




# Pioneer Sailing Trust

## Complaints policy

Last review date/Version	10.10.2022/1.0
Reviewed by	Heike Lowenstein, Training Manager/Boatbuild Lead
Approved by	Felicity Lees, Director of Operations
Signature	
Next review due	9.10.2023 (to be reviewed yearly)

### Aim

This policy sets out the procedures and practices Pioneer Sailing Trust has put in place in order to address complaints arising from its operations.

## Who can make a complaint?

This complaints procedure is not limited to apprentices in training with, employers of these apprentices, or employees of Pioneer Sailing Trust. Any person, including members of the public, may complain to Pioneer Sailing Trust about any provision of facilities or services we provide. Unless complaints are dealt with under separate statutory procedures, 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. Pioneer Sailing Trust 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 staff, we will respect your views. In these cases, Felicity Less, Director of Operations, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Felicity Less, Director of Operations will refer you to another staff member. The member of staff 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, Pioneer Sailing Trust 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 of a complainant, as long as they have appropriate consent to do so.



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Complaints against the Trust's staff should be made in the first instance, to Felicity Less, Director of Operations, via the office. Please mark them as Private and Confidential.

Complaints that involve or are about the Director of Operations should be addressed to Rupert Marks (the Chair of Trustees), via the Trust's office. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual trustee or the whole governing body should be addressed to another Trustee via the Trust's office. Please mark them 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 the Trust's office. You can also ask a third-party organisation for example the Citizens' Advice Bureau 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.

## Relevant contact details

Pioneer Sailing Trust, Office, Harker's Yard, Shipyard Estate, Brightlingsea, Essex CO7 0AR, Telephone 01206 303 373

Felicity Less, Director of Operations, [felicity@pioneersailingtrusts.org.uk](mailto:felicity@pioneersailingtrusts.org.uk)

Rupert Marks, Chair of Trustees, [rupert@pioneersailingtrust.org.uk](mailto:rupert@pioneersailingtrust.org.uk)

James Geary, Trustee, [james@pioneersailingtrust.org.uk](mailto:james@pioneersailingtrust.org.uk)

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the Director of Operations or Chair of Trustees, 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 during holidays or closure

We will consider complaints during closure or holidays on the first day after the period.

## Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by Pioneer Sailing Trust other than complaints that are dealt with under other statutory procedures, including those listed below.



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Exceptions	Who to contact
Admissions to training and learning	Concerns about admissions should be handled through an informal appeals process.
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p>LADO 03330 139 797 <a href="mailto:lado@essex.gov.uk">lado@essex.gov.uk</a></p> <p>MASH Children &amp; Families Hub 0345 603 7627</p>
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

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



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- 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 Trust's 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 be raised with either the trainer, training manager or line manager. Complainants should not approach individual trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 14 working days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

## Stage 2 – Formal complaints

Formal complaints must be made to the Director of Operations (unless they are about the Director of Operations), via the Trust's office. This may be done in person or in writing (preferably on the Complaint Form).

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

*Note: The Director of Operations may delegate the investigation to another member of the Trust's senior leadership team but not the decision to be taken.*

During the investigation, the Director of Operations (or 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, the Director of Operations will provide a formal written response within 21 days of the date of receipt of the formal complaint.

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.



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Where appropriate, it will include details of actions Pioneer Sailing Trust will take to resolve the complaint.

If the complaint is about the Director of Operations or a trustee, a suitably skilled trustee or professional person will be appointed to complete all the actions at Stage 2.

Complaints about the Director of Operations or member of the governing body must be made to the Chair of Trustees, via the Trust's office.

If the complaint is about the Chair, the entire governing body or the majority of the governing body, then Stage 2 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

## Next Steps

If the complainant believes the Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law:

In case the complaint concerns apprenticeship training, they can contact the ESFA after they have completed Stage 3.

ESFA Apprenticeship Service Support on 08000 150 600 or [helpdesk@manage-apprenticeships.service.gov.uk](mailto:helpdesk@manage-apprenticeships.service.gov.uk)

In case the complaint concerns any of the Trust's other business, they can contact ACAS to seek further clarification.

<https://www.acas.org.uk/>

0300 123 1100



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## Complaint Form

Please complete and return to Felicity Lees, Director of Operations or the trust's office in a sealed envelope. She will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Who or what is the complaint about:</b>
<b>Your relationship to the person above, if applicable:</b>
<b>Address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b> <b>Email address:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the trust about it.</b>



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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:

Complaint referred to:

Action taken:

Date: