



# Royal Wolverhampton School Foundation Complaints Policy

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## 1. Scope

This policy covers complaints which may be received from external sources and involve a wide range of issues including:

- 1) Administration of the Foundation
- 2) Personnel and interactions between people
- 3) Assertions made by the Foundation
- 4) Historic abuse claims.

## 2. Aims

This Policy document has been written to support all staff and Trustees at The Royal Wolverhampton School Foundation (RSWF or The Foundation) in their handling of concerns and complaints. It exists to ensure that all know the concern/complaint handling process and



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have guidance on the most effective way to manage people making complaints and the complaints that arise.

Most issues raised by external people are concerns rather than complaints. We are committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures.

The prime aim of the policy is to resolve the concern/complaint as fairly and speedily as possible. All will be dealt with in a sensitive, impartial and confidential manner. Malicious or vexatious complaints may incur appropriate action by the Foundation. Any complaints concerning the conduct of staff or trustees will be handled in accordance with the Foundation's internal disciplinary procedures; such an investigation will remain confidential.

This policy is here to deal with concerns and complaints that are made from an external source. All external incidents and complaints must be dealt with following the instructions given in this document. The Chair of Trustees will oversee the policy and procedure. Any queries about this document should be referred to that person.

### 3. Policy management & definitions

A designated Trustee will manage the school complaints log, in which all details of a concern or complaint and the Foundation's response are recorded. This log is to be made available to external persons. At the termly Trustee meeting, or earlier if Trustees determine it necessary, the complaints log will be analysed, and root causes identified. The designated Trustee will carry this out. The findings will be made into a termly report that will be discussed at the Trustee meeting.

Trustees will review the policy on an annual basis unless there is an incident deemed by the Trustees to be a critical incident; an example is a complaint to the Charity Commission copied to the Foundation or a serious safeguarding allegation when an immediate review should take place.

Primary contacts for external concerns/complaints are the Trustees.

All formal complaints received by the Foundation should be submitted on the Formal Complaint Form (attached as Annex A).

#### 3.1. Incident Definition

An incident or event involving Trustees or staff, or former governors, staff or pupils of the Royal Wolverhampton School, which is reported for example by a former pupil of the Royal Wolverhampton School or a pupil or, staff member, of the Royal School Wolverhampton or the local community.

#### 3.2. Complaint Definition

A complaint is defined as an external body expressing dissatisfaction with any aspect of the Foundation. It can be written or oral and should be logged as a concern or complaint regardless of whether or not it is considered to be justified.



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For the Foundation to investigate a concern/complaint, it needs to be raised within 3 months of the incident occurring. If a complaint is older than 3 months it will not be investigated, unless it relates to a safeguarding matter.

A complaint is not to be confused with an enquiry, i.e., can you tell me why the Foundation has acted in such a way? That is not a complaint.

### 4. Complaint Handling Principles

Our aim is to ensure that an impartial view of the concern/complaint is reached, and appropriate action is taken by the Foundation which should result in any complainant being satisfied with the handling of their concern or complaint. This is achieved by following the principles listed below:

- Foundation Trustees and staff will always respond with their name so that the caller knows whom they are talking to for future reference if required
- The responder should listen carefully and check for understanding of the person's complaint, and request that the person submits the complaint on the Formal Complaints Form.
- The staff member or Trustee should establish the full details of the complaint to ensure that our investigations address the key concern and concentrate on the right area.
- Details of the concern or complaint will be recorded in the Complaints log.
- Once the Formal Complaint Form has been received, the Foundation should confirm receipt as soon as possible and thank the complainant for bringing the concern/incident to our attention and give a date by when they will hear back, usually within 25 working days—record this.
- A course of action will be discussed by the Trustees.
- Action/investigation will be taken to resolve the incident/complaint informally in the first instance.
- The complainant will be contacted to either advise on the outcome of the investigation or to be kept informed of progress at the agreed date.
- The complaints log will be updated with findings and conclusions by the person investigating.

### 5. Escalation

Most complaints will be resolved at the first point of contact. However, there may be circumstances when a complainant is unhappy with the response provided and will decide to take the matter further.

Complaints against a Trustee will be first dealt with by the Chair of Trustees.

Complaints against the Chair of Trustees should be made in writing to the Clerk to the Trustees or the RSW Director of Finance who will act in that clerk's role for this purpose.



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### 6. Stage 1 – Informal Resolution stage – Raising a concern

It is hoped that most concerns and complaints will be resolved quickly and informally. Concerns can be raised with the Foundation at any time and will often generate an immediate response, which will resolve the concern.

The Foundation requests that complainants make their first contact with a Trustee who is not personally known to the complainant. It is important for complainants to recognise that the Foundation is an organisation with few people (currently just the Trustees) and that whilst we will do our best, it may not be possible to offer an appointment immediately. They also may live some way from the complainant and virtual meetings via Zoom or Microsoft Teams may be the only practicable way to communicate in person.

On some occasions the concern raised may require investigation, or discussion with others, in which case the complainant will receive an informal but informed response within a few working days. If the Foundation person contacted cannot resolve the matter alone, then it may be necessary for him/her to consult with other members of the Foundation for resolution.

The nominated investigator will make a written record of all concerns and the date on which they were received. Should the matter not be resolved within 25 working days, or if the investigating person and the complainant fail to reach a satisfactory resolution then the complainant will be advised to proceed with their complaint in accordance with Stage 2 of this procedure within a further 5 working days.

The vast majority of concerns will be satisfactorily dealt with in this way. However, if the complainant is not satisfied with the result at the Informal Stage, they should write to or call the investigating person within that further 5 working day period and state what the complainant would like the Foundation to do. The Foundation will then look at the complaint at the next stage and complaints should be made in writing on the Formal Complaint Form to the Chair of Trustees.

### 7. Stage 2 – Formal Resolution

If the concern/complaint cannot be resolved on an informal basis or in the Stage 1 process, then the complainant should put their complaint in writing to the Chair of Trustees within 5 working days of the outcome of the informal resolution process. The Chair of Trustees will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Chair of Trustees will use reasonable endeavours to speak to or meet (virtually or face to face) the complainant concerned, normally within 10 working days of receiving the written complaint, or sooner if possible, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the Chair of Trustees or a nominated person, either another Trustee or a suitable and experienced external person chosen by the Trustees, to carry out further investigation. If the person who would normally carry out the investigation is personally known to the complainant, and this might create a perception of a conflict of interests, then a different investigator will be sought by the Foundation.

That person will keep written records of all meetings and interviews in relation to the complaint.



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Once the Chair of Trustees or nominated investigator is satisfied that, so far as is practical, all of the relevant facts have been established, a decision will be made by the Trustees and the complainant will be informed of this decision in writing, if possible, within 25 working days of having received the complaint. The Chair of Trustees will also give reasons for the decision.

If the complainant is still not satisfied with the decision, they should proceed to Stage 3 of this procedure and must notify the Clerk to the Trustees/Company Secretary within 10 working days.

Additionally, the RSI (Reporting of a Serious Incident) Team at the Charity Commission may be contacted by the complainant or the Foundation for serious concerns.

The link below to the Commission's published guidance provides guidance for the trustees.  
<https://forms.charitycommission.gov.uk/raising-concerns/>

The Charity Commission's Risk Framework is used to decide the most appropriate and proportionate course of action to take. Their [guidance](#) on serious incident reports outlines the Commission's approach to serious incidents in greater detail. There is a form to report serious incidents: ['Report a serious incident' online form](#).

### 8. Stage 3 – Panel Hearing

If complainants seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should write to the Clerk to the Trustees/ Company Secretary (see above) requesting a hearing of the Complaints Panel.

The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the Trustees and running of the Foundation. An investigating Trustee or person appointed to investigate may not be a member of this Panel as they may be required to present their findings to the Panel. Each of the Panel members shall be appointed by the Trustees. The Clerk to the Trustees will then acknowledge the complaint and schedule a hearing to take place as soon as practical and normally within 20 working days.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.

The complainants may be accompanied to the hearing by one other person. This may be a relative or friend. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the complaint immediately without the need for further investigation.

Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all the facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall notify within 7 working days of the hearing. The Panel will write to the complainants informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the complainants, the Chair of Trustees and, where relevant, the person complained of.



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The complainants can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be retained for at least three years and kept confidential except in so far as is legally required of the Foundation.

If complainants are unhappy with the way the complaint has been handled, they can contact the Charity Commission. The Foundation must provide Charity Commission, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.

### 9. Alleged abuse of former pupils

If the matter concerns alleged abuse of former pupils of the Royal Wolverhampton School, the Chair of Trustees will be informed, and the matter may be discussed with the Principal and Chair of Governors of the Royal School Wolverhampton. The School and the Foundation have stated publicly they will work together to help resolve such issues. The School has greater resources and relevant skills than the Foundation.

The complainant must be informed that the School's senior management may be involved in the investigation and resolution of any concern or complaint of abuse at the former independent school.

The complainant must also be informed that such concerns, complaints or allegations of abuse will always be reported by the Foundation to the Charity Commission and to West Midlands Police. They each may contact the complainant(s) and carry out their own investigations.

Experience has shown that a visit to the School by the complainant, or detailed discussions with the School's senior management, can help provide comfort and demonstrate that the current school treats its boarding and day pupils with respect and care. This approach may help resolve the concern. It is available at this stage and if the concern is escalated to a more serious level.

### 10. Root Cause Analysis

Root cause analysis for complaints is about determining the real issues that cause people to complain and looking at how to address them. At a termly Trustee meeting a designated Trustee will carry out root cause analysis of any complaints if possible. The complaints log will be checked and main areas of dissatisfaction that are within the Foundation's control examined. The details of these complaints will be recorded and discussed at the termly Trustees' meeting.

### 11. Review

The Trustees will review this policy annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Foundation and related enterprises.

A copy of this policy and other related policies can be obtained from the Foundation Office or downloaded from the Foundation website in the Policies section.



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## Annex A

### The Royal Wolverhampton School Foundation– Complaint Form

Your name:		
Person impacted in the complaint		
Your relationship to that pupil/person		
Your address:		
Postcode:		
Day time telephone number		
Evening telephone number/mobile:		
Please give details of your complaint (continue on a separate page if necessary)		
What action, if any, have you already taken to try and resolve your complaint. (e.g., 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		
Conclusion & actions (continue on a separate page if necessary)		
Complaint process completed	Date:	Signed: