



Wyvern College Academy Trust

COMPLAINTS POLICY

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WYVERN COLLEGE ACADEMY TRUST COMPLAINTS POLICY

How this policy supports our vision and values

THINK

When we are working to resolve a complaint, we will think about the issue from another person 's viewpoint.

GROW

Addressing complaints can help us to grow and develop a range of solutions.

CARE

We demonstrate that we care when we show respect to each other and listen to concerns.

SUPPORT IN ACCESSING THIS POLICY

It is important that our policies are accessible to all.

Should anyone require help with this policy, they can contact the Clerk to the Trustees
clerk@wyvern.hants.sch.uk

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1. Summary of Process

WYVERN COLLEGE ACADEMY TRUST CONCERNS/COMPLAINTS PROCESS					A-F = Informal Stage G-M = Formal Stage	
COMPLAINT DECISIONS	Area of Responsibility in Wyvern College Academy Trust					
A. What services are you concerned about?	WYVERN COLLEGE The college (school)		WYVERN COMMUNITY Adult and child even- ing/weekend course, let- tings, Sports & Fitness		WYVERN CHILD- CARE After School Club	
B. You should raise your concerns with:	An appropriate teacher, tutor, pastoral leader or general enquiries.		Community Coordinator.		Childcare Operations Manager	
C. Have your concerns been resolved?	YES	NO Go to D	YES	NO Go to D	YES	NO Go to D
D. Do you want to raise a formal complaint?	YES Go to H	NOT YET Go row E	YES Go to H	NOT YET Go to E	YES Go to H	NOT YET Go to E
E. You should raise your concerns with	Headteacher		Trust Business Manager		Head of Finance	
F. Have your concerns been resolved?	YES	NO Go to G	YES	NO Go to G	YES	NO Go to G
G. Do you want to raise a Stage One Complaint request?	YES Go to H	NO	YES Go to H	NO	YES Go to H	NO
H. You should raise you Stage One Complaint Request with:	Headteacher OR The Trustees if the complaint or part of it involves the Headteacher or a Trustee.		Trust Business Manager OR The Community Enterprise Directors if the complaint or part of it involves the business manager.		Trust Business Manager OR The Community Enterprise Directors if the complaint or part of it involves the business manager.	
I. Have your concerns been resolved?	YES	NO Go to J	YES	NO Go to J	YES	NO Go to J
J. Do you want to raise a Stage Two Hearing request?	YES Go to K	NO	YES Go to K	NO	YES Go to K	NO
K. Raise a Stage Two Complaint Hearing Request with:	The Trustees (via the clerk to the Trustees) Unless the complaint is about the Trustees – at which point both Stage One and Stage Two should be handed to a panel of independent trustees/governors (complaint should still be raised with the clerk).					
L. Have your concerns been resolved?	YES	NO Go to M	YES	NO Go to M	YES	NO Go to M
M. Your next steps	The matter is closed for the trust, but you may raise your complaint with the Department of Education or OFSted.					

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2. Introduction

- 1) At all stage in these procedures, Wyvern College Academy Trust (WCAT) wants to resolve any concern or complaint. It is in everyone's interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure.
- 2) WCAT takes concerns seriously and will make every effort to resolve the matter as quickly as possible. Anyone, including members of the public, may raise an informal concern or make a complaint to us.
- 3) An informal concern or complaint can be made in person, in writing or by telephone. Concerns should be raised informally with either a teacher or Headteacher. Informal concerns will be investigated. This may be delegated to a member of staff, a Trustee or the Headteacher and is likely to involve:
 - a discussion so that the concern or complaint is fully understood a
 - an investigation to verify the facts which may involve interviewing staff.
 - a summary report which will be discussed with the complainant.
 - agreeing a resolution and a decision about the appropriate next step
- 4) If the issue remains unresolved, the next step is to make a formal complaint.

Formal complaints about Wyvern College must be made to the Headteacher (unless they are about the Headteacher), via the college office. This may be done in person, in writing (preferably on the Complaint Form - See Appendix A), or by telephone.

