



Policy for Complaints

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Name of Responsible Committee: Board of Trustees

Trade Union Representative Approval: NA

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Target Audience: All key stakeholders

Related Documents: Trust Funding Agreement
(ESFA) guidance on [creating a complaints procedure that complies with the above regulations](#)
(DfE) guidance on [setting up complaints procedures](#)
Section 29 of the Education Act 2002

References: Part 7 of the schedule to [The Education \(Independent School Standards\) Regulations 2014](#)

Revision History

Version	Date	Summary of Revision	Revision Author
1	July '16	Implementation	
2	Sept '17	Reviewed and recommended for approval	CJH
3	Sept '18	Reviewed: <ul style="list-style-type: none"> • GDPR updated (pg. 4) • EFA changed to ESFA (pg. 6) Recommended for approval	CJH
4	Nov '20	Pg. 4 and 5 added Changes in blue	CJH
5	March '21	Page 4 line 1; removed (SET) after Edukos Trust.	LT

Table of Contents

Policy Statement.....	4
Purpose	4
Scope.....	4
Responsibilities.....	5
Equality and Diversity	5
General principles.....	6
Timescales.....	6
Stage 1 – informal procedures	6
Stage 2 – formal complaint	7
Stage 3 (final stage) – governors’ complaints committee (panel hearing)	7
The role of the Education and Skills Funding Agency.....	8
Learning lessons	8
Persistent complaints	8
Record of Formal Complaints.....	10
Flow Chart of Timescale Responses.....	11

Policy Statement

At Edukos Trust we strive to be: **EXCEPTIONAL. TOGETHER.** Creating great schools, ensuring better lives for all who we serve through our 6 core values:

- Family and Community;
- Trustworthy;
- Inspiring;
- Unique;
- Creative;
- Aspirational.

Purpose

The trust and schools within it, work hard to provide an outstanding service and have a good relationship with children, parents and members of the local community. At the same time, it is recognised that on occasions an individual or group may have a concern or complaint against the Trust, a member of staff or a school itself. It is important that the Trust or schools do not become defensive when this happens but instead see this as an opportunity to learn.

When a concern or complaint occurs, the following principles will apply:

- Every concern or complaint is taken seriously;
- Resolution of problems will be by informal means wherever possible;
- Each complaint will be handled by the most appropriate member of staff;
- Procedures will be impartial and non-adversarial;
- Complaints will be dealt with as swiftly as possible;
- Confidentiality of correspondence, statements and records will be respected at all time, except where the Secretary of State (or someone acting on his/her behalf) requests access to them. In these circumstances legal advice will be sought in respect of third-party information and responsibilities under **GDPR**;
- A Restorative Practice approach will be taken in which all staff who deal with complaints will have had training;
- The Trust or a school will not respond if a complaint is raised again which has already been dealt with and resolved through the complaints procedure.

Scope

This policy applies to anyone connected with the school, in particular but not exclusive to parents of children at our schools and others, e.g. members of the public.

For the purposes of this policy the following definitions explain the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

Responsibilities

The **Trust Board and the CEO** are responsible for monitoring the effectiveness of this policy, ensuring that a consistent approach to Policy for Complaints is applied across the Trust.

The **Head Teachers** are responsible for ensuring that staff adhere to this policy and procedure implementing it as per the requirements set out below.

Employees are required to proactively engage with this policy, upholding the principles as described below.

Equality and Diversity

Edukos Trust is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines;
- Ensuring staff are protected from unlawful direct or indirect discrimination resulting from a protected characteristic (e.g. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).
- Delivering high quality teaching and services that meet the diverse needs of its children and its workforce, ensuring that no individual or group is disadvantaged

General principles

The trust intends to resolve complaints informally and at the earliest possible stage. There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

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

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy, therefore, procedures set out below should be followed. Our Policy for SEND and Protected Characteristics, includes information about the rights of parents of children with disabilities who believe that their school has discriminated against their child.

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

Timescales

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

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

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

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

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

Stage 1 – informal procedures

Every effort is made to resolve a concern or complaint at this stage. A phone call or a meeting with a member of staff should be sufficient to resolve most concerns. This initial response should be made within 2 working days. On occasions a senior member of staff might become involved to help resolve an issue. The complainant may wish to meet with a member the school's Senior Leadership Team to discuss their concerns. The member of staff will make clear their response to the concerns raised and may agree certain actions to help resolve the complaint. Where an approach is made directly to a member of a school's Local Governing Board, the Governor will refer the complainant to a member of a school's Senior Leadership Team.

Stage 2 – formal complaint

Where the complainant is not satisfied with the response at stage 1, they can choose to take the matter to the formal complaints stage. They should put their complaint in writing, addressed to the Head Teacher in relation to a school or CEO if in relation to the Trust. If the complaint is about the Head Teacher or CEO this should be addressed to the Chair of the Local Governing Board or Board of Trustees. The Complainant must state what they would like to see happen in order to resolve their complaint. The person responsible for assessing the complaint and deciding the outcome is the Head Teacher or CEO. Where the complaint is about the Head Teacher or CEO, the Chair of Governors or Chair of Trustees will act in this capacity. The formal complaint will be investigated and the decision conveyed in writing within 15 working days of receiving the formal complaint.

The Head Teacher, CEO, Chair of Governors, or Chair of Trustee can decide to:

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

The number and nature of formal complaints will be reported at the next full Governors' meeting via the Head Teacher's report to be included in Part B. No details of individuals will be contained in this report.

Stage 3 (final stage) – governors' complaints committee (panel hearing)

If the complainant is not satisfied with the outcome of stage 2, they can choose to take the matter to the next stage. They should request this in writing to the Chair of Governors of the individual school or the Chair of Trustees. The Chair will convene a meeting of the Governors' or Trusts' complaints panel within 15 working days of receiving this letter.

The Governors' or Trusts' complaints panel will contain 3 or 5 members and for schools, will be chaired by a member of the Board of Trustees, in the case of the Trust it will be chaired by a person independent of any school or the Trust itself. It will not contain Governors or Trustees who have had previous involvement with this complaint. It will contain 1 member who is independent of the management and running of the school i.e. another school's Head Teacher or CEO and the school's Chair of Governors.

The complainant will be invited to attend the meeting/panel hearing and may be accompanied if they wish. The complainant will be given reasonable notice of the date of the panel hearing and clear information on the process to enable them to attend will be given.

It is vital that during the meeting all parties act in a reasonable way. Any behaviour which is perceived as aggressive or threatening will not be tolerated. If a complainant behaves unacceptably they may be asked to leave the meeting.

The Governors' or Trust's complaints committee can decide to:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part

- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's or Trust's systems or procedures to ensure that issues of a similar nature do not recur

Once the Complaints Committee has reached a decision the Chair will inform all parties of the decision, in writing, within 5 working days. At this point it should be made clear that the complaints procedure has been exhausted.

The role of the Education and Skills Funding Agency

If the complainant is unsatisfied with the outcome of the complaints procedure, they can refer their complaint to the ESFA who will check whether the complaint has been dealt with properly. The ESFA will not overturn a decision about a complaint.

However, it will look into:

- Whether there was undue delay, or complaints procedure was not complied with
- Whether the funding agreement with the secretary of state was breached
- Whether compliance with any other legal obligation has failed to be followed

If the complaint was not dealt with properly, it will ask the school or trust to re-investigate 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, see the following webpage: <https://www.gov.uk/complain-about-school>

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

Learning lessons

Each school within the Trust should provide the Board of Trustees with an annual report to inform them of what has been learnt from all representations, including compliments, concerns and complaints made to their school in order to share best practice.

Persistent complaints

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of this policy
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time

- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined within) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.



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Record of Formal Complaints

Date complaint was received:		Stage of Complaint:	2 nd	3 rd
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Date of response given:		Decision (see coding below)	
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Notes about the decision

Date complaint was received:		Stage of Complaint:	2 nd	3 rd
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Date of response given:		Decision (see coding below)	
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Notes about the decision

1. Dismiss the complaint in whole or part
2. Uphold the complaint in whole or part
3. Decide on the appropriate action to be taken to resolve the complaint
4. Recommend changes to the school's systems or procedures to ensure that issues of a similar nature do not recur.

Flow Chart of Timescale Responses

