their first contact with the Headteacher. Sometimes the concern raised will require investigation, or discussion with others, in which case you will receive an initial response within 3 working days and, if required, a subsequent substantive response.
- 2.2 The vast majority of concerns will be dealt with informally in this way. However, if you are not satisfied with the result at stage 1, please write to the CEO within 10 working days of the outcome received.

3. Stage 2 – Formal Stage

- 3.1 If you wish to make a formal complaint, please write to the CEO stating that you wish to make a formal complaint. Complaints should be sent to Matrix Academy Trust, 20 Hatherton St, Walsall WS4 2LA or postbox@matrixacademytrust.co.uk addressed to the CEO.
- 3.2 Your letter should state details of the complaint and the outcome that you are seeking. The CEO will acknowledge receipt of the complaint and will then investigate the complaint with the school and they may call or write to the complainant to seek further details before investigating the complaint.
- 3.3 The investigation will be undertaken by the CEO or a person appointed by the CEO and acting on the CEO's behalf. The nature of investigation will vary according to the complaint but may involve:

- establishing **what** has happened so far, and **who** has been involved;
- clarifying the nature of the complaint and what remains unresolved;
- meeting with the complainant or contacting them (if unsure or further information is necessary);
- speaking to those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.

3.4 The CEO will write to or attend a minuted, in person, meeting with the complainant following the investigation and will outline their findings within 10 working days. If you remain dissatisfied you will need to let the school know within 10 working days of receiving the CEO's findings on the complaint. Your complaint will then be considered by a Complaints Appeal Panel.

4. Stage 3 – Complaints Appeal Panel

4.1 The final stage will involve a Complaints Appeal Panel. This will be comprised of at least three people - a minimum of two Trustees and a person independent of the management and running of the school. Panel members must not have been directly involved in the matters detailed in the complaint. The complainant and the CEO have the right to attend and present their case to the Complaints Appeal Panel if they wish. They also have the right to be accompanied. Both parties may be questioned by the Complaints Appeal Panel.

4.2 The aim of the Complaints Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. The hearing will normally take place within 10 working days of the receipt of the written request from the complainant. The panel will consider the CEO's investigation and report and will also consider the representations of the complainant. All parties will be notified of the panel's decision in writing within 5 working days after the date of the hearing.

4.3 A copy of the findings and recommendations from the hearing are to be:

- provided to the complainant, the CEO and where relevant the person complained about
- available for inspection on school premises by the Trust Board and the Headteacher

4.4 The Complaint's appeal hearing is the last school-based stage of the complaints process.

4.5 If you believe that the Trust Board has acted unreasonably or has failed to carry out its statutory duties you may take your complaint to the Secretary of State for Education. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority, acting with due regard to its statutory responsibilities, would have reached that decision.

5. Unreasonable Complaints

5.1 Matrix Academy Trust is committed to dealing with complaints fairly and impartially. We will not normally limit the contact complainants have with the school and most complaints are resolved amicably. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

5.2 Matrix Academy Trust defines unreasonable complainants as "those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints".

5.3 A complaint may be regarded as unreasonable due to the underlying subject of the complaint being unreasonable, or an otherwise valid complaint being pursued using unreasonable behaviour. This includes, but is not limited to, when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of the complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaint's procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the complainant expects to be considered and commented on or 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.
- Changes the basis of the complaint as the investigation proceeds for no justifiable reasons.
- Repeatedly makes the same complaint with no new evidence (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Education Funding Agency.
- Seeks an unrealistic outcome.
- Covertly recording meetings and conversations
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

5.4 Behaviour may be considered unreasonable due to one or two isolated incidents, as well as unreasonably persistent behaviour, which can be an accumulation of incidents over a longer period.

5.5 A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone or in writing or electronically:

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Using falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers

5.6 Complainants should limit the number of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

5.7 Wherever possible, the Headteacher or CEO will discuss any concerns with the complainant informally before applying an "unreasonable" marking.

- 5.8 If the behaviour continues, the Headteacher or CEO will write to the complainant explaining that their behaviour is unreasonable and asking them to change it going forwards. For complainants who excessively contact the individual schools within Matrix Academy Trust causing significant level of disruption, the individual school may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.
- 5.9 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school concerned or other civil or criminal proceedings that may flow from the behaviour that has been alleged.
- 5.10 In carrying out our duties relating to a complaint we ensure that we comply with the Equality Act 2010. This policy should also be read in conjunction with our procedure related to dealing with complaints.

6. Complaint Campaigns

- 6.1 The Trust follows a procedure for complaints categorised as 'complaint campaigns'. This involves the school or Trust receiving a large volume of complaints:
- all based on the same subject
 - from complainants unconnected with the school
- 6.2 In this instance the Trust will chose the most suitable response method which includes a template response being sent to all complainants or a single response being published on the school/Trust website.

7. Complaints not in scope

- 7.1 There are a number of complaints that are not in the scope of the Trust's Complaints Policy. These include but are not limited to:
- Admissions
 - Statutory assessments of special educational needs
 - Matters likely to require a child protection investigation
 - Referrals made in line with the Academy's statutory & mandatory duties e.g. referrals to Children's Service, PREVENT etc.
 - Exclusion of children from school
 - Whistleblowing
 - Staff grievance

Summary of Dealing with Complaints

