



COMPLAINTS POLICY

This policy is applicable to all students, staff and parents of The Wellington College Academy Trust.

DOCUMENT CONTROL

Responsible position:	Approved by:
Executive Principal's Office	Executive Principal
Version number:	Date approved:
6.0	July 2016
Review Period:	Next review date:
2 years	July 2018

RELATED POLICIES AND DOCUMENTS

Policy Name	Date Issued
The Education (Investigation of Parents' Complaints) (England) Regulations 2007	Mar 2007
National Minimum Standards Appendix 1/16	January 2013/June 2015
The Education (Independent School Standards) Regulations 2014	

REVISION RECORD

Date	Version	Revision Description
Sept 2009	1.0	Written in line with current legislation and policies
Sept 2009	1.1	Written and published in line with current legislation and policies
June 2013	2.0	Amended in line with The Education Regulations 2007 and updated Staff Policy
September 2014	3.0	Amended for MAT purposes
December 2014	4.0	Amended for Boarding purposes
January 2015	5.0	Reviewed for Nursery purposes
June 2015	5.0	Reviewed for Boarding purposes
May 2016	6.0	Reviewed

Executive Principal
Date:

1. INTRODUCTION

This Policy applies to **all complaints** by parents of pupils currently attending a WCAT Academy made against an Academy. The Policy applies except in relation to admissions, exclusions and child protection allegations which have their own processes.

2. AIMS

Principles

There is a difference between a concern and a complaint:-

- Concerns ought to be handled, if at all possible, without the need for formal procedures
- Complaints will be dealt with openly and fairly, promptly and without prejudice. All complaints will be dealt with in a confidential manner

3. RESPONSIBILITIES

Stages of complaint

Stage 1 is informal. Stages 2-5 are formal. Stages 4-5 should only be triggered in exceptional circumstances and if stages 1-3 have been used. Complainants who have missed out stages in the procedure will be referred back to the appropriate stage.

Stage 1:

The complainant must write, meet or speak to the relevant teacher/member of staff, their immediate manager or senior manager in an attempt to resolve the issue.

Stage 2:

If not satisfied after stage 1, the complainant must write to the Principal/Headteacher using the complaints form (attached at Appendix 1) or by using the online form where appropriate. The Principal/Headteacher or a designated person will investigate the complaint. Whenever reasonably possible the Principal/Headteacher or designated person will respond in writing within fifteen school days indicating what steps, if any, should be taken to resolve the matter.

Stage 3:

If the complainant is not satisfied with the outcome of stage 2 or if the complaint is about the Principal/Headteacher, s/he should write to the Chair of the local governing body setting out the reasons why the complainant is dissatisfied with the response. The chair will look into the complaint and respond in writing to the Principal/Headteacher within fifteen school days of receipt of the written request to use Stage 3.

Stage 4:

If the complainant is not satisfied with the outcome of stage 3, s/he should write to the clerk to the local governing body requesting that the complaint be considered by a panel. A request to use Stage 4 must be in writing, address to the Chair of Governors at the Academy, within ten 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.

The clerk to the governors will convene a panel of two governors who have not previously been involved in the complaint and one person who is independent of the management and running of the Academy to hear the complaint within fifteen school days. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the panel. The complainant may attend and be accompanied to the panel if they wish.

Neither the Principal/Headteacher nor the Chair of the local governing body can be members of the panel.

The panel will make findings and recommendations, formulating its response as quickly as reasonably possible, aiming to do so within ten school days of the meeting.

The panel's decision is final.

Stage 4a: Complaints regarding The Nest Day Nursery may, at this stage, be raised with the Directors of Wellington College Academy Enterprises Ltd within ten school days of the response to Stage 3 being sent.

Stage 5:

Complaints relating to maladministration or the Academy acting unreasonably in exercising its powers may be made to the Secretary of State for Education.

All parties involved will be notified in writing of any findings and recommendations.

A written record will be kept of all formal complaints, and of whether they are resolved at stage 2, 3 or proceed to a panel hearing.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State for Education or a body conducting an inspection under section 162A of the Education Act 2002 requests access to them or where the Academy is otherwise required by law to disclose them.

