



# Mowbray Education Trust

## Complaints Policy

September 2023

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### This policy applies to:

All Trust settings and any school converting into the trust since the last review and approval of this policy.

This policy covers all our educational establishments and those who convert into the trust before the next review of this policy;

- Ab Kettleby Primary School
- Brownlow Primary School
- Iveshead School
- John Ferneley College
- Oasis Family Centre
- Sherard Primary School
- Somerby Primary School
- The Grove Primary School

Where this policy states 'school' this means any of our educational establishments and the wider Trust. Where this policy states 'Headteacher' this also includes 'Head of School' and 'Centre Manager'.

### 1. Aims and Scope

1.1 This policy will be used by all schools within the Mowbray Education Trust (the Trust) for all concerns or complaints from parents/carers or other parties.

1.2 The Trust aims to meet its statutory obligations when responding to complaints from parents of pupils at the schools, and others.

1.3 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Mowbray Education Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

- 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".

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, please contact the school office who will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

1.4 A copy of the complaint's procedure can be found on each school's and/or on the Trust's website and a paper copy can be obtained by contacting the individual school/Trust directly.

1.5 Pupils, parents, carers, or other individuals who have concerns or complaints should feel that these can be voiced and will be considered seriously. All complainants have the right to be accompanied by a friend or in the case of a pupil, a parent or teacher, when making the complaint in person.

1.6 All employees are expected to be aware of the complaints procedure and adhere to its principles and practice.

1.7 Our complaints procedure will:

- Be accessible
- Be simple to understand and use
- Be impartial and non-adversarial
- Treat complainants with respect and courtesy
- Allow for swift handling of complaints with established time limits
- Ensure a full and fair investigation by an independent person where necessary

- Respect a request for confidentiality (although this cannot be guaranteed)
- Address all the points at issue and provide effective response and appropriate redress, where necessary
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Provide information to the school or Trust senior leadership teams to enable services to be improved.

This procedure will seek to identify areas of agreement between the parties.

1.8 This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- Services from external providers
- National Curriculum content

Please see our separate policies for procedures relating to these types of complaint.

1.9 Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (SENCO); they will then be referred to this complaints policy. Each school's SEN policy and information report includes information about the rights of parents of pupils with additional needs who believe that our school has discriminated against their child.

1.10 Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

1.11 Complaints about our fulfilment of early years requirements. We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 5) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).

An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

1.11 Throughout the process, schools/Trust will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

1.12 If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

## 2. Relevant legislation and guidance

2.1 This document meets the requirements set out in part 7 of the schedule 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 the school. It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [Best practice guidance for academies complaints procedures](#), and refers to the guidance in the [School Complaints Procedures](#) from the Department for Education (DfE).

2.2 This policy complies with our funding agreement and articles of association.

2.3 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. Principles

3.1 The Trust aims to meet the needs of pupils, parents/carers and others who have a stake in the schools and believes that dialogue and reflection are important ways in which good relations are maintained and developed.

3.2 The establishment of good relationships is an essential element of a good school and the views of parents and students will be actively sought by the schools and the Trust to minimise concerns or complaints.

3.3 When investigating a complaint, we will try to clarify:

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

3.4 At each stage in the procedure, we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

An admission that the school and/or Trust could have handled the situation better is not the same as an admission of negligence.

### 3.5 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

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.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

### 3.6 Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## 4. Procedure

4.1 The Trust has adopted a 4-stage process for dealing with complaints:

- Stage 1 Informal Resolution
- Stage 2 Formal Resolution at Local Level
- Stage 3 Formal Resolution at Trust Level
- Stage 4 Formal Resolution: Panel Hearing

## 4.2 Stage 1 Informal Resolution

Generally, it is expected that where the matter relates to a pupil it will have been raised with the pupil's class teacher/tutor before a request is made to deal with it under this policy. If the complaint is regarding a member of central or executive team this should be raised with their line manager, information regarding this can be obtained by emailing [operations@mowbrayeducation.org](mailto:operations@mowbrayeducation.org).

The school and trust will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. The complainant should raise the complaint as soon as possible with the relevant member of staff as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the relevant school/trust office office (see Appendix A).

It is a precondition to the operation of this policy that the complainant will have made reasonable attempts to seek an informal resolution and will have acted in relation to the matter in a reasonable and measured way. At the discretion of the Chair of the Board of Trustees (or vice chair regarding a complaint about the chair), the request to escalate a complaint where this precondition has not been met may be refused and a suitable course of action offered.

Where the matter is not resolved at the informal stage, the parent/carer may elevate it to the formal stage.

## 4.3 Stage 2 Formal Resolution at Local Level

The complainant must put the complaint in writing, addressed to the Headteacher of the school, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations. The Headteacher will record the complaint and acknowledge receipt within 2 school days.

An investigation will be carried out by a nominated individual identified by the Headteacher who may offer the complainant a meeting.

