

YSGOL LLANHARI



Complaints Policy and Procedure

The Governing Body is required by the Education Act 2002 to have a policy for dealing with parents' complaints. In formulating the policy and procedures the Governing Body has taken full regard of guidance set out by the Welsh Assembly Government in the Circular 03/2004 – 'School Governing Bodies Complaints Procedures'.

A complaints procedure is 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.

Aims:

- to ensure that all complaints from parents, pupils and others about school issues are dealt with seriously and as efficiently and sensitively as possible, and by the person in the best position to do so
- to ensure that complaints are dealt with comprehensively and as far as possible, in confidence
- to ensure that complaints are dealt with as quickly as practically possible in order that they may be resolved at an early stage, which will benefit all concerned.
- as far as possible, to deal with all concerns firstly, as informally as possible.
- to adhere to the guidelines outlined in the WAG circular 03/2004 by following the three stage procedure

Principles of the Complaints Procedure:

Impartiality and Fairness

If a complaint should reach Stages 2 and/or 3, members of staff or Governors not involved in Stage 1 will be part of the resolving of the complaint in order to ensure impartiality is not compromised.

Investigating Complaints

All complaints, whether oral or written will be taken seriously by the school and investigated thoroughly. Records will be kept of all investigations.

Handling Information

All complaints will be kept confidential and only those involved in investigating and making a decision will be made aware of the nature of the complaint.

Timing

Every effort will be made to investigate complaints quickly. Complaints procedures can be stressful and delay can cause further unnecessary stress to all parties involved. All complainants will receive a response, although not necessarily the final resolving of the complaint, from the school within five school days.

Where complaints are made shortly before a school holiday and the holiday is other than a half-term holiday, efforts will be made to resolve them before the school closes.

Anonymous Complaints

If an anonymous complaint includes an allegation of criminal conduct or if it concerns a child protection matter it will be dealt with following specific child protection procedures.

In other cases, any person receiving an anonymous complaint will refer the complaint to the Deputy Headteacher who will record the complaint and discuss with the Headteacher how best to proceed. Anonymous complaints can be difficult to deal with and to resolve as frequently the claimant does not provide enough information for the school to act upon.

Recording Complaints

The Governing Body will ensure that the school keeps an appropriate record of complaints including anonymous and withdrawn complaints, irrespective of the stage complaints reach or the outcome

Roles and Responsibilities

The Governing Body would wish that all complainants follow the recommendations of the Welsh Assembly Guidelines, which recommend that complainants allow the school to try to resolve the complaint at each stage and not try to circumvent stages.

Designation	Responsibility
Governing Body	To ensure the formulation of the policy, procedures, and guidelines, hearing and deciding on appeals, receiving reports, and advising the Head. The Governing Body will monitor the level and nature of complaints and review the outcomes at termly meetings.
Chair of the Governing Body	To receive complaints at Stage 3, to nominate a governor or Committee to hear the appeal, and to check that the correct procedure is followed
The Chair of the Committee at Stage 3	To ensure that: <ul style="list-style-type: none"> - the parties understand the procedure; - the issues are addressed; - key findings of fact are established; - complainants are put at ease; - the hearing is conducted as informally as possible; - the Committee is open-minded and acts independently; - no member of the Committee has a vested interest in the outcome, or has been involved in the issues previously; - all parties have the chance to be heard; and - any written material is seen by all parties.
Clerk to the Governing Body	The Clerk will act as the reference point for the complainant at Stage 3. The Clerk must: <ul style="list-style-type: none"> - set convenient dates and times and venues for hearings; - collate any written material and forward it to the parties; - meet and welcome the parties; - record the proceedings; and - notify the parties of the decision.
Headteacher	The overall internal management of the procedures, for hearing complaints at the second stage (see below), ensuring that the procedures are monitored and reviewed and termly reports made to the Governing Body.
Deputy Headteacher	The efficient operation and management of the policy and procedures, for advising staff on how to deal appropriately with complaints, to support the efficient and effective resolving of complaints at Stage 1 and Stage 2 (when delegated), for keeping parents, pupils and others informed of the procedures, and for compiling reports for the Head as required.
Assistant Headteacher	The efficient operation and management of the policy and procedures, for advising staff on how to deal appropriately with complaints, to support the efficient and effective resolving of complaints, for keeping parents, pupils and others informed of the procedures, and for compiling reports for the Head as required.
Attainment Standards Leaders:	Dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care: for keeping parents, pupils and others informed of the procedures, and for compiling reports for the Deputy Head /Head as required.

Subject Leaders	Dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods/ discipline issues within the subject area at stage 1 of the procedures: and for compiling reports for the Attainment Standards Leaders / Deputy Head /Head as required
All Staff	<p>Hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns raised. And for passing any complaints received from other people who are not parents or pupils to the appropriate member of staff.</p> <p>To be aware of the school's Complaint Policy and procedures</p>
Nominated Named Person	Dealing with complaints in relation to child protection issues and procedures advising staff and keeping the Leadership Team informed on current specific child protection issues

The Formal Three Stage Complaints Procedure:

STAGE 1	complaint heard by staff member (who is not subject of the complaint);
STAGE 2	complaint heard by Head;
STAGE 3	complaint heard by Governing Body's complaints appeals Committee.

STAGE 1

At this stage a complaint may be made orally or in writing. The complaint may be made to a member of staff, Attainment Standards Leader/Deputy or other staff member.

Where it is possible for the first recipient to resolve the complaint at this stage, this will be done. The complainant will be given the opportunity to meet with the member of staff dealing with the complaint so that the complaint may be discussed openly and a decision can be reached – usually within 10 school days and the results of any investigation relayed to the complainant. The record of the complaint will note any discussions and interviews along with times and dates.

If the complaint cannot be satisfactorily resolved the member of staff will always inform the complainant that they are entitled to take the complaint to the Headteacher. The complainant will be given a copy of the Governing Body's Complaints Procedure where necessary.

If the Headteacher is the first recipient of the complaint the normal procedure would be to delegate the investigation of the complaint to an appropriate member of staff who will work at Stage 1 to resolve the issue. Who carries out the investigation will depend on the nature of the complaint Alternatively the Headteacher may decide to move to Stage 2.

Should the complaint concern a child protection issue the appropriate procedure will be followed and the Designated Teacher informed.

STAGE 2

A complaint will not normally move to Stage 2 until it has been firstly considered under Stage1.

At this stage it is good practice that the complaint is in writing so that the nature of the complaint is clear to all parties involved.

On receipt of the written complaint the Head will acknowledge the complaint in writing enclosing a copy of the complaints procedure and giving a target date of ten school days for providing a response to the complaint. Where this is not possible the complainant will be informed and a likely date will be discussed.

The complainant will be given the opportunity to come and meet with the Headteacher. The complainant may wish to be accompanied by a friend or relative either for support or to speak on their behalf. The Headteacher may also think it appropriate to have another person present to witness and record the discussion. The appropriate form should be used to record Stage 2 procedures and outcomes.

The Headteacher will ensure that all aspects of the complaint are investigated and will discuss the outcomes with the complainant.

STAGE 3

Appeals to the Governing Body

Complainants who are not satisfied by the Head's decision re the complaint can make representations to the Governing Body. As noted by the WAG document, this should be a rare occurrence. The Governing Body will seek assurance that Stages 1 and 2 have been appropriately applied and exhausted before considering the matter.

The complaint, if it reaches Stage 3, will be heard by the Governing Body Complaints Committee.

The complainant will be advised by the Head to write to the chair of the Governing Body giving details of the complaint and the outcomes to date.

The Chair will ask the Clerk to the Governors to acknowledge receipt of the complaint within five schooldays. The hearing will be held within 15 school days of the Chair receiving notice of the complaint.

The Governing Body Complaints Committee and Hearing

In accordance with Regulation 46 of the Education (School Governance) (Wales) Regulations 1999 (as amended), the Complaints Committee will consist of three Governors. It will not include the Headteacher in order that impartiality on all sides may not be compromised.

To the same end, the membership of this Committee will be checked prior to any hearing in order to ensure that no member has had any prior involvement with the complaint or personal knowledge of the complaint, the complainant or the person against whom the complaint is being made in order to ensure that no may bias will prejudice the fairness of the procedure.

The Governing Body may appoint a person who is not a member of the Governing Body to the complaints committee if they feel this could assist the dealing with specific issues.

The Governing Body may also determine whether non-governor members have voting rights, but no vote can be taken at a committee meeting unless the majority of members present are members of the Governing Body.

The Complaints Committee will make its own procedures, and will agree these with the Chair, who will report them to the next Governing Body meeting.

As the Welsh Assembly Government Guidance suggests, an appeals committee is not usually necessary and the Governing Body will appoint such a committee should any situation require one to be convened

The Complaints Committee will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

The Complaints Committee will hear the appeal(s), consider all the views expressed and decide the outcome.

The Complaints Committee can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;
- decide on appropriate action to resolve the complaint; or

- recommend changes to the school's systems or procedures.

The governing body's decision is binding.

Where there is provision for an extra appeal to another body in the school's policy:

In this case, if the Governing Body cannot resolve the matter the complainant should be informed that representations can be made to the LEA, and be informed about the action that needs to be taken.

Reporting and Recording:

Records of the complaint and the action taken and all supporting documents will be kept on file at the school.

The Head and Deputy will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

The Head will report to staff from time to time, and to the Governing Body each term on the number and type of complaints received and their outcomes.

The procedures will be published under arrangements made by the Head and approved by the Governing Body.

