



omega
MULTI-ACADEMY TRUST

Complaints Policy

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Date of review	Summary of changes
February 2025	Rewrite of existing policy

Signed by:

Chief Executive Officer

Date: 1st April 2025

Chair of Trustees

Date: 1st April 2025

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1. Statement of intent

Omega Multi-Academy Trust (the trust) aims to resolve complaints at the earliest possible stage and, where possible, informally, and is dedicated to continuing to provide the highest quality of education possible in all of its academies throughout the procedure.

This policy has been created to handle complaints relating to any aspects of the provision of facilities or services against:

- Any member of staff.
- Any school within the trust.
- Any local governor or Local Governing Body of the trust.
- Any trustee or the Trust Board
- Trust central staff
- The trust as a whole.

The policy is designed to ensure that the trust's complaints procedure is:

- Easily accessible and publicised on the schools and trust's website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Non-adversarial
- Respectful of confidentiality duties.
- Continuously under improvement, using input from the senior leaders of all individual schools within the trust.
- Used to address all issues to provide appropriate and effective responses where necessary.

There may be occasions when it's necessary or reasonable to deviate from the published complaints procedure. This includes not doing something the procedure states we will do or adding an additional action for example allowing for a complaint to be investigated, by an independent person, i.e. not connected to the Trust where necessary. Where there is any deviation from the policy this will be documented with a full explanation.

This policy is implemented on a trust-wide level and includes all of its constituent schools.

2. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- Equality Act 2010
- Part 7 of The Education (Independent School Standards) Regulations 2014
- Immigration Act 2016
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- ESFA (2021) 'Best Practice Guidance for Academies Complaints Procedures'
- ESFA (2024) 'Academy Trust Handbook 2024'

3. Complaints covered by this policy

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the trust provides. All complaints made will be handled via the procedures outlined in this policy.

The trust **will not** investigate anonymous complaints.

This policy **does not apply** to complaints arising from:

- **Admissions** – referred to the appeals process outlined in the Admissions Policy.
- **Child protection** – referred to safeguarding procedures outlined in the Child Protection and Safeguarding Policy.
- **Suspensions or Exclusion** – referred to the procedures outlined in the Behaviour Policy and Suspension and Exclusion Policy.
- **Whistleblowing** – referred to the internal whistleblowing procedures outlined in the Whistleblowing Policy.
- **Staff grievances** – referred to the internal grievance procedures outlined in the Grievance Policy.
- **Staff conduct** – referred to the internal Disciplinary Procedures.
- **Third-party suppliers using school premises or facilities** – The trust will ensure any third-party supplier using school premises or facilities to offer community facilities or services has its own complaints procedures in place and such complaints do not fall within the scope of this policy.

4. Raising a concern

The trust recognises that there will be occasions when you wish to raise a concern about a school. A “**concern**” is ‘an expression of worry or doubt’ where reassurance is required. All school staff can assist you with dealing with concerns without the need for raising as a complaint.

Although there are no specific timescales for resolution of a concern, given the importance of ongoing discussion, we would hope that most concerns would be resolved within 15 days.

When you have raised a concern we would ask that you allow staff appropriate time to respond in order that they may continue with their core roles of teaching or supporting the education of the pupils. It will not always be possible to respond to calls or emails on the same day.

5. Raising a complaint

If you feel that your concern has not been addressed to your satisfaction then you may wish to raise your concern formally as a complaint and follow the trust’s procedure as outlined in this policy. For the purpose of this policy, a “**complaint**” is defined as ‘an expression of dissatisfaction’ towards the actions taken or a perceived lack of action.

A complaint ***must be made within 3 months*** of the incident or where a series of incidents have occurred ***within 3 months of the last of those incidents***. Complaints made outside this time limit will only be considered in exceptional circumstances.

Complaints received outside of term time will be treated as being received on the first school day after the holiday period.

At each stage of the complaints procedure, the trust is committed to resolving the complaint. Where appropriate, the trust will acknowledge that the complaint is upheld in whole or in part, and may offer one of the following:

- An explanation
- An admission that the situation could have been handled better
- An assurance that the trust will try and ensure the incident will not occur again
- An outline 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 changes will be made
- An undertaking to review trust policies in light of the complaint
- An apology

In line with Department for Education guidance, complainants should note that any acknowledgement by the trust that it could have handled the situation better is not an admission of unlawful or negligent action.

When you have raised a complaint we would ask that you allow staff appropriate time to respond in order that they may continue with their core roles of teaching or supporting the education of the pupils. It will not always be possible to respond to calls or emails on the same day.

A complaint may be withdrawn by the complainant at any stage of this policy.

5.1 Who to raise a complaint with

Complaint Against:	Stage 1 and Stage 2 complaints to be raised with:	Stage 3
School staff member	Headteacher	All requests to escalate a complaint to Stage 3 should be addressed to the Director of Governance
Headteacher	Chair of Local Governing Body	
Chief Executive Officer	Chair of Trustees	
Local Governor	Director of Governance	
Chair of Governors	Director of Governance	
Trustee	Director of Governance	
Chair of Trustees	Director of Governance	
Local Governing Body	Director of Governance	
Board of Trustees	Chief Executive Officer	
Trust central staff	Chief Executive Officer	
The Trust	Chief Executive Officer	

5.2 Stage 1 – informal complaint

An informal complaint may be made in person, by phone or in writing to the appropriate person.

The informal complaint will be acknowledged in writing (including email) within 3 school days.

The complainant should provide details of the complaint, providing the circumstances which had given rise to the complaint and how they think the matter can be resolved.

Within 10 school days of notification of the complaint, the complainant will be invited to discuss the matter with and the relevant member of staff. This should be discussed in a respectful and informal manner to seek a mutual resolution.

If further enquiries need to be made these will be undertaken and a response provided to the complainant within 15 school days of the meeting.

In any event if the timescales are extended then the complainant will be informed of this, providing the reasons for delay, and given regular information as to how the investigation is progressing.

The complainant will be advised of the formal complaints procedure and will be provided with a copy of the Complaints Procedure Policy, in case they wish to take the matter further.

If the complainant is dissatisfied with the outcome they may raise a formal complaint.

5.3 Stage 2 – formal complaints

A formal complaint should be made in writing (unless the complainant has a sufficient reason to request a reasonable adjustment be made to change this) by completing the Stage 2 Formal Complaint form as in Appendix 1. This form can be completed and submitted online, is available to download from the schools website or a copy can be obtained from the schools / Trust's office.

The Stage 2 Formal Complaint form should be submitted online, via email or post, an acknowledgement will be provided within 3 school days of receipt.

The acknowledgement must include a copy of the Complaints Policy and must specify:

- Who will be investigating the complaint (Complaints Manager)
- That the complaint will be investigated within 15 school days of receipt of the Stage 2 Formal Complaint form. If subsequently it is recognised that due to the complexity of the complaint it is deemed unable to complete the investigation within the timescale then the person managing the complaint will inform them of a revised timescale in writing.
- That the complainant is required to keep the details of the complaint private and confidential to enable a just and fair investigation to take place.

The complaint will be investigated by a member of staff who has not been involved in the complaint at Stage 1.

The complainant **may** be invited to a meeting with the Complaints Officer to discuss the complaint and if so they may bring a friend or relative for support only.

Once all facts are established, the person handling the complaint shall contact the complainant in writing within 20 days of receipt of the Stage 2 Formal Complaint, providing an explanation of the decision and any action to be taken. The complainant will be advised of the next stage of the complaints procedure should they wish to escalate the complaint.

In any event if the timescales are extended then the complainant will be informed of this, providing the reasons for delay, and given regular information as to how the investigation is progressing.

If the complainant is not satisfied with the outcome suggested, they may request to escalate the complaint to Stage 3, panel hearing. In all cases a request should be made to be made to the Director of Governance, via enquiries@omegamat.co.uk within 10 school days of receiving the decision letter.

If no request to escalate the complaint is received within the 10 school days, it will be deemed that the decision is accepted and the complaint will be closed.

5.4 Stage 3 – Complaints Appeal Panel hearing

A request to escalate the complaint to stage 3 should be made in writing (unless the complainant has a sufficient reason to request a reasonable adjustment be made to change this) . Where the complainant requests that the complaint is escalated to Stage 3, their request will be acknowledge within 3 school days and be advised that a Complaints Appeal Panel (CAP) will be arranged within 15 school days of their request.

If, despite best endeavours, it has not been possible to arrange the panel within the required timescales, the complainant will be advised. Once the CAP has been arranged the complainant will be advised of the date, time and location.

The complainant and the trust / school may submit additional documentation for consideration by the CAP up to 5 school days before the meeting. Consideration of documents submitted after this timescale will be at the absolute discretion of the Chair of the CAP.

The complainant and the trust / school may invite witnesses to the meeting, names of the witnesses must be provided no later than 5 school days before the meeting.

Five schools days' notice will be given to all parties attending the panel hearing, (complainant, the individual about who the complaint was made and the CAP members), together with all documentation for consideration, and details about how the review will be conducted.

If the complainant cannot attend on the arranged date, the trust will attempt to arrange a date and time suitable for the complainant. After /At the third attempt the CAP hearing will be heard in the complainants absence.

The CAP will have three members:

- Two members from either the Trust Board or any Local Governing Body within the Trust, who have had no involvement with the complaint at an earlier stage.

- Governors of the school the complaint is about are not eligible to be members of the CAP.
- One independent member who has no involvement with the management of the Trust.

The procedure for the meeting will be as follows:

- The chair opens the meeting and explains the procedure to be followed
- The complainant (or representative) can present their case, including calling any witnesses.
- Questions by the panel of the complainant
- The school presents its case, including calling any witnesses
- Questions by the panel of the school
- Final statement from the school / trust
- Final statement from the complainant including what they want to happen as a result of the complaint
- All parties withdraw
- The panel considers the parties' cases and makes a decision
- With the governance professional, the panel drafts a decision letter

The complainant may be accompanied at the meeting by a friend, however neither the complainant nor the trust will bring legal representation to this hearing. There may be exceptional circumstances, for example a member of staff who may be a witness to the complaint can bring a union representative or legal representative if desired, this arrangement must be agreed in advance of the meeting.

CAP meetings will not be recorded unless there is a specific request by the complainant due to communication difficulties. Consideration may be given to the use of recording devices to ensure the complainant is able to access and review the discussions at a later point. All parties should agree in advance to being recorded.

The purpose of the hearing will be reconciliation and ensuring that things that may have gone wrong are corrected.

The CAP may:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's / Trust's systems or procedures to ensure that problems of a similar nature do not reoccur

The panel will make findings and recommendations, and a copy of those findings and recommendations will be made available for inspection on the school's / trust's premises by the board of trustees and the headteacher.

The complainant will receive a written response explaining the panel's findings and recommendations, together with a copy of the minutes from the meeting, subject to any

necessary redactions under the Data Protection Act 2018 and the UK GDPR, within 15 school days of the CAP meeting.

Where relevant, the person complained about will receive a summary of the panel's findings and recommendations.

The written response will explain that this represents the conclusion of Trust's complaints procedure. If the complainant remains dissatisfied with the outcome of the stage 3 process or the way the complaint has been handled, they may choose to contact the Department for Education.

6. Referral to the Department for Education

If the complainant believes the school / 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 Department for Education (DfE) once the Trust's complaints procedure up to and including Stage 3 has been completed.

The DfE cannot overturn the decision about a complaint, their role is to make sure the complaint has been handled correctly in accordance with part 7 of the Education (Independent School Standards) Regulations 2014.

The DfE will only consider the complaint if the complainant can provide evidence that the school or trust:

- does not have a complaints procedure
- did not provide a copy of its complaints procedure when requested
- does not have a procedure that complies with statutory regulations
- has not followed its published complaints procedure
- has not allowed its complaints procedure to be completed

The DfE will inform the complainant that they are not able to:

- overturn the panel's decision
- re-investigate the original complaint
- review the accuracy of minutes taken or documents provided
- order that compensation is paid
- direct the school to discipline / exclude pupils
- force the school to discipline / dismiss staff
- instruct the school to apologise

The complainant can refer their complaint to the DfE online at: [Complain about a school to the Department for Education - GOV.UK](#) or by telephone on: 0370 000 2288.

7. Recording of complaints

A written record will be kept of any complaint made, whether made via phone, in person or in writing.

The school / trust must:

- record the progress of the complaint and the final outcome.
- record whether the case progressed to a panel hearing.
- record the action taken by the school or the trust, regardless of outcome.
- determine who is responsible for these records and make sure the data is kept secure and confidential.

All records will be made available for inspection on the school premises by the trust.

8. Managing unreasonable complaints

Where a complainant attempts to re-open a complaint that has been dealt with under the Complaints Policy, they will be contacted by the Local Governing Body or Trust Board and informed that the matter has been dealt with and the matter considered closed. Where further correspondence is received or contact made on the same matter this may be considered as vexatious and the trust will not be obliged to respond.

The trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The trust will not normally limit the contact complainants have with the trust itself or any of its schools; however, the trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, aggressive, offensive or threatening.

Complainants should limit the number of communications with the trust 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 and can have significant resource issues for the trust.

A complaint may also be regarded as unreasonable 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 cooperate 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 complaints 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 they expect to be taken into account 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.
- Refuses to accept the findings of the investigation into that complaint where the trust's complaints procedure has been fully and properly implemented and completed, including referral to the ESFA.
- Seeks an unrealistic outcome.

The trust will not tolerate unreasonable behaviour which is defined as a complainant:

- Acting maliciously or aggressively.
- Using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing the complaint to be false.
- Using falsified information.
- Publishing unacceptable information in media such as social media websites and newspapers.

In managing unreasonable behaviour the trust may take appropriate steps to manage or limit contact.

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 premises.

9. Monitoring and review

The Complaints Policy will be reviewed every 2 years or where there are any legislative changes or revised guidance issued by the DfE.

Responsibility for approving the policy belongs to the Trust Board or designated committee.

10. APPENDIX 1



Stage 2 formal complaint.

If you wish to raise a formal complaint, please do so by completing and submitting this form.

Name:	Address:
Daytime telephone number:	
Evening telephone number:	
Email:	Postcode:
Childs Name:	
School attending:	
What / Who is your complaint concerning?	
When and with whom did you discuss your complaint?	
What was the result of the discussion?	
What would you like as an outcome of your complaint?	
Signed:	Date: