



## Complaints Policy and Procedures

**This policy is applicable to:** the Wolds Learning Partnership (WLP)

### Version 2.0

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| <p><b>Important:</b> This document can only be considered valid when viewed on the website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.</p> |  |
| <p><b>Name of Responsible Committee/Individual:</b></p>  | <p>LGB &amp; Board of Trustees</p>   |
| <p><b>Implementation Date:</b></p>   | <p>May 2019</p>  |
| <p><b>Review Date:</b></p>   | <p>May 2021</p>  |
| <p><b>Target Audience:</b></p>   | <p>All Staff, Parents, Community users, Key Stakeholders</p>   |
| <p><b>Related Documents</b></p>  |  |
| <p><b>References</b></p>   | <p>The Education (Independent School Standards) (England) Regulations 2014 – Section 7<br/> The Equality Act 2010<br/> Ofsted Guidance – Framework 2015<br/> Department for Education ‘School Complaints Toolkit 2014’<br/> Data Protection Act 1998</p> |



## Policy Statement

This policy and procedure outlines the principles and processes the Wolds Learning Partnership (WLP) adheres to when a concern or complaint is received. The WLP is concerned with meeting the needs of pupils, students, parents and other stakeholders. We believe that constant feedback is an important ingredient in self-improvement and raising standards.

## Purpose and Scope

The WLP welcomes stakeholder comments, compliments, concerns and complaints as they help us to improve and ensure we best serve others' needs. Receiving feedback when people feel we have performed well (compliments), when people feel we can improve (comments) and when people feel we haven't done something well (concerns and complaints) will help us to continue to learn, develop and improve the services we deliver.

Certain complaints fall outside the remit of this policy (e.g. staff grievances) and there are other policies and procedures that may be accessed in such circumstances (e.g. the Grievance Procedure). Any third party providers offering services and facilities via the school should have their own complaints procedures in place.

The WLP takes any form of concern or complaint very seriously and endeavours to resolve concerns and complaints informally, swiftly and discreetly wherever possible. However, formal complaints should always be managed via the formal complaints processes detailed within this procedure. Formal procedures will be followed when initial attempts to resolve an issue are unsuccessful and the complainant remains dissatisfied and wishes to take the matter further. The aim of this policy and procedure is to:

- Encourage resolution of concerns/complaints informally wherever possible.
- Be easily accessible and publicised via the school website.
- Be simple to understand and use.
- Be impartial and non-adversarial.
- Allow swift handling with established time frames for action, ensuring complainants are informed of progress.
- Ensure a full and fair investigation is undertaken by an independent person where necessary.
- Respect people's desire for confidentiality, sharing information on a need to know basis discreetly, respectfully and professionally.
- Address all points raised and provide an effective response and appropriate redress where necessary.
- Provide information to the school's senior leadership team and Local Governing Body (LGB) to enable the school to continually learn, develop and improve.

## Roles and Responsibilities

The **Chief Executive Officer (CEO)** is responsible for ensuring there is a consistent approach to managing and resolving concerns and complaints across the Trust that adheres to legal and statutory requirements.

The WLP's **Board of Trustees** is responsible for the approval of this policy and procedure and the school's **Local Governing Body** must ensure that all concerns and complaints are logged, managed and resolved quickly and effectively and that learning points are captured and appropriate actions taken to ensure such issues do not occur again in the future.



The WLP's **Headteacher Board** is responsible for overseeing the development, review, implementation, communication, monitoring and evaluation of this policy and procedure and will report to the CEO, the Board of Trustees and Governors as required. Headteachers must ensure that staff and other stakeholders are aware of this policy and procedure, that the policy and procedure is easily accessible and that it is implemented fairly and consistently.

**Leaders** and staff with supervisory or leadership responsibilities must ensure they respond to concerns and complaints swiftly, fairly and consistently in line with this policy and procedure. They must ensure that all concerns and complaints are logged and acknowledged and they must investigate issues discreetly, thoroughly and quickly, accessing support, guidance and training as and when required.

**Staff** in receipt of concerns or complaints must respond professionally, objectively, swiftly and effectively. They should try to resolve matters informally wherever possible, seeking further advice and support where required from a member of the SLT, escalating issues as appropriate and as detailed within this policy and procedure.

**Trustees and Governors** should monitor and review complaints on a regular basis and ensure that appropriate actions have been taken to resolve any issues raised, whilst also monitoring the actions the school and Trust take to improve services.

### **Equality and Diversity**

The WLP is committed to:

- Eliminating discrimination and promoting equality and diversity in its policies, procedures and guidelines.
- Delivering high quality teaching and services that meet the diverse needs of its pupil/student population and its workforce, ensuring that no individual or group is disadvantaged.

### **Complaints Procedure**

Where an individual has raised a concern with a member of staff and that person then would like to make a complaint, they will be asked to complete a Trust Complaint Form at the start of the Complaints Procedure. There are four stages to The WLP's Complaints Procedure:

- Stage 1 (informal): complaint form submitted to the Headteacher of the individual school who will assign an investigating staff member (not the subject of the complaint) and resolve informally.
- Stage 2 (formal): Complainant asks Headteacher of School to review evidence and original decision.
- Stage 3 (formal): Complainant writes to the Chair of the LGB and asks them to review all correspondence.
- Stage 4 (formal): Complainant makes an appeal to the Board of Trustees appeal panel.

Complaints against the Headteacher of an individual school will normally be dealt with by the CEO and or the Chair of the Local Governing Body (LGB)(stage 2). Complaints against the CEO will normally be dealt with by the Chair of the Board of Trustees (stage 3). Complaints against a member of the LGB will normally be dealt with by the Chair of the Board of Trustees (stage 3) and complaints against a member of the Board will normally be dealt with by Members of the Trust.

The WLP will record all complaints received as well as recording the progress of a complaint, decisions, the final outcome and learning outcomes for the school. The summary information will be collated at Trust level once a year to enable an annual review of all complaints received in schools across the Trust.



For all stages in this procedure the school will acknowledge receipt of the complaint, investigate and write to the complainant confirming the outcome and offer escalation where a further stage is available.

When investigating complaints, staff investigating will:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and assess what remains unresolved.
- Meet with the complainant or contact them.
- Clarify what the complainant would view to be a satisfactory resolution.
- Interview those involved in the matter, allowing them to be accompanied by a trade union representative or work colleague if they wish.
- Conduct the interview objectively.
- Keep notes of the interview or arrange for an independent note taker to record minutes of the meeting.

To ensure the WLP can fully and fairly investigate matters that arise, a letter of complaint must be received within a three month period following the initial incident. The WLP will in dealing with any complaint received within the three month period, always ensure that historical complaints against an individual school or an individual are included in any investigation, if they are deemed relevant by the Investigating Officer. All complaints, whether actionable or not, under this policy, will be recorded.

### **Stage 1 – Informal**

The WLP will endeavour to resolve issues informally wherever possible. To enable them to do this, a Stage 1 Complaint Form (**Appendix A**) must be submitted giving as much information as possible. Where a complainant expresses difficulty in discussing a complaint with a particular member of staff, the school will refer the complaint to another member of staff. If the member of staff feels implicated and potentially compromised, they can request that the complaint be dealt with by another member of staff.

The member of staff investigating the complaint may be able to resolve the matter following their investigation, establishing the facts and explaining those to the complainant. The member of staff may feel it appropriate to apologise to the complainant (recognising that an apology and/or an admission that the school could have handled a situation better is not the same as an admission of negligence). The complainant should be assured that steps will be taken to ensure the situation does not happen again and an appropriate way forward should be shared with the complainant verbally where possible and followed up in writing. The outcome should be logged on the complaints log.

It is anticipated that the first stage of the procedure should be completed within two school weeks of receipt of the initial complaint. Where a delay occurs or is likely to occur, the school will contact the complainant explaining the reasons for the delay and providing the complainant with an anticipated timeframe for resolution.

### **Stage 2 – Formal**

The complainant may be dissatisfied with the way the complaint was handled or the outcome and they may decide to pursue their complaint. The complainant should submit a Stage 2 Trust Complaint Form (**Appendix B**) to the Headteacher of School within five working days of the date of the letter they have received detailing the stage 1 outcome. The Headteacher of School will review the collated evidence and look at the previous outcome. The Headteacher of School may delegate further investigations to be undertaken by another



member of staff. When they have enough information to enable them to make a decision they will share their decision with the complainant verbally wherever possible (while ensuring we maintain our duty of care to our employee) and confirm the outcome in writing to the complainant, ensuring the outcome is also logged on the complaints log.

It is anticipated that the second stage of the procedure should be completed within two school weeks of receipt of the stage 2 complaint. Where a delay occurs or is likely to occur, the school will contact the complainant explaining the reasons for the delay and providing the complainant with an anticipated timeframe for resolution.

### **Stage 3 – Formal**

If the complaint is not satisfied with the stage 2 response the complainant should submit a Stage 3 Trust Complaint Form (**Appendix C**) to the Chair of the LGB within 5 working days of the date of the letter they have received detailing the stage 2 outcome. The Chair of the LGB will review the complaint and associated evidence. The Chair will look at the previous correspondence and may arrange to meet with the complainant or they may appoint someone to undertake further investigations. When they have enough information to enable them to make a decision they will share their decision with the complainant, verbally wherever possible, and confirm the outcome in writing to the complainant, ensuring the outcome is also logged on the complaints log.

It is anticipated that the third stage of the procedure should be completed within two school weeks of receipt of the stage 3 complaint. Where a delay occurs or is likely to occur, the school will contact the complainant explaining the reasons for the delay and providing the complainant with an anticipated timeframe for resolution.

### **Stage 4 – Appeal**

If the complainant remains dissatisfied with the outcome they can submit an appeal to the Governance Clerk of the Trust within five working days of the date of the letter they have received detailing the stage 3 outcome. The Governance Clerk will arrange a Board of Trustees appeal panel to convene which will include a panel member who is independent of the management and running of the school. If the Chair has been involved in the complaint at an earlier stage in the process they will be precluded from being involved in the appeal. The appeal panel is the last school-based stage of the Complaints Procedure and allows for an independent, impartial review of the case. The aim of the hearing is to resolve the complaint and achieve reconciliation between the school and the complainant. The complainant can attend the panel meeting and they may be accompanied (not by anyone attending in a legal capacity). It is acknowledged that complaints can be distressing and extra care must be taken when the complainant is a child. The panel should be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant it is often useful for the parent to be encouraged to articulate to the panel the parts of the meeting, if any, that the child needs to attend. The complaints appeal panel will review the evidence and previous outcomes and can:

- Dismiss the complaint in full or in part.
- Uphold the complaint in full or in part.
- Decide on the appropriate action to be taken to resolve the complaint.



- Recommend changes to the school's systems or procedures (and those of the Trust where applicable) to ensure that problems of a similar nature do not recur.

The panel will establish findings and recommendations in relation to the complaint and these will be confirmed in writing to the complainant, the Headteacher and, where appropriate, the person the complaint is lodged against.

Records of complaints, concerns and compliments will be retained, alongside associated actions where a concern or complaint has been investigated and resolved. The principles of the Data Protection Act 1998 will be adhered to.

Where a complainant tries to re-open an issue once the internal processes have been exhausted, the Chair of the Board of Trustees can inform the complainant that the matter is closed, providing them with information regarding the external escalation processes, should the complainant wish to address their complaint externally. If the complainant writes again regarding the same issue the school can view the submission as a vexatious complaint and would therefore be under no obligation to respond. However, if it is the same complainant, but a different issue their complaint should be addressed in the normal way.

### **Department for Education**

When the school's Complaints Procedure has been exhausted and the complainant remains dissatisfied they may write to the Secretary of State for Education:

The School Complaints Unit  
Department for Education  
2<sup>nd</sup> Floor, Piccadilly Gate  
Manchester  
M1 2WD

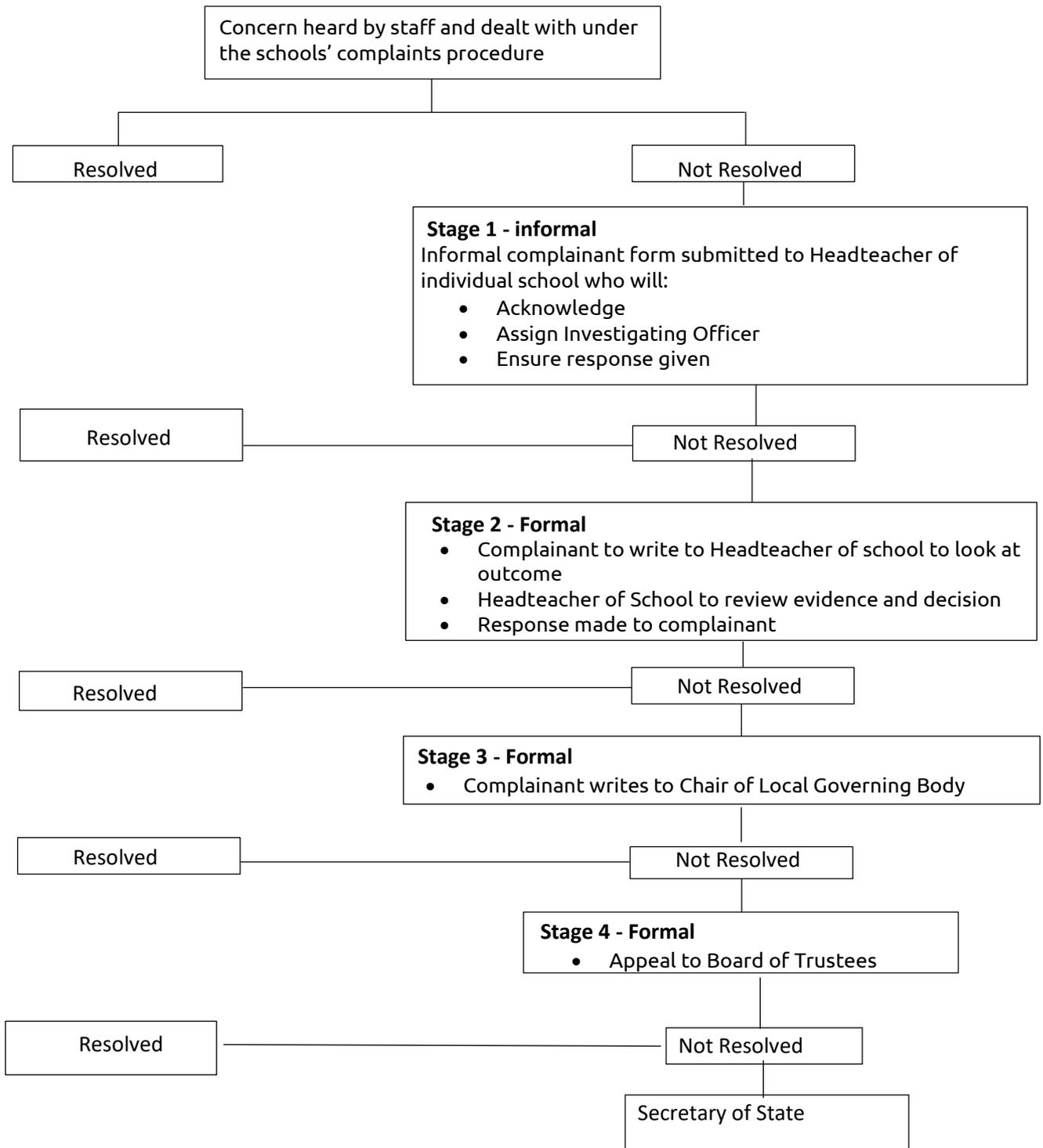
The School Complaints Unit will examine this policy and procedure to determine whether or not they adhere to the education legislation. The Department will not re-investigate the substance of the complaint. If the School Complaints Unit finds legislative or policy breaches they will report them to the school and the complainant and, where necessary, remedial action will be taken.

### **Monitoring of compliance with and effectiveness of the policy and procedure**

The LGB will review a summary of complaints each term and the Board will review a summary of complaints annually to ensure learning is shared within the school and across the Trust as appropriate.

### **Review**

This policy and procedure will be reviewed within 2 years of the implementation date.





## Stage 1

## Appendix A

Please complete and return to the Headteacher of individual school, in the first instance, who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Email:**

**Preferred method of contact:**

**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:**

**(Should you not be satisfied with the outcome of the investigation, you will be asked to submit a revised copy of this form to the Headteacher).**



## Stage 2

## Appendix B

Please complete and return for the attention of the Headteacher in the first Instance, who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil name:**

**Your relationship to the Pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Email:**

**Preferred method of contact:**

**Please give details of your complaint:**



**Please give reasons why you are not satisfied with your stage 1 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:**

**(Should you not be satisfied with the outcome of the investigation, you will be asked to submit a revised copy of this form to the Chair of the Local Governing Body).**



## Stage 3

## Appendix C

Please complete and return for the attention of the Clerk to the Governing Body in the first Instance, who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Email:**

**Preferred method of contact:**

**Please give details of your complaint:**



**You have already had a response at stage 1 & 2; can you give details as to why you feel this has not been resolved to your satisfaction?**

**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:**