



If you can dream it...
Ysgol Bae Baglan

Ysgol Bae Baglan Complaints Policy and Procedure

MONITORING AND EVALUATION OF POLICY

This policy will be reviewed annually.

Date passed by Governing Body: Oct 3rd 2018

Chairman *E. Williams*

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1. Introduction

What is a Complaint?

A complaint is an expression of dissatisfaction, whether made orally or in writing. This policy addresses general complaints. Complaints about the curriculum, collective worship, racist incidents or provision for children with special educational needs are dealt with under separate procedures.

How does the Staged Approach Work?

The staged approach is designed to ensure that every effort is made to deal with complaints informally at school level in partnership with the complainant. The formal stages should only be triggered in exceptional circumstances:

Stage 1 is the informal stage. In the case of a complaint by a parent, the class teacher or head teacher will receive the first approach and the majority of issues should be resolved at this stage. In the case of a complaint by a member of the public, the school office should be the first point of contact. A decision will then be made as to which member of staff is best placed to deal with the complaint.

•Stages 2 and 3 are formal stages involving the Headteacher and governing body.

The model policy is designed to manage all complaints but complaints vary in their nature and complexity. Therefore, the school will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it.

Principles and Procedures

Our principle aim is to deal with complaints:

- Openly
- Fairly
- Promptly
- Without prejudice

Our procedure for dealing with complaints will be:

- Be publicised in the School Prospectus
- Be simple to understand and follow
- Be focused on outcomes
- Have established time limits for action
- Keep people informed at all stages
- Where necessary, respect people's desire for confidentiality

- Be carefully monitored and evaluated
- Provide information to the school's senior management team so that the school's procedures can be improved

An Overview - Role of the School's Complaint Co-ordinator

The school's Complaints Co-ordinator is the Headteacher. The Headteacher is responsible for the operation and management of the school complaints procedure and will be able to provide further information on request.

Guidance on the each Stage of the Procedure

There are three stages to this procedure:

- Stage 1 is **informal**
- Stages 2 and 3 are **formal**

Any person expressing continued dissatisfaction should be advised of the next stage in the procedure.

Stage One: Discuss concerns informally with the relevant teacher.

- Complainants are advised to speak to the teacher concerned so everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage.
- If the complainant indicates that he/she would have difficulty in discussing a complaint with a particular member of staff, the complaint may be referred to another member of staff. This member of staff may not necessarily be more senior.
- The member of staff who is dealing with the complaint should ensure that the complainant is reassured that the matter will be investigated and is clear what action has been agreed. All staff should be aware of the need for confidentiality.
- A brief record of any telephone calls, meetings and agreed actions should always be kept although it is not always necessary to provide the complainant with a written record at this stage. The designated teacher dealing with the complaint should monitor these records.
- If either the complainant or staff member feels the matter needs to be taken further, the Headteacher or a senior member of staff should be contacted.

Stage Two: Discuss concerns formally with the Headteacher or a Senior member of staff.

- More serious concerns which remain unresolved at the end of Stage 1 should be referred to the Headteacher or a senior member of staff. An investigating officer will be appointed and they will then investigate the matter further. Any meetings that are held with the complainant in relation to the complaint should be arranged within 10 school days. However, more complex complaints may require an extension to this time limit.
- A log of all contacts relating to the complaint should be kept.
- The Headteacher or Senior Teacher should communicate the outcome to the complainant either verbally or in writing. Any agreed actions should be put in writing.
- If, as a result of the investigation, issues arise relating to staff discipline or capability, **details should remain confidential to the Headteacher.** However, the complainant should be informed that the school has taken appropriate follow-up action.

Stage Three: Make a formal complaint in writing to the Chair of Governors (or a nominated Governor) who will convene a Complaints Panel.

- Governors should only proceed with this formal stage of the Complaint Procedure if they have received a complaint in writing addressed to the Chair of Governors and **all previous stages have been exhausted.**
- Acknowledgement of the written complaint should normally be sent by the clerk to the governing body within 5 school days.
- It is essential that this process is fair and objective. **To avoid a conflict of Interest, it is vital that the full governing body does not hear the complaint at this stage.** Any governor who has been involved with the complaint at an earlier stage would be unable to give objective consideration to the issue.
- It is for the governing body to agree upon the procedures for the Complaint Panel meeting. However, the governing body will usually convene a small panel of 3 - 5 governors who have not previously been involved in the complaint. The panel will usually meet within 15 school days of receiving the complaint.
- The Chair of the panel should notify the Headteacher and the complainant as to whether they will be invited to attend the panel meeting. Alternatively, the panel may decide to consider written material only. Both parties must be treated equally. For example, if the Headteacher is invited to the meeting, so must the complainant.
- If the complaint relates to a staff disciplinary or capability matter about which the Headteacher has already taken action, the governors should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary or capability procedures.

- The headteacher and complainant should be informed of the Panel's decision in writing within 10 working days
- This is the final stage in the school's Complaint's Procedure

Handling Complaints From or Involving Pupils

Have your say

Do you have a suggestion, concern or complaint?

By working together we can make a difference.

We want you to feel safe and happy at school, but sometimes you may feel worried, have a concern or want to make a suggestion. We also want to hear about areas of school life that you enjoy and value.

If you are worried about something please tell a member of staff straight away so that we can look into it. We will take your concerns and any issues that you raise very seriously.

If you don't want to raise the concern yourself, you can ask a member of the school council, a member of staff or someone else you trust to take the matter up on your behalf. Normally in this school the deputy Headteacher will do this.

When you raise a suggestion, concern or complaint:

- we will listen to everything you say
- we will ask you questions to help make things clear
- we will treat you fairly
- someone can help you, such as a parent, friend, relative or someone else
- the person dealing with your concern will tell you what is happening

Privacy

Usually, we will not tell anyone about what you say unless they are involved in dealing with your concern. Sometimes we will tell other people, for instance, if you or someone else is in danger of being hurt or upset. If this is the case we will explain it to you.

When you have a concern or complaint against another person, then that person will normally have a right to be made aware of the concern or complaint and be allowed to give their side of the story.

School Council

If your concern or suggestion affects the whole school or a group of pupils, we might suggest that the school council considers it or you might want to ask the school council yourself.

We all want our school to be safe, caring and successful – the best it can be.

With your help we can make it so.

Section Two

Good Practice Guidance Notes for Headteachers

What is a complaint?

A complaint is an expression of dissatisfaction, whether made orally or in writing. It is important to distinguish between differences of opinion (e.g. about policies and procedures in school), the very natural concern of parents and carers for their children and real complaints. The model procedure makes it clear that those in school usually are best placed to help resolve concerns and complaints.

The manner in which complaints are handled is crucial to achieving a successful resolution. Recognition, by all school staff, of parent's sensitivity, and sometimes over-sensitivity, about their child (ren) is very important. At the same time it is essential that all staff are protected from the over-reaction and abusive attitude adopted by a minority of parents when they have grievances. It is therefore essential that all staff are aware of the internal procedure for dealing with complaints and that all health and safety considerations are met (e/g. not meeting with parents whilst alone in the building).

Sometimes complaints involve the reporting of racist incidents. It is important that these are addressed promptly and sensitively. The authority has issued separate guidance on the recording and reporting of racist incidents.

Complaints concerning Child Protection issues should be managed according to the advice given in the Neath Port Talbot's Child Protection Procedures.

It is recommended that the school ensures that any third party providers offering community facilities or services through the school or on the school premises have their own complaints procedures in place.

Finally, there are no time limits for making a complaint against a school. If your school receives a complaint several years after a pupil has left, it is important to contact Legal Services for advice before responding.

Why do Parents Complain?

Parents and carers may make complaints for a number of reasons, some of which may seem trivial but are important to the complainant. These reasons include:

- Greater government and media emphasis on education causing parents to be more questioning and schools and the LEA to be more accountable.
- A litigation conscious society in which there is an expectation that people will fight for their rights, as they perceive them.
- Misunderstandings by stressed and anxious parents.
- Ongoing personal feuds between children and families which can lead to vexatious and frivolous complaints.

Practical Suggestions

- Most schools make it very clear to parents that it is vital to talk about any issues which arise, as and when they happen, rather than store them up until they reach a flashpoint. Parents need to be reminded that their concerns are taken seriously and that staff will always respond by investigating and/or explaining.
- It is very natural to feel defensive and dismayed whenever someone announces that they want to make a complaint, but it's important to remember that if there is a genuine issue, it is better to resolve it immediately rather than allow it to gain momentum.
- Opinions about the school are spread by word of mouth and it is important to be seen to be responsive, making it clear that issues are not 'swept under the carpet'. This can have a huge effect on individual complaints and on the parent's future attitude towards the school.
- Always deal with complaints as quickly as possible. Grievances can fester if left too long without response or explanation.
- Make sure policies and procedures are readily available for parents to read, if required.
- At each stage of the procedure, the person investigating the complaint should make sure they establish what has happened so far, who has been involved, clarify the nature of the complaint and what aspects of the complaint remain unresolved. It is also helpful to clarify what the complainant feels would put things right.
- Keep a log of everything (i.e. copies of letters, dates of incidents, notes of telephone calls etc.) and keep parents informed of progress in investigating their complaint. A follow-up call or informal meeting to confirm that the issue has been resolved satisfactorily is usually worthwhile.
- Whatever the nature of the complaint, in most cases parents will be anxious and a sympathetic hearing can make all the difference, even if the complaint is felt to be unfounded.
- It is possible to let someone know how sorry you are that they are distressed about an issue without admitting any fault, so "I'm sorry you are upset about this" is preferable to "I'm sorry this has happened" until an investigation has taken place.
- If an obvious mistake has been made, a genuine apology, given as soon as possible, will often defuse any anger quickly and effectively. It is important that staff do not see the giving of an apology as a weakness, but rather as an honest response in the belief that we all get things wrong sometimes.
- However time consuming a complaint may be, it usually saves time in the long run to invest time at the beginning. Making sure that the complainant has time to express his / her anxieties, preferably in a quiet place where they can sit down and feel that their complaint is being given full attention, is very important.
- Some complaints are, by their very nature, impossible to resolve. Alternatively, some parents may find it difficult to accept the outcome of the school's investigation. In such cases, it is crucial that the complaints procedure has been followed carefully so this cannot be open to question.

- If the school receives a complaint which may lead to media interest, contact the County Public Relations Manager for advice.

Reporting General Complaints to the Governing Body

The governing body may wish to monitor the level and nature of complaints in order to ensure the effectiveness of school policies and procedures and make changes where necessary. Individuals should not be named in these reports.

Section Three

Good Practice - Guidance
Notes For School
Governors

Introduction

Section 29 of the Education Act 2002 requires governing bodies to **establish** and **publicise** procedures for dealing with all complaints against the school.

Statutory procedures are already in place for managing complaints about the curriculum, collective worship and provision for pupils with special education needs.

Whilst anxious to ensure that all complainants have a full and fair opportunity to express their concern, the LEA is mindful of the fact that all too often parents, carers and members of the public 'leapfrog' the system and take matters to the LEA which should be dealt with at school level.

This guidance, together with the model policy and the guidance notes for Headteachers is designed to assist the governing body in the preparation of a school complaints procedure. In particular, the guidance is designed to help governors set up and manage a Governors' Complaint Panel when complaints reach Stage 3 of the procedure.

The Background

Relevant Extracts from 'A Guide to the Law for School Governors' (latest version September 2003):

- As a matter of good practice, governing bodies should draw up procedures for sorting out problems quickly and, as far as possible, locally, and publicise those procedures. Complaints should usually go first to the class teacher and then, if necessary, to the head. If the head cannot sort out the complaint, or is the subject of the complaint, the governing body may receive the complaint.
- In dealing with complaints and in making provision for complaints procedures, the governing body should ensure that the person complaining is given fair treatment and in particular, a chance to state their case. Decisions and reasons for them should be given in writing and the person complaining should be informed at the same time of any rights of appeal they may have if they wish to take the matter further. Timescales should also be set for completing actions so that complaints do not take too long.
- Anyone can complain to the Secretary of State if he or she believes that a governing body is acting 'unreasonably' or is failing to carry out its statutory duties properly. If the Secretary of State considers that the complaint is justified, he can direct the governing body to act appropriately.

The Role of the Governing Body's Complaints Panel

If a complaint remains unresolved at Stage 2 of the Complaints Procedure, the complainant may make a formal complaint in writing to the Chair of Governors (or a nominated governor) who will then convene a Complaints Panel.

Governors should only proceed with this formal stage of the Complaint Procedure if they have received a complaint in writing addressed to the Chair of Governors and **all previous stages have been exhausted.**

If governors have not already done so, it is recommended that advice should be sought from the Education Office.

The Complaints Panel should be made up of either three or five governors. The panel should agree who will chair the meeting and should usually meet within 15 school days of receiving the formal complaint.

It is important that the panel meeting is independent and impartial and that it is seen to be so. No governor should sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. Ideally, the panel should include a cross-section of the categories of governors, and all should be aware of the school's complaints policy and procedures.

The independence and impartiality of the panel meeting is very important. To avoid a serious conflict of interest it is vital that the full governing body does not hear a complaint at this stage. For example, if a staff appeal resulted from the decision, an unprejudiced panel of governors would be required to hear that appeal. Any governor who has been involved with the complaint at a previous stage would be unable to give fair, unbiased consideration to the issue.

If the complaint relates to a staff disciplinary/capability matter about which the Headteacher has already taken action, the governors should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary/capability procedure.

A Suggested Procedure

- The LEA recommends that a complaints panel should be clerked, with the clerk acting as the point of contact for the complainant. The clerk to the governing body would normally send acknowledgement of a written complaint within five days. The clerk would then arrange for the Governors Complaints Panel to be convened on a date which is convenient to all parties.
- The clerk should ensure that all members of the panel, the Headteacher and the complainant receive copies of all relevant paperwork and the chair may arrange for a summary to be provided if the issue is complex. The chair of the panel should notify the complainant and the Headteacher of whether or not they will be invited to attend the complaint panel in person. Alternatively, the panel may decide to consider written statements only. In this case, any member of staff whose actions are implicated in the letter of complaint should be invited to submit a written statement to the Complaints Panel although they are not obliged to do so. The Headteacher should also submit a written record of any action he/she has taken in relation to the complaint. Ideally, the clerk should collate all the written material and circulate it as advised above at least three days before the panel meets. This will enable governors to prepare questions and discussion points.
- If the complainant is invited to present his/her case in person, notification of the date, time and place of the meeting should be sent not less than five working days in advance, with an explanation of how the meeting will be conducted. The clerk should also notify the complainant that they have the right to be accompanied to the meeting by a friend.
- The Chair should ensure that minutes of the meeting are recorded. A decision will need to be made about the confidentiality of these minutes.
- The meeting should clearly demonstrate that the complaint has been taken seriously and an attempt made to resolve the issues though, of course, this may not be possible.
- The complainant and the Headteacher should be informed that the panel will consider its decision and communicate this in writing within 10 working days.
- The Panel should consider the evidence and as a result:

- (a) Reach a decision, if necessary by a majority vote, and give reasons for it. This panel may decide to dismiss or uphold the complaint either in whole or in part;
- (b) Decide on any further appropriate action to resolve the complaint;
- (c) Recommend, if appropriate, changes to school procedures which will ensure that similar problems do not occur in the future.
- The clerk should write to the complainant giving a full explanation of the decision and the reason for it, indicating any further action to be taken or proposed.

Suggested Procedure for a Complaints Panel Meeting where the Complainant and Headteacher are not invited to attend

- i. Confirm Chair and the procedure.
- ii. Chair outlines the complaint and sums up the main issues.
- iii. Taking each point raised by the complainant in turn, the panel should consider the school's response to the complaint. They should discuss any written reports submitted to the panel.
- iv. Once all written statements have been considered, the governors should discuss the complaint and reach their conclusions.
- v. The panel should record their decision and their reasons for this.
- vi. The chair / clerk should write to the complainant and Headteacher within 10 working days giving a full explanation of their decision and the reasons for this. If appropriate, the letter may also outline any changes to school procedures and policies as a result of the complaint.

Suggested Procedure for a Complaints Panel Meeting where the Complainant and Headteacher are invited to attend

The panel meeting should be as informal as possible. It is important that all parties have an opportunity to hear what is being said. It is imperative that both the complainant and the Headteacher remain in the room at the same time. If one party leaves, the other should also be asked to do the same.

- i. Confirm chairman and the procedure. Introductions
- ii. Complainant presents case, offering comments in support of their written grounds for complaint.

- iii. Governors may ask questions of the complainant.
- iv. Headteacher responds to the complainant's case, offering comment in support of his or her written report. Usually, the Headteacher should attend the panel meeting on behalf of members of staff. However, other members of staff may be invited to attend the meeting to present their case and answer questions.
- v. Governors may ask questions of the Headteacher.
- vi. Headteacher gives final summary.
- vii. Complainant gives final summary.
- viii. Members of the panel, the clerk and, where appropriate, the Schools Support Officer, remain **while all others withdraw** to leave the panel to discuss the matter and to reach their conclusions.
- ix. The meeting reconvenes for the Chairman to announce:
 - The decision and the reasons for it or
 - That it has not been possible to come to a decision at this stage, but the outcome of the complaint will be communicated in writing within ten school days.

The decision of the governing body's complaints panel is final.

Appendix B: Complaint form

The person who experienced the problem should normally fill in this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned. If you are a pupil the school will help you complete this form, and will explain it to you and give you a copy when completed.

Your Details

Surname	
Forename(s)	
Title: Mr/Mrs/Ms/Other	
Address and Postcode	
Daytime Phone Number	
Mobile Phone Number	
email address	

Preferred method of contact: letter / email / telephone

A. If you are making a complaint on behalf of someone else, what are their details?

Their full name	
Address and Postcode	
Daytime Phone Number	
Mobile Phone Number	
email address	

B. About your complaint (Continue your answers on separate sheets if necessary)

C1. Name of the school you are complaining about.

C2. What do you think they did wrong or did not do?

C3. Describe how you have been affected

C4. When did you first become aware of the problem?

C5. If it is more than two months since you first became aware of the problem, please give the reason why you have not complained before.

C6. What do you think should be done to put matters right?

C7. Have you already put your complaint to a member of staff? If so, please give brief details about how and when you did so.

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else.

Signature of complainant:

Date:

Please send this form and any supporting documents to:

Ysgol Bae Baglan
Seaway Parade
Port Talbot
SA12 7BS

OFFICIAL USE

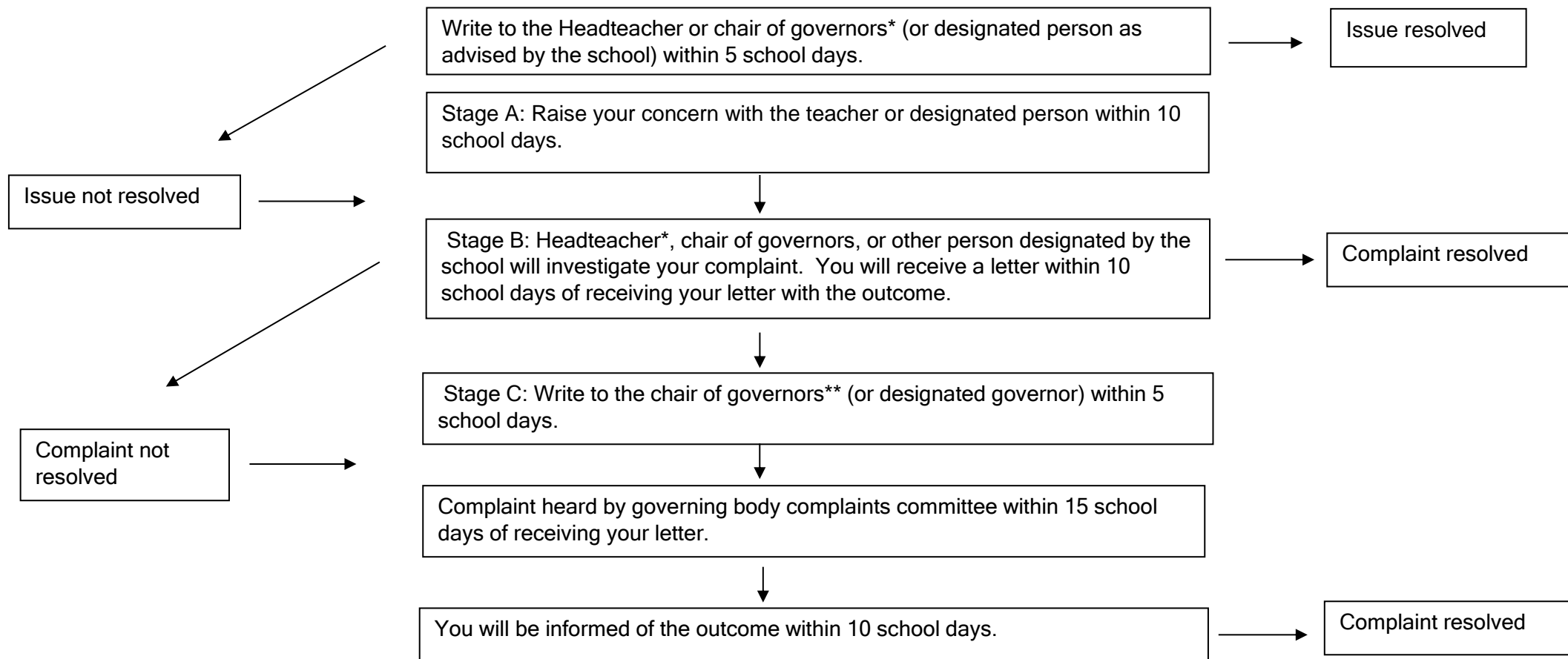
Date acknowledgment sent:

By whom:

Complaint referred to:

Appendix A: Summary of dealing with concerns or complaints

This procedure will be followed in the event of a concern or complaint about the school provided that the concern or complaint does not fall under other statutory procedures.



*If the complaint is about the Headteacher you should write to the chair of governors

** If the complaint is about the chair of governors you should write to the vice chair

All timescales shown are targets and are flexible; however it is in everyone's interest to resolve a complaint as soon as possible.

The school will work with you to ensure that time is allowed to deal with your concern or complaint is reasonable and helps to achieve an answer to the problem.