



WILSON'S SCHOOL COMPLAINTS PROCEDURE

Date approved by Trustees: Summer 2022

Complaints Procedure

WILSON'S SCHOOL COMPLAINT PROCEDURE

This procedure applies to any matter which has been raised with the School by parents/carers of pupils* as a matter of concern but which has not been capable of resolution informally and which the complainant considers should be dealt with on a formal basis.

Matters relating to admissions and exclusions, statutory SEN assessments, cases involving child protection, whistleblowing, staff grievances, discipline, capability or pay matters or school re-organisation proposals will not be considered under this process as they have their own appeal or complaint processes. Where necessary the School will exercise its discretion in determining what should properly be dealt with under this procedure.

For the avoidance of doubt this procedure does not apply to those who are not parents/carers of pupils at the School. Complaints from those who are not parents/carers of pupils at the School will be dealt with as follows:

Complainants should first attempt to address their complaint to the School informally. 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 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 before considering it and issuing a final written response.

*Where a complaint process has been started but not completed whilst parents/carers have had a pupil at the school, but the pupil has since left, this 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 above should be used.

Stage 1 – Informal Resolution

It is expected that where the matter relates to a pupil it will have been raised with the pupil's Head of Year before a request is made to deal with it under 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 deal with complaints.

It is a precondition to the operation 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.

Where the matter is not resolved at the informal stage the parent/carer may elevate it to the formal stage.

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

1. The complainant must put the complaint in writing, addressed to the person designated to deal with complaints (via the email address complaints@wilsonsschool.sutton.sch.uk), setting out briefly the facts and stating what it is that the complainant considers should have been done or where the School has not met reasonable expectations (see Complaint Form attached).
2. An investigation will be carried out by the person designated to deal with complaints (who will be a member of the Associate Leadership Team) who may offer the complainant a meeting and 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 done within 15 school days of the 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.
4. 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) who will, if an informal resolution cannot be reached, designate a Trustee to investigate in the same way as the process outlined above.
5. 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 for investigation by the Chair of Trustees in the same way as Stage 2 of the process outlined above. 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 should then determine the most appropriate course of action. This will depend on the nature of the complaint but may involve engagement of an independent investigator to complete the Stage 2 investigation.

Stage 3 – Formal Resolution (Panel Hearing)

1. If the complainant is not satisfied with the response of the investigator, they may request that the complaint be considered by the Complaints Panel of the Trust Board which will comprise at least 3 people who have not previously been directly involved in the matter including one person who is independent of the management and running of the School. That request must be made in writing, addressed to the Governance Professional at the School, within 10 school days of the response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.

2. The Governance Professional will invite the School to put in writing its response to the complainant's reasons. The School will do this 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 given the need to find a date that is reasonably convenient for the complainant, the School and the members of the Panel. Whenever possible, the meeting will be held within 15 school days of the end of the School's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
3. The meeting is not a court case and will be as informal as circumstances allow. 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 School will have the opportunity to put its side of the matter 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.
4. 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.
5. 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;
 - (ii) available for inspection on the School premises by the School Trust Board and the Executive Head
6. 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.

Attendance at a complaints panel hearing

The Complaints Panel will proceed irrespective of whether or not the complainant and/or their companion attend. If the complainant fails to attend on the day without compelling reasons, the Complaints Panel will still 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.

Unreasonable, Serial, Persistent or Vexatious Complainants

The School is committed to dealing with complaints fairly and impartially. However 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 or threatening. If a complainant tries to re-open the same issue they will be informed that the full complaints procedure has been completed and that the matter is now closed.

The characteristics of a 'vexatious' complaint are:

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- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress that lack any serious purpose or value.

The school will consider very carefully before deciding a complainant is serial, persistent or 'vexatious' and will take into account the fact that such a marking should usually be against the subject or complaint itself rather than the complainant.

The decision to stop responding to a complaint will never be taken lightly and will be confirmed in writing by the Chair of Trustees. In deciding whether to stop responding to a complaint, the following will be taken into account:

- The school has taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of the school's position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time.

The case to stop corresponding is stronger if one or more of the following applies:

- Their letters, emails or telephone calls are often or always abusive or aggressive
- They make insulting personal comments about or threats towards staff
- There is reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience.

Record Keeping

The person designated to deal with 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.

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.

Confidentiality

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.

WILSON'S SCHOOL COMPLAINT FORM

Please complete and return via email to:

complaints@wilsonsschool.sutton.sch.uk

The person designated to deal with the complaint will acknowledge receipt and explain what action will be taken.

Your name:
Relationship to pupil:
Name of pupil:
Address:
Postcode:
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:
Have you discussed this matter with a member of the Senior Leadership Team before filling in this form? If so, who did you speak to and what was the response?
What actions do you feel might resolve your concerns at this stage?
Signature:
Date: