SHEFFIELD UTC ACADEMY TRUST
MAKING THE FUTURE

COMPLAINTS POLICY

Status: Statutory

Member of Staff Responsible: Executive Principal and Chair of Trust

Related Policies:

- Special Educational Needs
- Behaviour Management Policy
- Anti-bullying Policy
- Charging & Remissions Policy
- Educational Visits Policy
- Data Protection GDPR Policy

Implementation date: September 2016

Reviewed date: September 2026

Next review date: September 2027

Introduction

The Sheffield UTC Academy Trust's (the Trust) aim is to ensure high quality education for learners and effective working relationships with their parents/carers. If the need should arise, parents/carers can raise concerns about their child's education at any of the UTCs within the Trust. This procedure explains how to do this and the process that will be followed by the Trust and any of the UTCs within it.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the Trust. Any person, including members of the public, may make a complaint to the 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. The Trust and individual UTCs 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 local Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the local Principal 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 UTC / the Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Please note that any complaints regarding data protection will be handled in line with DPA2018 and DUAA2025.

Reasonable time limits

The Department for Education state that 3 months to be an acceptable time frame in which to lodge a complaint. Additional time can be given in exceptional circumstances.

Procedure to register a concern or complaint:

Stage 1: Guidelines for dealing with concerns

If you have a concern about your child then you should contact the Learning Manager or your child's form tutor to discuss them. In most instances, the concern can be resolved at this stage.

If the Learning Manager or form tutor cannot resolve the issues, they will record the details including date, name and contact details and refer your concern to the appropriate member of staff within the UTC. You should receive a reply to your concern within 5 working days.

If this does not resolve the issue then you should contact a member of the Senior Leadership Team. You will receive a reply to your concern within 5 working days.

It may be that the Senior Leadership Team / Principal has not been aware of the concern raised prior to this point. At this stage the Senior Leadership Team / Principal will, in most cases, resolve the matter to the satisfaction of all concerned without recourse to the complaints procedure.

If, following a discussion with the Principal, the issue has not been resolved through the informal stage then you should follow the complaints procedure as outlined below.

If your concern relates to the Principal, then you should contact the Executive Principal via their PA.

Stage 2: Formal Complaints: Procedure

If you wish to make a formal complaint then the complaint form should be completed which can be downloaded from your local UTCs website or obtained from Main Reception at any of the UTCs. If you need assistance completing the form, please contact Reception who will log the details of the complaint and report them back to you.

Acknowledgement of your complaint should be made to you within 5 working days. This will include details of what will happen next, the timescales involved and the person who will be in charge of the progress of the complaint. This will usually be a member of the Senior Leadership Team who has not been involved with the issue previously. Written records will be kept of meetings and telephone conversations during the investigation.

If the complaint is against the action of the Principal then you should address your complaint to the Executive Principal who will take charge of the process.

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 3 or 4 of the procedure.

The person who has been nominated to carry out the investigation will inform you of the outcome within 15 working days with a written response. This will include a full explanation of the decision and the actions, where appropriate, that UTC or Trust will take to resolve the complaint. You will be offered the opportunity to discuss the response to the investigation.

If it is not possible to resolve the complaint within 15 working days then a further written acknowledgment will be sent to you detailing the progress to date.

If your complaint leads to action being initiated under other procedures e.g. disciplinary or child protection, then the complaints procedure will be suspended until action under the other procedures (including appeals) have been concluded. You will be notified that this is the case and informed of the delay in the resolution of your complaint. However, you will not be entitled to know which other procedures have been initiated or the outcome of these.

The Sheffield UTC Academy Trust will treat all complaints with respect during and after the investigation. The details of your complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution. This does not apply to the requirement of the UTC to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, nor to inspectors conducting inspection under section 162A of the Education Act 2002 or to the Secretary of State, should they ask for access to such records.

All complaints will be entered onto the Complaints Log that will be held by the PA to the Senior Leadership with the:

- Date complaint received
- Nature of complaint
- Person in charge of the investigation
- Outcome of the investigation
- Date complaint response sent
- Closure of complaint.

All documentation with regard to the investigation will be held by the PA to the Senior Leadership team. The documents generated by it could be scrutinised by another body or disclosed to the complainant under the Data Protection Act 2018.

Stage 3: Review by the Chair of Governors / Executive Principal

If you feel that your complaint has not been investigated appropriately or that you wish to take the complaint further then you should notify, in writing, the Company Secretary at The Sheffield UTC Academy Trust. This should be done within 10 working days of receiving your outcome letter. Depending on who the complaint relates to it will either be reviewed by the Executive Principal / Chair of Governors at the relevant UTC.

The Company Secretary will acknowledge receipt of your letter within 5 working days. The Chair of Governors / Executive Principal will need to consider whether it is appropriate for him/herself to investigate the complaint, if they have not previously been involved or whether to convene a complaints panel (Stage 4). The Company Secretary will inform you of the process, the timescales involved and the person who is progressing your investigation. This will either be the Executive Principal / Chair of Governors or the Chair of the Governor panel.

If the Executive Principal or Chair of Governors investigates the complaint:

- They will review the documentation from the initial investigation.
- Invite you to meet with them to discuss your complaint and allow you to present any further evidence within 10 working days of receiving the complaint letter.

- Inform you of their findings with an explanation within 20 working days of receiving your complaint.

Stage 4: Appeal for Complaints Panel
If you feel that your complaint has not been investigated appropriately by the Executive Principal / Chair of Governors or that you wish to take the complaint further then you should notify, in writing, the Company Secretary at The Trust. This should be done within 10 working days of receiving your outcome letter.

In this event a Complaints Panel is convened to investigate, the following procedure will be followed:

- The panel will meet within 20 working days of receiving your complaint. It will consist of 3 people with no prior involvement or knowledge of the complaint. One person will be independent of the management and running of the UTC. (A local Governor from another UTC within the Trust will count as an independent person as long as they have no conflict of interest or prior knowledge of the complaint). The panel will elect its own chair.
- The Chair of Panel will write to you, at least 5 working days in advance, giving details of the date, time and place of the panel meeting.
- You will be invited to the meeting and can be accompanied by a friend/advocate.
- The Executive Principal, Principal or Chair of Governors will be asked to prepare a written response for the Panel in response to the complaint.
- You and the other panel members, will be sent all relevant documents in advance of the meeting by the Company Secretary.
- You will be sent notification of the outcome of the panel meeting within 5 working days of the meeting.

The details of the meeting, minutes and records will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution.

The decision of the Complaints Panel is final.

Stage 5: Appeal to the Secretary of State / DFE

- An appeal can be made to the Secretary of State for Education if the Governors / Trustees have acted unreasonably or failed to discharge its duties under the 1996 Education Act in following their complaints procedure;
- If the complainant feels that the published complaints procedure has not been followed;
- If the policy appears to not be compliant with the school regulations;
- If the complainant believes that the UTC is in breach of its funding agreement.

Implementation

Parents will be made aware of the Sheffield UTC Academy Trust's complaints policy and will be able to download a copy from the website or request a copy from the UTC Reception.

All members of the UTC staff will be aware of the complaints procedure and understand:

- The importance of attempting to resolve problems before they become formal complaints
- The importance of treating complaints respectfully and confidentially

- The importance of keeping accurate and formal minutes.

Monitoring and Review

This policy will be monitored regularly to assess its implementation and effectiveness. The designated member of staff responsible will provide an annual report to the Trust Board / Governing Body and interim reports on request.

The policy will be reviewed by the Trust as per the published policy review cycle.

Appendix 1: Investigation by the Executive Principal / Chair of Governors or Governor's panel

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between UTC Sheffield and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the Executive Principal / Governors do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.

In all cases, whether dealt with by the Executive Principal, Chair or complaints committee, the following must be established:

- **Determine the facts**

Decisions must be made on the balance of probabilities, which means that that the evidence demonstrates that it is more likely than not that a particular event or action occurred.

- **Identify what should have happened**

By referring to relevant policies, procedures, or using common sense, determine how the situation could have been handled. Refer to the relevant policy and procedure in your response to the complaint and, if possible, enclose a copy. If it is simply a matter of common sense then explain that this is what you would have expected to occur.

- **Identify any significant failings**

Was anything handled inappropriately, in the circumstances? Significant failings mean that, in the circumstances of this case, a particular action was unreasonable. However, if there was a valid reason for that action then, even if you disagree with that reason, the action could be deemed as reasonable.

Reasonable means that a large proportion of people in that profession, job, or in that situation, would have behaved in the same way.

- **Conclusions reached**

If it is subsequently felt that the Sheffield UTC Academy Trust, its staff or governors / Trustees acted inappropriately then apologise and briefly outline what will be done to put things right. You must remember, however, that those involved may have a right to their personal information being kept confidential.

If it is subsequently felt that the UTC, its staff or governors / Trustees acted properly then say so. Explain that no further action will be taken but that the UTC will continue to support the child, the alleged perpetrator, the parents, the family etc., despite the decision not to uphold the complaint.

Appendix 2: Letter of Response

Whether the complaint has been investigated by the Executive Principal / Chair of Governors or a committee, a written response should be sent confirming the outcome of the investigation and how this conclusion had been reached.

You should consider the following items for inclusion in your letter:

- Introduction – a couple of lines explaining the purpose of the letter
- Outline the complaint – use bullet points if easier
- Explain how the complaint was investigated, for example:
  - spoke with Staff
  - reviewed correspondence
  - checked school records
  - re-examined relevant policies
  - sought advice from appropriate professionals
- Describe your conclusions – essentially, what the evidence demonstrates happened
- Address each complaint individually:
  - possibly by referring to the account of what happened that you have already provided
  - apologise, if necessary
  - explain what the UTC will do next, but if the complaint was not upheld state that no further action will be taken
- Summarise – possibly ending this paragraph with an assurance that their complaint was treated seriously and investigated in line with the Trust's policy
- End – tell the complainant where they can now take their complaint, if they are not satisfied with the response provided.

Appendix 3: Appeals form

Parental Complaint Form for UTC Sheffield

Name of Parent	**Parental contact number:** **Daytime: . . . . . .** **Evening: . . . . . .**
Full name of Child	**Child's address**
Form Tutor / Tutor Group	
Is this a Data Protection complaint? Yes/No	
Details of the Complaint Please state the details of your complaint including the date and period of time which your complaint relates to and who you have expressed your concerns to informally. **Please attach any other information that will be of relevance e.g. letters**	

Name of Parent/Carer: _____

Signature of Parent/Carer: _____

Date: ____/____/_____

Appendix 4: Policy for managing serial and unreasonable complaints

The Sheffield UTC Academy Trust 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 the UTC. 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.

The Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the UTC, 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 UTC'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 UTC 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
- 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.

Complainants should try to limit their communication with the UTC that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

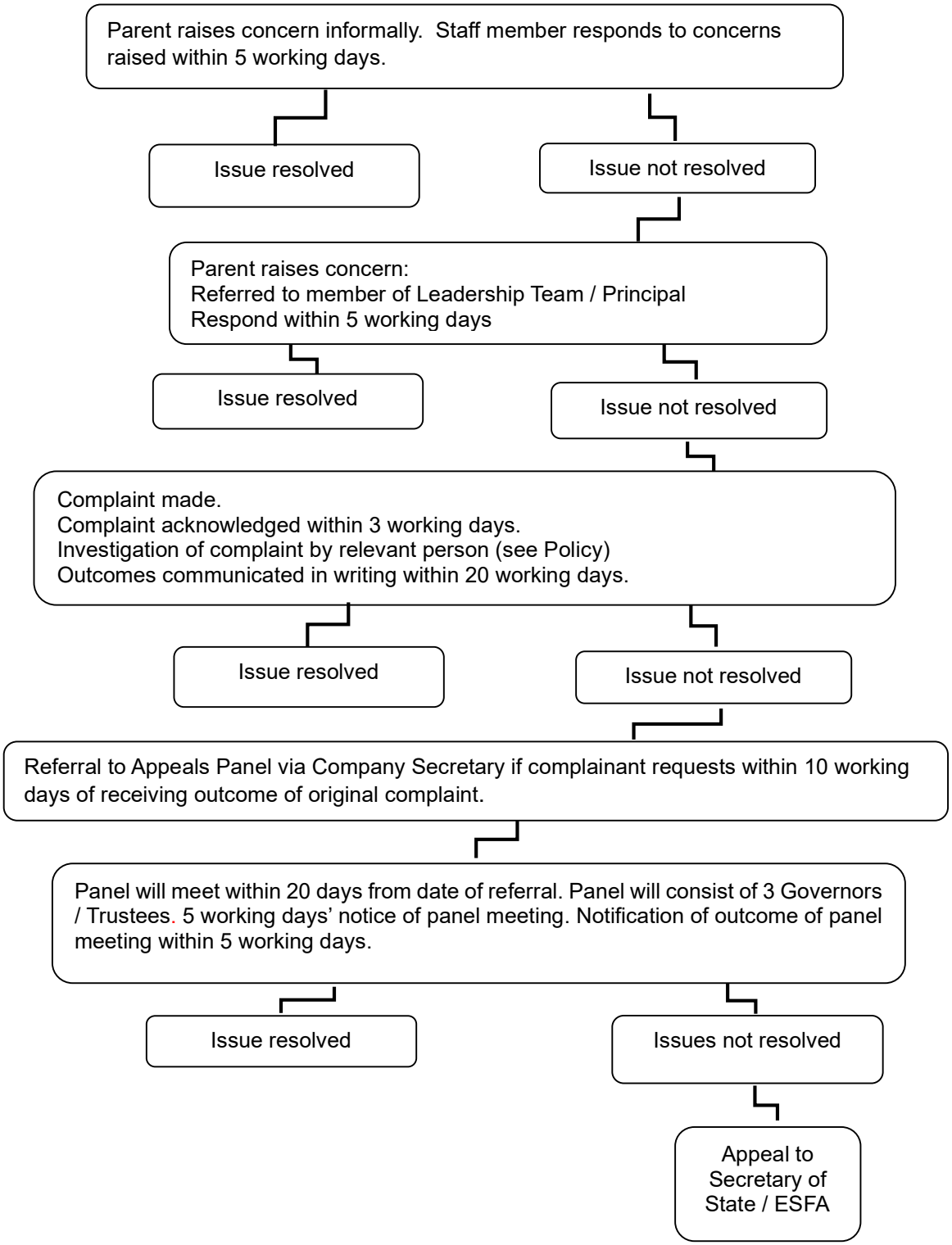
Whenever possible, the Principal or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable'* judgement.

If the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the UTC causing a significant level of disruption, we may specify methods of

communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the UTC.

Appendix 5: Complaints procedure



Please note that complaints regarding data protection will be handled in line with DPA2018 and DUAA2025.