Issues relating to staff discipline or capability

Details relating to staff discipline and capability must remain confidential to the Principal/ Headteacher.

Vexatious or unreasonable Complainant

During the process for handling a complaint or after the proper procedures have been followed, a complainant (and/or anyone acting on their behalf) may be deemed to be a vexatious or unreasonable complainant if they meet any or all of the following criteria:

- (a) persist in pursuing a complaint where the Academy's complaints procedure has been fully and properly implemented and exhausted (e.g. where several responses have been provided)
- (b) change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response.
- (c) are unwilling to accept documented evidence of action
- (d) are unwilling to accept that the Governing body has reached a final decision on a chosen course of action
- (e) deny receiving an adequate response in spite of correspondence specifically answering their questions
- (f) persist in pursuing a matter when they have already exhausted other statutory routes
- (g) do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns
- (h) continue to seek to pursue a complaint where the concerns identified are not within the remit of the Governing body to investigate
- (i) focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point.
- (j) have in the course of addressing a complaint, had an excessive number of contacts with the Academy placing unreasonable demands on staff time. A contact may be in person or by telephone, letter, e-mail or fax.
- (k) have threatened or used physical violence towards staff at any time. This will in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented. Any complainant who threatens or uses actual physical violence towards staff will be regarded as a vexatious complainant and will receive written confirmation of the same. This will also inform the complainant of the action to be taken with regard to any further communication received
- (l) have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. All instances of harassment, abusive or verbally aggressive behaviour will be documented.
- (m) are known to have recorded meetings or telephone conversations or circulated such records to third parties without the prior knowledge and consent of other parties involved
- (n) make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice

Where a complainant has been identified as vexatious or unreasonable, the clerk will notify the complainant, in writing, of the reasons and what action will be taken. This notification may be copied for the information of others already involved in the complaint or matters closely related to it.

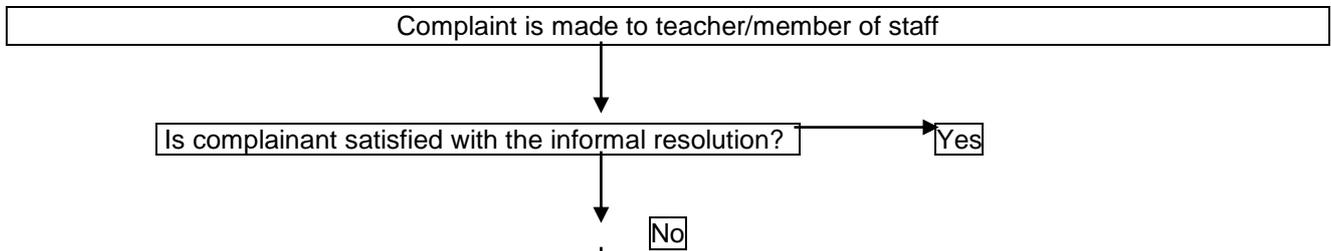
Complainants will be notified of the review procedure.

Copies of all decisions relating to the categorisation of a person as a vexatious or unreasonable complainant will be sent to the Head of Governance who will hold and maintain a central register of such decisions.

Flow Chart of Complaint Stages

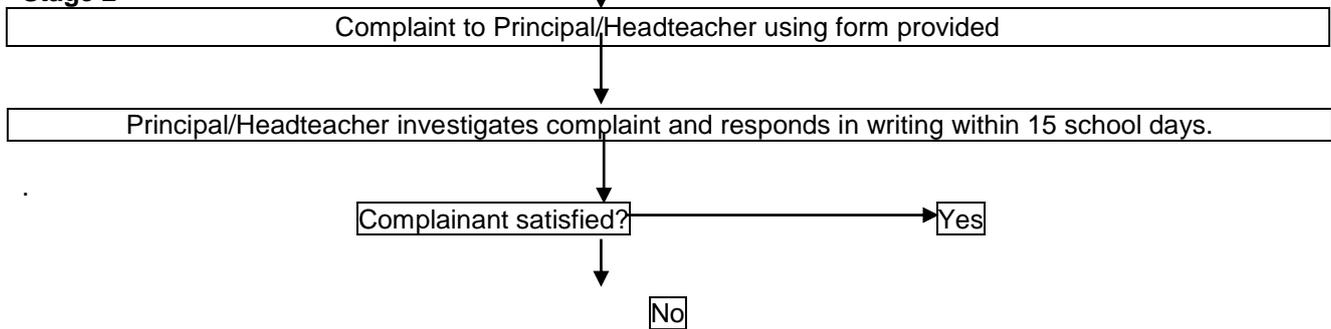
Informal

Stage 1

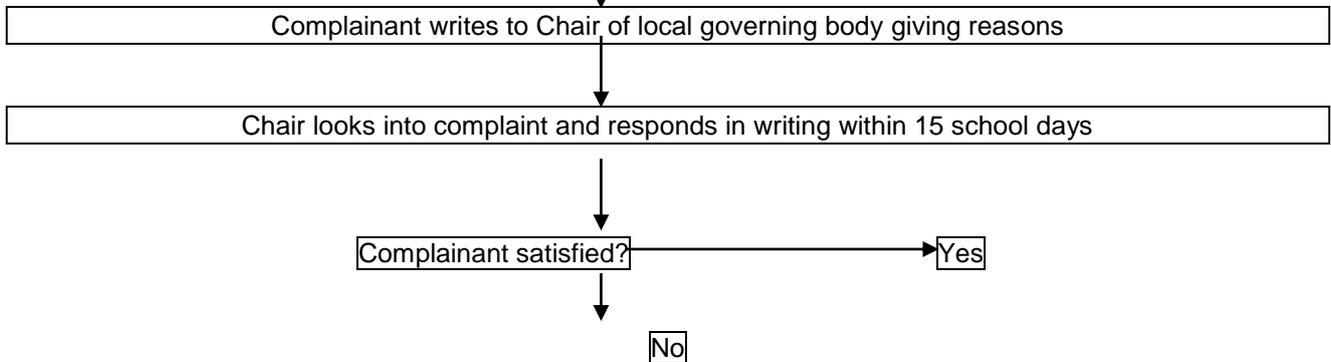


Formal

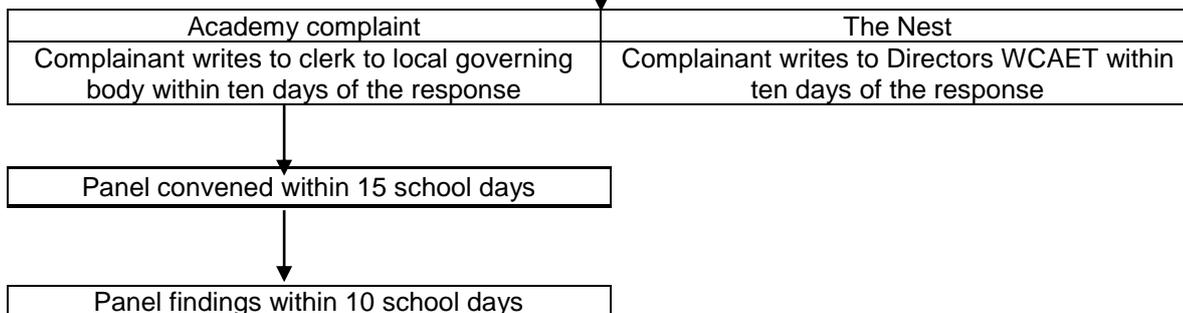
Stage 2



Stage 3



Stage 4



Appendix 1

Complaints Form

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

Your name:
Pupil's name and class/tutor group:
Your relationship to the pupil:
Address:
Pupil's address if different:
Email address:
Daytime telephone number:
Evening telephone number:
Please give details of your complaint:
What action, if any, have you already taken to try and resolve your concerns. (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: