



WILSON'S SCHOOL COMPLAINTS PROCEDURE

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WILSON'S SCHOOL COMPLAINTS PROCEDURE

INTRODUCTION

1. The aim of this procedure is to resolve complaints or concerns about Wilson's School (the 'School') or any individual connected with the School in a fair and transparent way.
2. Anyone can make a complaint, but a different process applies depending on whether the person raising the complaint is a parent/carer of a current pupil at the School. Part A of this procedure applies to any matter where the person raising the issue is a parent/carer of a current pupil* at the School. Complaints from those who are not parents/carers of pupils at the School will be dealt with in accordance with Part B of this procedure.
3. Complaints about matters where an alternative complaints / appeals process exists will not be dealt with under this procedure. These include:
 - a. Admissions
 - b. Exclusions,
 - c. Statutory SEN assessments,
 - d. Matters likely to require child protection investigation,
 - e. Data Protection/FOIA,
 - f. Whistleblowing,
 - g. Staff matters concerning grievances, discipline, capability, pay or school re-organisation proposals
 - h. Third party contractors/suppliers
4. Where necessary the School will exercise its discretion in determining what should properly be dealt with under this procedure.
5. The complaint procedures set out in this document do not apply to and are not intended for use by pupils.
6. Requests for reasonable adjustments to the process set out below will be considered to ensure that complainants can access and complete the process.
7. In this document references to school days mean days when the School is open to pupils for teaching. The School will consider complaints received outside of term time to have been received on the first school day after the holiday period.
8. The General Provisions set out in Part C of this procedure apply as appropriate to complaints under both Part A and Part B.

*Where a complaint process has been started but not completed whilst parents/carers have a pupil at the School, but the pupil has since left, Part A of the Complaint Procedure should continue to be followed. Where the complaint is started by parents/carers of former pupils after they have left the school, albeit about incidents that arose during the pupil's time at the school, then the shorter process outlined at Part B should be used.

PART A – COMPLAINTS PROCEDURE FOR PARENTS/CARERS OF CURRENT PUPILS

Timescales

1. The concern or complaint should be raised with the School within 3 months of the incident or issue or, where a series of associated incidents have occurred, within 3 months of the last of these incidents. Complaints made outside of this timeframe will not be considered unless exceptional circumstances apply.
2. Complaints will be considered and resolved as quickly and efficiently as possible. This procedure sets out realistic and reasonable time limits for each action within each stage. However, where further investigations are necessary and the timescales cannot be met the School will set new time limits and send the complainant details of the new deadline along with an explanation of the delay.

Stage 1 – Informal Resolution

1. Complainants should first attempt to address their complaint to the School informally.
2. It is expected that where the matter relates to a pupil it will have been raised first with the pupil's Head of Year and then a member of the Senior Leadership Team before a request is made to deal with it under the formal stages of this procedure. If the matter is not related directly to a pupil, the parent/carer should raise it with the most appropriate staff member. If it is not clear to the complainant who that staff member would be the matter can be raised, in the first instance, with the person designated to handle complaints, who will advise on the most appropriate staff member to deal with the matter.
3. The School will seek to resolve matters at the informal stage within 15 school days of the issue being raised by the parent/carer.
4. It is a precondition to the operation of the formal stages of this procedure that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. Matters can be resolved at this stage in a variety of ways which include (but are not limited to) verbal conversations by telephone or in person, or in writing by electronic mail or letter. The Executive Head and/or Chair of Trustees shall have the discretion, which will be exercised reasonably, not to allow a formal complaint to be pursued where this precondition has not been met.
5. Where the matter is not resolved at the informal stage the parent/carer may elevate it to the formal stage.

Stage 2 – Formal Resolution (Investigation by a Nominated Individual)

1. Where the complainant is not satisfied with the response to the matter under the informal Stage 1 processes they may follow the formal complaints procedure. The complainant must put the complaint in writing, using the Complaint Form attached at Appendix 1 within 10 school days of the Stage 1 response. The Complaint Form must be sent to the email address indicated on the form below and should briefly set out the facts and grounds of the complaint, stating what it is that the complainant considers should have been done or where the School has not met reasonable expectations and confirming the outcome sought.
2. An investigation will be carried out by the person designated to handle complaints (or if this is not possible or appropriate in the circumstances a member of the Leadership Team identified by the Executive Head) who will acknowledge the complaint within 5 school days and may offer the complainant a meeting. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received. It is for the investigator to determine whether a meeting with the complainant is appropriate or necessary as part of the process of investigation.
3. The investigator will put their findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be within 15 school days of any meeting with the complainant and if no meeting is to take place within 25 school days of the complaint being received. The response to the complaint will include advice to the complainant as to how to escalate the matter to the Stage 3 process if they are not satisfied with the outcome at Stage 2.

Stage 3 – Formal Resolution (Complaints Panel Hearing)

1. If the complainant is not satisfied with the response of the investigator under Stage 2 of the procedure, they may request that the complaint be considered by a Complaints Panel of the Trust Board. That request must be made in writing, addressed to the Governance Professional at the School, within 10 school days of the Stage 2 response being sent to the complainant and must set out briefly the reasons why the complainant remains dissatisfied and the outcome sought.
2. The Governance Professional will acknowledge the Stage 3 complaint within 5 school days and will convene a Complaints Panel.
3. The Complaints Panel must comprise at least three people who have not previously been directly involved in the matters detailed in the complaint including one person who is independent of the management and running of the School.
4. The Governance Professional will invite the School to put in writing its response to the Stage 3 complaint within 15 school days of receiving the request and at the end of that period (whether or not the School has responded) the Governance Professional will convene a meeting of the Complaints Panel of the Trust Board. That meeting will be held on School premises as quickly as practicable

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notwithstanding the need to find a date that is convenient for the complainant, the School and members of the Panel. Whenever possible, the meeting will be held within 15 school days of the end of the School's response time. The meeting date, time and location will be confirmed to all parties at least 5 school days in advance.

5. At any meeting, the complainant will be entitled to attend and be accompanied by a friend to provide support. Legal representation will not be permitted.
6. The meeting is not a court case. It will be held in private and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a parent's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place. Consent will be recorded in any minutes taken.
7. The complainant will have the opportunity to put their reasons for dissatisfaction but may not introduce new information or issues which were not previously put in writing. The Complaints Panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The School and the complainant will have the opportunity to put their respective version and views of events and each side, as well as the Panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.
8. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days of the hearing, and the Governance Professional will notify all concerned.
9. The Panel may make findings and recommendations and a copy of those findings and recommendations will be:
 - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - (ii) available for inspection on the School premises by the School Trust Board and the Executive Head
10. Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a Stage 3 request within the time stated in the procedure) the matter is closed and further correspondence on the matter will not be responded to.
11. The Complaints Panel will proceed irrespective of whether or not the complainant and/or their companion attend. If reasonable attempts to accommodate the complainant with dates for complaint meetings have been made and they refuse or are unable to attend the School can convene a meeting in the complainant's absence and reach a conclusion in the interests of drawing the complaint to a close. In addition, if the complainant fails to attend on the day without compelling reasons, the Complaints Panel will proceed in their absence, and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the unreasonable, serial or persistent complaints section as below.

Complaints against specific role-holders

1. Any formal complaint relating to the Executive Head which has not been resolved informally with him must be raised in the first instance with the Chair of Trustees (or Vice-chair in the absence of the Chair) by writing to the Governance Professional. If an informal resolution cannot be reached, the Chair of Trustees (or Vice-chair in their absence) will designate a Trustee or an independent investigator to investigate the complaint as per Stage 2 above.
2. Any formal complaint relating to an individual Trustee or Trustees which has not been resolved informally must be raised in the first instance with the Governance Professional who will, if an informal resolution cannot be reached, refer the matter to the Chair of Trustees under Stage 2 of the process outlined above.
3. Complaints about the Chair of Trustees, the entire Trust Board or complaints involving both the Chair and Vice Chair should also be sent to the Governance Professional who will refer it to the Members.
4. In both such cases the Chair of Trustees / the Members (as applicable) will investigate the complaint or appoint an appropriate independent investigator to complete the Stage 2 investigation. Where the complaint moves to Stage 3 the Chair of Trustees/ the Members (as applicable) will determine how the Complaint Panel is to be constituted but will ensure that one person is independent of the management and running of the School.

PART B – COMPLAINTS RAISED BY THOSE WHO ARE NOT PARENTS/CARERS OF CURRENT PUPILS

Complaints made by those who are not parents/carers of current pupils, which includes complaints made by parents of former pupils after they have left the School will be dealt with as follows:

- a. Complainants should first attempt to address their complaint to the School informally by raising the matter with a relevant member of staff within 3 months of the incident, or where a series of associated incidents have occurred, within 3 months of the last of these incidents. The School (depending on the nature of the complaint) will seek to resolve the matter informally within 15 school days.
- b. Only if this fails to resolve the situation should the complaint be submitted in writing to the Executive Head (if the complaint is about the School or its provision in general) or to the Chair of Trustees (if the complaint is about the Executive Head specifically). The Executive Head / Chair of Trustees (as appropriate) will acknowledge receipt of the complaint within 5 school days, and a final written response will be issued within 20 school days.

PART C – GENERAL PROVISIONS

1. Complaints may be raised under this procedure about staff conduct, however, any action taken under the School's internal disciplinary procedures is confidential and complainants will not be provided with information about this.

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2. If a complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.
3. The School will not normally investigate anonymous complaints. However, where an anonymous complaint is received the Executive Head or Chair of Trustees (as appropriate) will determine whether the complaint warrants investigation, seeking external advice as necessary.
4. Where the School receives a number of complaints all based on the same subject which in its reasonable opinion may be deemed a 'complaint campaign' it will deal with the complaints in the following way: individual responses will not be sent and instead a template response sent to all complainants.
5. Where the complaint campaign involves complainants who are parents/carers of current pupils at the School they will be entitled to escalate the complaint to a Stage 3 Complaint Panel Hearing under the Part A procedures if they are dissatisfied with the School's response. The School will consider how best to manage the panel hearing(s) in such circumstances.
6. If a complainant threatens or commences legal action against the School (including the issuing of a letter before claim) in relation to their complaint, the School will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Managing Unreasonable, Serial, Persistent or Vexatious Complainants or Communications

7. If, at any level, a complainant or connected party tries to re-open the same issue or a closely related issue that has already been dealt with under this procedure they will be informed in writing by the Chair of Trustees that the full complaints procedure has been completed, that the matter is closed and that further correspondence on the subject or closely related subject will not receive a response.

NOTE: The provisions below can be adapted by the School to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

8. The School does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, aggressive or threatening. The School defines unreasonable or 'vexatious' behaviour as that which hinders its consideration of complaints because of the frequency or nature of the complainant's contact with the school and individual staff members such as where 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 that 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 complaints procedure has been fully and properly implemented and completed.
 - Seeks an unrealistic outcome.
 - Makes excessive demands on the School's time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by e-mail, and by telephone whilst the complaint is being dealt with.
 - Uses threats to intimidate including references/threats to making further complaints to bodies such as Ofsted, DfE, etc with no basis or not having followed the complaints procedure.
 - Uses abusive, aggressive, offensive or discriminatory language or violence.
 - Raises complaints which are obsessive, persistent, harassing, prolific, repetitious
 - Insists on pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
 - Insists on pursuing meritorious complaints in an unreasonable manner.
 - Raises complaints which are designed to cause disruption, upset or annoyance.
 - Makes demands for redress that lack any serious purpose or value.
 - Knowingly provides falsified information.
 - Publishes unacceptable information on social media (in closed or open groups) or other public forums or to other public bodies such as Ofsted, DfE, etc.
9. The school will consider very carefully before deciding a complainant is 'vexatious' and will give appropriate warning in writing explaining that the behaviour is unreasonable and asking the complainant to change it. However, in such cases where the behaviour continues, the Executive Head or Chair of Trustees (as appropriate) may write to the complainant to inform them that the complaint is deemed vexatious and that the School will not respond to any further correspondence on the issue or a closely related issue.

Communication strategy for persistent correspondents

10. If an individual's behaviour is causing a significant level of disruption, upset or is otherwise having a negative impact on the wellbeing of staff, regardless of whether or not they have raised a complaint, the School can implement a tailored communication strategy, which could include restricting the individual to a single point of contact via a nominated email address and / or limit the number of times they can make contact with the school, such as a fixed number of contacts per term.

11. Implementation of a communication strategy will be confirmed in writing to the individual by the Executive Head. Any communication strategy implemented will be reviewed after a period of six months.

Record Keeping

12. The person designated to handle complaints is responsible for maintaining records relating to complaints and for ensuring the security of the data. A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at Stage 2, or whether it proceeded to a Stage 3 panel hearing. The action taken by the School as a result of a complaint (regardless of whether they are upheld) will also be recorded.
13. Records will be kept for a minimum of 6 years from the date the matter was resolved or concluded after which time a review will take place to determine whether further retention may be appropriate depending on the subject matter of the case. Under data protection legislation data must not be kept longer than is necessary.

Confidentiality

14. 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 Education and Skills Act 2008 requests access to them or otherwise where to do so is prohibited by law.
15. The complainant must also keep all correspondence, statements and records relating to their complaint confidential, and must not disclose (by way of electronic communication, social media or otherwise) any information or documents relating to their complaint.

Review

16. This Complaints Procedure will be reviewed by the Trust Board at least every 3 years.

WILSON'S SCHOOL COMPLAINT FORM

Please complete and return to complaints@wilsonsschool.sutton.sch.uk

Your name:
Relationship to pupil:
Name of pupil:
Address:
Postcode:
Email address:
Day time telephone number:
Evening telephone number:
Mobile telephone number:
Please give details of your complaint. What is your concern?
Are you attaching any paperwork? If so, please list below:
What steps have you taken to resolve the complaint informally? (including details of who the matter has been raised with, when and what solution was offered)
Why have the steps taken so far failed to resolve the complaint? (including what you consider should have been done/where the school has not met reasonable expectations in its response)

What actions do you feel might resolve your concerns at this stage?
In order to properly and fully investigate your complaint we may need to share details of your complaint with third party individuals. Please indicate your consent for us to do so by ticking the box.
☐ I consent to those involved in the investigation of my complaint sharing details and information with others to the extent they feel is necessary to properly deal with the matter:
Signature:
Date: