



Concerns & Complaints Policy

Version Number:

- 3

Applies To:

- APTCCO Charity Services
- APTCCO Independent Special School
- APTCCO Short Breaks
- APTCCO Out of School Activities

Associated Documents:

- Child protection and safeguarding policy and procedures
- Relational policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy and information report
- Privacy notices
- Equality, Diversity & Inclusion Policy

Related Regulations:

- [SEND Code of Practice](#)
- [Equality Act 2010](#)
- [Working Together to Improve School Attendance 2024](#)
- [Behaviour in Schools 2024](#)
- [The Charity Commission of England and Wales](#)
- [DfE Safeguarding Out of School Settings](#)

Review Frequency:

- Every 3 years

Date of Implementation:

- Autumn 2024

Review Date:

- Autumn 2027

Chief Executive Officer (CEO)

Date 5/12/24

Chair of Board of Trustees /Governing Board

Date 5/12/24

APTCOO offer equitable, accessible, all-inclusive services within safe, fit-for-purpose environments to meet the needs, wants and choices of our local communities. APTCOO staff work to [The Seven Principles of Public Life \(Nolan Principles\)](#) which include:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

We actively encourage feedback from a range of service users and will be open and transparent in its resolution of concerns and complaints and in learning lessons from them.

The Board of Trustees/Governing Board ensure that any concerns or complaints are handled in accordance with agreed procedures; they hold the CEO and senior leadership team to account for the implementation of this policy and ensure that it is periodically reviewed and updated. The board manage any concerns or complaints made by or about the CEO.

This procedure aims to ensure that concerns and complaints are resolved promptly and fairly. The procedure covers all areas of our organisation. The procedure can therefore be used by any service user including learners, parent/carers, visitors, contractors or members of the local community who have reason to feel unhappy with the service provided by APTCOO.

The procedure covers concerns or complaints in whatever form they are received, we encourage feedback both positive and negative through a range of channels including – over the telephone, in person with a specific member of staff or via APTCOO’s main email (enquiries@aptcoo.org). In whatever form concerns or complaints are received, the principles of this procedure will still apply.

We strongly believe that most issues can be resolved quickly and at the informal stage of our process. However, for more serious incidents, or incidents where the informal stage has not been able to resolve matters there are two further formal stages to the complaints process; there is also further recourse for individuals to take their complaint to external bodies who have oversight of the quality for all aspects of APTCOO’s provision.

Stage 1 – Initial Concern or Complaint

Many issues or complaints can be resolved quickly through this stage of the procedure and where possible it is often best to do so. Matters at this stage can be best dealt with by the appropriate member of staff (lead member of staff and a member of the Senior Leadership Team).

All staff within APTCOO are empowered to resolve issues to the satisfaction of both parties and may seek the advice of more senior members of staff to do so. Feedback and resolution to issues raised may be immediate in some cases, however it may be necessary for the member of staff to gather more information before concluding; as such it is expected that stage 1 complaints will be resolved within **10 working days**.

In many cases the outcome of a stage 1 complaint will be communicated verbally. However, APTCOO will provide written confirmation of the outcome and will file copies of all correspondence in the complaints file.

All complaints or suggestions for improvement are dealt with under this policy and recorded accordingly.

Stage 2 – Formal Complaint

If resolution cannot be found at stage 1 or matters are too significant for the stage 1 approach to be appropriate, individuals may wish to make a formal complaint.

A formal complaint must be made within **three months of the issue first arising** and must be made in writing to:

- The CEO, APTCOO, North Farm House, Worksop Road, Budby, Nottinghamshire. NG22 9EX
Or via email to enquiries@aptcoo.org

APTCOO will take action on anonymous complaints in exceptional circumstances and where it is felt that matters are significant and serious enough to warrant investigation without knowing the details of the complainant.

APTCOO will acknowledge receipt of the formal complaint within **2 working days** from receipt of the formal complaint.

A stage 2 investigating officer will be identified by the CEO.

All complaints made to the Head Teacher of APTCOO Independent Special School directly will be logged as per the procedure above with an investigating officer appointed by the CEO.

Upon receipt of the complaint, the investigating officer will consider the issues raised in the complaint and may contact the complainant to gather further information.

In addition, the investigating officer may contact other members of staff or interview other individuals in the process of conducting their investigation.

The investigating officer will respond in writing to the complainant within **20 working days**. Their response will summarise their findings, propose a resolution if appropriate and/or state whether their investigation has upheld the issues raised by the complainant. A copy of the response will be recorded centrally.

In certain circumstances, the deadlines stated above may need to be extended to enable a thorough and proper investigation to be conducted. This may be of relevance outside of term time, if the complaint refers to the Independent Special School, to allow for key staff to be available as part of the investigation. If such an extension is necessary, this will be communicated to the complainant in writing.

Stage 3 – Formal Complaint Appeal

In most cases complaints can be resolved within stage two. However, it may be that the complainant is not satisfied with the resolution proposed or outcome of the complaint. In these instances, individuals have the right to appeal.

Appeals should be made in writing to the CEO within **10 working days** of the conclusion of Stage 2 outcome.

The CEO will acknowledge receipt of the appeal within **2 working days**. The CEO will then assign either a member of the Senior Leadership Team, who has not been involved in the previous stages, or a member of the

Board of Trustees to consider the original investigation, any evidence that was not considered as part of the original complaint and the reasonableness of the proposed resolution. They will determine whether the appeal has grounds, and the CEO will respond in writing within **10 working days** from the date of receipt.

The response made by the member of the Senior Leadership Team, to the CEO, will outline whether the appeal has been upheld in full, partially or not at all and may suggest an alternative resolution to that proposed in the original response.

In certain circumstances, the deadlines stated above may need to be extended to enable a thorough and proper investigation to be conducted. This may be of relevance outside of term time, if the complaint refers to the Independent Special School, to allow for key staff to be available as part of the investigation. If such an extension is necessary, this will be communicated to the complainant in writing.

The CEO will liaise with the Chair of the Board of Trustees/Governors in relation to the proposed decision and will provide all relevant preceding information; the decision approved, and confirmed in writing, by the Chair of the Board is final and as such internal procedures for complaints are deemed to have been exhausted at this stage. In all instances information about how the complainant can seek external review of matters will be provided.

Outside Agencies Contact Information

SEND Information, Advice and Support Services

Please note that contact details for SENDIASS services are different for each local authority. In the first instance please look on your nearest LA local offer webpage:

SEND Local Offer Webpages:

- [Nottingham City Local Offer](#)
- [Doncaster Local Offer](#)
- [Nottinghamshire Local Offer](#)

Please note: All external agencies will want to satisfy themselves that the internal complaints processes of APTCOO have been exhausted prior to acting upon complaints.

Complaints about a senior manager or concerns about potentially fraudulent, corrupt or irregular activity

APTCOO has a separate Whistleblowing Policy which covers complaints against a senior manager or concerns about potentially fraudulent, corrupt or irregular activity. These are dealt with via APTCOO's Whistleblowing Procedure. A copy can be provided on request.

The Senior Leadership Team at APTCOO is currently:

- The Chief Executive Officer (CEO)
- Head Teacher of the Independent Special School
- EHCP Lead
- Health & Safety and Facilities Lead
- Compliance Lead

The NSPCC Whistleblowing advice line can be contacted on 0800 028 0285 – this line is available between 8:00 AM to 8:00 PM. Monday to Friday. Or you can email: help@nspcc.org.uk.

Alternatively, you can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

Complaints About the CEO

Concerns or complaints made in relation to the CEO should be addressed to:
The Chair of the Board of Trustees, North Farm House, Worksop Road, Budby, Nottinghamshire. NG22 9EX. Or via email to the Enquiries@aptcoo.org, clearly marked as **confidential** and **for the attention of the Chair of the Board of Trustees**.

Persistent complaints

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it has already been resolved in line with APTCOO's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Makes a complaint designed to cause disruption, annoyance or excessive demands on APTCOO time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact APTCOO in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 our sites.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint. If there are new aspects, we will follow this procedure again.

Complaint campaigns

Where APTCOO receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with APTCOO, APTCOO may respond to these complaints by:

- Publishing a single response on APTCOO website
- Sending a template response to all of the complainants

If complainants are not satisfied with APTCOO's response, or wish to pursue the complaint further, the normal procedures will apply.

