

ACET COMPLAINTS POLICY & PROCEDURE

DOCUMENT CONTROL

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PART A COMPLAINTS POLICY

1. Introduction

ACET academies are dedicated to providing the best possible educational provision and pastoral care for **all** our pupils and students, so we welcome suggestions for improving our work and are committed to responding to any concerns or complaints raised against our staff policies or procedures, fairly, effectively and promptly. We will try to resolve problems informally wherever possible.

2. General Principles

We recognise that:

- it is important to differentiate between concerns and complaints and to appreciate that treating informal concerns seriously and responding to them promptly, will reduce the need for complainants to resort to the formal complaints procedure;
- the successful resolution of complaints provides the potential for the academy to improve its practice and strengthen relationships with parents/carers;
- the resolution of problems should be by informal means whenever possible;
- it is desirable that concerns/complaints be addressed by staff/governors at the level closest to the cause for concern;
- the procedure should be impartial, non-adversarial and completed within agreed time limits, with complainants being kept informed of progress;
- the complaints policy and procedure should be easily accessible and well publicised, so that parents/carers know how to address their complaints;
- the complaints policy and procedure should be read in conjunction with other academy policies;
- all staff employed in the academies should be made aware of the complaints policy and procedure; routinely reminded of their contents and offered appropriate training and advice on their implementation.

3. The Investigation of Complaints

Those responsible for investigating complaints at all stages will ensure that they:

- clarify the nature of the complaint and the issues to be resolved;
- contact the complainant to explain how they will conduct the investigation and the date by which s/he can expect a response;
- interview those involved, allowing them to be accompanied if they so wish, or consider statements made by them;
- conduct the investigation with an open mind;
- make notes of their actions and decisions;
- inform complainants of their decision.

4. Resolving Complaints

Those responsible for investigating complaints at all stages will consider different ways in which a complaint might be resolved, such as:

- an apology;
- an explanation;
- an admission that the matter could/should have been handled differently;
- an assurance that the matter will not happen again;
- an explanation of action to be taken in order that the matter will not happen again;
- an undertaking that academy practice/policy will be reviewed as a consequence of the complaint.

5. Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, they will be asked to confirm this in writing.

6. Recording of Complaints

- All complaints, both formal and informal, will be recorded in writing.
- Where the complainant is not satisfied with the response to a complaint made on an informal basis, a written record of this will be kept and Stage 2 of the complaints policy will be followed.
- Staff are responsible for ensuring that complaints and outcomes are recorded, along with any subsequent action/s to be taken regardless of whether the complaint is upheld.
- Correspondence, statements and records relating to individual complaints are kept confidential, except where an Appeals Panel, or the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.
- The Local Governing Body (LGB) will monitor the level and nature of complaints and their successful resolution on a regular basis.

7. Arrangements for handling complaints for children with SEND

The LGB will make efforts to ensure that anyone who wishes to make a complaint including a complaint in relation to children with SEND (with or without EHC plans) is treated fairly, given the chance to state their case, provided with a written response and informed of their appeal rights.

Any parent/carer who wishes to discuss or make observations about the Special Needs provision for their child at an ACET academy should:

- telephone or make an informal appointment to see the SENDCo who will review the situation and arrange for it to be discussed within 5 working days of the complaint being made;
- if the parent remains dissatisfied the complaint should be submitted formally in writing (preferably using the form at the end of this policy) to the Principal who will investigate the complaint and arrange a discussion within 5 working days;
- parents/carers have the right to complain to:
 - the Principal or the Chair of the Local Governing Body via the academy;
 - the LA*;

- if a parent/carer is still not satisfied they can complain to the Education Skills Funding Agency (ESFA) acting on behalf of the Secretary of State.

Ofsted can consider complaints about the educational provision of the academy (not individual cases) when a complainant has tried to resolve the complaint through the academy's own complaints procedure. If the complainant remains concerned following the local complaints procedure, he or she could ask the Department for Education's School Complaints Unit to take up the matter.

* For Rotherham LA please contact, Education and Health Care Assessment Team: 01709 822660

*For Derbyshire LA please contact, DCC Special Educational Needs Section on: 01629 533893

*For Sheffield LA please contact, SEN Assessment and Placement Team on: 0114 273639

8. Vexatious Complaints

If, despite all stages of the procedure having been followed, the complainant remains dissatisfied and attempts to persist with the same complaint, the CEO will notify him/her in writing that the complaints procedure has been fully implemented and that the matter is now closed.

9. Managing Serial and Unreasonable Complaints

ACET is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

ACET defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduces trivial or irrelevant information which they expect to be taken into account and commented on;
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint

procedure has been fully and properly implemented and completed including referral to the Department for Education;

- seeks an unrealistic outcome;
 - makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
 - persistently contacting staff out of hours via email/text;
 - repeatedly contacting the academy/staff, demanding for staff to be brought to the telephone/meeting without prior notice;
 - uses threats to intimidate;
 - uses abusive, offensive or discriminatory language or violence;
 - knowingly provides falsified information;
 - publishes unacceptable information on social media or other public forums.

PART B COMPLAINTS PROCEDURE

1. Stage One: Informal Action

Parents/carers should raise informal concerns or complaints with the pupil's/student's class teacher, or relevant member of the pastoral team – whoever is most appropriate.

The member of staff should inform his/her line manager of the details of the concern/complaint and agree action to be taken to resolve the issue. In the case of less experienced members of staff, or where a member of staff requests the support, it is entirely appropriate for the line manager to take responsibility for the resolution of the issue on their behalf.

The member of staff/line manager should confirm with the parent/carer the action to be taken and any subsequent monitoring that has been agreed. It is good practice to agree a future date upon which the member of staff will contact the parent/carer to ascertain that the matter has been fully resolved or whether further intervention is required.

Staff involved in the informal resolution of complaints can seek advice from or refer to members of Leadership Team at any time.

Complainants should expect a response to their complaint within 3 academy working days of its receipt.

The member of staff should keep his/her line manager informed of progress and where parents/carers remain dissatisfied, they should be advised of their right to refer the matter in writing to the Principal.

Any matter that could potentially involve a legal or insurance claim; action under disciplinary procedures; child protection matters or complaints relating to employment practice, should be immediately referred to the Principal who will advise the CEO.

On receipt of any complaint relating to matters of Child Protection, the Principal will immediately refer to the relevant Social Services Duty Officer and advise the CEO.

2. Stage Two: Referral to the Principal or (in cases where the complaint is against the Principal) referral to the Chair of the Local Governing Body

Formal complaints should be made in writing to the academy with details of:

- the complaint;
- any attempts made to raise/resolve the complaint (names of staff with whom they communicated and dates when this occurred);
- actions they feel might resolve the problems;
- any staff with whom they would prefer not to discuss the issue.

The Principal or Chair of the Local Governing Body or his/her delegated representative will acknowledge the complaint in writing, within 2 academy working days of its receipt, informing the CEO.

The Principal or Chair of the Local Governing Body will meet with the complainant within 5 academy working days of the receipt of the complaint, to clarify and supplement any information given.

The Principal or Chair of the Local Governing Body will investigate further, interviewing witnesses if appropriate – where this involves the child of the complainant, s/he should be invited to be present, or s/he may give permission for a member of staff not directly involved in the matter to represent him/her.

The Principal or Chair of the Local Governing Body will keep written records of correspondence, statements, interviews, telephone conversations and any other relevant material. These will be kept confidential.

When the Principal or Chair of the Local Governing Body has established all relevant facts, then s/he will inform the complainant of his/her decision in writing within 15 academy working days of the receipt of the complaint. The academy will record the action it takes as a result of the complaint, regardless of whether the complaint is upheld or not. The academy will record whether the complaint has been resolved following a formal procedure, or if the complaint proceeded to a panel hearing.

