



Complaints Policy and Procedure

Approved by: Trust Board **Date:** Autumn 2023

Last reviewed on: Autumn 2023

Next review due by: Autumn 2026

Raising concerns and resolving complaints

From time to time parents, and others connected with the school will become aware of matters which cause them concern. To encourage resolution of such situations the Trust has adopted a “Complaints Procedure”.

The procedure is devised with the intention that it will:

- Usually be possible to resolve problems by informal means
- Be simple to use and understand
- Be non-adversarial
- Provide confidentiality
- Allow problems to be handled swiftly
- Address all the points at issue
- Inform future practice so that the problem is unlikely to recur.

In order to resolve any complaints in a speedy and satisfactory way, anyone wishing to make a complaint should follow this procedure. Complaints made outside of term time will be considered as having been received on the first school day after the holiday period.

- Some complaints may need to be dealt with using other procedures. These are listed under appendix A.
- A complaint may be withdrawn at any stage. Complainants will be asked to confirm withdrawal in writing.
- A log will be maintained of all stage 2 and 3 complaints. This log will state whether complaints are resolved following a formal procedure, or proceed to a panel hearing; and any action taken by the school as a result of those complaints (regardless of whether they are upheld).

a) Stage 1 – Informal - The complaint is discussed with the appropriate senior leader.

The initial communication from the complainant to the member of staff may be by letter, telephone conversation or in person by appointment, and does not need to be submitted via completion of a form. This should usually be within 3 months of the relevant incident or event occurring, but any exceptional circumstances will be taken into account when deciding whether to progress a complaint after this time.-A designated staff member will respond to the concern and advise the complainant of the outcome within 10 school working days.

If this does not lead to a resolution of the problem then the concern/complaint must be referred to the next stage of the process which is the commencement of the formal process. A request to move to the next stage of the process must be submitted within 15 school working days.

b) Stage 2 – Formal (if unresolved at Stage 1)- The complaint is heard by the Head Teacher, appropriate Central Trust Leader or CEO.

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher who will deal with it formally at Stage 2. The complainant must ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 school working days by writing to the complainant. The acknowledgement should state a further communication will follow, within 20 school days that will set out the actions taken to investigate the complaint and the findings.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

Complaints concerning the Head Teacher or CEO

Where the Head Teacher is the subject of the complaint, the complainant should be advised to address it to the Trust Leader of Governance c/o Jill Cameron, Pathways School, New Rd, Dagenham RM10 9NH or via ekoinfo@ekotrust.org.uk. An appropriate Trust Senior Leader will be appointed to investigate the complaint.

Where the CEO is the subject of the complaint, the complainant should be advised to address it to the Chair of the Trust Board c/o Joanne Hagin, Pathways School, New Rd, Dagenham RM10 9NH or via ekoinfo@ekotrust.org.uk. If the complaint is being dealt with by the Chair this will bypass Stage 2 and go to Stage 3 of the procedure.

All stage 2 complaints will be reviewed by an Executive Leader of the Eko Trust to ensure that procedures have been followed in dealing with the complaint.

The complainant must also be informed if they are still dissatisfied with the outcome they can write to the Chair of the Trust Board c/o Joanne Hagin, Pathways School, New Rd, Dagenham RM10 9NH ekoinfo@ekotrust.org.uk requesting that the complaint be heard under stage 3 of the process and outlining why they are still unhappy. A request to move to the next stage of the process must be submitted within 15 school working days.

a) Stage 3 – Formal Panel Stage (if not resolved at Stage 2)

The complaint is heard by a complaints panel selected by the Chair of the Trust Board. This is the final stage of the process.

The complaint will be acknowledged within 10 school working days. The panel must consist of at least three people and be independent and impartial. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors and be sensitive to the issues of race, gender and religious affiliation. The panel can be made up of governors from the Trust Board or from the LGB of any school within the Trust, and must include one member who is wholly independent of the management and running of the Trust. Complaints should not be shared with the whole Trust Board or Local Governing Body, except in very general terms.

The panel must convene a meeting to discuss the complaint and to review the process and paperwork relating to stages one and two of the procedure. They will then make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept. Subject to agreement by all parties, this meeting may be held virtually.

The head teacher has a statutory duty for the internal organisation and management of the school,

however, which they must carry out in accordance with any rules, regulations or policies laid down by the Trust Board. The remit of governors' consideration of a complaint about an operational matter relating to internal organisation and control will be as to whether the head teacher has followed any relevant school or Trust policies; it is not to substitute their own operational judgement for that of the head teacher.

The person chairing the meeting, will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint. The complainant may be accompanied by a friend or relative.

The panel can decide on the appropriate findings and recommendations to resolve the complaint. Possible outcomes for the Panel are:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide appropriate action to resolve the complaint
- Recommend changes to school systems or procedures to ensure that similar incidents do not occur.

Written records will be maintained of all formal complaints and their outcomes.

Findings and recommendations should be communicated in writing and include the right to complain to the ESFA should the complainant remain dissatisfied with the outcome. The findings should also be communicated with the person complained about.

A copy of those findings and recommendations will be

- (i) provided to the complainant and, where relevant, the person complained about; and
- (ii) available for inspection on the school premises by the proprietor and the head teacher;

Findings and recommendations

If appropriate, the panel will acknowledge that the complaint is upheld in whole or in part. In addition, the panel 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
- mediation.

Variations to the Complaints Procedure

There may be times when, exceptionally, a circumstance directly related to the complaint requires a variation to the published policy. Where a variation is deemed necessary this will be discussed and agreed with the CEO, COO or Chair of Trustees and the complainant provided with an explanation and the alternative process in writing. A record will be maintained of any variations to the procedure.

Complaints against the Chair, Individual Governors or the Board/Local Governing Board

Complaints of this nature should be made in writing to the Clerk to the Trust Board, who will select the most appropriate method of dealing with this complaint.

Anonymous Complaints

Anonymous complaints will not usually be considered, but the Headteacher/CEO or Chair may choose to investigate further under exceptional circumstances.

Vexatious or repeat complaints and complaint campaigns

There will be occasions where, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant, or person closely connected to the complainant, tries to reopen the same issue the Chair of the Trust Board can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. Further information can be found in the Trust's policy for managing serial complaints.

Audio and Video recording

Audio and video recording of meetings by any party will not be permitted. At no point within this process can any recordings that have been obtained without consent be used. The DfE will support schools who refuse to use any conversations obtained falsely or without the consent of all parties.

Confidentiality

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them

EKO TRUST

Stage 2 Complaint Form

Please complete and return to the Headteacher of the school who will acknowledge receipt and explain what action will be taken.

Use separate sheets for any information where necessary.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Telephone number:
e-mail:
Preferred method of contact:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?

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

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

I consent to this information being shared with relevant parties including those who are the subject of the complaint.

Signature:

Date:

OFFICE USE

Date acknowledgement sent:

By who:

Complaint referred to:

Sent to the CEO for review:

Sent to Governance Lead for the Trust Register:

Date:

EKO TRUST
Stage 3 Complaint Form

Please complete and send to the Chair of the Trust Board via email % ekoinfo@ekotrust.org.uk or % Jo Hagin, Pathways School, 40, Thames Road, IG11 OHZ who will acknowledge receipt and explain what action will be taken.

Use separate sheets for any information where necessary.

Your name:
Name of School that the complaint relates to:
Date(s) that the complaint was dealt with at stage 2 of the Eko Trust Complaints Procedure:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Telephone number:
e-mail:
Preferred method of contact:

Please give details of why you are dissatisfied with the outcome of the complaint at Stage 2 of the procedure and what action(s) might resolve the complaint.

Is there any additional information or paperwork relating to the complaint that was not submitted at stage 2?

I consent to this information being shared with relevant parties including those who are the subject of the complaint.

Signature:

Date:

OFFICE USE

Date acknowledgement sent:

Sent to Governance Lead for the Trust Register:

Chair notified of Complaint:

Action to be taken:

APPENDIX A

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the Eko 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 <insert local authority details></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). <insert LADO/MASH details>.</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 policy can be made through the school's complaints procedure. <link to school behaviour policy>.</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> <p>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.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

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 school 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.