Vexatious Complaints

A vexatious complaint is one which is made with the intention to cause inconvenience, harassment or expense to an organisation. If it is demonstrated that a complaint has no basis or is a repetition of a previous complaint for which the complaints procedure has been followed and exhausted, it may be classed as a vexatious complaint. Every complaint that is received by APTCOO will be considered. Where a senior manager has good reason to believe that a complaint is vexatious, it will be acknowledged, recorded and no further action taken.

The complainant can at any time take their complaint to an external agency and APTCOO will liaise with the appropriate agency to deal with any complaint it receives.

Record keeping

APTCOO will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a regulatory inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and the details of the complaint, including the names of individuals involved, will not be shared with the whole trustee board in case a review panel needs to be organised at a later point.

Where the governing board are aware of the substance of the complaint before the review panel stage, APTCOO will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons

The governing board will review any underlying issues raised by complaints with the CEO and senior leadership team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that APTCOO can make to its procedures or practice to help prevent similar events in the future.

Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11 through board meetings and this will be minuted.

The complaints records are logged and managed by the Admin & Finance Lead. This policy will be reviewed by the CEO every 3 years.

At each review, the policy will be approved by the full governing board.

Annex A: Guidance for Staff

Is there a safeguarding issue?

When receiving either a verbal or written concern or complaint you must consider whether this could be a safeguarding issue. If there is any indication that the complaint or concern may be a safeguarding issue, then the staff member must immediately inform the designated safeguarding leads and follow their guidance.

Suggestions for dealing with a concern or complaint:

- Listen, be courteous and calm.
- Accept the person's right to complain or raise a concern.
- Clarify exactly what the concern or complaint is and remember to record this on the Record Sheet (Annex B).
- Explain any relevant policy and information to the person.
- Explain what is, and what is not, in your power to do.
- Explain exactly what you are going to do about the complaint or concern and whom you are going to inform.
- If you are not sure how to proceed, seek guidance from a senior member of staff and inform the complainant that you are going to do this and then come back to them.
- Explain that you will be recording the concern or complaint in the Complaints File.
- Be positive; try to resolve the concern or complaint if you can.
- Always inform your line manager about any concerns and complaints you receive, even if you resolve them.
- If the complaint or concern is about another staff member always seek guidance from your line manager straight away, or senior manager if necessary. Things to avoid when dealing with a concern or complaint
- Do not take the complaint or concern personally
- Let your response to the concern or complaint become a further cause of complaint

The initial response you provide to a concern or complaint may influence the final outcome. Therefore, please seek guidance from a member of the Senior Leadership Team if you are unsure or require clarification.

Annex B: Concern or Complaint Recording Form

Date Concern or Complaint Received:
Concern <input type="checkbox"/> Complaint <input type="checkbox"/>
Name of Complainant:
Address:
Concern or Complaint Acknowledged By:
Date Acknowledgment Sent:
Details of Concern or Complaint:
Stage 1 Actions & Outcome:
Date of Response to Complainant:
Stage 2 Actions & Outcome:
Date of Response to Complainant:
Stage 3 Actions & Outcome:
Date of Response to Complainant:
Stage 4 Actions & Outcome:
Date of Response to Complainant:

**Annex C:
RECORD OF CHANGES**

Number of recorded concerns and complaints:

- September 2021 to July 2022: nil
- September 2022 to July 2023: nil
- September 2023 to July 2024: 1 Complaint

DATE	AUTHOR	PROCEDURE	DETAILS OF CHANGE
April 2023	Compliance Lead	Review and Update V1	Reference to Operational Lead amended to Admin & Finance Lead for logging and monitoring purposes
August 2023	Compliance Lead	Review and Update V2	Appendices ‘renamed’ Amended ‘Annex D Leaflet’ to Appendix C “APTCOO and You Information Sheet”
February 2024	Compliance Lead	Update	Update of terminology and clarification of timelines
September 2024	Compliance Lead	Review and update V3	Update and clarity of details relevant to APTCOO, in alternative format to previous versions. Policy renamed Concerns and Complaints; removal of Compliments references and inclusion of reference to Nolan Principles.