



COMPLAINTS PROCEDURE

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at an academy within Aspire North East Multi Academy Trust. Any person, including members of the public, may make a complaint to Aspire North East Multi Academy Trust about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), 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. Aspire North East Multi Academy 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, the Headteacher or their delegated representative will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher or their delegated representative 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, the 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, by email / in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised in the first instance with either the form tutor, pastoral leader or curriculum leader. If you are dissatisfied with the resolution following discussion with these staff, the next step may be to make a formal complaint.

Complainants should not approach individual governors or 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 2 of the procedure.

Complaints against school staff (except the CEO / Headteacher) should be made in the first instance, to the Headteacher and can be made via email to the address below or via the school office - please mark as Private and Confidential:

For complaints relating to Sandhill View Academy: headteacher@sandhillview.com

For complaints relating to Southmoor Academy: headteacher-sma@southmooracademy.com

Complaints that involve or are about the CEO / Headteacher should be sent to the Trust Governance Manager (email to sara.buczak@aspirenortheast.co.uk or post c/o Southmoor Academy, Ryhope Road, Sunderland, SR2 7TF). Complaints about the CEO will be passed to the Chair of Trustees. Complaints about the Headteacher will be passed to the CEO . Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, the Chair of Governors, any individual trustee / governor or the whole governing body should be addressed to the Trust Governance Manager (contact details as above). 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 school office of the relevant Academy. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we

Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate. 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.
Complaints about services provided by other providers who may use Trust premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 a complainant commences legal action against the Trust or one of its academies in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, the 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 OE 24(p)10(i)-3(ng)10(s)-2()-97(h)10(av)7(e)10()JTÆTQq0.00000887Tf1 0 0 1 164.66 651win80(i)-3(ng)10(s)-2()-9

During the investigation, the Headteacher (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 Headteacher will provide a formal written response within fifteen school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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.

independent governors through another local school, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

- APPENDIX 1: Complaint Form
- APPENDIX 2: Roles and Responsibilities
- APPENDIX 3: Policy on unacceptable behaviour
- APPENDIX 4: Policy on unreasonable complainants

Last review date: 04.10.23

Person responsible: Chief Executive Officer

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 only

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

APPENDIX 2: ROLES AND RESPONSIBILITIES

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the academy in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - o interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - o analysing information
- liaising with the complainant and the Headteacher as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

The Headteacher

The Headteacher should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Chair of Trustees, and Trust Governance Manager (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information
 - o additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep a record of all complaints which details the nature of the complaint, progress and actions taken. Copies of any relevant documentation should be kept (in line with the Record Keeping section of this policy on page 6).
- report a summary of formal complaints each term to the Academy Council/Board of Trustees

Trust Governance Manager

The Trust Governance Manager is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, academy and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings

circulate the minutes of the meeting
notify all parties of the committe

APPENDIX 3 - POLICY ON UNACCEPTABLE BEHAVIOUR

The Board of Trustees recognises that it is the last resort for complainants. They also have a duty to ensure the safety and welfare of pupils, parents and staff.

The Board of Trustees is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service it would not normally limit the contact complainants have. However, the Board of Trustees does not expect the Trust's staff to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and it will take action to protect staff from that behaviour. This applies to unacceptable behaviour on any part of the premises of the academies within the Trust, including the yard.

If the Chief Executive Officer / Headteacher / Head of School considers that a complainant's behaviour is unacceptable the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Chief Executive Officer / Headteacher / Head of School will take action to restrict the complainant's contact with the Trust

Unacceptable actions and behaviours

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which the Trust often finds problematic. It is by no means an exhaustive list and local factors may vary, but these are examples that frequently come to our attention:

- foul and abusive language towards staff, other parents and pupils;
- behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication;
- undermining Trust policies by actively encouraging pupils to ignore staff requests;
- making unnecessarily excessive demands on the time and resources of staff, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses; and/or
- combinations of some or all of these.

The decision to restrict access to schools within the Trust will be taken by the Chief Executive Officer / Headteacher / Head of School. Any restrictions imposed will be appropriate and proportionate. The following options for restrictions may be considered:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or email address;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action.

Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. However, the Board of Trustees will seek to limit any detriment to any pupils who attend the Trust, as far as is reasonable within these circumstances e.g. access to parents' evenings, newsletters, and any other correspondence.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of Trust staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

APPENDIX 4

someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where a complainant whose case is closed persists in communicating with the Trust about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless