



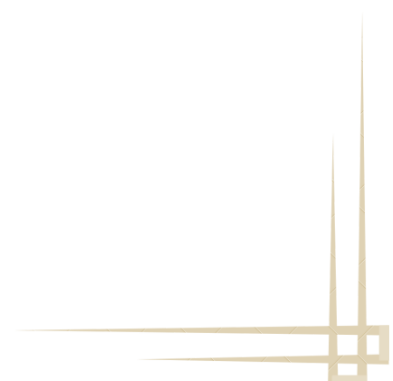
Wembley
Multi-Academy
Trust

ACHIEVEMENT FOR ALL

COMPLAINTS PROCEDURE

Date reviewed: September 2024

Date of next review: July 2025



Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at a WMAT school. You may make a complaint about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern	A complaint
may be defined as <i>'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.</i>	may be defined as <i>'an expression of dissatisfaction however made, about actions taken or a lack of action'.</i>

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. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. The ability to consider the concern objectively and impartially is important, please communicate your concerns by email (see the diagram).

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

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will not consider complaints made outside of this time frame, unless exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or CEO or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

Resolving complaints

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 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.

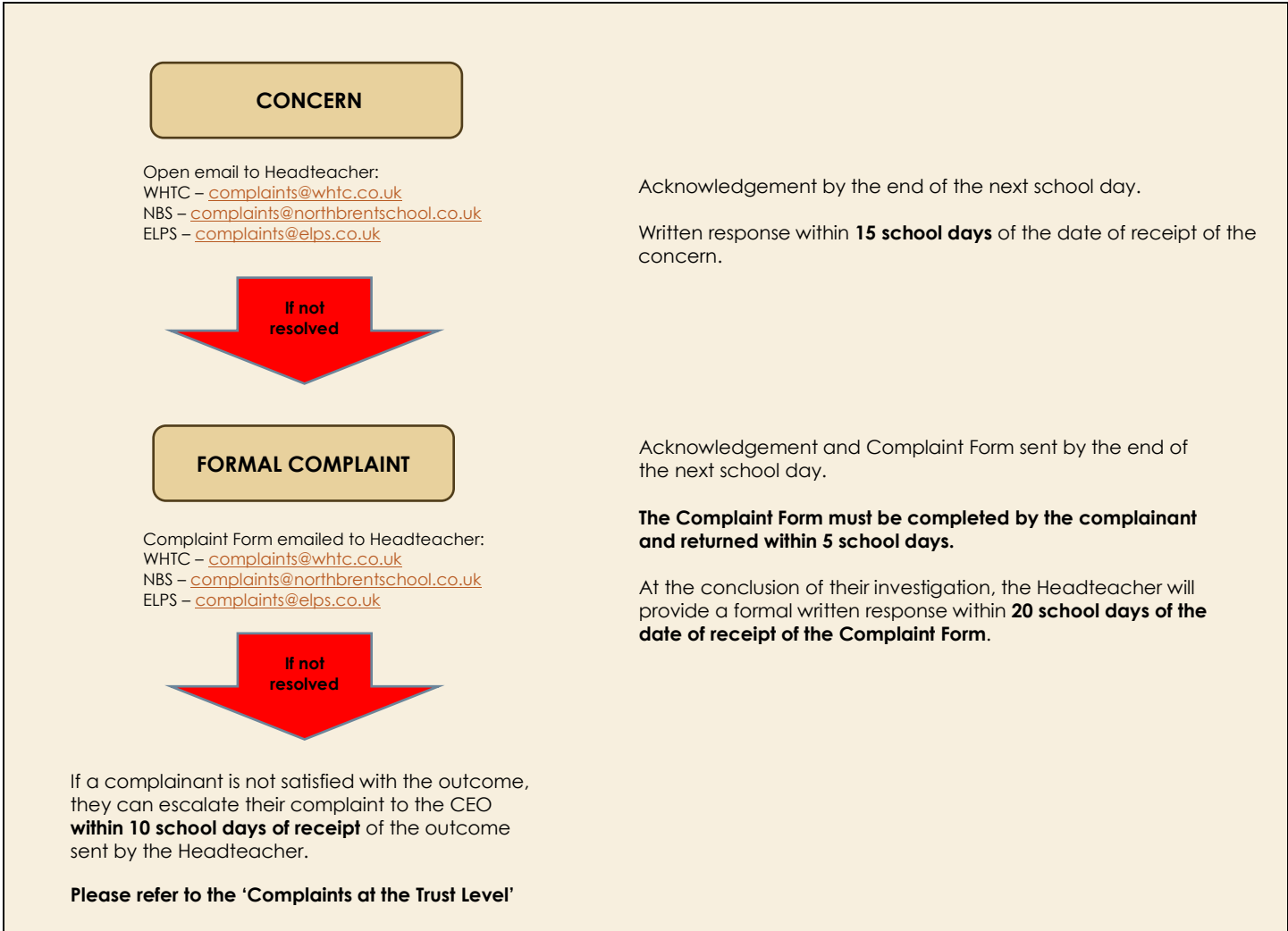
Withdrawal of a complaint

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

Note: Complaints about staff conduct will not be handled under this Complaints Procedure. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

CONCERNS & COMPLAINTS AT SCHOOL LEVEL

It is to be hoped that most concerns can be expressed and resolved on an informal basis.



Complaints at a school level

The Headteacher may delegate the investigation to another senior member of staff but will make the decision herself/himself.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those cited in the complaint, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Wembley Multi-Academy Trust will take to resolve the complaint.

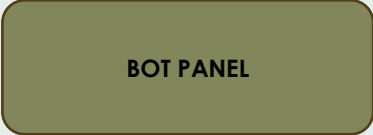
The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome.

COMPLAINTS AT TRUST LEVEL

If a complainant is not satisfied with the Headteacher's outcome of the formal complaint investigation, they can escalate their complaint to the CEO **within 10 school days of receipt** of the outcome sent by the Headteacher.



Complaints Form emailed to:
complaints@wmat.co.uk



Acknowledge receipt of the complaint by the end of the next school day.

The CEO may delegate the investigation to another member of the Executive Team staff but will make the decision herself/himself.

At the conclusion of their investigation, the CEO will provide a formal written response within **10 school days of the date of receipt of the Complaint Form**.

If not satisfied, the complainant the complaint can be escalated to be heard by the BoT Panel. The request needs to be submitted in writing within **10 school days of receipt of the outcome sent by the CEO**.

The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting **within 20 school days** of receipt of the complainant's request.

- At least 10 school days before the meeting, the Governance Professional will:
- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
 - request copies of any further written material to be submitted to the Panel **at least 5 school days before the meeting**.

Any written material will be circulated to all parties **at least 5 school days before the date of the meeting**.

The Chair of the BoT Panel will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, **within 10 school days**.

The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting **within 20 school days** of receipt of the complainant's request.

- At least 10 school days before the meeting, the Governance Professional will:
- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
 - request copies of any further written material to be submitted to the Panel **at least 5 school days before the meeting**.

Any written material will be circulated to all parties **at least 5 school days before the date of the meeting**.

The Chair of the Independent Panel will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, **within 10 school days**.

Next Steps

If the complainant believes the Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed after the independent panel has sent a full written response.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Wembley Multi-Academy Trust. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to: Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency, Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT.

Complaints heard by the BoT Panel or Independent Panel

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the Panel meeting. Representatives from the media are not permitted to attend.

There may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

The Panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New concerns or complaints be communicated separately.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The Panel will consider the complaint and all the evidence presented. The Panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the Panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and Wembley Multi-Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, **within 10 school days**.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

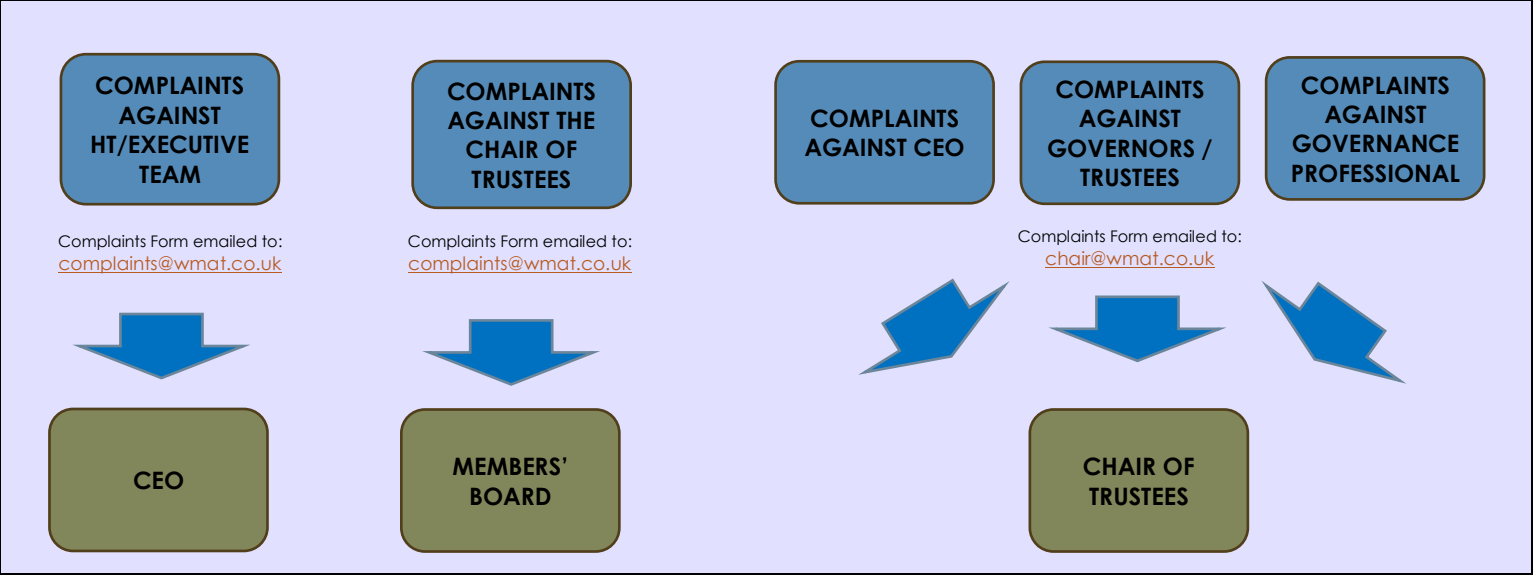
The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be undertaken to resolve the complaint.

The Panel will ensure that a copy of the findings and recommendations is:

- (i) Provided to the complainant and where relevant the person complained about; and
- (ii) Available for inspection on the school premises by the proprietor and the headteacher.

All 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.

**COMPLAINTS AT TRUST LEVEL
AGAINST CEO/EXECUTIVE HEADTEACHERS/HEADTEACHERS and NON-EXECUTIVES**



Scope of this complaints procedure

This procedure covers all complaints about services by Wembley Multi-Academy Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding 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 Multi-Agency Safeguarding Hub (MASH).
<ul style="list-style-type: none"> Exclusion of children from school 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
<ul style="list-style-type: none"> Whistleblowing 	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus .
<ul style="list-style-type: none"> Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> Staff conduct 	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

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. If this happens, a complainant will be informed of a proposed new timescale.

If a complainant commences legal action against Wembley Multi-Academy Trust in relation to their complaint, WMAT will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

ROLES AND RESPONSIBILITIES

1. COMPLAINANT

The complainant will receive a more effective response to the complaint if they:

- explain the concern or complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

2. INVESTIGATOR

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints coordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or Complaints Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or Complaints Panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

3. COMPLAINTS CO-ORDINATOR

The Complaints Co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, CEO, Chair of Governors, Chair of Trust or the Governance Professional and to ensure the smooth running of the Complaints Procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support - this may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

4. GOVERNANCE PROFESSIONAL

The Governance Professional is the contact point for the complainant and the Panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- minute the proceedings
- circulate the notes of any meeting
- notify all parties of the Panel's decision.

5. PANEL CHAIR

The Panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Governance Professional) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR. If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the Panel is open-minded and acts independently
- no member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Governance Professional (and Complaints Co-ordinator, if the school has one).

6. PANEL MEMBER

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor / trustee may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. WMAT recognises that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting:
 - Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
 - The Panel should respect the views of the child/young person and give them equal consideration to those of adults.
 - If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint.
 - Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

MANAGING SERIAL AND UNREASONABLE COMPLAINTS

WMAT is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain.

We do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, intimidating or threatening. WMAT defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school. Examples include when the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure.
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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
- repeatedly makes the same complaint (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 ESFA
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable or defamatory/slandering information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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.

Whenever possible, the Headteacher or Chair of Governors/ Trustees will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact WMAT causing a significant level of disruption, we may specify methods of communication and limit the number of contacts. This will be reviewed after six months.

In response to any serious incident of threatening or intimidating behaviour, aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring the individual(s) from WMAT premises.