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COMPLAINTS AND CONCERNS POLICY

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Introduction

Spark Education Trust takes concerns seriously and will make every effort to resolve concerns informally. We understand however that there are occasions when people would like to raise their concerns formally, and this policy covers the stages of the formal complaints process.

Making a Complaint

A formal complaint can be made in writing using the Formal Complaints Form. Complaints should be made via the school office addressed as follows:

Complaints about	Addressed to
School staff (except the Headteacher)	Headteacher
Headteacher	Chair of Local Governance Committee
Governors/Whole Local Governance Committee	Clerk to the Local Governance Committee
Chief Executive Officer (CEO)/Trustees	Chair of Spark Education Trust Board

The Chief Executive Officer and School Headteachers may delegate complaint investigation and handling to other members of senior staff. Complaints made outside of term time are considered to have been received on the first school day after the holiday period. If you want to withdraw your complaint at any stage, you can do so by informing the Trust.

Anonymous Complaints

Spark Education Trust will not investigate anonymous complaints. If appropriate and in extremely exceptional circumstances, the Trust may review the contents of an anonymous complaint to determine whether it warrants investigation.

Timescales

Complaints must normally be raised within three months of an incident or the last of a series of incidents. Complaints outside this period will only be considered under exceptional circumstances.

Serial and Unreasonable Complaints

Spark Education Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. The trust and its schools will not normally limit the contact complainants have with the trust/school but there may be occasions when complaints become classed as serial and/or unreasonable.

A complaint will be classed as serial when a complainant tries to re-open a complaint that has already been

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fully dealt with through the complaints procedure, and the trust/school has done everything it can to respond to the complaint. For example, a complainant repeatedly makes the same complaint, providing no new information, despite previous investigations or responses concluding that the complaint is groundless or has been addressed. In these circumstances, the complainant will be notified in writing that the complaints policy has been exhausted, their complaint is closed and no further communication will be entered into regarding it.

The trust does not expect its staff to tolerate unacceptable and/or unreasonable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Please refer to our Serial and Unreasonable Complaints Policy.

Stage 1: Informal Concerns/Complaints

Concerns should initially be raised with the members of staff most directly involved, e.g. Classroom Teacher or Year Manager. If you are not satisfied with the outcome, then concerns should be discussed with a senior member of staff. If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2: Formal Complaints

Formal complaints should be made in writing using the Formal Complaints Form (Appendix 1). If you need support writing your complaint, please let school know who can support you with recording your complaint.

The Headteacher will investigate your complaint or delegate the investigation to another member of senior staff. At the conclusion of their investigation, the Headteacher (or delegated staff) will provide a written response within ten school days of receipt. If this is not possible due to exceptional circumstances (e.g. illness), the Trust will notify you.

If the complaint is about the Headteacher, or a member of the Local Governance Committee (including the Chair or Vice-Chair), a Governor will be appointed to complete the actions at Stage 2.

If your complaint is jointly about the Chair and Vice-Chair, the entire Local Governance Committee, or the majority of the Local Governance Committee, Stage 2 will be escalated to the Chief Executive Officer who may delegate to Trust Directors of Education or the Trust Chief Finance and Operations Officer to deal with the matter.

Stage 3: Panel Hearing (Final Stage)

If you are dissatisfied with the outcome at Stage 2, you can escalate your complaint to Stage 3.

The panel will consist of at least three people not directly involved in the matters detailed in your complaint, including at least one independent member.

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Requests to escalate must be sent via the School office addressed to the School Administrator. If your complaint is about the Chief Executive Officer, Trust Chair, or a Trustee, it should be addressed to the Trust Governance Manager.

Requests must be made within ten school days of receipt of the Stage 2 response. Late requests will only be considered in exceptional circumstances.

Spark Education Trust will aim to convene a meeting within twenty school days of receipt of your request. If this is not possible, the Trust will discuss an anticipated date. If you reject the offer of three proposed dates without good reason, the meeting will proceed in your absence.

You may bring someone to the panel meeting to provide support, such as a relative or friend. Representatives from the media are not permitted.

Electronic recordings of meetings or conversations are not permitted unless disabilities or special needs require it.

Panel Hearing: Outcome

The Committee will consider your complaint and the evidence presented. It may:

1. Uphold the complaint in whole/part
2. Dismiss the complaint in whole/part

The Committee will provide a written decision within ten school days of the meeting. Stage 3 panel decisions are provided to both parties. The decision is final within the Trust.

If the complaint is jointly about the Chair and Vice-Chair, the entire Local Governance Committee, or the majority of the Local Governance Committee, Stage 3 will be heard by Trustees and an independent panel member.

Panel findings and recommendations are available for inspection at the trust school and records are kept in line with GDPR and the Data Protection Act 2018.

Next Steps

If you are dissatisfied with the outcome of Stage 3, you may contact the Department for Education (DfE). The DfE will consider whether the Trust followed its complaints procedure correctly. They do not normally reinvestigate the substance of complaints or overturn Trust decisions.

Confidentiality and Records

Spark Education Trust retains a written record of all complaints that are made regardless of whether they are resolved following a formal procedure or proceed to a panel hearing. The record includes any actions taken by the school within the Trust as a result of the complaints.

Correspondence, statements, and records relating to individual complaints are kept confidential, except where disclosure is required by law or requested by the Secretary of State or the DfE.

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