FEnemy of Boredom

Complaints Policy

Approved by:	Steve Godwin, CEO
Date approved:	12th October 2026
Next review due by:	Within 12 months of approval, or sooner if legislation or statutory guidance changes
Policy owner:	Tracey Clark, COO
Applies to:	Complaints about Enemy of Boredom's provision, staff and services

1. Scope

This policy applies to complaints about Enemy of Boredom's provision, staff and services, from learners (children and adult learners), parents and carers, visitors, contractors and others. Section 6 lists the matters that are dealt with elsewhere.

There is no statutory complaints procedure for non-school alternative provision, so we follow the Department for Education's best practice guidance for school complaints procedures as our benchmark. It should be read alongside our Child Protection and Safeguarding Policy, Behaviour Policy, Equality and Diversity Policy and Data Protection Policy.

2. Aims

We try to resolve concerns informally wherever possible. Where that is not possible, or a complainant wants to raise a concern formally, this policy sets out the procedure. When we respond to a complaint we aim to:

- be impartial and non-adversarial;
- carry out a full and fair investigation, by an independent person or panel where necessary;
- address all the points at issue and give an effective and prompt response;
- respect the complainant's wish for confidentiality, and treat them with respect and courtesy;
- make sure our decisions are lawful, rational, reasonable, fair and proportionate;
- keep the complainant informed of progress; and
- learn from complaints, by analysing every year the numbers, themes, outcomes and actions and using them to improve our provision.

We give every complainant the chance to complete the whole procedure. We publish this policy on our website, and we are sensitive to the needs of everyone involved and make any reasonable adjustments needed, in line with our Equality and Diversity Policy.

3. Legal and statutory framework

- Non-school alternative provision: voluntary national standards, which expect that children, parents and carers, and staff are told about the routes open to them, including going to the commissioner, if they believe a concern is not being acted on.
- The Department for Education's best practice guidance for school complaints procedures, which is written for schools and which we use as a benchmark.
- The Equality Act 2010, which requires us to make reasonable adjustments so that everyone can use this procedure.
- The Data Protection Act 2018 and UK GDPR, which govern the records we keep and data protection complaints (section 6).

4. Definitions

Concern: a worry or doubt about something that matters, where the person wants reassurance or a change.

Complaint: an expression of dissatisfaction, made in any way, about something we have done or failed to do.

Complainant: the person making the complaint.

Working day: a weekday on which our COO's office is open.

Commissioner: the school or local authority that places a learner with us.

Clerk: a person appointed by the COO who was not involved in the complaint, to arrange hearings and record them.

5. Who can complain, and how

- **Anyone** who is affected by our provision, staff or services can complain.
- **Learners** can complain for themselves, whatever their age. They can do so in whatever way suits them, for example by speaking, writing or using an easy-read format, and with a trusted adult or an independent advocate to help. Any member of staff will help a learner raise a concern, and will pass it on.
- **Parents and carers can complain on behalf of a learner under 18.** For an adult learner, a parent, carer or anyone else can complain on their behalf only with the adult's agreement.
- **How.** A complaint can be made in person, by letter, email or phone, or through a third party acting for the complainant. Our current contact details for each Head of Centre and for the COO are on our website. Anyone who needs help to complain, or does not know who to contact, can ask any member of staff.

- **Anonymous complaints** are considered, although we may be limited in what we can investigate.

Complainants get a quicker and better response if they follow this procedure, work with us and reply promptly, ask for help when they need it, treat everyone involved with respect, and do not publish details of the complaint on social media.

6. Matters dealt with elsewhere

Some matters have their own route. If a complaint includes more than one matter, we separate them and tell the complainant which parts are dealt with where.

Matter	Where it goes
A safeguarding concern	The DSL, immediately, under the Child Protection and Safeguarding Policy. A complaint about how we have handled a safeguarding matter goes to the COO or, if it concerns the COO, the CEO, and can also go to the commissioner. It never delays action to keep a learner safe.
An allegation about an adult working with learners	The DSL, under section 11 of the Child Protection and Safeguarding Policy, which may involve the LADO. We do not investigate it as a complaint first.
A complaint about how we have used personal data	The Data Protection Lead, under section 13 of the Data Protection Policy.
Whistleblowing by staff	Our Whistleblowing Policy.
A staff grievance or staff discipline	The grievance and disciplinary procedures in our Employee Handbook.
A placement decision, an ended placement, suspension or permanent exclusion	The commissioner. Only a school can suspend or exclude, and the commissioner is responsible for the placement.
The content of an EHC plan or a statutory assessment of special educational needs	The local authority that maintains the plan, and the SEND tribunal.
The process used to reach an internal assessment decision, malpractice, or a mark or grade	Our Assessment and Appeals Policy. A mark or grade set by an awarding body cannot be appealed to us.

7. Roles and responsibilities

- **The complaints co-ordinator** is the Head of Centre for stages 1 and 2, and the COO for stage 3. They keep the complainant informed at each stage, make sure the process runs smoothly, and are alert to the risk of sharing third-party information and to any additional support the

complainant needs, such as interpretation, or where the complainant is a learner under 18. They keep records.

- **The investigator** is appointed to establish the facts. They interview everyone relevant and keep notes, consider records and written evidence and keep them securely, and prepare a report that sets out the facts and possible solutions.
- **The clerk** is the contact point for the complainant and the panel. They arrange the hearing, circulate the papers before it, and record and circulate the minutes and outcome.
- **The panel chair** chairs the meeting, makes sure everyone is treated with respect, that all parties see the relevant information and understand the purpose of the panel, and are allowed to present their case.

No one who considered a complaint at an earlier stage takes part in a later stage, and no one investigates a complaint about themselves.

8. Investigating a complaint, and time limits

When we investigate we try to clarify what has happened, who was involved, and what the complainant feels would put things right.

- A complaint should normally be raised within three months of the incident. If it concerns a series of related incidents, it should be raised within three months of the last one.
- We consider older complaints where there was a good reason for the delay and a fair investigation is still possible.
- A complaint received on a day that is not a working day is treated as received on the next working day.
- If we cannot meet a timescale in this policy, we agree a new one with the complainant and send them the new deadline and the reason for the delay.

9. Stage 1: informal concern

We take informal concerns seriously and try to resolve them quickly. Providing information or clarification may be enough.

- The complainant raises the concern as soon as possible with the relevant member of staff or the Head of Centre.
- We acknowledge it within 3 working days, and investigate and respond within 10 working days.
- This stage involves communication between the complainant and the Head of Centre or the person the concern is about.
- If the concern is not resolved, it moves to a formal complaint.

10. Stage 2: formal investigation

A formal complaint can be made by letter or email, over the phone, in person, or through a third party. The complainant should give the relevant dates, times and the names of witnesses, copies of any documents, and what they feel would resolve it.

- The Head of Centre records the date the complaint is received and acknowledges it in writing within 5 working days.
- The Head of Centre, or another designated member of the Senior Leadership Team, calls a meeting to clarify the concerns and seek a resolution. The complainant may bring a companion and should tell us who in advance. We may need to refuse a particular companion, for example if there is a conflict of interest. If so we tell the complainant as soon as we know, so they can arrange someone else.
- The Head of Centre, or a person they appoint, then investigates. We send the written conclusion to the complainant within 10 working days.
- Where the complaint is about the Head of Centre, the COO carries out stage 2.
- We tell the commissioner about a formal complaint that concerns a learner they placed with us, unless doing so would put someone at risk.

11. Stage 3: panel review

A complainant who is not satisfied has the right to go to this stage and cannot be prevented from doing so. They can ask for a review by letter, email, phone, in person, or through a third party, addressed to the COO. They should say why they feel the previous stage did not address the complaint, and what they feel would resolve it. They should do so within 10 working days of the stage 2 conclusion. We consider a later request in exceptional circumstances.

- The COO acknowledges the request within 3 working days, and arranges a panel hearing within 15 working days.
- The panel has at least three people who were not involved in the events or in earlier stages. Where the complaint is serious or complex, at least one is independent of Enemy of Boredom's management.
- If the COO considered stage 2, the CEO arranges stage 3.

The panel hearing

- The hearing is held in private. Electronic recordings are not normally permitted unless the complainant's disability or special needs require it as a reasonable adjustment. We seek everyone's knowledge and consent before any meeting or conversation, and record consent in the minutes.
- The complainant and Enemy of Boredom's representatives attend. Each may send written submissions in advance and give an oral submission. Witnesses are called as appropriate.

- The complainant may be accompanied by a suitable companion. We do not encourage either side to bring legal representation but will consider it case by case. For example, a member of staff called as a witness may want the support of their union. Representatives of the media may not attend.
- The panel, the complainant and our representatives can ask and answer questions. When they have finished presenting their cases, the complainant and our representatives leave, and the panel considers the evidence.
- The panel records its findings and recommendations. It gives the complainant, and where relevant the subject of the complaint, the minutes, findings and recommendations, and makes a copy available to the COO.

12. The outcome

The panel can uphold, partly uphold or dismiss the complaint. If it is upheld, in whole or in part, the panel decides what action will resolve it and, where appropriate, recommends changes to our systems or procedures to prevent a similar problem. We tell everyone involved of the decision in writing within 10 working days of the hearing. The panel's decision is final within Enemy of Boredom.

If the complainant is still not satisfied, they can raise the matter with the commissioner, which remains responsible for the placement. Where a local authority placed the learner, they may also be able to use that authority's complaints process. We tell complainants about these routes at every stage.

13. Complaints about the COO or the CEO

A complaint about the COO goes to the CEO. A complaint about the CEO goes to the Chair of the Board of Directors. That person appoints an investigator who was not involved in the events and, where needed, a panel that includes an independent person. The complaint is investigated within 10 working days.

14. Unreasonable complaint behaviour

We treat every complainant with respect, and we do not treat a complaint as unreasonable because someone is persistent or upset. If a complainant's behaviour becomes abusive, threatening or harassing, or they keep making the same complaint without new evidence, the COO writes to them to explain what is unacceptable and why, and may limit how they contact us, for example to writing or to a single contact. A person who is limited in this way still has the right to complete the complaints procedure, and we tell the commissioner. This is also part of the steps we take to protect our staff, as set out in our Equality and Diversity Policy.

15. Record keeping

We record the progress of every complaint, including the actions taken at each stage, the stage at which it was resolved and the outcome. The records include copies of letters and emails and notes of

meetings and phone calls. They are confidential and held centrally, and are seen only by those involved in investigating the complaint or sitting on the panel, and by people who have a legal right to see them, such as through a subject access request or where a commissioner is entitled to them. Records are kept securely and for the period set out in our Data Protection Policy.

16. Learning from complaints

Each year the COO and Heads of Centre analyse the number, themes, outcomes and actions of complaints, use them to improve our provision, and share a summary, without identifying anyone, with commissioners on request. We monitor how well this procedure works and how long each stage takes.

17. Monitoring arrangements

This policy is reviewed annually by the COO. At every review, the policy is approved by the CEO. It is reviewed sooner if legislation or statutory guidance changes. It is published on our website and is available to learners, parents and carers, staff, commissioners and the public.

18. Related policies

- Child Protection and Safeguarding Policy
- Behaviour Policy
- Equality and Diversity Policy
- Data Protection Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Assessment and Appeals Policy