



COMPLAINTS PROCEDURE

Endeavour Learning Trust

COMPLAINTS PROCEDURE
ENDEAVOUR LEARNING TRUST

Wellfield Academy has adopted this policy as a partner school of ELT; references to ELT Staff, Trustees and LAC Councillors will apply to Wellfield Staff, Chair and Governing Board as appropriate.

1. INTRODUCTION

Endeavour Learning Trust (the Trust) acknowledges there may be occasions when parents/carers, students or members of the public wish to raise a concern or complaint about the Trust, its establishments, or the provision of facilities or services it supplies. The Trust takes all concerns and complaints raised seriously and is committed to resolving matters positively for all parties.

All academies and trusts are required to establish a complaints procedure and to publicise that procedure. Thus, a copy of this full procedure is available on the academy website and in the school/Trust office.

The intention of this procedure is to provide a clear, fair and transparent process that will enable all complaints to be dealt with as quickly and efficiently as possible. It allows for a complaint to be made and considered initially on an informal basis. The length of time that this takes will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, all complaints should be settled within a period which is reasonable in the circumstances and this procedure aims to set out clear timescales for the management of a complaint.

The procedure takes into account the principles laid down in the DfE guidance on school/Trust complaints procedures. In addition, all academies are required to have procedures which meet certain requirements of Schedule Part 7 of the [Education \(Independent School Standards\)\(England\) Regulations 2014](#).

2. SCOPE OF THE PROCEDURE

This complaints procedure is not limited to parents or carers of children that are registered at one of the Trust's schools. Any person or external parties, including members of the public, may make a complaint to the Trust about any provision of facilities or services the Trust directly supplies. This procedure will be used unless complaints have an alternative statutory procedure of appeal or complaint (e.g. admissions, exclusions). In accordance with equality law, the Trust will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure (e.g. alternative formats, accessible location of meetings).

The Trust will not normally investigate anonymous complaints. However, the CEO, if appropriate, will determine whether the complaint warrants an investigation.

3. GENERAL PRINCIPLES

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of the complainant, as long as they have consent to do so.

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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' may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action' (DfE Model Complaint Procedure March 2021).

With respect to timelines, all references to school/Trust days refer to days on which the relevant academy is open to students. The Trust will consider complaints made outside of term time to have been received on the first school day after the holiday period. Where the timescales within this procedure cannot be adhered to, the complainant will be informed as to why this is the case and give a revised timescale for dealing with the complaint.

Complaints 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. Only in exceptional circumstances will complaints outside this timeframe be considered.

All complaints will be dealt with in a confidential, transparent way and as quickly as is reasonably practicable. Complainants will be kept informed during the investigation of their complaint and of the outcome. Every effort will be made to resolve complaints in a non-confrontational and informal way.

Complaints against staff should be addressed to the relevant individual in the school/Trust, and if written, marked private and confidential. If the complaint concerns staff conduct that results in separate internal staff disciplinary procedures, the complainant will not be informed of any action taken but will be notified the matter is being addressed.

At any stage of the complaints procedure it is expected that the complainant will behave in a reasonable and confidential manner. If at any stage this is not adhered to the Trust reserves the right to stop proceedings. This includes an expectation the complainant will not discuss complaint publicly at any stage (e.g. via social media). In situations such as these the complaint may subsequently be deemed as vexatious (see section 5).

The Trust accepts its responsibility to ensure that staff who are likely to be involved in the handling of a complaint are suitably equipped to do so. The suitability of the staff is at the discretion of the Trust and the Head¹.

Correspondence, statements, CCTV recordings, social media, pupil and staff reports and records relating to individual complaints are kept confidential, except where the Secretary of State (or someone acting on his/her behalf) requests access to them.

¹ Head refers to the Academy Headteacher or Head of School

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4. RESOLVING COMPLAINTS

At each stage in the procedure the school/Trust will consider the ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school/Trust policies in light of the complaint.

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school/Trust could have handled the situation better is not the same as an admission of negligence.

5. SERIAL AND PERSISTENT COMPLAINTS

On very rare occasions complaints are made that are vexatious, in that an individual persists unreasonably with their complaints or makes complaints in order to make difficulties for the school/Trust rather than genuinely to resolve a concern. This may include making serial complaints about different matters, inappropriate use of social media, breaches in confidentiality, or continuing to raise the same or similar matters repeatedly. The frequency of contact with the school/Trust in such situations may hinder the consideration of the complaint and impede the ability of the Head/CEO and school/Trust to meet the needs of all pupils equitably.

Where the Head, in consultation with an executive leader² judges this to be the case they will seek further advice.

Where a complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure the CEO has the right to inform them that the procedure has been exhausted and the matter is closed.

6. STAGES OF THE PROCEDURE

Many concerns and minor complaints can be resolved quickly and informally. There are numerous occasions where issues are resolved immediately through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances every effort will be made by the school/Trust to have a full initial discussion with the complainant before moving onto the next stages of this procedure.

² Executive Leaders include the nominated Executive Headteacher, Deputy CEO or CEO as appropriate.

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Informal Stage

If the concern/complaint is not resolved through an initial discussion, the complainant should contact the Head/CEO³. If the complaint directly concerns the Head or the wider Trust (outside the individual academy/school/Trust), then the complainant should contact the relevant individual as detailed below to review the informal complaint. Any complaints received centrally will be signposted to relevant individual as appropriate.

The relevant individual, will meet with the complainant to discuss their concerns within ten (10) school days of receiving the complaint. Where necessary, a full investigation into the issues raised will be undertaken. At the end of the meeting all parties should agree on the status of the complaint and any actions going forward. This will be recorded by a note taker. Where the complainant is dissatisfied with this response, the complaint should move to the next stage of the procedure (formal investigation). It should be made clear to the complainant at this stage that the option to take the complaint further is available to them as long as this is done in writing within ten (10) school days of the informal meeting.

| Complaint About | Informal Stage – Meeting (relevant individual) | Formal Stage - Investigation (investigating officer) |
|--------------------------------------|---|---|
| School Staff | Head / nominated senior leader | LAC Chair |
| Head of School Headteacher | Executive Headteacher | LAC Chair |
| Headteacher Executive Headteacher | CEO / Deputy CEO | LAC Chair |
| Central Team Staff | Senior Line Manager | CEO/Executive Lead |
| Service/Facility | Responsible Officer | CEO/Executive Lead |
| Executive Lead | CEO / Deputy CEO | Chair of Trustees |
| CEO | Chair of Trustees | Another Trustee (e.g. Vice Chair) |

Any complaints about individual members of the Local Academy Councils or Trust Board should be directed initially to the Governance Professional (Clerk), Mrs C White at c.white@endeavourlearning.org, who will make the relevant arrangements for the complaint to be heard. In the case of a complaint against the whole Trust Board, the Governance Professional will seek independent legal advice and liaise with the complainant accordingly.

| Complaint About | Informal Stage (relevant individual) | Formal Stage (Investigation) (investigating officer) |
|------------------------|---|---|
| LAC Councillor(s) | LAC Chair | Trustee |
| LAC Chair | Trustee | Chair of Trustees |
| Trustee (s) | Chair of Trustees | Another Trustee (e.g. Vice Chair) |

³ Dependant upon whether the complaint is at school level or concerning a matter directly in the central Trust.

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Formal Stage

If the complaint cannot satisfactorily be resolved informally, the complainant should put their complaint in writing by letter to the relevant individual (Investigating Officer) at this stage within ten (10) school days of the informal meeting.

The Investigating Officer will offer to meet with the complainant to discuss their concerns within twenty (20) school days of receiving the complaint, or as soon as is reasonably practicable after this. The Investigating Officer will review any investigation undertaken at the informal stage and conduct their own enquiries. As part of this process, the Investigating Officer will consult the Governance Professional (Clerk) to ensure standardisation across the Trust. The Investigating Officer may then confirm the decision made at the informal stage or reach a different decision.

The Investigating Officer will communicate his/her response in writing to the complainant as soon as possible but, in any case, within thirty (30) school days of receiving the written complaint. Where the complainant is dissatisfied with this response the complaint should move to the next stage of the procedure, the appeal stage.

Appeal Stage

If the complainant wishes to appeal against the decision made at the formal stage they must indicate their intention to do so within twenty (20) school days of receipt of the outcome of the formal stage. The complainant should do this by sending a written appeal to the person (Investigating Officer) who conducted the investigation into the formal part of the procedure, either by letter or email. This should state the original complaint and the reasons for on-going dissatisfaction.

A complaints appeal panel will be convened, consisting of three Trustees or members of any Local Academy Council (LAC) within the Trust who have had no direct involvement in consideration of the complaint. This will include one panel member who is independent of the management and running of the school from which the complaint originated (e.g. a LAC Councillor from another Academy in the Trust). Where the complainant is a parent, the Trust will try to include a parent LAC Councillor on the panel. The appeal panel will be held with the aim of seeking reconciliation and to put right things that may have gone wrong.

At this appeal panel the complainant will have the right to be accompanied. The person accompanying the complainant should not contribute and cannot be called as a witness. If the person accompanying the complainant is attending in order to represent the complainant, then the complainant themselves should not speak.

The appeal panel should take place as soon as possible, but in any case, a date should be set and communicated to the complainant within twenty (20) school days of receipt of the appeal request. The panel's findings and recommendations will be communicated in writing to the complainant as soon as possible but, in any case, within five (5) school days of the meeting. The complainant will have no further right to appeal this decision. Where appropriate/relevant, the findings and recommendations will also be provided to the person

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complained about and will be made available for inspection on the school/Trust premises by the Trust Board and/or the Head.

7. ESCALATION TO ESFA/OIA/OFSTED

If a complainant believes that Endeavour Learning Trust has acted unreasonably s/he can escalate the complaint if all stages of the Trust's complaint procedure has been exhausted.

All the organisations below will expect the complainant to have first exhausted the Trust's complaint procedure.

In the case of its academies (schools), complaints can be raised with Education and Skills Funding Agency (ESFA) via the DfE's online [enquiry form](#). For further information please see their ESFA's [website](#). Written complaints should be sent to: ESFA – Academies Complaint and Customer Insight Unit, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.

In the case of SCITT provision, complaints can be escalated to the Office of the Independent Adjudicator (OIA). Complaints to the OIA should be submitted via the [OIA complaint form](#).

In extreme circumstances Ofsted has powers to investigate certain types of complaints from parents to help them to decide whether to inspect a school. Complaints to Ofsted need to refer to their [guidance](#) and [online form](#).

8. MONITORING OF COMPLAINTS

The Local Academy Council will ensure that they report at least annually in writing all complaints and the way in which they are resolved. This will include complaints resolved following a formal procedure and those which proceed to a panel hearing. This report will also include the actions taken by the school as a result of the complaints, whether or not the complaint was upheld. Any complaints reaching the formal stages will be reported on an annual basis to ensure consistency in the application of the Trust's complaint's procedure and to identify any patterns or areas for development. Similarly, any Trust level complaints will be reported to the Trust Board.

9. DOCUMENT CONTROL / REVIEW OF PROCEDURE

This document has been approved for operation within all Trust establishments.

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| Date Effective from | 1 st April 2023 |
| Date of Next Review | Spring 2025 |
| Review Period | Two years |
| Policy Status | Statutory – Whole Trust |
| Owner / Approved | Trust Board – 30 th March 2023 |
| Operational Lead | Senior Executive Team |
| Key Amendments | Extensive review and update of procedure Addition of complaints form (appendix) |

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APPENDIX A: Complaint Reporting Form

Complaint Form

Please complete (in BLOCK CAPITALS) and return to Head or Clerk who will acknowledge receipt and explain what action will be taken.

| |
|--|
| Your name: |
| Pupil's name (if relevant): |
| Your relationship to the pupil (if relevant): |
| Complainant Address: Postcode: Day time telephone number: Evening telephone number: Email address: |
| Please give full details of your complaint, including whether you have spoken to anybody at the school/Trust about it and any actions you have taken to try and resolve the complaint. (Please provide as much detail as possible, including dates and times of events, potential witnesses. You may also attach any relevant documents). |

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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 who:

Complaint referred to:

Action taken:

Date: