

Education Development Trust

COMPLAINTS PROCEDURE

Maintenance

Policy owner	General Counsel & Company Secretary
Review	November 2023
Next review	November 2025

Version Control

Version Number	Date
Version 3.0	November 2023

If you have questions about how to interpret this policy, please ask the Policy Owner – As above



1. SCOPE AND CONTENTS

This procedure tells you how to handle complaints from third parties. See also the Complaints Policy.

2. DEFINITIONS

2.1 The **Appeal Handler** handles an appeal and is decided in accordance with 6.3 below.

2.2 The **Appropriate Complaints Handler (ACH)** is either:

- » The subject's line manager if the subject of the complaint is (an) individual(s); or
- » The SMG member responsible for the relevant business area.

2.3 **Leadership Team (LT)** is the most senior level of executive management as set out in the intranet organisation chart.

2.4 The **Reviewer** handles a review and is decided in accordance with 5.2 and 5.4 below.

2.5 **Senior Management Group (SMG)** is the second level of executive management as set out in the intranet organisation chart.

3. RECEIVING A COMPLAINT

3.1 Our website asks third parties to send a complaint to corpgov@educationdevelopmenttrust.com or Highbridge House, 16–18 Duke Street, Reading, RG1 4RU.

3.2 Corporate Governance handles complaints received via the above channels as follows.

- » Acknowledge receipt of the complaint.
- » Attach the Complaints Policy.
- » Say the complaint is being passed to the ACH under our Complaints Procedure.
- » Make no comment on the issues in the complaint

3.3 Otherwise, if a member of staff receives a complaint by telephone or in person, they make a written note of the conversation as follows.

- » Complainant's name, address and telephone number.
- » Relationship of the complainant to the Trust.
- » The alleged facts of the complaint.
- » That they have briefed the complainant as below.

They then brief the complainant as follows.



- » Ask the complainant to send a written account by email (or post), explaining that it helps if it is recorded in the complainant's own words.
- » Offer to send the complainant a copy of the Complaints Procedure.
- » Inform them that they will pass the complaint to the ACH under our Complaints Procedure.

3.4 The person receiving the complaint passes all the information to the ACH immediately.

4. RESPONDING TO A COMPLAINT

4.1 The ACH ensures the complaint is recorded in the Departmental Complaints Log.

4.2 The ACH informs Marketing & Public Affairs.

4.3 The ACH contacts the complainant within one week of being notified to:-

- » Acknowledge the complaint.
- » Say who is dealing with the complaint.
- » Say when the person complaining can expect a substantive reply.
- » Provide the Complaints Procedure (if not already provided).

4.4 The ACH considers whether it is appropriate to identify a separate Investigator in accordance with ACAS guidance – see Appendix. (The ACH may consult about this with the General Counsel.)

4.4 If the complaint relates to (an) individual(s), the ACH / Investigator will inform them and give them a fair opportunity to respond.

4.6 The ACH / Investigator should seek to give the complainant a definitive response within four weeks. If this is not possible, they send the complainant a progress report indicating when they will give the response.

4.7 The ACH / Investigator includes in the response: -

- » The action taken to investigate the complaint.
- » The conclusions from the investigation.
- » Any action taken as a result of the complaint.

5. REVIEWING A COMPLAINT

5.1 If the complainant believes that the problem has not been satisfactorily resolved, they can request that the complaint is reviewed at a higher level.

5.2 If the complaint is about the Trust the CEO decides which LT member handles the review. Except that if the CEO is referenced in the complaint, the Chair decides which



Trustee handles the review. If the complaint is about (an) individual(s) the relevant SMG member handles the review. Except that if they were the original ACH / Investigator, the relevant LT member handles it.

5.3 The ACH acknowledges the request for a review within a week of receiving it, saying who will handle the review and when the complainant can expect a reply.

5.4 The Reviewer considers whether they are competent to review the complaint in accordance with the ACAS guidance (see Appendix).

5.5 The Reviewer reviews relevant documentation and may speak with the ACH / Investigator. If the complaint relates to (an) individual(s), the reviewer informs them and give them a further opportunity to respond.

5.6 The reviewer should seek to give the complainant a definitive response within a further four weeks. If this is not possible, they send the complainant a progress report indicating when they will give the response.

5.7 The Reviewer includes in the response to the complainant: -

- » The action taken to review the complaint.
- » The conclusions from the review and the reasoning behind them.
- » Any action taken as a result of the review.
- » A statement that the decision is final unless overturned on appeal.

6. APPEALING A COMPLAINT

6.1 The complainant may request an appeal against the review on the following grounds

- » It took insufficient account of a material fact(s).
- » It placed too much reliance on an irrelevant or inaccurate fact(s).
- » It misapplied a law, regulation or policy.

6.2 The Reviewer refers the matter to the CEO within one week of the request. Except that if the CEO was the Reviewer, they refer it to the Chair.

6.3 The CEO or Chair nominates a competent Appeal Handler, bearing in the ACAS guidance (see Appendix). *Exceptionally, if the case is serious enough, the CEO or Chair may appoint a panel of Trustees for enhanced impartiality or transparency. The panel meets at the earliest convenient date – no later than eight weeks after the request – and the complainant is informed.*

6.4 The Appeal Handler contacts the complainant within two weeks of the request to acknowledge receipt.



6.5. The Appeal Handler assesses the review without involving the subject of the complaint or the Reviewer against the criteria at 6.1 – taking advice from the General Counsel if appropriate.

6.6 If the Appeal Handler considers that the review response was inappropriate, they refer it back to the Reviewer and the review process at 5 above restarts.

6.7 If the Appeal Handler does not consider that the review response was inappropriate, they conclude the appeal.

6.8 The Appeal Handler informs the complainant of the decision within four weeks of the appeal request.

7. FURTHER RECOURSE

7.1 If the complainant is not satisfied with the appeal (or at any stage), the ACH should inform them that they can contact the Charity Commission. The Commission's approach to complaints is on its website at: www.charitycommission.gov.uk/publications/cc47.aspx

8. LEARNING FROM COMPLAINTS

8.1 If the complainant is not satisfied with the appeal (or at any stage), the ACH should inform them that they can contact the Charity Commission. The Commission's approach to complaints is on its website at: www.charitycommission.gov.uk/publications/cc47.aspx