



**Woodbrook Vale School
Policy Document**

Complaints Policy

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Complaints Policy & Procedure

1. Overview

- a. The Governing Board is required to have a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. However, there are certain complaints which fall outside the remit of the Governing Board's complaints procedure, (for example, staff grievances or disciplinary procedures).
- b. There is a difference between a concern and a complaint.
 - We define a **concern** as "an expression of dissatisfaction made orally about any aspect of the Academy".
 - We define a **complaint** as follows: "an expression of dissatisfaction made in writing on a Woodbrook Vale complaint form about the standard of service, actions or lack of action by the Academy affecting an individual or group".

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. Concerns should be handled, if at all possible, without the need for formal procedures

- c. Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- d. The school's 'Complaints Co-ordinator' is the Headteacher,

2. Principles

We will aim to ensure that our complaints procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be impartial;
- be non-adversarial;
- allow **swift** handling with established **time-limits** for action and keeping people informed of progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's Senior Leadership Team (SLT) so that services can be improved.

3. Investigating Concerns and Complaints

When investigating a concern or a complaint the Headteacher (or a nominated member of SLT acting on behalf of the Headteacher) will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them;
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

4. Resolving Concerns and Complaints

At each stage in the procedure we will keep in mind ways in which a concern or a complaint can be resolved. It might be sufficient to acknowledge that the concern/complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event highlighted will not re-occur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an agreement to consider a review of a school policy in light of the concern/complaint.

When appropriate, complainants may be encouraged to state what actions they feel might resolve the problem, bearing in mind that an admission that the school could have handled the situation better is not the same as an admission of negligence. We will try to identify areas of agreement and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Specific actions taken against members of staff during or after the process of resolving a concern/complaint will not usually be communicated. Any variation to this will be entirely at the discretion of the Headteacher or a designated senior leader.

5. Unreasonable and Vexatious Complaints

If a parent/carer continually contacts the school in a way that is unreasonable, WBV may restrict contact to a single method (e.g. email) and/or to a single point of contact in the school. The parent/carer will be told that their communications will not be answered, unless in an emergency, other than through the designated route.

If, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied and the complainant tries to re-open the same issue with the school, the Chair of Trustees may inform him or her in writing that the procedure has been exhausted and that the matter is now closed.

In situations where parents/carers or members of the community become persistent complainants that use the complaints process unreasonably, for example by sending excessive correspondence, making unreasonable demands or seeking to pursue complaints that have reached the end of the complaints process, WBV will treat these complainants as vexatious and may refuse any form of contact. No further action will be taken regarding the complaint.

Where a parent/carer has caused a disturbance on the school site, the school may want to take action to restrict their access to the premises. Woodbrook Vale, as an academy, can decide that they want to remove the lawful authority for someone to access their grounds so that a person would commit a criminal offence if they entered the site.

6. Time-Limits

We will aim to consider and resolve complaints as quickly and efficiently as possible by setting realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits will be set and the complainant sent details of any new deadlines, along with and an explanation for the delay.

7. The Complaints Procedure

The Headteacher should be made aware of all potential complaints before, or as soon as practicable after, an investigation begins.

Where the first approach is made to a trustee, the next step would be to refer the complainant to the Headteacher. Trustees should not act unilaterally on an individual concern or complaint in case they are needed to sit on a panel at a later point.

There will normally be up to four stages of a complaints procedure:

Stage one:

Concern heard informally by a nominated staff member. The concern will be investigated and an attempt made to agree an outcome that satisfies all parties. A designated senior or middle leader will be informed of the outcome of this informal investigation as soon as it is completed. The Headteacher will always be informed of any unresolved concern that could potentially convert into a formal complaint.

Where the issue is not resolved the concern will move to **Stage two**, unless the matter involves the Headteacher when it will move directly to **Stage three**.

Stage two:

Formal consideration by Headteacher. At this point, and following a discussion with the Headteacher, the complainant may feel that the concern be set on a more formal basis and convert to a complaint. The complainant will be asked to complete a form (Appendix 2) and the complaint will be recorded at this stage. The Headteacher will acknowledge formal receipt of the complaint and will, as soon as possible, contact the complainant with the outcome of an investigation.

Where the issue is not resolved the complaint will move to Stage three.

Stage three:

Complaint considered by the Chair of Trustees: The Chair of Trustees will review the complaint by considering written material and discussion with the complainant and Headteacher. The aim will be for the Chair to mediate between the school and the complainant with a view to reaching a mutually satisfactory outcome. Complaints against a trustee will be addressed to the clerk and responded to within five working days. These complaints will normally be dealt with by the Chair (or the Vice-Chair if the Chair is the subject of the complaint).

Stage four:

Complaint heard by Trustees' Complaints Appeal Panel: the complainant will need to write to the Chair of Trustees giving details of the complaint. The Chair, or a nominated trustee, will convene a Trustees' Complaints Panel.

The trustees' appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

Individual complaints are not heard by the whole Governing Board at any stage.

There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved, and further investigations may be required by the Headteacher after a meeting with the complainant.

The Headteacher is responsible for keeping records of all formal complaints.

As part of their monitoring and evaluation role, the Governing Board will monitor the level and nature of formal complaints and review the outcomes by considering an annual report from the Headteacher. A summary of the complaints procedure will be included in the school prospectus.

8. The Complaints Appeal Panel

a. Membership

The Complaints Panel will be made up of three trustees and one member who is independent of the school. The panel will elect its own chair. This person will not have been involved in any of the previous stages.

b. The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not re-occur.

c. There are several points which any trustee sitting on a complaints panel should remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No trustee may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. Similar feelings apply to staff involved. The panel chair will ensure that the proceedings are as welcoming as possible.
- The trustees sitting on the panel need to be aware of, and familiar with, the complaints procedure.

d. The Complaints Committee will be clerked. The clerk will be the contact point for the complainant and will:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- notify all parties of timescales and set deadlines
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

- e. The Chair of the Panel has a key role, ensuring that:
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
 - the issues are addressed;
 - key findings of fact are made;
 - parents and others who may not be used to speaking at such a hearing are put at ease;
 - the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
 - the panel is open-minded and acting independently;
 - no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
 - each side is given the opportunity to state their case and ask questions;
 - written material is seen by all parties. If a new issue arises it would be useful to give all parties, the opportunity to consider and comment on it.
- f. The Chair of the Panel, via the Clerk, needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. If the complainant remains dissatisfied, he or she may contact the Education and Skills Funding Agency (ESFA) via the website: www.gov.uk. The ESFA will review whether the school has properly investigated the original complaint in line with its procedures.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time- scale.

Woodbrook Vale School Complaint Form (Stage Two)

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Name of Student:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?

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

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: