



Llansannor & Llanharry C/W Primary School



Complaints Policy



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Headteacher :	Signed electronically by Mrs S. Prosser 		

Llansannor Complaints Procedures Policy

Introduction

The purpose of this Complaints procedure is to ensure that anyone with an interest in our school (for instance parents, members of staff, governors, pupils, members of the local community and others), can raise a concern with the confidence that it will be heard and if founded, addressed in an appropriate and timely fashion at each stage of the procedure.

This Complaints procedure ensures staff and governors are clear about their roles and responsibilities in responding to complaints and it enables our school to learn lessons and improve procedures as a result of individual cases and the monitoring of long term trends. Through the procedure, all parties concerned are assured of a consistent and documented approach to concerns or complaints raised.

Other providers offering activities and services on the school premises, or using school facilities have their own complaints procedures, i.e.

- 'Simply Out of School' after school club
- Welsh Government (WG) free breakfast club
- Pyjama drama
- Cardiff City football club
- Sports Xtra

Principles of this Complaints Procedure

- This Complaints Procedure will be **fair and impartial** to all parties and should be applied consistently.
- At each stage, the person dealing with the complaint will make sure that they:
 - establish what has happened so far, and who has been involved;
 - clarify the nature of the complaint and what remains unresolved;
 - meet with the complainant or contact them if unsure or further information is necessary;
 - clarify what the complainant feels would put things right;
 - talk to those involved in the matter and/or those complained about, allowing them to be accompanied if they wish;
 - approach matters with an open mind and;
 - keep records.
- All complaints will be **kept confidential to those who need to know and who have specific roles to fulfill as part of the process.**
- Particular consideration will be given when handling **complaints involving pupils** who may be accompanied by parents/guardians.

- Complaints will be **investigated quickly** and all parties kept informed. Where complaints are likely to take longer than indicated, the Governing Body will notify each party and give reasons. Complaints raised prior to a school holiday should be resolved prior to the school closing wherever possible.
- **Anonymous complaints** should be treated in the same way as any other complaint, investigated if it is felt necessary, and a record kept which should be reviewed periodically.
- **Withdrawn complaints will be** recorded and acknowledged by letter.
- **Roles and Responsibilities** - all parties should behave reasonably and treat the process and the other parties involved with respect.
 - Complainants should, wherever possible, allow the school to try to resolve the complaint at each stage.
 - A friend, colleague or representative can accompany complainants and the person against whom a complaint is made at each stage of the procedure.
 - Individual governors should not be approached and cannot, due to corporate responsibility and conflict of interest, represent complainants. Any governor approached will refer the complainant to the relevant procedure and to the clerk and chair of the governing body.
- The school will **keep a record** of complaints including anonymous and withdrawn complaints in order to :
 - monitor the progress of the complaint;
 - provide evidence that the complaint was considered and of the outcome;
 - identify trends or recurring themes in complaints cases;
 - compile reports to governors (and others) on complaints.
- For complaints **where the process is reviewed by the LA**, diocesan authority, and/or the Welsh Government, the record should include documentation relating to those reviews (also see section 4 of WAG Circular No. 03/2004).
- Subject to compliance with the **Data Protection Act 1998**, the record of complaints may be made available for inspection by the LA, the diocesan and, in the course of an inspection of the school, Estyn under section 10 of the School Inspections Act 1996.
- The school will **retain the record of a complaint** for 3 school years including the year in which the complaint was finalised.
- **Reports** summarising key trends and issues on complaints will be made to governing bodies through the Head Teacher's termly report at least twice a year for monitoring purposes. A summary may also be included in the Governors' Annual report to demonstrate that complaints are being taken seriously and lessons drawn from them. The report may also highlight any resultant changes to school procedures or policies.

Stages in the Complaints Procedure

As recommended by Welsh Government, the Governing Body at Llansannor & Llanharry CiW Primary School has a three stage complaints procedure as outlined below:

STAGE 1 A complaint is raised with, and resolved by, the first recipient within the school.

- The complaint may be made orally or in writing to a member of staff, head of department or the Head Teacher.
- Every effort will be made to resolve the complaint at this stage.
- The complainant will be given an opportunity to meet the member of staff with whom they have raised the matter (within 10 days if possible) in order that the matter can be resolved, and a record will be kept of discussions and interviews.
- If the complaint can not be resolved satisfactorily, the member of staff should inform the complainant, orally or in writing, that they are entitled to take the complaint to the Head Teacher. The complainant should be provided with a copy of the school's complaints procedure if they have not already been given a copy in the course of stage 1 consideration.
- If the Head Teacher is the first recipient of a complainant, he or she can decide whether to delegate consideration to another member of staff under stage 1 or whether to proceed to stage 2.

Recording at Stage 1 should include :

- the name of the complainant;
- date of receipt of the complaint;
- a brief description of the complaint;
- action taken to resolve the complaint and outcome;
- issues for action by the school and lead member of staff

STAGE 2 The matter is referred to the Head Teacher for investigation, decision and resolution.

- The complaint will not usually move to Stage 2 until it has first been considered under Stage 1. The matter might proceed immediately to Stage 2 when the Head Teacher thinks it appropriate.
- At Stage 2, the complaint should be in writing. Where there may be difficulties, the school should consider alternate methods, i.e. arranging dictation or translation.
- On receipt of the complaint, the Head Teacher should acknowledge the complaint in writing and enclose a copy of the complaints procedure and give a target date for providing a response to the complaint (usually within 10 days). If the recommended timescale is not possible, the complainant

should be informed and provided with a date when consideration is expected to be concluded.

- The complainant should be given an opportunity to meet with the Head teacher. The complainant may be accompanied by a friend, colleague or representative and the Head Teacher may also have another person present to witness discussions. Written notes should be kept of interviews, telephone conversations and any other action.
- The Head Teacher will convey his/her decision in writing to the complainant.

Recording at Stage 2 should include :

- the name and address of the complainant;
- date and details of the complaint;
- action taken to resolve the complaint and a written record of discussions, interviews and evidence collated;
- outcome;
- date of notification to complainant;
- issues for action by the school and lead member of staff.

STAGE 3 The matter is referred to the Governing Body Complaints Committee for investigation, decision and resolution.

- If the complainant is not satisfied with the outcome of the consideration by the Head Teacher, the Governing Body may consider the matter and are prepared to deal with such complaints when they arise. The Complaints Committee is made up of at least three governors and may include a person who is not a member of the Governing Body.
- This committee may wish to satisfy itself that Stages 1 and 2 have been exhausted before considering the matter, or that there are special reasons for not following Stages 1 and 2.

Recording at Stage 3 should include:

- A full account of the proceedings of the complaints committee and any appeal committee, evidence presented and all other relevant documentation;
- Decision reached and any action to be taken by the school, Head Teacher, Governing Body or member of staff
- Date of the decision and the date the decision letter was sent to the complainant.

Where the complaint is against the head teacher, the chair of governors undertakes the role which is normally taken by the head teacher or may ask another governor to do so on her behalf.

Procedure at Complaints Committee Hearing

- Witnesses will only be required to attend to give their evidence.
- After introductions, the complainant or their representative is invited by the chair to explain their complaint and be followed by their witnesses.
- The complainant should sum up their complaint.
- The respondent or her/his representative may ask questions of the complainant and any witnesses.
- The committee members may ask questions of either the complainant or the respondent and of any witness after s/he has presented her/his case or evidence.
- The Head Teacher or her/his representative should open the case for the respondent.
- The Head Teacher, or other appropriate person, should then explain the school's actions followed by any witnesses from the school.
- The Head Teacher should sum up the school's actions and response to the complaint.
- The chair informs both parties that they will hear from the committee in writing, usually within 5 school days.
- Both parties and all witnesses leave whilst the committee discusses and decides on the matter.
- Any adviser present also leaves the room having given procedural advice to the committee. Advisers are only present to give procedural advice.

The Decision

Once all the evidence has been presented, the Complaints Committee should consider its decision in private. It can take advice if it wishes from advisers i.e. representatives of the LA. Welsh Government recommends where the LA is involved both in giving evidence and providing advice, each of these functions is performed by different individuals.

The committee's decision should be sent in writing to the complainant usually within 5 school days of the hearing, setting out the reasons for the decision and any remedial action to be taken by the school.

If the complainant believes the complaint has not been resolved satisfactorily by the Complaints Committee, the complainant can refer the matter to the LA which can review the procedures used by the Governing Body, but not the governing body's decision.

If, having referred the complaint to the LA, the complainant remains dissatisfied; a further and final referral may be made to Welsh Government (WG). WG will review the procedures but will not re-consider the evidence or the decision of the Governing Body.

Once a Governing Body has exhausted its own procedures it will attempt to secure closure of the complaint. If at the end of Stage 3, i.e. consideration by the Governing Body at the Complaints Committee hearing, the complaint is not upheld, the decision letter should make clear:

- that the complaint has been thoroughly investigated;
- the Governing Body and the Head Teacher will not re-open the matter;
- any new issues will not mean re-opening an already determined complaint;
- if new issues arise, these will be treated as a new complaint but only if they are demonstrably different from matters raised under a previous complaint.