On receipt of any complaint relating to matters of Child Protection, the Principal or Chair of the Local Governing Body will immediately refer to the relevant Social Services Duty Officer and advise the CEO.

3. Stage Three: Investigation by an Executive Principal /Chief Executive Officer

Complaints will be escalated to stage three if the complainant is not satisfied with the response to the complaint at stage two of the process. The complainant should inform the Clerk of the Trust Board in writing within 5 school days. This should be done using the Complaints Procedure Form. Where there are communication difficulties, support in completing the complaints form will be made available.

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they are looking for as a resolution to the complaint.

Written acknowledgement of the complaint will be made within 3 school days. The executive principal/Chief executive officer will then carry out an investigation and consider all available evidence.

The complainant (and the principal if appropriate) will be informed of the outcome within 20 school days of the Clerk to the Trust Board receiving the complaint. Procedures for any escalation options (Stage Four) will be provided with details of the process.

4. Stage Four: Complaints Appeal Panel

If the complainant remains dissatisfied after Stage Three investigations, s/he may contact the Clerk to the Trust Board to arrange for a review by an Appeals Panel, within 5 school days, using the complaints procedure Form. Where there are communication difficulties, support in completing the complaints form will be made available. The Clerk will then contact the CEO who will have responsibility for convening an Appeals Panel.

The Clerk to the Trust Board will convene arrangements for the appeal panel as follows:

- setting the date, time and venue for the hearing;
- collating any written material and sending it to all relevant parties in advance of the meeting;
- recording the proceedings;
- notifying relevant parties of the panel's decision;
- ensuring any findings or recommendations agreed by the panel are recorded and a written copy provided to the complainant and where relevant, the person complained about.

If the complainant does not respond to the Governance Professional to the Trust Board within 10 school days, the complaint will be deemed closed. Any further subsequent complaints will go back to Stage One of the Complaints Policy.

Constitution of the Appeals Panel

The Appeals Panel will consist of at least 3 people, made up of members of the Local Governing Body and at least one independent person who is not involved in the management or running of the academy or trust. No member of the Local Governing Body can sit on the Appeals Panel if they have had any former knowledge or involvement in the case that is being dealt with at that time, or if they are employed by the academy. If the Chair of Governors has been previously involved in dealing with the complaint, then a trustee or Chair of the Trust will chair the Appeals Panel.

The Stage 4 appeals panel will be heard by the trustees and an independent panel member. The meeting will be chaired by the Chair of the Trust.

Proceedings of the Appeals Panel

- The Appeals Panel Hearing will be closed to the public.
- Complainants will be invited to attend and can be accompanied if they wish.
- Witnesses will only be required to attend for the part of the hearing in which they give evidence.
- The Panel will give careful consideration to how the complainant can be made to feel most comfortable at the hearing.
- All persons attending the hearing will be advised that the process is non- adversarial; that its purpose is to ascertain the facts and that they will be expected to treat each other with dignity and respect. Abusive behaviour will not be tolerated and may jeopardise the Hearing, with any person behaving in an abusive way being asked to leave.
- When the facts have been established, the Panel will deliberate in private and make a binding judgement.

Procedure for Appeals Panel

1. The Panel will be provided with a copy of all correspondence relating to the complaint.
2. A date will be set for the Hearing which is convenient for the academy and the complainant, providing a minimum of 5 school working days written notice.
3. The Panel will interview the complainant who may be accompanied by a friend/family member:
 - The Chair will introduce the members and outline the process.
 - The complainant will be invited to explain his/her complaint.
 - The Panel will have the opportunity to question the complainant.
 - The complainant will sum up their complaint.
4. The Panel will interview the Principal/Chair of Governors who will be accompanied by the CEO:
 - The Principal/Chair of Governors will explain the academy's action.
 - The Panel will have the opportunity to question the Principal/Chair of Governors
 - The Principal/Chair of Governors will sum up the academy's action.
 - The Panel will interview other staff as appropriate.
5. The complainant and representative, Principal/Chair of Governors and CEO will be thanked and asked to leave the Hearing.
6. The Clerk will remain with the Panel to record their decision and advise on the process.
7. The Appeals Panel will:
 - dismiss all or part of the complaint;
 - uphold all or part of the complaint;
 - decide on appropriate action to be taken to resolve the complaint;
 - evaluate all the evidence available and recommend changes to the academy's procedures as a preventative step against similar problems arising in the future;
 - provide a written response to the complainant and where relevant, the person complained about within 14 working days;
 - ensure the findings and recommendations of the panel will be available for inspection on the academy premises by the proprietor and the Principal.

The Appeal Panel's decision is final, however, in limited circumstances it is possible for complaints to be referred to the Education and Skills Funding Agency (ESFA). The ESFA can consider complaints where it is alleged that a) the academy has not complied with its own complaints policy or the policy does not comply with statutory requirements OR b) the academy has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State. Details of how to complain can be found on the Department for Education's website.

Staff Complaints

Staff who have a concern about a colleague should refer to the ACET Confidential Reporting Procedure (whistleblowing). The procedure for dealing with any other staff complaints or grievances is set out in the staff discipline, conduct and grievance policies.

Contact Details

Aston Academy		
Aston Academy Aughton Road Swallownest Sheffield S26 4SF Tel: 0114 287 2171 info@astonacademy.org	Principal Afshah Saeed	Chair of Local Governing Body Jane Ford *The Chair of Governors can be contacted via the Clerk (details below) Clerk to Local Governing Body Rachel Walker Aston Academy Aughton Road Swallownest Sheffield S26 4SF Tel: 0114 287 2171 rachel.catling@astonacademy.org
Aughton Junior Academy		
Aughton Junior Academy Turnshaw Avenue Sheffield S26 3XQ Tel: 0114 287 3091 info@aughtonacademy.org	Associate Principal Toni Tomlinson	Chair of Local Governing Body Dominic Curran *The Chair of Governors can be contacted via the Clerk (details below) Clerk to Local Governing Body Lucy Monday Aughton Junior Academy Turnshaw Avenue Sheffield S26 3XQ Tel: 0114 287 2171 lucy.monday@astoncetrust.org
Brookfield Junior Academy		
Brookfield Academy Lime Grove Swinton Mexborough South Yorkshire S64 8TQ Info@brookfieldjunioracademy.org	Principal Daisy Dunning	Chair of Local Governing Body Victoria Cusworth *The Chair of Governors can be contacted via the Clerk (details below) Clerk to Local Governing Body Bethany Kelly Brookfield Junior Academy Lime Grove Swinton Mexborough South Yorkshire S64 8TQ Tel: 0114 287 2171 bethany.kelly@brookfieldjunioracademy.org

Langwith Bassett Junior Academy		
<p>Langwith Junior Academy Bassett Hill Upper Langwith Mansfield Nottinghamshire NG20 9RD</p> <p>Tel: 01623 742236</p>	<p>Principal Sarah Bacon</p>	<p>Chair of Local Governing Body Sally Wheatley *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Kendal Sills Langwith Bassett Junior Academy Bassett Hill Upper Langwith Mansfield Nottinghamshire NG20 9RD Tel: 0114 287 2171 kendal.sills@astoncetrust.org</p>
Listerdale Junior Academy		
<p>Listerdale Junior Academy Beech Avenue Brecks Rotherham S65 3HN</p> <p>Tel: 01709 543719 Info@listerdaleacademy.org</p>	<p>Acting Principal Laura Bint</p>	<p>Chair of Local Governing Body Rachel Mault *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Lucy Monday Listerdale Junior Academy Beech Avenue Brecks Rotherham S65 3HN Tel: 0114 287 2171 lucy.monday@astoncetrust.org</p>
Lowedges Junior Academy		
<p>Lowedges Junior Academy Lowedges Road Sheffield South Yorkshire S8 7JG</p> <p>Tel: 0114 2372196 info@lowedgesacademy.org</p>	<p>Principal Lindsay Jones</p>	<p>Chair of Local Governing Body Lindsey Burgin *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Lucy Monday Lowedges Junior Academy Lowedges Road Sheffield South Yorkshire S8 7JG Tel: 0114 287 2171 lucy.monday@astoncetrust.org</p>

Shirebrook Academy		
<p>Shirebrook Academy Common Lane Shirebrook Mansfield NG20 8QF</p> <p>Tel: 01623 742722</p>	<p>Principal Lindsey Burgin</p>	<p>Chair of Local Governing Body Mike McDermott *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Belinda Norman Common Lane Shirebrook Mansfield NG20 8QF Tel: 01623 742722 BNorman@shirebrookacademy.org</p>
Springwood Junior Academy		
<p>Springwood Junior Academy Aughton Lane Rotherham S26 2AL</p> <p>Tel: 0114 287 2597 info@springwoodacademy.org</p>	<p>Principal Rebecca Malton</p>	<p>Chair of Local Governing Body Rebecca Hibberd *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Lucy Monday Springwood Junior Academy Aughton Lane Rotherham S26 2AL Tel: 0114 287 2171 lucy.monday@astoncetrust.org</p>
Swinton Academy		
<p>Swinton Academy East Avenue Swinton Mexborough Rotherham S64 8JW</p> <p>Tel: 01709 570586 info@swintonacademy.org</p>	<p>Principal James Graham</p>	<p>Chair of Local Governing Body John Barton *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Bethany Kelly Swinton Academy East Avenue Swinton Mexborough Rotherham S64 8JW</p> <p>Tel: 01709 570586 bethany.kelly@brookfieldjunioracademy.org</p>

Temple Normanton Junior Academy		
<p>Temple Normanton Junior Academy Elm Street Temple Normanton Chesterfield S42 5DW</p> <p>Tel: 01246 850389 info@normanton.derbyshire.sch.uk</p>	<p>Principal Leica Carter</p>	<p>Chair of Local Governing Body Katy Wright *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Kendal Sills Temple Normanton Junior Academy Elm Street Temple Normanton Chesterfield S42 5DW</p> <p>Tel: 0114 287 2171 kendal.sills@astoncetrust.org</p>
Thurcroft Junior Academy		
<p>Thurcroft Junior Academy Green Arbour Road Thurcroft Rotherham S66 9DD</p> <p>Tel: 01709 543194 Email: info@thurcroftacademy.org</p>	<p>Principal Ruth Stone</p> <p>Vice Principal Laura Bint</p>	<p>Chair of Local Governing Body Catharine Kinsella *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Lucy Monday Thurcroft Junior Academy Green Arbour Road Thurcroft Rotherham S66 9DD</p> <p>Tel: 0114 287 2171 lucy.monday@astoncetrust.org</p>
Waverley Junior Academy		
<p>Waverley Junior Academy Waverley Junior Academy Waverley Walk Rotherham S60 8DD</p> <p>Tel: 0114 3570150 Email: info@waverleyjunioracademy.org</p>	<p>Associate Principal Rachel Bolton</p>	<p>Chair of Local Governing Body John Barton *The Chair of Governors can be contacted via the Clerk (details below)</p> <p>Clerk to Local Governing Body Tracey Younge Waverley Junior Academy Waverley Walk Rotherham S60 8DD tracey.younge@waverleyjunioracademy.org</p>

Complaint Procedure Form

Please complete and return to the Principal or Clerk to the Governing Body who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's/Student's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Telephone number:

Email address:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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: