



Complaints Policy

Formally adopted by the Trust	
On:-	May 2022
Chair of Trustees:-	Drew Whitehead
Last updated:-	May 2022

Introduction

Evolution Academy Trust is accountable for all policies across its Schools.

This policy sets out the complaints procedure for parents and carers in all schools. The policy aims to resolve concerns swiftly and at the earliest opportunity possible. All complaints will be treated as opportunities to learn and improve our educational and welfare objectives. Specifically, this policy aims to:

1. Be accessible and easy to use.
2. Resolve complaints informally in most cases.
3. Addresses issues in a professional manner.
4. Treats parents and any person being complained about in a fair and respectful manner.
5. Encourages clear communication between schools and parents/carers.
6. Provides opportunities for improvements and issues to be resolved.

Scope of this policy and accessibility

There are some complaints which this policy would not be used for, due to other established approaches and procedures – these include:

- Child protection and allegations of abuse
- Admissions
- Statutory assessments for children with Special Educational Needs
- Whistleblowing
- Exclusions
- Staff grievances
- Staff conduct
- Complaints about Evolution Academy Trust central staff.

Any concern or complaint regarding the above issues should be directed to the appropriate policy. If there are concerns regarding a member of the central Trust staff, this should in the first instance be put in writing and sent to the Chief Executive Officer. If the concern is regarding the Chief Executive Officer, then concerns in writing must be sent to the Chair of Trustees.

This policy must be fully accessible to all parents/carers (on our website) and if further support, translation or guidance is required – please email enquiries@evolutionacademytrust.org.uk

Confidentiality and timing

Complaints will be kept as confidential as possible and following our normal data protection requirements. This ensures that 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. It is also anticipated that complaints will be considered and resolved as quickly and efficiently as possible. Where timescales are not likely

to be met, investigators must communicate the reasons for this and additional timeframes to ensure expectations are clear for all parties.

Any complaints relating to a matter must be raised within 3 months. Only in exceptional circumstances, will matters be investigated beyond this time frame.

Vexatious and anonymous complaints

We expect anyone who wishes to raise concerns to:

- Treat all members of EAT and the school community with courtesy and respect
- Avoid the use of violence, or threats of violence, towards people or property
- Allow us a reasonable time to respond to a complaint and follow the complaints procedure
- Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of EAT or the school community.

It is not appropriate for anyone to make personal attacks or accusations on members of staff across Evolution academy Trust. We also do not tolerate complaints intended to cause personal distress due to their frequency or nature of contacts. It is also not appropriate to raise matters which do not directly relate to children's well-being and education. It is expected that all parents/carers would behave reasonably in all circumstances and would engage with the school to resolve matters.

There is no requirement for complaints of an anonymous nature to be addressed under this policy. However, if such complaints imply a serious matter then at the discretion of the Headteacher for school issues, or CEO for other matters, this may result in a process to ascertain and check further facts. The Whistleblowing policy may provide opportunities for concerns to be raised where the person raising concerns wishes to protect their identity, but raise serious concerns.

Pre- informal stage

Staff across Evolution Academy Trust have high expectations of their own conduct and ambitions for our children. They strive to work professionally, developmentally and in partnership with parents. We therefore ask that in the first instance of a concern of any type, that you let us know in person, over the phone, or in an email and we will aim to resolve as soon as possible. This is the quickest and most efficient way to address any problem. We strive to strengthen our partnerships with parents and welcome feedback of all types. Where we get things wrong, we will be happy to apologise and to rectify the situation speedily. These meetings and conversations will not always require any written resolutions.

Informal stage (Stage 1)

If after a concern has been raised, parents/carers feel that this has not been fully addressed, is repeated or still not satisfied – then this stage would be the next steps:

- It is anticipated that the majority of complaints will be addressed informally with no further need to progress.
- The informal stage involving the complainant and staff involved with the issues raised, should not be avoided.
- In addition to the issues raised, the parent/carer must also be clear on the outcome desired and share this with the relevant staff.
- In the first instance, the complainant should be able to raise their concern with an appropriate staff member, or their line-manager in some cases.
- The staff member dealing with the complaint should aim to resolve any concerns swiftly and to communicate these to the complainant in person where possible, **and in writing**.
- A copy of this policy should also be sent with the letter, alongside informing the parents/carer that is not satisfied with the outcome at this stage, they may consider putting a formal complaint in writing – within ten working days.
- Time-scales may vary if other policies are also involved, such as safeguarding matters which require investigation.

Formal Stage (Stage 2)

A formal complaint must be made within three months of an incident and within ten working days of receiving the summary letter from Stage 1 above. In addition:

- A formal complaint must be in writing using Appendix A in this document.
- The complainant must also include the summary letter from Stage 1 above.
- The complaint must be lodged with the Headteacher, unless they are subject to the complaint, in which case, this should be lodged with the Director of Education.

Process and outcome

- The Headteacher or Director of Education will acknowledge the complaint within five working days and outline the next steps. In some instances, the Headteacher or Director of Education may deem it suitable to delegate the investigation to a senior member of staff or governor.
- A meeting will be arranged (in person or by phone) to meet the complainant and to establish the facts.
- The member of staff investigating the matter may also need to speak to other staff/parents/children as required, or to ascertain other facts.
- Additional clarity on the issue will be explored, to further understand the outcome desired from the complainant, in order to reach a resolution.

It is essential that all parties consider ways in which the complaint can be resolved. This may include:

- An explanation.
- Admission that a situation could have been handled differently.
- An apology.
- Outline of steps made to prevent the situation happening again.
- A further review of procedures.

At the conclusion of their investigation, the headteacher/Director of Education will provide a formal written response within ten working days of the date of receipt of the complaint. If the headteacher/Director of Education is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The written response will include details of the meeting, facts summarising key issues and outcomes from the process. This letter will outline the complaint panel procedure, should the complainant not feel satisfied with the outcome above, or believe the correct process not to have been followed. This must be within ten working days and if no communication is received in this time, then it will be deemed that the complaint has been resolved. Schools and/or the central team will maintain records of all complaints which reach Stage 2.

Complaints appeal panel (Stage 3)

If a complainant feels that after the above stages, the matter has either not been dealt with, or the issues remain unresolved, then a letter or email to the CEO outlining the concerns and previous responses/letters from those who have investigated the complaint is required - ceo@evolutionacademytrust.org.uk

- Stage 3 complaints will be acknowledged within five working days and the panel hearing will take place within 20 working days.
- The Complaints panel consists of the CEO and 2 other people not involved in any other stages or the management of the school.
- The complainant will be invited to a hearing to outline their concerns, and they will also be invited to bring a companion if needed.
- Five days notice will normally be provided and any documentation will be submitted in advance of the hearing.
- The member of staff investigating at Stage 2 will also be invited to the meeting.
- The Chair of the Panel (CEO) may conclude from hearing all parties that the complaint may be dismissed (whole or part), to uphold the complaint, to take further actions to resolve the complaint or suggest changes to school systems or procedures,
- The Chair (CEO) will also send a written response to the parent/carer, summarising the process, key facts and recommendations.
- If the complaint concerns the CEO or a Trustee, the complaint should be investigated by a Trustee or Chair of the Trust Board. If a formal complaint form is received about the CEO, the complaint will be referred to Trustees

If the complainant believes after completion of Stage 3 that the Complaint Appeal Panel did not handle their complaint in accordance with the published complaint procedures or they acted unlawfully or unreasonably in the exercise of their duty under education law they can contact the ESFA. The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the school or trust. They will consider whether the school/trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014. The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contact or by telephone on: 0370 000 2288

Complaint Form (Stage 2)

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
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: