Every Child Matters Academy Trust

Complaints Policy

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Approved by Chair of Trustees	Signature	Name
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1. Complaints Policy Summary

1. Aims & Principles

General Purpose of the Complaints Procedure:

This complaints procedure is intended to provide a clear and accessible process for raising concerns or complaints relating to Every Child Matters Academy Trust (the Trust), any of its schools, or the services they provide.

Principles Underpinning the Procedure:

The procedure operates on a staged approach, allowing concerns to be addressed progressively. The Trust expects that the majority of complaints will be resolved at Stage 1 or Stage 2.

All parties are expected to communicate in a respectful and appropriate manner at all times. The Trust reserves the right to manage unreasonably persistent or inappropriate behaviour in line with relevant guidance.

To enable a proper investigation, concerns or complaints should be raised as soon as possible. In general, matters raised more than three months after the event will not be considered, unless there are exceptional circumstances.

Anonymous complaints will not normally be investigated unless there are exceptional reasons for doing so.

If a complaint is considered to be vexatious, without sufficient grounds, previously investigated in full, or already closed, the Headteacher or Chair of Governors/Trustees (as appropriate) may decline to consider it further and will explain this decision in writing.

Where it becomes necessary to amend the timescales set out in this procedure, the complainant will be informed and provided with revised timescales and an explanation.

A written record will be kept of all complaints, including the stage at which they are resolved. Records will be handled confidentially and retained for 12 months after the conclusion of the complaints process, unless required for legal or inspection purposes.

For the purposes of this procedure, "school days" are days when the school is open to pupils and exclude weekends, bank holidays, and school holidays.

Aims of the Complaints Procedure:

- To ensure that all complaints are handled through the correct and appropriate process
- To deal with complaints thoroughly, fairly, and within published timescales
- To promote openness, honesty, and transparency when responding to complainants
- To resolve concerns promptly and at the earliest possible stage

The procedure is primarily for:

- Parents and carers of pupils attending a Trust school at the time the complaint is made
- Individuals who are accessing Trust services at the time the complaint is made.

The Trust will usually also apply this procedure to complaints from other individuals. However, it reserves the right to apply an alternative process where this is more appropriate. In such cases, complainants will be informed of the procedure that will be used as soon as possible after the complaint is received.

Matters Outside the Scope of This Procedure:

This procedure does not apply to concerns or complaints relating to the following, which are dealt with under separate statutory or Trust policies:

- Admissions
- Exclusions
- Services provided directly by external providers (including the Local Authority) over which the Trust or school has no direct control
- Complaints about services delivered by external organisations using Trust or school premises
- Whistleblowing
- Staff grievances or disciplinary matters

In these cases, complainants will be directed to the appropriate procedure.

2. Complaints Procedure

Stage 1 – Informal Complaints

Purpose:

The purpose of Stage 1 is to resolve concerns promptly, constructively, and informally at the earliest appropriate stage. This approach supports effective communication between the school and the complainant and seeks to prevent issues from escalating unnecessarily.

Responsibility for Managing Informal Concerns:

Informal concerns will normally be considered by the most appropriate member of staff, which may include:

- The pupil's Class Teacher
- Another relevant member of staff directly involved in the matter raised

Where appropriate, or where the concern cannot be resolved by the initial member of staff, the matter may be referred to the Headteacher for consideration.

How Concerns May Be Raised:

Concerns at this stage may be raised verbally or in writing, including:

- In person
- By telephone
- By email or letter

The school encourages concerns to be raised as soon as practicable to enable a timely and effective response.

Process:

The concern will be listened to carefully and considered objectively.

The member of staff will seek to clarify the nature of the concern and explore appropriate steps to resolve it.

Advice may be sought from colleagues or senior leaders where necessary.

The outcome will normally be communicated verbally, although a written response may be provided where appropriate.

Timescales:

Acknowledgement: within 5 school days

Response or resolution: within 10 school days

Where it is not possible to provide a full response within these timescales, the complainant will be informed of the reason for the delay and advised of revised timescales.

Outcome:

If the concern is resolved at this stage, no further action will be taken.

If the complainant remains dissatisfied with the outcome, they may request that the matter be considered as a formal complaint at Stage 2 of this procedure.

<u>Stage 2 – Formal Complaints</u>

Purpose:

The purpose of Stage 2 is to provide a structured and thorough investigation of a complaint that has not been resolved at Stage 1. This stage ensures that the complaint is considered formally, impartially, and in accordance with the Trust's procedures.

Responsibility for Managing Formal Complaints:

Responsibility for managing a Stage 2 formal complaint rests with:

- The Headteacher, and/or
- The Chair of the Local Governing Body (LGB) or a nominated governor

The following arrangements apply in specific circumstances:

- Where the complaint is about the Headteacher, it will be considered by the Governing Body
- Where the complaint is about a governor, it will be considered by the Chair of Governors
- Where the complaint is about the Chair of Governors, the complaint will be escalated directly to Stage 3 of this procedure
- Any individual considering the complaint must not have had prior involvement in the matter wherever possible.

How to Make a Formal Complaint:

To progress to Stage 2, the complainant must submit their complaint in writing (by letter or email). The complaint should include:

- A clear statement of the nature of the complaint
- Relevant dates, events, and supporting details
- A summary of actions taken and outcomes at Stage 1
- The outcome or resolution being sought

The school or Trust may request clarification or additional information where necessary to enable a full and fair investigation.

Timescale for Submitting a Formal Complaint:

Formal complaints must be submitted either:

- Within three months of the incident or issue giving rise to the complaint, or
- Within 10 school days of receipt of the Stage 1 response, where the matter has progressed through Stage 1.

Complaints submitted outside these timescales may not be considered unless the school or Trust determines that there are exceptional circumstances which justify an extension.

Process:

The complaint will be acknowledged in writing.

An investigation will be undertaken by the Headteacher and/or Governing Body, which may include:

- Reviewing relevant documentation and records
- Speaking with members of staff, pupils, or other individuals as appropriate
- Meeting with the complainant to clarify issues or explore resolution

The investigation will be conducted objectively and proportionately, taking account of all relevant evidence.

On completion of the investigation, a written response will be issued to the complainant, setting out:

- The findings of the investigation
- Any actions taken or proposed as a result
- Whether each point of the complaint is upheld, partially upheld, or not upheld

Response Timescales:

Acknowledgement: within 5 school days

Offer of a meeting: within 10 school days of the acknowledgment

Written response: within 15 school days of the meeting

Where it is not possible to comply with these timescales, including where a more detailed investigation is required, the complainant will be informed in writing of the reasons for the delay and provided with revised timescales.

***Outcome*:**

If the complainant remains dissatisfied with the outcome at Stage 2, they may request that the complaint is considered at Stage 3 – Appeal, in accordance with this procedure.

Stage 3 – Review of Complaint by the Governing Body or Trust

Purpose:

Stage 3 provides an independent review of the complaint when the complainant is not satisfied with the outcome at Stage 2. This stage ensures that a senior, impartial member of governance or Trust leadership formally considers the complaint before it progresses to a panel appeal.

Responsibility for Reviewing the Complaint:

The review will be conducted by one of the following (as deemed most appropriate by the Trust):

- A member of the Governing Body
- A Trust Board member
- A member of the Trust Leadership Team

The individual conducting the review will have had no prior involvement in the investigation or decision at Stage 2.

Exclusions:

If the complaint concerns a governor, the individual conducting the review will not be a member of the governing body.

How to Request a Review:

The complainant must submit a written request for a review within 10 school days of receiving the Stage 2 response. The request should include;

- Reasons why the Stage 2 outcome is considered unsatisfactory
- Any new evidence or relevant information not previously submitted

The request should be submitted to Enquiries@ecmtrust.co.uk, with the subject heading 'Stage 3 Complaint. Receipt of requests will be acknowledged within 5 school days.

Process:

The reviewer will examine all documentation relating to the complaint, including Stage 1 and Stage 2 records.

They may seek additional information from relevant staff or the complainant to clarify the matter.

A written decision will be issued to the complainant, which will include:

- Findings of the review
- Any action or recommendations arising from the review
- Confirmation of the next stage (Stage 4 – Appeal) if the complainant remains dissatisfied

Timescales:

Acknowledgement: within 5 school days of receipt of the review request

Written decision: within 20 school days of receipt

If these timescales cannot be met, the complainant will be informed of the delay and provided with revised timescales.

Outcome:

The review may:

- Uphold the Stage 2 decision
- Partially uphold the complaint
- Recommend further action or escalation to Stage 4

The outcome will be communicated in writing, and the complainant will be advised of their right to progress to Stage 4 – Appeal if they remain dissatisfied.

Stage 4 - Appeal to a Complaints Panel

Purpose:

Stage 4 provides a final, independent review of the complaint through a Complaints Panel, ensuring impartiality and fairness. This is the last stage of the complaints procedure within the Trust.

Responsibility for Managing Appeals:

Stage 4 appeals are considered by a Complaints Appeal Panel, which will:

- Consist of at least 3 members
- Include only individuals who have had no prior involvement in the complaint or its investigation
- Panel members will be drawn from the Governing Body, the Trust Leadership Team, or the Trust Board, as deemed most appropriate by the Trust when reviewing the complaint.

Complainants have the option to request an independent panel member. This person will be independent of the day-to-day running of the school involved in the complaint and will be identified by the Trust.

Where the complaint concerns a governor, the Chair of Governors will not be a panel member.

In cases where the complaint concerns the Headteacher, the panel will be composed entirely of governors, trustees, or members of the Trust Leadership Team who were not involved in the Stage 2 investigation.

The Clerk to the Governing Body or Trust Board, or nominated deputy, will attend the panel hearing in order to keep a record of proceedings.

How to Request an Appeal:

The complainant must submit a written appeal request by email to Enquiries@ecmtrust.co.uk within 10 school days of the Stage 3 decision. The request should state:

- The grounds for appeal
- Why the complainant believes the previous outcomes were incorrect, unreasonable, or procedurally flawed
- Any additional evidence not previously submitted

Receipt of the appeal request will be acknowledged within 5 school days.

Process:

A date for the hearing is arranged, all parties are provided with copies of relevant documents.

The complainant will be invited to attend the hearing and may be accompanied by a friend or supporter (not legal representation, except in exceptional circumstances).

The panel will hear submissions from the complainant and the school/Trust representative, ask questions, and review all evidence.

The panel will deliberate in private and reach a final decision.

Timescales:

Hearing scheduled: within 20 school days of receipt of appeal request

Written decision: within 10 school days of the hearing

If these timescales cannot be met, the complainant will be informed and provided with revised deadlines.

Outcome

The panel may:

- Uphold the previous decision
- Partially uphold the complaint
- Recommend further action

The panel's decision is final within the Trust. Written confirmation of the decision will be sent to the complainant, and records will be retained in accordance with the Trust's data retention policy.

3. Use of Artificial Intelligence

The Trust recognises that some complainants may use Artificial Intelligence (AI) tools to help draft concerns or complaints. Whilst this can be helpful, concerns or complaints generated in this way may sometimes be overly detailed, include incorrect references to legislation, or lack a clear explanation of how the issues relate specifically to the concern or complaint being raised.

To ensure that concerns or complaints can be considered fairly and efficiently, the school or Trust may ask complainants to clarify or re-present their concern or complaint where the use of AI is suspected. This may include asking the complainant to:

- Clearly separate the concern or complaint into individual points.
- Explain how any referenced legislation applies to their specific concern or complaint.
- Use clear and concise language.
- Provide relevant, dated evidence rather than general statements.
- Outline, where appropriate, the outcome they are seeking.

This approach will help the school or Trust to understand and address the complainant's concern or complaint in a timely manner.

4. Referral to the EFSA

If the complainant believes the Trust has:

- Failed to follow its complaints procedure, or
- Acted unlawfully or unreasonably

They may refer the complaint to the Education and Skills Funding Agency (ESFA).

The ESFA will consider whether the Trust has complied with its procedures and legal duties but will not reinvestigate the complaint.

Complaints forms are available at: www.gov.uk/complain-about-school/state-school

5. Vexatious or Persistent Complaints

There are rare circumstances in which the Trust may deviate from the standard Complaints Procedure outlined in Part 2. This may occur where a complainant demonstrates unacceptable or unreasonable behaviour that hinders the proper consideration of complaints or the day-to-day operation of the school or Trust.

Such circumstances include, but are not limited to:

- Behaviour towards staff, governors, or trustees that is abusive, offensive, threatening, or otherwise unacceptable.
- Frequent or repetitive contact with the school or Trust that interferes with the consideration of their own or others' complaints, or disrupts the proper functioning of the school or Trust.
- Complaints that are vexatious, or have patently insufficient grounds.
- Complaints that are repeated, substantially similar, or based on the same facts as a complaint which has already been fully considered.

Possible Actions:

In these circumstances, the Trust may take one or more of the following actions:

- Notify the complainant that their behaviour is unacceptable or unreasonably persistent and request that it cease.
- Restrict the complainant's access to the school or Trust, for example by:
  - Requesting that communication is conducted in a particular form (e.g., letters only)
  - Requiring contact to take place with a named member of staff only
  - Limiting telephone calls to specified days or times
  - Restricting or banning access to school or Trust premises
- Conduct a Review Panel on written evidence only, without holding a hearing.
- Decline to consider the complaint under the standard procedure and, where appropriate, refer the matter directly to Stage 4 (Appeal).

In all cases, the complainant will be informed in writing of:

- Why the behaviour is considered unacceptable or unreasonably persistent
- The action being taken in response
- The duration of any restrictions or measures imposed

Extreme Cases:

Where a complainant's behaviour is so extreme that it poses a threat to the immediate safety or welfare of staff, governors, or trustees, the Trust may consider alternative action, including:

- Reporting the matter to the police
- Taking legal action

In such extreme cases, the Trust may act without prior warning to protect staff or the organisation.

6. Equality and Accessibility

The Trust is committed to ensuring that the complaints process is accessible to all complainants and is conducted in a way that is fair, transparent, and inclusive. We recognise that some individuals may face barriers due to disability, language, communication needs, or other vulnerabilities, and we will make reasonable adjustments to ensure equitable access to the complaints procedure.

Principles:

All complainants will be treated fairly and without discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or any other protected characteristic under the Equality Act 2010.

Reasonable adjustments will be made to enable complainants to fully participate in the complaints process.

Practical Measures:

The Trust may implement one or more of the following adjustments, depending on individual need:

- Providing materials in accessible formats
- Ensuring physical access to meetings or hearings
- Providing translation or interpretation services
- Offering support with reading or writing correspondence
- Conducting meetings in a format that accommodates alternative communication needs
- Providing additional time or support for complainants experiencing emotional, mental health, or other vulnerabilities

- Adjusting the pace or format of meetings and communications to reduce stress or anxiety

Responsibility:

The Headteacher, Governing Body, or designated Trust officer will be responsible for identifying any accessibility needs and implementing reasonable adjustments.

Complainants are encouraged to inform the school or Trust of any accessibility needs at the earliest opportunity to enable timely support.

Commitment:

The Trust will make every reasonable effort to remove barriers and ensure that no individual is disadvantaged in accessing the complaints procedure. Any adjustments will be documented and monitored to ensure they are effective and proportionate to the needs of the complainant.

7. Record Keeping and Confidentiality

The Trust is committed to maintaining accurate, secure, and confidential records of all complaints to ensure transparency, accountability, and compliance with statutory requirements, including the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Records to be Kept:

For all formal complaints (Stages 2–4), the School/Trust will maintain a written record, which will include:

- The details of the complaint, including the name of the complainant, the nature of the concern, and relevant dates
- Actions taken to investigate and resolve the complaint
- Findings and outcomes, including whether the complaint was upheld, partially upheld, or not upheld
- Recommendations or remedial actions implemented by the school or Trust
- Any correspondence, statements, or evidence provided during the investigation

Records of informal complaints (Stage 1) may also be retained where necessary to monitor trends, prevent escalation, or support Stage 2 investigations.

Storage and Security:

All complaint records will be stored securely in password-protected electronic systems.

Access to complaint records will be restricted to individuals who are directly involved in handling or reviewing the complaint, including:

- Headteacher

- Clerk to the Governing Body or Trust Board
- Members of the Complaints Panel or Review Panel, as applicable

Confidentiality:

Complaint records are confidential and will not be disclosed to third parties unless required by law, for example:

- To the Secretary of State
- During a school inspection
- Where disclosure is required under court order or other legal authority

Personal data relating to complainants and staff will be processed in line with data protection principles, ensuring accuracy, security, and minimal retention.

Monitoring and Use of Records:

Complaint records will be reviewed periodically to:

- Identify patterns or trends in complaints
- Inform improvements to school or Trust policies and procedures
- Ensure compliance with statutory obligations and internal governance standards

8. Monitoring and Review

Complaints will be reported to the Governing Body and/or Trust Board at least every 3 years.

This policy will be reviewed every three years by Geraldine Foster-Wilson (CEO). At every review, it will be approved by the Trust board.

Appendices 1;

Complaints Procedure Summary

Stage 1 - Informal Complaint	
Purpose	Resolve concerns quickly and constructively at the earliest stage.
Responsibility	Class Teacher or relevant staff member; may be escalated to Headteacher if needed.
Process	Can be raised verbally or in writing (email, letter, phone) Staff listen to the concern, clarify details, and attempt resolution
Timescales	Acknowledgement: within 5 school days Response: within 10 school days
Outcome / Next Step	Complaint resolved informally If dissatisfied, complainant may escalate to Stage 2
Stage 2 - Formal Complaint to Headteacher / Governing Body	
Purpose	Investigate complaints not resolved at Stage 1.
Responsibility	Headteacher, and/or Chair of the Local Governing Body (or nominated governor)
Process	Must be submitted in writing, including: nature of complaint, relevant dates, Stage 1 actions, and desired outcome. Headteacher/Governing Body investigates, may meet parties, and provides written response
Timescales	Submission: within 3 months of incident or within 10 school days of Stage 1 response Acknowledgement: within 5 school days Response: within 20 school days
Outcome / Next Step	Written response issued stating findings, actions, and whether complaint is upheld, partially upheld, or not upheld If dissatisfied, complainant may escalate to Stage 3
Stage 3 - Review by Governing Body / Trust Board	
Purpose	Independent review of Stage 2 decision by senior governance or Trust leadership.
Responsibility	Senior Governor, Trust Board member, or senior Trust Leadership Team member with no prior involvement.
Process	Complainant submits written request including reasons for review and any new evidence.

	Reviewer examines documentation, may request further information, and issues written decision.
Timescales	Submission: within 10 school days of Stage 2 response Acknowledgement: within 5 school days Decision: within 20 school days
Outcome / Next Step	Written review outcome issued. Complainant advised of right to Stage 4 Appeal if still dissatisfied.
Stage 2 - Appeal to Complaints Panel	
Purpose	Final, independent review of the complaint.
Responsibility	Complaints Panel of at least 3 members drawn from Governing Body, Trust Board, or Trust Leadership Team with no prior involvement.
Process	Complainant submits written appeal within 10 school days of Stage 3 decision. Panel reviews evidence, may hold a hearing, hear submissions, and reach a decision.
Timescales	Hearing scheduled: within 20 school days of appeal request. Decision issued: within 5 school days of hearing.
Outcome / Next Step	Panel decision is final within the Trust. Written decision issued, including findings, actions, and any recommendations.