

Ysgol Gynradd **Llanidloes** Primary School

Complaints Policy and Procedure



This policy was adopted on 4th November 2014

Signed: _____ (Chair of Governors)

Signed: _____ (Headteacher)

Reviewed: 18th November 2015; 17th March 2017; 15th November 2017, 17th January 2018,
28th November 2018

1. Introduction

- 1.1 Our definition of a complaint is “an expression of dissatisfaction in relation to the school or a member of its staff that requires a response from the school”.
- 1.2 A complaints procedure is defined as “a way of ensuring that anyone with an interest in the school can raise a concern, with confidence that it will be heard and, if well-founded, addressed in an appropriate and timely fashion”.
- 1.3 We are committed to meeting the needs of parents, staff, governors, pupils, and members of the community. However, there may be times when you may have a comment, concern or complaint about the school. Most concerns can be settled quickly, and without the need to use a formal procedure, just by speaking to the relevant person in school.

2. Principles

- 2.1 We will consider all your concerns and complaints in an open and fair way.
- 2.2 At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information.
- 2.3 Timescales for dealing with your concerns or complaints may need to be extended following discussion with you.
- 2.4 We may ask for advice from the local authority where appropriate.
- 2.5 Some types of concern or complaint may raise issues that have to be dealt with in another way (other than this complaints policy); in which case we will explain why this is so, and will tell you what steps will be taken.
- 2.6 The governing body will keep the records of documents used to investigate your concern or complaint for seven years after it has been dealt with. Records will be kept in school and reviewed by the governing body after seven years to decide if they need to be kept for longer. (Complaints Procedures for School Governing Bodies in Wales March 2011 Guidance Circular No: 006/2011)
- 2.7 Aggressive, abusive or unreasonable behaviour will not be tolerated and may lead to the school asking the relevant authorities to intervene. Persistently making complaints that have no substance will fall into the category of unreasonable behaviour.
- 2.8 Complaints that are made anonymously will be handled at the discretion of the school and may be considered using other procedures, depending on the nature of the complaint. For example, anonymous complaints relating to (or appearing to relate to) a child protection matter or alleged criminal activity will be referred immediately to the relevant authorities.
- 2.9 Where complaints are considered to have been made only to cause harm or offence to individuals or the school, the governing body will ensure that records are kept of the investigations that are made and what actions are taken, including the reasons for no action.

3. Reaching an answer to your concern or complaint

- 3.1 The complaints procedure is detailed below. You can bring a relative, friend or adviser to support you at any time during the process.
- 3.2 As far as possible, your concern or complaint will be dealt with on a confidential basis. However, there could be occasions when the person dealing with your concern or complaint will need to consider whether anyone else within the school needs to know about your concern or complaint, so as to address it appropriately.
- 3.3 If you are a pupil under 16 and wish to raise a concern or bring a complaint we will ask for your permission before we involve your parent(s) or carer(s). If you are a pupil under 16 and are involved in a complaint in any other way, we may ask your parent(s) or carer(s) to become involved and attend any discussion or interview with you.

Procedure for Complaints

Stage A

If you have a concern, you can often resolve it quickly by talking to a teacher or the headteacher. You can also speak to the school's complaints officer, Mr Adrian Foulkes, through the school. He will call you back as soon as possible. You should raise your concern within ten school days of any incident. (Complaints Procedures for School Governing Bodies in Wales March 2011 Guidance Circular No: 006/2011)

If you are a pupil, you can raise your concerns with your school council representative, class teacher or the headteacher. This will not stop you, at a later date, from raising a complaint if you feel that the issue(s) you have raised have not been dealt with properly.

We will let you know what we have done or are doing about your concern within ten school days, but if this is not possible, we will talk to you and agree a revised timescale with you.

The person overseeing your concern or complaint will keep you informed of the progress being made. This person will also keep a log of the concern for future reference.

Stage B

In most cases, we would expect that your concern is resolved informally. If you feel that your initial concern has not been dealt with appropriately you must put your complaint in writing to the headteacher.

You must do this within five school days of receiving a response to your concern. There is a form attached (Appendix A) that you may find useful.

If your complaint is about the headteacher, you should put your complaint in writing to the chair of governors, addressed to the school, to ask for your complaint to be investigated.

If you are involved in any way with a complaint, Mr Adrian Foulkes, the school's complaints officer, will explain what will happen and the sort of help that is available to you.

Mr Foulkes will invite you to discuss your complaint at a meeting. Timescales for dealing with your complaint will be agreed with you. We will aim to have a meeting with you and will explain what will happen within ten school days of receiving your letter. The school's designated person will complete the investigation and will let you know the outcome in writing.

In most circumstances, the complaints procedure ends at this point. (Complaints procedures for school governing bodies in Wales March 2011 Guidance Circular No: 006/2011)

Stage C

It is rare that a complaint will progress any further. However, if you still feel that your complaint has not been dealt with fairly, you should write to the chair of governors setting out your reasons for asking the governing body complaints committee to consider your complaint.

Mr Foulkes, who can be contacted through the school, can help you with this. You must do this within five school days of receiving the school's response. We will let you know when we have received your letter and will agree a timescale with you for dealing with the matter. The complaints committee will have a meeting with you within fifteen school days of receiving your letter.

If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors or Mr Foulkes who will write down what is discussed and what, in your own words, would resolve the problem. You will be asked to read the notes or have the notes read back to you and then asked to sign them as a true record of what was said. We will let you know how the complaint will be dealt with and will send a letter to confirm this.

The letter will also tell you when all the evidence and documentation to be considered by the complaints committee must be received. Everyone involved will see the evidence and documentation before the meeting, whilst ensuring that people's rights to privacy of information are protected. The letter will also record what we have agreed with you about when and where the meeting will take place and what will happen. The timescale may need to be changed, to allow for the availability of people, the gathering of evidence or seeking advice. In this case, the person dealing with the complaint will agree a new meeting date with you.

In order to deal with the complaint as quickly as possible, the complaints committee will not reschedule the meeting more than once. If you ask to reschedule the meeting more than once, the committee may think it reasonable to make a decision on the complaint in your absence to avoid unnecessary delays.

We will write to you within ten school days of the meeting with the outcome of the governing body's complaints committee.

We will keep records of all conversations and discussions for the purpose of future reference and review by the full governing body. These records will be kept for a minimum of seven years. (Complaints procedures for school governing bodies in Wales March 2011 Guidance Circular No: 006/2011)

In all cases the school and governing body will ensure that complaints are dealt with in an unbiased, open and fair way.

The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.

Appendix A: Pro forma document to register a complaint (Stage B)

Please complete and return to Mrs Elen Chenetier, headteacher, who will acknowledge receipt and explain what action(s) will be taken.

Your name:

Your relationship to the school:

Your address:

Postcode:

Daytime telephone:

Evening telephone:

Details of your complaint:

What have you done so far to try and resolve your concerns or complaint? (Who have you spoken to and what was the response?)

What actions do you feel would resolve the problem?

Are you attaching any documents? Please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix B: Policy and procedure for handling complaints from pupils

Please see the Child-Friendly Complaints Policy document.

Appendix C: Working with the law

The legal framework

Education Act 2002

- 1.** Section 29(1) of the Education Act 2002 ('the Act') requires governing bodies of all maintained schools to establish procedures for dealing with complaints relating to the school or to the provision of facilities or services under section 27 of the Act. Governing bodies must also publicise their complaint procedures.
- 2.** There are separate statutory processes for complaints and appeals relating to the curriculum, special educational needs (SEN), religious worship, admissions, exclusions, staff grievance, teacher capability and staff disciplinary. You can find guidance on these topics at www.learning.wales.gov.uk.
- 3.** Section 29(2) requires a governing body to have regard to guidance issued by the Welsh Assembly Government in establishing and publishing complaints procedures relating to the school or to the provision of facilities or services under section 27 of the Act.
- 4.** This circular is published under section 29(2) in relation to the establishing and publicising of procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27 of the Act. Governing bodies must have regard to the statutory guidance with respect to these matters and follow it unless there are compelling reasons for concluding that, in the particular circumstances of the school or the complaint, the guidance is not relevant or is outweighed by other considerations.

Education Act 1996

- 5.** The model procedure and the remainder of this circular are published under section 10 of the Education Act 1996, under which the Welsh Ministers shall promote the education of the people of Wales.
- 6.** Section 27 provides the governing body of a maintained school with the power to provide any facilities or services whose provision furthers any charitable purpose for the benefit of pupils at the school, their families and people who live and work in the locality of the school.