- Complaints against college staff (except the Headteacher) should be made in the first instance, to the Headteacher via the college office. Please mark them as Private and Confidential. enquiries@wyvern.hants.sch.uk.
- Complaints that involve or are about the Headteacher should be addressed to the Clerk to the Trustees via the college office. clerk@wyvern.hants.sch.uk Please mark them as Private and Confidential.
- Complaints about the Chair of Trustees, any individual Trustee or the whole Board of Trustees should be addressed to the Clerk to the Trustees via the college office. Please mark them as Private and Confidential.

Formal complaints about Wyvern Community Enterprise or Wyvern Childcare must be made to the Trust Business Manager (unless they are about the Trust Business Manager), via the college office. This may be done in person, in writing (preferably on the Complaint Form - See Appendix A), or by telephone.

- Complaints against community enterprise or childcare staff (except the Trust Business Manager) should be made in the first instance, to the Trust Business Manager via the college office. Please mark them as Private and Confidential. enquiries@wyvern.hants.sch.uk.
- Complaints that involve or are about the Trust Business Manager should be addressed to the Clerk to the Community Enterprise Directors via the college office clerk@wyvern.hants.sch.uk Please mark them as Private and Confidential.
- Complaints about the Community Directors, or any individual Director or the whole Board of Directors should be addressed to the Clerk to the Trustees via the college office. Please mark them as Private and Confidential.

We will not normally investigate anonymous complaints. However, the Headteacher, Trust Business Manager or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation. If a complainant wants to withdraw a formal complaint, we will ask them to confirm this in writing.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the college or childcare unit. Any person, including members of the public, may make a complaint to WCAT about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

3. The difference between a concern and a complaint

- 1) A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- 2) A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.
- 3) It is in everyone's interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. WCAT takes concerns seriously and will make every effort to resolve the matter as quickly as possible.
- 4) If you have difficulty discussing a concern with a member of staff, we will respect your views. In these cases, the Headteacher or Trust Business Manager will refer you to another person who will consider your concern objectively.
- 5) We understand however, that there are occasions when people would like to raise their concerns formally. In this case WCAT will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

4. How to raise a concern

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant if they have appropriate consent to do so.

Concerns should be raised:

- For Wyvern College matters with either the teacher, tutor, pastoral leader or Headteacher.
- For Wyvern Community Enterprise matters with the Community Coordinator and can be raised up to the Trust Business Manager.
- For matters relating to Wyvern Childcare, the Childcare Operations Manager and can be raised up to the Head of Finance and/or Trust Business Manager.

If the issue remains unresolved, the next step is to make a formal complaint (see below- *Making a Formal Complaint: Stage 1*).

5. How to make a complaint

- 1) Complainants should not approach individual Trustees or the Community Directors to raise concerns or complaints. Trustees have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.
- 2) Complaints against **college staff** (except the Headteacher) should be made in the first instance, to the Headteacher via the college office or enquiries@wyvern.hants.sch.uk. Please mark them as Private and Confidential.
- 3) Complaints that involve or are about the **Headteacher** should be addressed to the Chair of Trustees, via the school office or clerk@wyvern.hants.sch.uk. Please mark them as "Private and Confidential".
- 4) Complaints about the Chair of Trustees, any individual Trustee or the whole Board of Trustees should be addressed to the Clerk to the Trustees via the college office or enquiries@wyvern.hants.sch.uk. Please mark them as "Private and Confidential".
- 5) Complaints against **community enterprise or childcare staff** (except the Trust Business Manager) should be made in the first instance, to the Trust Business Manager via the college office or clerk@wyvern.hants.sch.uk. Please mark them as "Private and Confidential".

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- 6) Complaints that involve or are about the Trust Business Manager should be addressed to the Clerk to the Community Enterprise Directors via the college office or clerk@wyvern.hants.sch.uk. Please mark them as "Private and Confidential".
- 7) Complaints about the Community Directors, or any individual Director should be addressed to the Clerk to the Community Enterprise Directors via the college office or clerk@wyvern.hants.sch.uk. Please mark them as "Private and Confidential."
- 8) For ease of use, a template complaint form is included at the end of this policy. If you require help in completing the form, please contact the college office. You can also ask third party organisations like the Citizens Advice to help you.
- 9) In accordance with equality law, we will consider making reasonable adjustments, if necessary, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

6. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher, Trust Business Manager or Chair of Trustees (as appropriate) will determine whether the complaint warrants an investigation.

7. Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The nominated investigator/s will consider complaints made outside of this timeframe if exceptional circumstances apply.

8. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first college day after the holiday period.

9. Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by WCAT other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Hampshire County Council. The Castle Winchester SO23 8UJ Phone 0300 555 1384 - 8.30am to 5pm Monday to Thursday and 8.30am to 4.30pm Friday
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy (which can be found on our website) and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).

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	HCC: LADO: Phone 01962 876364 or Email child.protection@hants.gov.uk (MASH). phone 0300 555 1384 during office hours 8.30am to 5pm Monday to Thursday, 8.30am to 4.30pm on Friday. Phone 0300 555 1373 at all other times to contact the Out of Hours service
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . *complaints about the application of the behaviour policy can be made through the college's complaints procedure. The College behaviour policy is on the college website.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors Please use this by contacting the Headteacher or clerk to the Trustees. The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our college should complain through the college's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the College's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the college's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use college premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

- 1) If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.
- 2) If a complainant commences legal action against WCAT in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

10. Resolving Complaints

At each stage in the procedure, WCAT wants to resolve the complaint. If appropriate one outcome might be:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An undertaking to review college policies considering the complaint.
- An apology.

11. Withdrawal of a Complaint

If a complainant wants to withdraw a formal complaint, we will ask them to confirm this in writing.

12. Making a Formal Complaint: Stage 1

- 1) Complaints against **college staff** (except the Headteacher) should be made in the first instance, to the Headteacher via the college office. Please mark them as Private and Confidential.
- 2) Complaints that involve or are about the **Headteacher** should be addressed to the Chair of Trustees, via the Clerk of Trustees. Please mark them as Private and Confidential.
- 3) Complaints about the Chair of Trustees, any individual Trustee or the whole Board of Trustees should be addressed to the Clerk to the Trustees via the college office. Please mark them as Private and Confidential.
- 4) Complaints against **community enterprise or childcare staff** (except the Trust Business Manager) should be made in the first instance, to the Trust Business Manager via the college office. Please mark them as Private and Confidential. enquiries@wyvern.hants.sch.uk.
- 5) Complaints that involve or are about the **Trust Business Manager** should be addressed to the Clerk to the Community Enterprise Directors via the college office clerk@wyvern.hants.sch.uk Please mark them as Private and Confidential.
- 6) Complaints about the **Community Directors, or any individual Director** should be addressed to the Clerk to the Community Enterprise Directors via the college office. Please mark them as Private and Confidential.
- 7) The Headteacher/Trust Business Manager/Clerk will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 college days.
- 8) Within this response, the Headteacher/Trust Business Manager/Clerk will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.
- 9) If the complaint is about the Headteacher, or a member of the Trustees (including the Chair or Vice-Chair), a suitably skilled Trustee will be appointed to complete all the actions at stage 1. Complaints about the Headteacher or Trustee must be made to the Clerk to Trustees, via the college office.
- 10) If a complaint, received by the clerk, does not immediately appear to be about the Headteacher, the clerk will seek clarification from the complainant. If it is confirmed that it is not about the Headteacher, the clerk will advise that the stage 1 investigation is handled by the Headteacher in accordance with the process described above. The Headteacher and clerk should agree who is undertaking the Stage One investigation and this communicated to the complainant.
- 11) If the complaint is about the Chair and Vice Chair or the entire Board of Trustees, then the investigation of the complaint should be delegated to an independent investigator. At the conclusion of their investigation, the independent investigator will provide a formal written response.
- 12) If the Complaint is about the Trust Business Manager, a suitably skilled Community Enterprise Director or Trustee will be appointed to complete all the actions at stage 1.
- 13) If the complaint is about the Community Directors, a suitably skilled Community Enterprise Director or Trustee will be appointed to complete all the actions at stage 1.
- 14) Where a complaint investigation is undertaken by a Trustee, Director or an independent investigator appointed by the Trustees, there may be the need to extend the timescales for a complaint. Please refer to Appendix B.

Investigator and Investigation

15) The Investigator will be established. This will be one of the following:

- The Headteacher or Business Manager - who may delegate the investigation to another member of the college's senior leadership team or a Trustee. However, the Headteacher or Business Manager will make the decision about the outcome and any further action needed.
- A Trustee.
- A Community Enterprise Director.
- An independent investigator – someone outside of WCAT.

16) The Investigator can consider whether a face-to-face meeting is the most appropriate way to move forward. If there has been extensive correspondence between the Headteacher and the complainants via email or phone with several opportunities for the complainant to express their points, then the Headteacher may judge that there is no need for a meeting to process the complaint.

17) During the investigation, the Investigator will:

- If necessary, interview those involved in the matter, and/or those complained of (all parties separately), allowing them to be accompanied if they wish.
- Keep a written record of any meetings/interviews in relation to their investigation.
- At the conclusion of their investigation, the Headteacher will provide a formal written response within 10 college days of the date of receipt of the complaint.

18) If the Investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date. It might not be possible to meet the 10-day deadline if the Investigator is waiting for external specialist advice from sources such as solicitors, the Local Authority, the Department of Education, the police or other outside agencies.

19) The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions WCAT will take to resolve the complaint.

20) The Investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of stage 1.

13. Making a Formal Complaint: Stage 2

- 1) If the complainant is dissatisfied with the outcome at stage 1 and wishes to take the matter further, they can escalate the complaint to stage 2. This will involve a meeting with members of the Trustees complaints panel, which will be formed of the first two impartial Trustees available and a third member who is independent of the management of the college.
- 2) A request to escalate to stage 2 must be made to the Clerk, via the college office, within 10 college days of receipt of the stage 1 response.
- 3) The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 college days.
- 4) Requests received outside of this time limit will only be considered if exceptional circumstances apply.
- 5) The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 30 college days of receipt of the stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.
- 6) If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

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- 7) The complaints panel will consist of at least two WCAT Trustees with no prior involvement or knowledge of the complaint and an additional panel member who is independent of the management of the trust. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel. If there are fewer than two Trustees from WCAT available, the Clerk will source any additional, independent panel member who is not a trustee, member or employee of the trust to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at stage 2.
- 8) The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.
- 9) If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. For instance, if a college employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. *Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures but, if appropriate, outcomes may not be shared with them.*
- 10) Representatives from the media are not permitted to attend.
- 11) At least 15 college days before the meeting, the Clerk will:
 - Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- 12) At least 10 college days before the meeting, the Clerk will:
 - Request copies of any further written evidence – relating to the complaint - to be submitted to the panel at least 10 college days before the meeting.
- 13) At least 5 college days before the meeting, the Clerk will:
 - Request all questions that each party wishes to ask of the other – these questions will be asked through the panel.
- 14) Any written material will be circulated to all parties at least 5 college days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 15) The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from stage 1 of the procedure.
- 16) The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Consent of all parties attending must be sought before there is any recording. Consent will be recorded in any minutes taken.
- 17) The panel will consider the complaint, and all the evidence presented. The panel can:
 - Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
 - Request copies of any further written material to be submitted to the panel at least 10 college days before the meeting.
- 18) If the complaint is upheld in whole or in part, the panel will:
 - Decide on the appropriate action to be taken to resolve the complaint.
 - Where appropriate, recommend changes to the college's systems or procedures to prevent similar issues in the future.

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- 19) The Chair of the Panel will provide the complainant and WCAT with a full explanation of their decision and the reason(s) for it, in writing, within 10 college days. This will include all key findings and, where appropriate, recommendations; these will be provided to the complainant and where relevant the person being complained about.
- 20) The copy of this policy will be available for inspection on the college premises by the proprietor and the head teacher. 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 2008 Act requests them.
- 21) The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by WCAT.
- 22) If a Stage 2 complaint refers to any of the following, it will be heard by an independent panel.:
 - The Chair and Vice Chair of Trustees.
 - The entire board of Trustees.
 - A majority of the Trustees.
- 23) The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions WCAT will take to resolve the complaint.
- 24) The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.
- 25) This is the final stage of the college's complaint's procedure.

14. Next Steps

- 1) After they have completed stage 2 if the complainant believes the college did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education or Ofsted.
- 2) Should the college consider that a complaint has is vexatious the matter will be referred to the College's solicitors.
- 3) Please refer to [Complain about a school: State schools - GOV.UK](#) for further information.

15. Unreasonable and persistent complaints

Breaches in our Parents Code of Conduct

Complainants that breach our [Parental Code of Conduct](#) while raising issues or making formal complaints will be warned that the process will not proceed if they fail to desist. Should these warnings be ignored, the investigations will be halted.

Unreasonable complaints

- 1) Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:
 - Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
 - Insists that a particular member of staff deal with a complaint without following the process outlined above, where other members of staff should have been approached first.
 - Refuses to co-operate with the complaint's investigation process.
 - Refuses to accept that certain issues are not within the scope of the complaint's procedure.
 - Insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice.
 - Introduces trivial or irrelevant information which they expect to be considered and commented on.
 - Raises large numbers of detailed but unimportant questions, and insists they are fully answered 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 complaint procedure has been fully and properly implemented and completed, including referral to the Department of Education.
 - Seeks an unrealistic outcome.
 - Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
 - Uses threats to intimidate.
 - Uses abusive, offensive or discriminatory language or violence.
 - Knowingly provides falsified information.
 - Publishes unacceptable information on social media or other public forums.
- Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.*
- 2) Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Steps we will take

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- 3) We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.
- 4) Whenever possible, the Headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:
 - Give the complainant a single point of contact via an email address.
 - Limit the number of times the complainant can make contact, such as a fixed number per term.
 - Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice.
 - Put any other strategy in place as necessary.
- 5) In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

Serial/persistent complaints

- 6) If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:
 - We have taken every reasonable step to address the complainant's concerns.
 - The complainant has been given a clear statement of our position and their options.
 - The complainant contacts WCAT repeatedly, making substantially the same points each time but presents them as a new complaint in a differing context.
- 7) The case to stop responding is stronger if:
 - The complainant's communications are often or always abusive or aggressive.
 - The complainant makes insulting personal comments about or threats towards staff.
 - We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience.
- 8) Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

Duplicate complaints

- 9) If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to consider.
- 10) If we are satisfied that there are no new aspects, we will:
 - Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete.
 - Direct them to the Department of Education if they are dissatisfied with our original handling of the complaint.
 - If a duplicate complaint is raised which in the view of the college warrants further consideration, the procedure outlined in section 12 (as appropriate) will be repeated.

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Complaint campaigns

11) Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website.
- Sending a template response to all of the complainants.

The college will not resolve this type of complaint by calling all the complainants at the same time for a mass meeting.

12) If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

16. Contacts

Concerns for staff Headteacher Trust Business Manager Finance Manager	enquiries@wyvern.hants.sch.uk
Community Enterprise Manager	community@wyvern.hants.sch.uk
Childcare Operational Manager	nursery@wyvern.hants.sch.uk
Clerk to Trustees/Community Enterprise Directors	clerk@wyvern.hants.sch.uk

Appendix A - Wyvern College Complaint Form

WYVERN COLLEGE ACADEMY TRUST COMPLAINT FORM

Your name:
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the college about it.
What actions are you hoping to see that could resolve the situation.
Are you attaching any paperwork? If so, please give details.
Signature: Date:
TO BE NOTED IN COMPLAINT LOG Date acknowledgement sent: By who: Complaint referred to: Date:

Returning this form:

enquiries@wyvern.hants.sch.uk if for the attention of the Headteacher or Business Manager.

clerk@wyvern.hants.sch.uk if for the attention of the Trustees or a complaint about member/s of the Trustees.

Appendix B: Extension of Timescales During Trustee or Independent Investigations.

Introduction:

- 1) At WCAT, we are committed to handling complaints promptly and efficiently. However, there are instances when the complexity of a complaint requires additional time for a thorough investigation by the Trustees or independent investigator. This section outlines the policy regarding the extension of timescales during such investigations.
- 2) It should be acknowledged that Trustees are not full-time employees, and their availability has limits. Independent investigators may likewise have restrictions that can impact timescales for response.
- 3) The clerk will advise the complainant that meetings between themselves and the investigator may have to be conducted outside the normal college hours. The clerk will always seek to find the optimum time for these meetings.

Initial Acknowledgment:

- 4) All complaints will be acknowledged within 10 college days of receipt, with an initial outline of the expected timescale and process (including updates) for resolution.

Extension of Timescales:

- 5) In cases where a complaint requires further investigation by Trustees or an independent investigator, the timescale for resolution may be extended. This extension will only be applied when necessary to ensure a comprehensive review and fair outcome.

Communication:

- 6) The complainant will be informed in writing of any extension to the original timescale. This communication will include:
 - The reason for the extension.
 - The revised estimated date for completion.
 - Regular updates on the progress of the investigation.

Final Response:

- 7) A final response will be provided to the complainant as soon as the investigation is concluded. If further delays occur, the complainant will be notified promptly with an explanation and a new completion date.

Commitment to Resolution:

- 8) WCAT is committed to resolving all complaints in a fair and timely manner, prioritizing the integrity and thoroughness of the investigation process.

Conclusion:

- 9) This appendix aims to ensure transparency and maintain trust during the complaints process by clearly communicating any necessary extensions to the investigation timeline.

Appendix C: Roles and Responsibilities

I. The Complainant

The complainant should meet the standards of communication contained in the parent code of conduct which can be found on the college website.

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible.
- respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- ask for assistance as needed.
- treat all those involved in the complaint with respect.
- co-operate with the college in seeking a solution to the complaint.
- refrain from publicising the details of their complaint on social media and respect confidentiality.
-

II. The Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough discussion with the complainant to establish what has happened and who has been involved.
 - interviewing staff.
 - reading relevant statements of students and other involved parties.
 - consideration of records and other relevant information.
 - analysing information.
- liaising with the complainant as appropriate to clarify what the complainant feels would put things right.
- conduct interviews with an open mind and be prepared to persist in the questioning.
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond.
- prepare a comprehensive report for the Headteacher or which will be provided to the complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

III. The Complaints Co-ordinator

When a Stage 1 formal complaint is received a Complaint Coordinator will be identified to ensure that the process is managed effectively. This may well be the clerk to the Trustees.

The complaints co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members, to ensure the smooth running of the complaint's procedure.
- Be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

When a stage 2 formal complaint is received the Complaint's Coordinator will be the Clerk to the Trustees.

IV. Clerk to the Trustees

- The Clerk is the contact point for the complainant and the panel and should:

WYVERN COLLEGE ACADEMY TRUST COMPLAINTS POLICY

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to college complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR).
- Provide support for the stage one investigation, when this is undertaken by a Trustee.
- set the date, time, and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- record the proceedings.
- circulate the minutes of the meeting.

V. Panel Chair

The panel chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- both parties supply any question they wish to ask and these are asked through the panel.
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- the remit of the panel is explained to the complainant.
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under General Data Protection Regulations.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- both the complainant and the college are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- the issues are addressed.
- key findings of fact are made.
- the panel is open-minded and acts independently.
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- the meeting is minuted.
- they liaise with the Clerk.

VI. Panel Member

Panel members should be aware that:

- The meeting must be independent and impartial, and should be 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 meeting should be to resolve the complaint and achieve reconciliation between the college and the complainant.
- It may only be possible to establish the facts and make recommendations.
- The complainant might not be satisfied with the outcome if the meeting does not find in their favour.
- Many complainants may feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person/vulnerable adult and present during all or part of the meeting.
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person/vulnerable adult does not feel intimidated.

The panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel

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should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

The welfare of the child/young person is paramount. Therefore, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.