

QUANTUM MULTI-ACADEMY TRUST



Quantum
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Complaints **POLICY AND PROCEDURE**

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This policy should be used in conjunction with the DFE Guidance 2020 (School Complaints Procedures).

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the schools within the trust. Any person, including members of the public, may make a complaint to schools within the Trust 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 may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

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. Quantum Multi Academy Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible. The majority of concerns and complaints can be dealt with swiftly and effectively when complainants bring these directly to our attention and refrain from publicising the details of their complaint on social media, and respect confidentiality.

We encourage close links with parents and the wider community and believe that pupils/students benefit when the relationship between home and school is a positive one. We understand that logging a concern or complaint, whether informally or formally, will be due to genuine concerns felt by parents/carers. For concerns or complaints to be resolved effectively, complainants must be polite and respectful. Any communication that staff feel is aggressive or abusive will result in the member of staff terminating the relevant phone call, email or meeting.

At Quantum we value the positive relationships forged with parents and visitors to our schools. All pupils/students and staff in the schools are expected to speak to others respectfully and this must also be mirrored by our parent/carers so that the complaints procedure can be followed.

If there are difficulties discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteachers will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteachers 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.

To support the integrity of any investigation and those involved regarding the concern or complaint it is of paramount importance that the complaint is not shared on social media.

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

Anonymous concerns or complaints

We will not normally investigate anonymous concerns or complaints. However, the Headteachers or chair of the appropriate Local Governing Board, if appropriate, will determine whether the concern or complaint warrants an investigation.

Time scales

The concern or complaint must be raised 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 consider concerns or complaints made outside of this time frame if exceptional circumstances apply.

Concerns or Complaints received outside of term time

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

How to raise a concern or make a complaint

The procedure is divided into three stages;

Stage 1 – This stage aims to resolve the concern through informal contact at the appropriate level in school.

Stage 2 – At this stage written complaints are considered by the headteacher or the designated governor, who has special responsibility for dealing with complaints.

Stage 3 – This is the next stage once the Formal stage has been worked through. It involves a complaints appeal panel of trustees and governors.

How each of these stages operates is explained below:

Stage 1 – your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. A concern can be made in person, in writing, or by telephone. The first point of contact should be your child's class teacher, form tutor, head of department or head of year. If you are unsure where to direct your concern, then please contact the school office.
2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.
4. If necessary, we will contact the appropriate people who may be able to assist us with our enquiries into your concern.
5. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the Quantum 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 • Statutory assessments of Special Educational Needs • School re-organisation proposals | <p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Essex Local Authority.</p> |
| <ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation | <p>Complaints about child protection matters are handled under our Child Protection and Safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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).</p> |
| <ul style="list-style-type: none"> • Exclusion of children from school* | <p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the Behaviour For Learning policy can be made through the school's complaints procedure.</i></p> |
| <ul style="list-style-type: none"> • Whistleblowing | <p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p> |
| <ul style="list-style-type: none"> • Staff grievances | <p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p> |
| <ul style="list-style-type: none"> • Staff conduct | <p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> |

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| | 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. |
| <ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. |
| <ul style="list-style-type: none"> National Curriculum - content | Please contact the Department for Education at: www.education.gov.uk/contactus |

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 a complainant commences legal action against the Quantum Trust in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Stage 2 (If the matter has not been resolved informally)

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), by email or by telephone.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors for the appropriate school, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual Governor or the whole Governing Body should be addressed to the Governance Professional via the school office. Please mark them as Private and Confidential.

Complainants should not approach individual Governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering stage 3 complaints of the procedure.

The complaint will be acknowledged in writing as soon as possible after receiving it. This will be within three school days.

The complaint will either be investigated by the headteacher, or they may ask a senior member of staff to be the investigating officer.

As part of the consideration of your complaint, the investigating officer will seek to clarify the nature of your complaint and ask what remains unresolved. You may be invited to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.

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

- If necessary, interview those involved in the matter and/or those complained of, 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 15 school days of the date of receipt of the complaint. Every attempt will be made to respond earlier.

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 the actions that the school 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 of stage 2 of the complaints procedure.

If the complaint is about the Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair) or a Trustee, a suitably skilled Governor or Trustee will be appointed to complete all the actions at Stage 2.

Complaints about the Headteacher or member of the Governing Body or Trust Board must be made to the Governance Professional, via the school office.