The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied, s/he may request the complaint is dealt with at Stage 3. Any such request must be set out in writing, stating where the complainant remains dissatisfied and lodged within 10 school days of the complainant receiving the findings in writing.

#### 4.4 Exceptions

Any complaint relating to the Headteacher of the school or member of the executive must be raised in the first instance with the CEO of the Trust. If an informal resolution cannot be reached, a member of the Trust Board will be assigned to investigate the complaint as per Stage 3. Stage 2 does not apply to a complaint against the Headteacher of the school or member of the executive.

Any complaint relating to the CEO of the Trust or the MAT must be raised in the first instance with the chair of the trust board who will, if an informal resolution cannot be reached, designate a member of the board of trustees to investigate the complaint as per Stage 3. Stage 2 does not apply to a complaint against the CEO.

Any complaints against members of the local governing committees or trustees should be raised in the first instance with the Executive Lead of Governance and Compliance and will be investigated by the chair of trustees.

Any complaints against the chair of trustees should be raised in the first instance with the Executive Lead of Governance and Compliance and will be investigated by the vice chair of trustees.

Stage 2 does not apply to a complaint against governors and trustees.

If the complaint is:

- jointly about the chair and vice chair; or
- the entire Trust Board; or
- the majority of the Trust Board body

The complaint should be raised with the Executive Lead of Governance and Compliance who will decide if Stage 3 should be addressed by an independent investigator.

Stage 2 does not apply to a complaint against governors and trustees.

#### 4.5 Stage 3 Formal Resolution at Trust Level

The complainant must put the complaint in writing, addressed to the Executive Lead of Governance and Compliance, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations. The Executive Lead of Governance and Compliance will record the complaint and acknowledge receipt within 2 school days.

The Executive Lead of Governance and Compliance may appoint a trustee or executive team member, as appropriate, to investigate the complaint. The investigation may include the offer of a meeting with the complainant. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 25 school days of the written complaint being received.

Where the complainant remains dissatisfied, they may request the complaint is dealt with at Stage 4. Any such request must be set out in writing, stating where the complainant remains dissatisfied, what remedies are being sought and be lodged within 10 school days of the complainant receiving the findings in writing. The request must be addressed to the Executive Lead for Governance and Compliance.

#### 4.6 Stage 4 Formal Resolution: Panel Hearing

Only after the complaint against Trust employees has passed through stages 1 to 3 and the concern or complaint cannot be resolved can the complainant request a meeting with the Trust Complaints Panel. The request must be addressed to the Executive Lead for Governance and Compliance, on receipt the request will be recorded and an acknowledgment returned within 2 working days.

Complainants have the right to request an Independent Complaints Panel if:

- they believe there is likely to be bias in the proceedings or,
- if the decision in stage 3 fails to resolve the matter of a complaint for those listed in section 4.3.

The Complaints Panel is only obliged to consider the complaint lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

The Executive Lead for Governance and Compliance will act as Clerk for the complaints meeting. The Executive Lead for Governance and Compliance will provide an independent source of advice on procedure for all parties.

The Executive Lead of Governance and Compliance will endeavour to convene a Complaints Panel hearing as soon as possible, usually no later than 20 working days after receipt of the notification of a Stage 4 referral. The meeting date will be dependent upon the availability of the panel members. The complainant must have reasonable notice of the date of the Complaints Panel; however, the Complaints Panel reserves the right to convene at their convenience rather than that of the complainant.

The panel will be made up of at least 3, suitably knowledgeable or experienced governors or trustees with no prior involvement or knowledge of the complaint. One of the panel members must be independent from the management and running of the school from which the complaint originated.

The following are entitled to attend a hearing and/or submit written representations and address the Panel:

- The complainant,
- The Headteacher of the school,
- Any other interested person whom the Complaints Panel considers having a reasonable and just interest in the appeal and whose contribution would assist the panel in their decision-making.

Where required, the Complaints Panel may request any reports, documents, chronology or other useful information in advance of the hearing. Evidence will be sent to and collated by the Executive Lead for Governance and Compliance who will distribute the information to the relevant parties in advance of the hearing.

At the meeting, all parties will hear and receive all information and be given the opportunity to ask questions.

The panel will retire to consider the information shared and the other parties will be asked to leave. After due consideration of the facts considered relevant, the Panel will reach a decision, and make recommendations, which it shall complete within 10 working days of the hearing. The decision reached by the Complaints Panel is final.

The Panel will also provide a copy of the minutes, findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the school and Trust leaders.

**\* If you require assistance in putting your complaint in writing or if your vision is impaired, please call 01664 504820 or email [operations@mowbrayeducation.org](mailto:operations@mowbrayeducation.org).**

## 5. Record Keeping and Reporting

5.1 A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or whether it proceeded to a stage 4 panel hearing. The action taken by the school or the academy trust as a result of a complaint (regardless of whether they are upheld) will also be recorded.

5.2 The record will be retained by the Executive Lead for governance and Compliance and in line with the Trust's Data Retention Policy.

5.3 Formal complaints will be reported to the Trust Board committees on a termly basis.

5.4 Recommendations and implications for policies will be undertaken to improve practice across the Trust and help prevent similar events in the future.

## 6. Confidentiality

6.1 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 Education and Skills Act 2008 requests access to them.

## 7. Education and Skills Funding Agency (ESFA)

7.1 There is no further right of appeal to the school or Trust. If the complainant is still unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education & Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the Secretary of State
- Whether the school has failed to comply with any other legal obligation.

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school> or you may write to the Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD

We will include this information in the outcome letter to complainants.

## 8. Anonymous complaints

8.1 We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## 9. Complaint campaigns

9.1 In the event of a large volume of complaints about the same topic or subject the Trust reserve the right to

- Publish a single response on the school website
- Send a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## 10. Persistent complaints

10.1 Where a complainant tries to re-open the issue with the school or Trust after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Mowbray Education Trust or CEO as appropriate, will inform the complainant that the matter is closed.

10.2 If the complainant subsequently contacts the school or Trust again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

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

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school 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, school staff.

## 11. Monitoring arrangements

11.1 The Trust will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trust will track the number and nature of complaints, and review underlying issues as stated in section 9.

11.2 This policy will be reviewed by the Executive Lead for Governance and Compliance every 2 years.

11.3 At each review, the policy will be approved by Trust Board.



## Appendix 1 - Key Contacts

Mowbray Education Trust			
c/o Scalford Road, Melton Mowbray Leicestershire, LE13 1LH. Tel: 01664 565901 or E-mail: <a href="mailto:info@mowbrayeducation.org">info@mowbrayeducation.org</a>			
Link Trustees	Contacted through Executive Lead for Governance and Compliance	<a href="mailto:sbeasley@mowbrayeducation.org">sbeasley@mowbrayeducation.org</a>	
	Chair of Mowbray Education Trust Board	Anne Frost	
	Vice-chair of Mowbray Education Trust Board	Drew Richardson-Walsh	
	CEO Mowbray Education Trust	Christine Stansfield	<a href="mailto:cstansfield@mowbrayeducation.org">cstansfield@mowbrayeducation.org</a>
	Chief Operating Officer MET	Paul Maddox	<a href="mailto:pmaddox@mowbrayeducation.org">pmaddox@mowbrayeducation.org</a>
	Executive Lead for Governance and Compliance	Susan Beasley	<a href="mailto:sbeasley@mowbrayeducation.org">sbeasley@mowbrayeducation.org</a>
<b>School</b>	<b>Contact details</b>	<b>Headteacher</b>	<b>Link Trustee</b>
Ab Kettleby Primary School	Wartnaby Road, Ab Kettleby, Melton Mowbray, LE14 3JJ. Tel: 01664822302 or E-mail: <a href="mailto:admin@abkettleby.org">admin@abkettleby.org</a>	Andrea Brown	Anne Frost
Brownlow Primary School	Limes Avenue, Melton Mowbray, Leicestershire, LE13 1QL. Tel: 01664 562315 or E-mail: <a href="mailto:admin@brownlowprimary.org">admin@brownlowprimary.org</a>	Ian Toon	Drew Richardson-Walsh
Iveshead School	Forest St, Shepshed, Loughborough LE12 9DB. Tel: 01664 565901 E-mail <a href="mailto:info@ivesheadschoo.org">info@ivesheadschoo.org</a>	Judith Johnson	Jo Unwin
John Ferneley College	Scalford Road, Melton Mowbray Leicestershire, LE13 1LH. Tel: 01664 565901 or E-mail: <a href="mailto:ask@johnferneley.org">ask@johnferneley.org</a>	Christine Stansfield	Kcarrie Valentine
Oasis Family Centre	The Grove Cp School, Asfordby Rd, Mowbray LE13 0HN Tel: 01664 500424	Maria Twitty	Drew Richardson-Walsh
Sherard Primary School	Grange Drive, Melton Mowbray, Leicestershire, LE13 1HA. Tel: 01664 565124 or E-mail: <a href="mailto:admin@sherardschool.org">admin@sherardschool.org</a>	Helena Blumfield	Linda Arnold
Somerby Primary School	High Street, Somerby, Melton Mowbray, Leicestershire, LE14 2PZ. Tel: 01664 454334 or E-mail: <a href="mailto:admin@somerby.org.uk">admin@somerby.org.uk</a>	Andrea Brown	Anne Frost
The Grove Primary School	Asfordby Road, Melton Mowbray, Leicestershire, LE130HN. Tel: 01664 562554 or E-mail: <a href="mailto:admin@meltongrove.org">admin@meltongrove.org</a>	Hayley Cheeseman	Alison Riggall

## Appendix 2 - Complaints Process Flowchart

