



Complaints Policy and Procedure

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| Applicable to: | <p>All staff in our academies and central support services including individuals employed by the Trust, contractors and agency staff.</p> <p>All Members, trustees and local academy committees (LACs)</p> |
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Table of revision

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| Aug 25 | Removed flow charts. Tidied up grammar. Tidied up formatting. Added item 4.4 Clarity about the informal stage provided at item 9 Internet links updated. ESFA replaced with DfE. |
| Nov 25 | Amendment to wording 9.1.1 |

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1. Introduction

- 1.1 INMAT welcomes any feedback from parents, pupils, stakeholders and third parties, and acknowledges that occasionally individuals may wish to tell us of their disappointment with the service they receive.
- 1.2 Where concerns are raised with INMAT we expect these to be dealt with **promptly, openly, fairly and without prejudice.**
- 1.3 This policy explains the process for handling complaints about the Trust (INMAT) and its academies.

2. Policy Scope

- 2.1 This policy applies to external concerns and complaints received by INMAT; it is also intended for internal complaints as well subject to 2.2 below.
- 2.2 The following topics of complaints are excluded as INMAT has specific policies and procedures for dealing with them:
 - Pupil Admissions
 - Pupil Exclusions
 - Matters likely to require child protection investigation (please see our safeguarding policy)
 - SEND and EHCP
 - Staff grievance, capability or disciplinary
 - Whistleblowing complaints (e.g., a criminal offence, fraud, someone's health and safety are in danger, risk or actual damage to the environment, a miscarriage of justice, the Trust is breaking the law, someone is covering up wrongdoing)
 - Subject Access Requests and Freedom of Information Requests
- 2.3 The policies referenced at 2.2 can be found on the INMAT website or on the academy websites.
- 2.4 INMAT will not investigate complaints about services provided by other providers who may use academy premises or facilities. These organisations will have their own complaints procedures and should be contacted directly.
- 2.4 It is the responsibility of all individuals within INMAT and its academies to familiarise themselves with this policy and to comply with its provisions.

3. Legal and Regulatory Framework

3.1 This Policy takes its legal framework from the following legislation and statutory guidance:

The Equality Act 2010 [Equality Act 2010](#)

The Data Protection Act 2018 [Data Protection Act 2018](#)

The Education (Independent Academy Standards) Regulations 2014 [The Education \(Independent School Standards\) Regulations 2014](#)

The DfE Best Practice guidance for academies complaints procedures [Best practice guidance](#)

4. What is a Complaint?

4.1 INMAT takes very seriously any concern or complaint about the education or other services we provide and/or about the conduct of our staff and Trustees. We believe that by addressing concerns at the earliest opportunity it allows INMAT to improve relationships, enhance learning, prevent issues escalating and reduces the number of formal complaints we receive.

4.2 A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. It is expected that concerns will be addressed via the informal process outlined in this policy.

4.3 A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

4.4 INMAT will always expect to resolve complaints informally and as quickly as possible.

5. Safeguarding

5.1 Wherever a complaint indicates that a child’s wellbeing or safety is at risk, there is a duty to report this immediately to the INMAT Academy’s Safeguarding Lead (safeguarding@INMAT.org.uk) and the Local Authority (click [HERE](#)). Any action taken will be in accordance with INMAT’s Safeguarding and Child Protection Policy which can be found on our website.

6. Social Media

6.1 The use of social media prior to, during and after the investigation of complaints, may significantly damage the ability to investigate and resolve a complaint. The trust will deal with complaints with confidentiality for those involved, and we expect all complainants to observe full confidentiality. If complaints are not dealt with

confidentially by all parties, this may significantly hinder an amicable and appropriate resolution, and impact INMAT's ability to follow procedures.

7. Complaints that result in staff capability or disciplinary or Police investigation

- 7.1 If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to INMAT. The complainant is not entitled to participate in those proceedings or receive any detail about them.
- 7.2 If the subject of the complaint is a matter being referred to the police, the complaints procedure will be suspended pending the outcome of that investigation and the complainant will be informed of the reasons for this delay. Once the outcome is known, the complaint may continue if appropriate.

8. Anonymous Complaints

- 8.1 Anonymous complaints will not be investigated, save in exceptional circumstances, as we are unable to respond to or liaise with the complainant. Exceptional circumstances would include serious concerns such as child protection issues, where INMAT is either required to involve appropriate external agencies or might conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

9. Procedure - Informal Stage - Raising a concern

- 9.1.1 It is the expectation that the majority of concerns will be dealt with at the informal stage. This includes complaints relating to the headteacher. Complainants are expected to seek to resolve matters informally, following local routes. Should matters be escalated by the complainant, they must provide clear justification of exceptional circumstances for not seeking informal resolution. INMAT reserves the right to refer complaints back to the informal stage if local routes and the informal stage have not been followed.
- 9.1.2 Local routes may include informal discussions with class teachers, senior leaders, head of school, headteachers and executive headteachers. We expect complainants to enter into discussions with school staff with the aim of resolving the complaint.
- 9.1.3 Informal conversations may take place in person or over the telephone. While it is acknowledged that some communication will likely take place electronically, it is the expectation that, where possible, informal complaints are addressed via direct communication, and not only via email, text or other school based online systems. It is acknowledged that it may take several conversations to fully resolve a complaint.
- 9.1.4 Once a concern has been raised with the headteacher, and a satisfactory solution cannot be found, INMAT will refer the complaint to an informal intermediary. The intermediary maybe a headteacher or Executive Headteacher from another INMAT school, or the INMAT School Improvement Lead.

- 9.1.5 The intermediary will speak with the complainant face to face or over the telephone. They will liaise with school leaders to fully understand the complaint. It is the aim that the intermediary will act to resolve the concern before moving to the formal stage. INMAT expects all involved parties to work towards a suitable resolution.
- 9.1.6 Someone wishing to raise a Trust concern (i.e., one that relates to the Trust rather than an academy) may contact the Governance Lead via email (governance@INMAT.org.uk), or by post at: INMAT Unit 2 Swan Court, Lamport, Northants NN6 9ER.
- 9.1.7 All concerns will be dealt with confidentially, although INMAT staff may need to take notes. Any such notes will be kept in accordance with the principles of the Data Protection Act 2018. However, such notes may be used to as evidence if further investigation is required, or if the concern becomes a formal complaint.
- 9.1.8 Recording of conversations or meetings is not permitted unless it is required for the purposes of a reasonable adjustment. In the case of the latter, all parties will need to agree in advance to the recording.
- 9.1.9 If the matter cannot be resolved at the informal stage, then the complainant should follow the process in Stage 1 – Formal investigation.

10. Procedure - Stage 1 – Formal investigation

- 10.1.1 It is the expectation that complaints will be resolved at the informal stage. INMAT reserves the right to refer complaints back to the informal stage if local routes and the informal stage have not been followed. If a formal complaint is raised, where the informal stage has failed, then the following process will apply.
- 10.1.2 Except in exceptional circumstances, if the complainant has not followed the informal process, INMAT will not deem the complaint to be formal. INMAT will determine whether a complaint has met the formal stage. Exceptional circumstances would include serious concerns such as child protection issues, where INMAT is either required to involve appropriate external agencies or might conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.
- 10.1.3 The Complainant must put the complaint in writing using the INMAT Complaint form (attached Appendix 1) unless the complainant has a disability which prevents this, in which case the complainant may contact the local Academy or INMAT for assistance.
- 10.1.4 The complainant must provide the following information:
- An overview of the complaint so far
 - Who has been involved
 - Why the complaint remains unresolved, and steps taken so far to resolve the matter informally prior to making a formal complaint

- Action they would like to be taken to put things right

10.1.5 The complainant should also provide copies of any supporting documentation.

10.1.6 Who to complain to:

The complaint should be addressed to the Governance Lead at governance@INMAT.org.uk or by post to INMAT Unit 2 Swan Court, Lamport, Northants, NN6 9ER. The CEO will then investigate or appoint an independent investigating manager.

Where the complaint relates to the Chief Executive Officer, the Chair of Trust board will review complaints about the CEO. Complaints about a Trustee will be investigated by an independent investigator appointed by the Governance Lead or the Chair of the board.

Note: An independent investigator could be someone within the Trust who has no prior knowledge, or experience of the matter, and who has no connection with any party involved.

10.1.7 The complaint will be acknowledged, verbally or in writing, within 5 working days (excluding those which fall in the academy holidays) of receipt.

Any complaint received within one week of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

10.1.8 The independent investigator may choose to have a meeting with the complainant if they feel that it would be appropriate for the investigation.

10.1.9 The independent investigator will report the findings to the headteacher (for Academy complaints), or to the Chief Executive Officer (for complaints relating to the headteacher, a Local Committee member, a central team member of staff) or to the Chair of the Trust Board (for complaints relating to Trustees or the Chief Executive Officer), or to the Board of Trustees if the complaint relates to the Chair of Trustees.

10.1.10 The complainant may, where possible, be provided with a written response outlining the outcome of the investigation within 15 working days of acknowledging receipt of the complaint. If it is not possible to meet the deadline, updates on any delays will clearly be communicated.

The letter must explain clearly why any decision has been made and detail any agreed actions as a result of the complaint. The complainant will be provided with details of how to progress to Stage 2.

Any complaint received within one week of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

11. Procedure - Stage 2 – Formal Review

11.1.1 If a formal review is requested, no new evidence can be introduced at this stage. Stage 2 is a review to ensure that proper procedures were followed and the outcome was not a perverse decision. Such a request should be in writing addressed to the Trust's Governance Team (governance@INMAT.org.uk), within 10 working days of the response being sent to the complainant and must set out briefly, the reasons why the complainant is dissatisfied with the response at stage 1.

11.1.2 The Governance Lead will acknowledge the request and notify the complainant how the formal review process will be executed.

11.1.3. A review of the matter to date will be undertaken. All relevant evidence will be considered; this may include but is not limited to:

The complaint statement from the complainant

Steps taken to resolve the matter informally prior to making a formal complaint

Where relevant, a statement from an individual who is the subject of the complaint

Any previous correspondence regarding the complaint

Any supporting documents in either case

Interview with anyone related to the complaint

11.1.4. A meeting with the complainant will be arranged should this be appropriate.

11.1.5. The reviewer can make the following decisions:

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 systems or procedures to ensure that problems of a similar nature do not recur

11.1.6. The reviewer will provide a response to the complainant, and the Governance Lead, within 15 working days (excluding those which fall in the academy holidays) of the written request to proceed to the Second Stage. The reviewer must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint.

Any complaint received within one week of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

The complainant will be provided with details of how to progress to Stage 3.

12. Procedure - Stage 3 – Appeal – Review by a Panel

12.1.1. If the complainant wishes to appeal a decision made at Stage 2, the complainant should follow the process for stage 3.

12.1.2. Such a request should be in writing addressed to the Trust's Governance Lead (governance@INMAT.org.uk) within 10 working days of the response being sent to the complainant and must set out briefly, the reasons why the complainant is dissatisfied with the response at stage 2.

12.1.3. The governance professional, or in the case of Head Office/trustee complaints, the Governance Lead, will convene an appeal hearing as follows:

Where a complaint relates to an academy, academy staff or a Head teacher, the review will be undertaken by a panel of three formed of one Trust Board member and two independent panel members who have not previously been involved with the complaint.

Where the complaint relates to an academy committee member or Chair of the academy committee, the review will be undertaken by a panel of three formed of governors from another Trust academy committee, who have not previously been involved with the complaint.

Where the complaint relates to Trust Head Office staff the review will be undertaken by a panel of three trustees of the Trust Board, who have not previously been involved with the complaint.

Where the complaint relates to the Chair of the trust the review will be undertaken by one trustee of the Trust Board who has not previously been involved with the complaint and two independent panel members.

12.1.4. The governance professional will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees. On receipt of this written notification, the governance professional will write to the complainant within 5 working days (not including the academy holidays) to confirm receipt of the appeal request.

Any complaint received within one week of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

12.1.5. The governance professional will convene a panel, collating all the relevant documentation and will distribute this 5 days in advance of the meeting.

12.1.6. The appeal hearing will take place as soon as practicable and whenever possible within 20 working days (excluding those which fall in the academy holidays) of receipt of the date of the confirmation letter from the governance professional to the complainant, confirming the appeal.

12.1.7. In addition to the panel, the following parties will be invited, where applicable:

The complainant(s)

The investigating manager and/or one representative

The reviewer who dealt with the complaint at Stage 2

Where the complaint regards a member of staff, the staff member who is the subject of the complaint

Where the complaint refers to the Chair of the trust or a trustee who is the subject of the complaint, that person may be invited

Any other individual 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

12.1.8. The complainant may also bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them. The companion will be a friend or a colleague. Neither party is able to bring legal representation with them.

12.1.9. If the attendance of any pupil is required at the hearing, parental permission will be sought. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.

12.1.10. The panel can make the following decisions:

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 systems or procedures to ensure that problems of a similar nature do not recur.

12.1.11. The governance professional will record the proceedings in the form of minutes. The complainant and trust Head Office will be informed in writing of the outcome of the appeal within 10 working days (excluding those which fall in the academy holidays).

Any complaint received within one week of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

12.1.12. This is the final stage at which the complaint will be considered.

13. Continued Dissatisfaction with Outcome

13.1. If the complainant is not satisfied with the outcome of the complaints procedure, they can refer their complaint to the DfE. The DfE will check whether the complaint has been dealt with properly.

13.2. The DfE will not overturn a decision about a complaint. However, it will look into:

Whether there was undue delay, or the academy/trust did not comply with its own complaints procedure;

Whether the academy/trust was in breach of its funding agreement with the secretary of state;

Whether the academy/trust has failed to comply with any other legal obligation.

If the academy/trust did not deal with the complaint properly, it will be asked to reinvestigate the complaint.

If the complaints procedure is found to not meet regulations, the trust will be asked to correct its procedure accordingly.

For more information or to refer a complaint to the DfE, see the following webpage:
<https://www.gov.uk/complain-about-school>

Ofsted will also consider complaints about academies. The link to Ofsted is below:

[Complain about a state school to Ofsted - GOV.UK](#)

14. Timeframes

14.1. The trust will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or, for example, difficulties regarding an individual's availability to deal with the complaint. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

14.2. Any complaint received within one week of the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

14.3. The trust reserves the right not to investigate complaints that have been made three months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the

complaint before this time. The trust will review the situation and decide whether or not to enact the complaints procedure.

15. Serial and Persistent Complainants

15.1. Where a complainant raises an issue that has already been dealt with via the trust's complaints policy, and that procedure has been exhausted, the complaint will not be reinvestigated except in exceptional circumstances, for example where new evidence has come to light.

15.2. The trust is committed to dealing with all complaints fairly and impartially, and in providing a high-quality service to those who complain. The trust will not normally limit the contact complainants have with the trust or an academy. 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, offensive or threatening. The DfE defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the trust or academy, hinder our consideration of their or other people's complaints'.

15.3. A complaint may be regarded as unreasonable when the person making the complaint:

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 whilst 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 complaints procedure or with good practice

Introduces trivial or irrelevant information which the complainant expects 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

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 trust's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education

Seeks an unrealistic outcome

Makes excessive demands on trust/academy time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

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

Maliciously

Aggressively

Using threats, intimidation or violence

Using abusive, offensive or discriminatory language

Knowing it to be false

Using falsified information

Publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications 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.

Whenever possible, the Head teacher or Governance Lead or other appropriate person will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head teacher/Governance Lead will write to the complainant explaining that their behaviour is unreasonable. For complainants who make excessive contact causing a significant level of disruption, the trust may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

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 trust or academy premises.

Where the trust, or academy, is the focus of a campaign involving large volumes of complaint which are all about the same subject and from complainants unconnected to the trust or academy, the trust may respond using a template response to all complainants or may publish a single response on the trust and/or academy website.

16. Training and awareness

- 16.1. The trust will ensure that all individuals involved in the management of complaints understand their responsibilities under this policy by providing appropriate training, education and guidance. The level of training and the nature of the education and guidance may vary depending upon the role as relevant to the policy.

17. Record keeping and Confidentiality

- 17.1. The trust will retain records evidencing compliance with this policy, as set out in the trust's Data Information Audit.
- 17.2. A written record will be kept in all academies of all complaints and whether they are resolved following a formal procedure or proceed to a panel hearing and action taken as a result of those complaints (regardless of whether they are upheld).
- 17.3. All complaints will be treated as confidential. Only those members of staff concerned with investigating the complaint will have access to documentation relating to the complaint. No confidential information regarding the investigation will be made available publicly. However, it should be noted that if any action taken by a member of staff is the subject of a complaint, then that person should be advised of the complaint made against them.
- 17.4. All confidential information will be securely maintained by the academy/trust on its premises and all data will be handled in line with the principles of the Data Protection Act 2018.
- 17.5. 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.

18. Approvals and Exceptions

- 18.1. Significant deviations from this policy or its associated procedures must be monitored and reported to the Governance Lead.

19. Policy Status

- 19.1. This policy does not form part of any employee's contract of employment.

20. Timing and frequency of review of the policy

- 20.1. This policy will be reviewed every two years or when relevant statutory guidance is issued.

21. Related Policies

21.1. This policy is related to the following other trust policies:

Safeguarding and Child Protection Policy

Whistleblowing Policy

GDPR Policy

GDPR Information Audit

Equality and Diversity Policy

22. Appendix 1 - Formal INMAT Complaints Form

| | |
|---|-------|
| Your name: | |
| Pupil's name if appropriate: | |
| Your relationship to the pupil: | |
| Academy Name (if applicable): | |
| Address: | |
| Email: | |
| Telephone Number: | |
| Please provide details of your complaint: | |
| | |
| What action, if any, have you already taken to try and resolve your complaint informally. (Who did you speak to and what was the response?) | |
| | |
| Why does this issue remain unresolved and what actions do you feel might resolve the problem at this stage? | |
| | |
| Are you attaching any paperwork, e.g., previous correspondence? If so, please provide details: | |
| | |
| Signature: | Date: |
| | |

Please return the completed form either:

Directly to the Academy (contact details on the Academy website) OR

By email to the Trust's Governance Team: governance@INMAT.org.uk OR

By post to INMAT Governance: INMAT, Unit 2 Swan Court, Lamport, Northants, NN6 9ER