If the complaint is:

- Jointly about the Chair and Vice Chair or,
- Members of the/the entire Local Governing Board
- Members of the/the entire Quantum Trust Board

Stage 2 will be considered by an independent investigator appointed by the Trust Board. At the conclusion of their investigation, the independent investigator will provide a formal written response to the complainant.

Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the Local Governing Body/Trust Board complaints committee, which will be formed of the first three, impartial, Governors or Trustees available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Governance Professional, via the school office, within 10 school days of receipt of the Stage 2 response.

The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

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 15 school days of receipt of the Stage 3 request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three Governors/Trustees (one of whom will be independent of the school management) with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three Local Governors/Trustees from the appropriate school available, the Governance Professional will source any additional, independent Governors from another of the Trusts schools or through the LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, 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.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 8 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 committee at least 6 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 committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. Any additional complaints will have to be made at the informal or formal stage of the complaints procedure.

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 committee will consider the complaint and all the evidence presented. The committee 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 committee 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 Committee will provide the complainant and the school 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 Department for Education if they are dissatisfied with the way their complaint has been handled by the School.

If the complaint is:

- Jointly about the Chair and Vice Chair or,
- Members of the/the entire Local Governing Board
- Members of the/the entire Quantum Trust Board

Stage 3 will be heard by a committee of independent governors.

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 the Quantum Trust will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Resolving complaints

At each stage in the procedure, the schools 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.

- For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.
- In accordance with Equality Law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Withdrawal of a Complaint

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

Next Steps

If the complainant believes the school 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 after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Roles and Responsibilities

Complainant

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

- Explain the 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.

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 co-ordinator 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 or arrange for an independent note taker to record minutes of the meeting.
- 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 committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

Complaints Co-ordinator (For Primary Schools this may be the complaint investigator)

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, Headteacher, Chair of Governors, Governance Professional and LAs (if appropriate) 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.

Governance Professional to the Governing Body

The Governance Professional is the contact point for the complainant and the committee 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 2 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- Record the proceedings.
- Circulate the minutes of the meeting.
- Notify all parties of the committee's decision.

Committee Chair (Stage 3)

The committee'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 committee 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 committee is open-minded and acts independently.
- No member of the committee 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).

Committee Member (Stage 3)

Committee 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 committee 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.
- We recognise 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 committee 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 committee 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 committee 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 committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.

- Staff likely to be involved in handling complaints are suitably trained to do so.
- Each type of complaint is recorded and analysed via the Headteacher report.

Secondary School Complaint Form

Please complete and return to the Headteacher. *This form should be used if it has not been possible to resolve the matter informally.*

**if the complaint is about the Headteacher, return to the Governance Professional c/o School Office*

| |
|---|
| Your name: |
| Pupil/student's name (if relevant): |
| Your relationship to the pupil/student (if relevant): |
| Address: Postcode: Daytime telephone number: Evening telephone number: |
| Please give details of your complaint, including whether you have spoken to anybody at the school about it. |

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official Use

Date Acknowledgement sent:

By whom:

Complaint referred to:

Date:

Primary School Complaint Form

Quantum Multi Academy Trust:

Please complete this form and return it to the school office for the attention of the Headteacher, Chair of Governors or Governance Professional.

Your name:

Relationship with school (e.g. parent):

Pupil's name (if relevant to your complaint):

Your address:

Telephone number:

Email address:

Please give concise details of your complaint (including dates, names of witnesses, etc) to allow the matter to be fully investigated:

What action, if any, have you already taken to resolve your complaint?

What actions do you feel might resolve the complaint at this stage?

Please continue on a separate sheet, or attach additional documents if you wish.

Number of additional pages attached =

Signature:

Date:

Stage 3 Complaint Form

(must be sent within 10 school days of receiving outcome notice):

Quantum Multi Academy Trust:

Please complete this form and return it to the school office for the attention of the Headteacher, Chair of Governors or Governance Professional.

Your name:

Relationship with school (e.g. parent):

Pupil/student's name (if relevant to your complaint):

Your address:

Telephone number:

Signature:

Date:

Dear Sir/Madam,

I submitted a formal complaint to the school on, and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and the response(s) from the school. I am dissatisfied with the way in which the procedure was carried out, because

You may continue on separate paper, or attach additional documents if you wish.

Number of additional pages attached =

What actions do you feel might resolve the complaint at this stage?