

Complaints and Concerns Policy (including Vexatious Complaints)

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1. Introduction	3
2. Our Aim is Listening and Learning	3
5. How We Will Respond	4
8. Complaints/Concerns from Parents/Carers	4
9. Complaints/Concerns from Pupils	5
10. Complaints About Staff	6
12. When Other Organisations Are Involved	9
14. How We Use the Information	9
15. Confidentiality and Legal Requirements	9
16. Communicating the Policy	9
17. Complaints and Compliments for Year	10
18. Evaluation and Review	10

1. Introduction

This policy explains Wave's complaints procedure. It sets out the stages to be followed when a complaint is received and how we will listen to your views. By taking your views seriously, the Academy receives useful feedback so that we can continuously review and improve the services offered

2. Our Aim is Listening and Learning

At Wave, we want to make it as easy as possible for you to let us know your views. Through listening and learning we will improve the quality of the services we provide and encourage good practice by our staff.

This document tells you how to make raise a complaint or concern. It gives you the opportunity to let us know what you think and for us to listen and learn.

We want to hear from you if...

- You have a suggestion on how we might improve services
- We have fallen short of your expectations
- We have fallen short of the standards we set ourselves

We will...

- Aim to deal with your complaint/concern there and then
- Deal with things impartially and confidentially
- Be open and honest
- Be inclusive and accessible to all
- Treat everyone with fairness and according to their needs
- Provide clear information
- Offer support when required

3. How to Tell Us Your Views

You can tell us what you think in the following ways:

- In person - by contacting your local AP Academy to arrange an appointment

You can also contact us by telephone, letter or email enquiries@wavemat.org.uk

4. What is a Complaint?

A complaint is defined as:

"An expression of dissatisfaction, however made, by one or more people about the Academy's action or lack of action or about the standard of service"

This definition is sufficiently broad to cover most complaints such as:

- Failure to provide a service
- Unreasonable delays in the provision of a service
- Failure to provide adequate standards of service

- Failure to fulfil statutory responsibilities
- An employee's attitude or behaviour

Wave's Complaints and Concerns Policy does not deal with:

- Queries about service provision
- Informal, day to day 'grumbles' that can be easily resolved

5. How We Will Respond

Your information will be recorded in our database (Schoolpod) and passed to a relevant member of staff, who will get back to you using your preferred method of contact e.g. by phone, email or letter.

We will keep you informed of progress and any actions planned or taken.

6. Making a Complaint/Raising a Concern

Wave aims to provide the best possible service but recognises that sometimes things can go wrong. We are committed to putting these situations right and preventing them from happening again. Wherever or however you contact us, our aim is to address your complaint/concern quickly and informally. You will not receive any unfavourable treatment as a result of making a complaint or raising a concern.

Our aim is to ensure that complaints and concerns are treated as a positive opportunity for us to learn from your experiences. We will record, monitor and use this information to help us improve our services or review our policies and procedures.

7. How We Deal with Complaints/Concerns

We will aim to resolve your complaint/concern straight away. However, if this is not possible, it will be referred for investigation by the appropriate person.

When you contact us we will:

- explain how your complaint/concern will be dealt with
- ensure your complaint/concern is recorded
- provide contact details of who will be dealing with your complaint/concern
- ask you how you would like us to resolve your complaint/concern

8. Complaints/Concerns from Parents/Carers

The procedures below will be followed in the event of a complaint being made or concern being raised by parents or carers against the academy.

- 8.1 If parents or carers have a complaint against or concern about the academy they may initially wish to contact the academy informally either by telephone, by letter or personally after making an appointment. The academy will investigate the complaint/concern and will respond with the outcome within ten working days.
- 8.2 If parents or carers are not satisfied with the response they should write formally to the Principal. The Principal will investigate the complaint/concern further and respond in

writing within ten working days. If the complaint/concern is against the Principal it should be addressed to the CEO by sending it for his attention to Wave, Glynn House, Treyew Road, Truro, TR1 3AS. The CEO will investigate and respond within ten working days.

- 8.3 If the parents or carers are still not satisfied with the response they should inform the CEO who will arrange a panel to hear the complaint/concern. The panel will comprise three people not directly involved in the matters detailed in the complaint. One member of the panel will be independent of the running and management of the Academy. The date of the panel meeting will be arranged to take account of the convenience of the parents or carers as well as the Academy and will take place within a time limit of fifteen working days.
- 8.4 Parents or carers will be invited to bring with them another person or persons to support them at the panel hearing if they wish.
- 8.5 The panel will hear the complaint/concern and will hear the outcome of the Academy's investigations and its response to these. The panel will then make findings and recommendations which will be communicated in writing within ten working days to the CEO, the Principal, the parent or carer and, where appropriate, the person complained about.
- 8.6 A written record of all complaints/concerns and their resolution, whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing, will be recorded on our database. These records and any correspondence relating to a complaint/concern will remain confidential except where the Secretary of State or a body conducting an inspection requests access to the records.

9. Complaints/Concerns from Pupils

The procedures below will be followed in the event of a pupil making a complaint against a member of staff, a fellow pupil or any other person or situation either in school or outside.

- 9.1 Pupils may wish to talk to an adult they trust about a situation relating to school or to a situation outside school. Pupils are reminded that, although they may speak to any member of staff, there may be occasions where information will have to be referred to other agencies.
- 9.2 Within school pupils may talk to:
 - Teachers
 - TAs
 - Principal
 - Vice Principal
 - SENCo
 - Any other member of staff
- 9.3 A pupil may merely need a trusted adult to talk a situation through with and may not be making a formal complaint. However, all actual complaints/concerns made by pupils will be recorded by the member of staff to the Principal. The school response to the complaint/concern will be recorded. If the complaint/concern is serious the pupil's parents/carers will be informed of both the complaint/concern and the outcome. Some

complaints/concerns will be referred to other agencies or to the Local Authority. If necessary, a meeting will be called to discuss the issues further.

- 9.4 A pupil may ask to speak to an adult from an outside agency. The school will wherever possible put the pupil in contact with a representative of the appropriate agency. The referral will be noted in the pupil's file.

10. Complaints About Staff

There may be times when you feel the level or standard of service you receive from a member of staff is unsatisfactory and we would encourage and welcome your complaints/concerns if we have failed to meet your expectations. When your complaint/concern is received you will be informed if it is to be handled under this policy or a specific procedure, or if it needs to be redirected to a different service or organisation; in which case, the nature of this investigation will be explained to you.

If your complaint/concern is about how you were treated, this Complaints and Concerns Policy is the route to follow.

Your complaint/concern will be recorded and passed to an appropriate person who will investigate and aim to resolve your complaint within 10 working days.

Sometimes, in exceptional circumstances, it may not be possible to complete the investigation within 10 working days. If this is the case the reasons for the delay will be explained and a revised timetable will be provided.

Complaints/concerns about staff will be passed to a more senior officer to investigate depending on the seniority of the member of staff concerned. For example, a complaint/concern about a Principal will be dealt with by the CEO. All complaints will be recorded and monitored.

Once the investigation has been concluded you will receive a response, which will contain information regarding the investigation that has been undertaken.

11. Unreasonably Persistent, Vexatious and Unreasonable Customer Behaviour

Generally dealing with a complaint/concern is straightforward, but in a small number of cases people pursue their complaints in a way which can either impede the investigation of their complaint or it has a significant impact on Academy resources. This can happen either while their complaint is being investigated, or once the Academy has finished dealing with it.

a) What do we mean by 'an unreasonable complainant'?

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents and carers who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the school.

Unreasonable behaviour may include:

- Actions which are
 - Out of proportion to the nature of the complaint, or
 - Persistent – even when the complaints procedure has been exhausted, or

- Personally harassing, or
- Unjustifiably repetitious, or
- Obsessive, harassing, or prolific
- Prolific correspondence or excessive email or telephone contact about a concern or complaint
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint
- Acting in a way not in line with the school aim of reaching a resolution and working with the school
- Abusive in nature
- An insistence on
 - Pursuing unjustified or unmeritorious complaints and/or
 - Unrealistic outcomes to unjustified complaints
- An insistence on
 - Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language
 - Making complaints in public, including through social media, or
 - Refusing to attend appointments to discuss the complaint

b) What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than seek a resolution.

Behaviour will fall within the scope of this policy if:

- It appears to be deliberately targeted over a significant period of time at one or more members of school staff or others
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes ongoing distress to school staff or others
- It has a significant and disproportionate adverse effect on the school community
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution

c) What the Academy expects of you

The Academy expects anyone who wishes to raise concerns with the Academy to:

- Treat all staff with courtesy and respect
- Respect the needs of pupils and staff within the Academy
- Never to use violence (including threats of violence) towards people or property
- Recognise the time constraints under which members of staff in schools work and allow the Academy a reasonable time to respond to a complaint
- Recognise that some problems may not be resolved in a short time
- Follow the Academy's complaints procedure
- Speak politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or pupils and not in an open public space or using social media)
- To be prepared to work towards a resolution and in partnership with the Academy

However, in cases of unreasonably persistent complaints or harassment, as determined by the CEO under this policy, the Academy may take any or all of the following steps, as appropriate:

- Inform the complainant informally that his/her behaviour is now considered by Wave to be unreasonable or unacceptable, and request a changed approach
- Inform the complainant in writing that Wave considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy
- Require all future meetings with a member of staff to be conducted with a third person present. In the interests of all parties, notes of these meetings may be taken
- Inform the complainant that, except in emergencies, the Academy will respond only to written communication
- Inform the complainant in writing that his/her behaviour is now considered to fall under the terms of this policy and that any complaint will not be investigated further until it is pursued in a manner the Academy considers to be reasonable
- Place restrictions on the individual's access to Wave and/or school staff
- Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in school
- Involve the policy
- Involve appropriate third parties ie local Authority, Police

The Academy has a duty of care to staff and pupils and will take emergency measures should these become necessary in extreme cases.

d) Physical or verbal aggression

Wave will not tolerate **any** form of physical or verbal aggression or personal harassment against school staff. If staff are subject to this type of aggression the school may:

- Prohibit the individual from entering the school site, with immediate effect
- Inform the individual that communication with them will cease other than in an emergency
- Request a Civil Injunction (formerly referred to as an ASBO)
- Prosecute under Anti-Harassment legislation

e) Time Frame and Review

If a complainant's harassing/persistent behaviour is modified and is then resumed at a later date within a reasonable period of time, the Academy, may resume the process identified above.

If a complainant's harassing/persistent complaining behaviour is modified and the complaint still lies within the time limit specified within the Academies complaints policy, the Academy will use its discretion and may resume the investigation of the complaint. The Academy will review as appropriate, and at a minimum of once a year, any sanctions applied in the context of this policy

Legitimate new complaints, if not pursued in a harassing or unreasonable way, will still be considered, even if the person making them is (or has been) subject to the vexatious or persistent complaints policy. The Academy nevertheless reserves the right not to respond to communications from individuals, subject to the policy.

12. When Other Organisations Are Involved

Working well with other organisations is key to what we do. This may apply, for example, if the service you are contacting us about is provided on our behalf. If the issue you raise involves another organisation we will ensure that you are aware of this and:

- Pass the complaint/concern on to them
- Tell you this at the point you contact us or in a letter of acknowledgement within 10 working days

13. Complaints to the ESFA

If, after the complaints procedure has been completed you are still not satisfied, you are entitled to refer your complaint to the Education Funding Agency (ESFA) who will consider the complaint on behalf of the Secretary of State in accordance with ESFA's 'Procedure for dealing with complaints about Academies'

14. How We Use the Information

We will use your complaints/concerns to:

- Review and continually improve our services
- Use the information as a means of quality control and performance management
- Use the information to ensure that the right services are provided in the right way
- Show that change is taking place as a result of the information provided by our customers
- Ensure you are treated fairly and are not discriminated against in any way

Whenever possible your personal data will be anonymous, for example for producing statistics or sharing improvements.

15. Confidentiality and Legal Requirements

Any personal data provided to the Academy will be processed in accordance with the Data Protection Act 1998. It will be held by Wave and used to respond to your communication and improve our services.

16. Communicating the Policy

Any changes to this policy will be communicated throughout the organisation using appropriate communication channels.

17. Complaints and Compliments for Year Ending August 2018

	COMPLAINTS	COMPLIMENTS
PENWITH	1	7
NINE MAIDENS	0	0
GLYNN HOUSE	0	1
CHES	0	6
RESTORMEL	0	4
CARADON	0	21
NORTH CORNWALL	0	6

18. Evaluation and Review

This Policy will be reviewed every two years.