

## Complaints Policy and Procedures

Based on Complaints Policy for Academies produced by [www.gov.uk](http://www.gov.uk)

### Who can make a complaint?

This complaints procedure is not limited to schools, parents or carers of children that have worked with Exciting Education. Any person, including members of the public, may make a complaint to Exciting Education about any provision of facilities or services that we provide. If this happens, we will use this complaints procedure.

### The difference between a concern and a complaint

A concern may be 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'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Exciting Education takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of our team, we will respect your views. In these cases, **we** will refer you to another senior team member. Similarly, if the member of our team directly involved feels unable to deal with a concern, **we** will refer you to another senior team member. The team member may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Exciting Education will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### How to raise a concern or make a complaint

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 on a complainant, as long as they have

appropriate consent to do so.

Complaints against Exciting Education team members should be made in the first instance, to Christiaan Stirling, via email using [chris@excitingeducation.co.uk](mailto:chris@excitingeducation.co.uk). Please mark the email as Private and Confidential.

Complaints that are about Christiaan should be addressed to Abby Turton (the CEO of the Emotional Logic Centre), via email using the following email [abby.turton@emotionallogiccentre.org.uk](mailto:abby.turton@emotionallogiccentre.org.uk). Please mark the email as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact us. You can also ask a third-party organisation for example like Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, Christiaan, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

### **Complaints received outside of term time**

We are often closed during school holidays so we will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Scope of this complaints procedure**

This procedure covers all complaints about any provision of community facilities or services by Exciting Education.

If other bodies are investigating aspects of the complaint, for example the police, local

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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 this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against Exciting Education in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, Exciting Education wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we 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 our policies in light of the complaint
- an apology.

### **Withdrawal of a complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Stage 1 – Informal complaints**

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns should initially be raised with the member of our team who you are dealing with. If the issue remains unresolved, the next step is to make a formal complaint.

### **Stage 2 – Formal complaints**

Formal complaints must be made to Christiaan Stirling, via email using [chris@excitingeducation.co.uk](mailto:chris@excitingeducation.co.uk) (unless they are about him). This may be done in person or in writing (preferably on the Complaint Form).

Christiaan will record the date the complaint is received and will acknowledge receipt of

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the complaint by email) within five working days.

Within this response, Christiaan will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. Christiaan can consider whether a face to face meeting is the most appropriate way of doing this.

During the investigation, Christiaan Stirling (or delegated investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, Christiaan will provide a formal written response within ten working days of the date of receipt of the complaint.

If Christiaan is unable to meet this deadline, he will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Exciting Education will take to resolve the complaint.

There is no higher appeal process than Stage 2 and the decisions made at this stage are final.

## Complaint Form

Please complete and return to Christiaan Stirling using [chris@excitingeducation.co.uk](mailto:chris@excitingeducation.co.uk) who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil or child's name (if relevant):</b>
<b>Your relationship to the pupil or child:</b>
<b>Your address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b> <b>Email address:</b>

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**Please give details of your complaint, including whether you have spoken to anybody else 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:**

**Official use**

**Date acknowledgement sent:**

**By who:**

<b>Complaint referred to:</b>
<b>Action taken:</b>
<b>Date:</b>

## Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the Exciting Education in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### Investigator (usually the CEO)

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the [www.excitingeducation.co.uk](http://www.excitingeducation.co.uk)

- complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The CEO will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### **Complaints Co-ordinator**

*(This could be the CEO / designated complaints team member providing administrative support)*

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, head teacher, Chair of Governors or the Clerk and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information

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- additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records
- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.