

Ysgol Gynradd Rhos Primary School

Complaints Policy

At Rhos Primary we aim for parents, staff and governors to work together to provide the school with a happy, secure, well-ordered and stimulating environment where our values are seen to be important and parents are proud to send their children.

At times concerns may arise and it is our obligation to ensure that each concern is valued and dealt with.

This policy aims to set out the procedures involved if a complaint arises.

The purpose of our complaints procedure is to provide a framework in which:

- Parents are clear about how they can express concerns and how they will be responded to.
- The school is clear about the differences between a concern and a complaint. Informal complaints are taken seriously at the earliest stage will reduce the numbers that develop into formal complaints.
- School staff and governors are clear about their roles and responsibilities in responding to concerns.
- General complaints only are considered. It cannot cover every eventuality. Complaints about admissions and exclusions; SEN together with matters surrounding; staff grievance, disciplinary procedures and curriculum complaints procedures are catered for by separate and specific protocols.
- Concerns and complaints can be resolved informally and speedily by the member of staff (or the headteacher) with whom the parent makes first contact. {Please note that stages 1 & 2 of the complaints procedure are deemed as being an informal process of resolving a complaint}
- Parents are aware of the appropriate person to contact in the first instance.
- Parents are given information as to how they can raise concerns with the school.
- Matters are dealt with in a professional but informal manner.

If a governor, including the Chair of Governors, is approached by a parent

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directly with a complaint at this stage, the governor will refer the parent to the headteacher.

Stage 1 - Complaint heard by staff member (Initial concern)

- Concerns and complaints may be resolved following the initial contact.
- In all cases, members of staff dealing with the complaint will make a note of the date and details of the complaint on the Complaints Log (see appendix A)
- All discussions and/or outcomes between the complainant and staff member at this stage should be logged as evidence on the Complaints Log.
- If it appears that the discussions are not going to lead to resolution and/or the complainant indicates that they are dissatisfied with the response, the staff member will inform the complainant of the next stage of the procedure.

If the complaint is about the action of the headteacher, the matter must be referred to the chair of governors.

Stage Two - Headteacher's Investigation

- Parents who wish to pursue a complaint to Stage Two will be asked to put the complaint in writing to the school, (see appendix B). If the complainant is unable to put the matter into writing this should be drawn to the attention of the person receiving the complaint so that alternative arrangements can be made for the submission of the complaint. The headteacher (or designated member of staff) will acknowledge the complaint in writing usually within **five working days** of receipt, giving a brief explanation of the complaints procedures and a target date for providing a response. This is usually **within fifteen working days**. If it is not possible to deal with the matter in this time, the complainant will be informed of when it is likely to be happen.
- The headteacher (or designated member of staff) will provide an opportunity for the complainant to meet her. The complainant should, if he/she wishes, be allowed to be accompanied by a friend or relative who could speak on his/her behalf. Interpreting facilities should be made available if required.
- If necessary, the headteacher (or designated member of staff) will interview any witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also be interviewed, normally with his/her parent/guardian present. In some circumstances this may not be possible and a senior member of staff with whom the pupil feels comfortable should attend with him/her. If a member of staff

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is the cause of the complaint, they need to be made aware of the reasons, have an opportunity to respond and be accompanied by a representative if required.

- The headteacher (or designated member of staff) will ensure that written records of meetings, telephone conversations and other documentation are kept.
- Once all the relevant facts have been established, the headteacher (or designated member of staff) will arrange a meeting with the complainant to discuss or resolve the matter. This meeting will be followed up with a letter setting out the outcome of the meeting. The complainant will be advised in this letter that if they wish to take the complaint further he/she should notify the chair of governors within fifteen working days of receiving the letter detailing the facts.
- The complainant should receive a full copy of the complaints procedure.
- **If the complaint is against the action of the headteacher, the chair of governors (or designated governor) should carry out all the Stage Two procedures. If the matter progresses to Stage Three the Chair would hand over responsibility to the Vice Chair or designated governor.**

Stage 3 - Review by Governing Body

Complaints only rarely reach this formal stage, but it is important that governing bodies are prepared to deal with them when necessary. *{It should be noted that Stages 1 and 2 must be completed before this stage is reached}*.

Formal complaints to the governing body should be made in writing to the chair of governors. The chair of governors will ask the clerk to the governing body to acknowledge receipt of the complaint within 5 school days. The clerk will make arrangements for the governing body complaints committee to meet to hear the complaint, usually within 15 school days of the date of receipt of the complaint. (The governing body will set up a Complaints Committee to investigate the complaint. If the complaint is proved this could lead to disciplinary action which will be dealt with in accordance with the schools' appropriate procedures).

The governing body will take care that no governor can be accused of prejudice by ensuring that:

- An individual governor does not deal with the complaint;
- The complaint is quickly referred to a committee charged with dealing

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with complaints or to the head teacher, if complaint procedures at that level have not been exhausted;

- The complaint is not reported to the whole governing body until it is resolved, and then not in detail
- The decision of the committee is given in writing to the complainant and any person against whom the complaint is made usually within five school days of the hearing, setting out the reasons for the decision and any remedial action to be taken by the school.
- The letter also advises the complainant that if they are dissatisfied with the outcome of the procedure they may write to the LEA, the Diocese, and if applicable the Welsh Assembly Government.
- **This further review will however only consider whether the complaint has been fully and fairly considered according to the school's complaints procedures. It will not rehear the substantive complaint or change the decision already made.**
- Anonymous Complaints will be investigated in accordance with school policies, procedures and current legislation.
- All procedures are in accordance with Welsh Assembly Guidelines, NAW Circular 03/2004 and NAW Circular 39/2006

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Governing Body Complaints Procedure

The following protocols should be followed upon receipt of a written request from the complainant for the complaint to proceed to Stage Three.

1.0 The chair of governors will ask the clerk to the governing body to acknowledge receipt of the complaint within 5 school days. The clerk will make arrangements for the governing body complaints committee to meet to hear the complaint, usually within 15 school days of the date of receipt of the complaint

2.0 The clerk will take steps to find out when the complainant and others entitled to attend the hearing would be available in order that all parties are able to attend. The clerk will also arrange a suitable venue for hearing the appeal.

3.0 The letter of acknowledgement will set out a timetable and will make clear:

- That all parties involved in the complaint are entitled to provide evidence/written documentation that they wish the committee to consider
- The date by which parties must provide such written evidence
- The date by which the person complained about must return their response
- The date that response will be made available to the complainant
- The date of the hearing (if available at this point)

4.0 The person against whom a complaint is made will be given at least 10 school days to consider all the evidence and take advice before providing a response and before any hearing takes place.

5.0 The chair of the committee will ensure that the complainant and members of the committee are usually given at least 5 school days notice of the date of the hearing in writing. This may be included in the acknowledgement letter set out in 3.0 or in a separate letter. The letter will inform all parties of:

- The time and place of the committee hearing
- The grounds of the complaint including copied of all relevant documents
- The right of all parties to be accompanied or represented by a person of their choice
- Details of those attending and their role
- The committees right to proceed with an oral hearing in the absence of either or both of the parties if no good reason is given why they should not do so
- The entitlement of the parties to seek an adjournment of the hearing if there is good reason why they cannot attend.

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6.0The clerk to the governing body should convene a meeting of the complaints committee. In establishing the committee the governing body should nominate a pool of five governors from which three can be drawn for any hearing. This will ensure that there are always sufficient governors with no conflict of interest to constitute the committee when required. The committee should elect its chair.

7.0The committee members should have had no prior involvement with the complaint. Generally, **it would not be appropriate for the headteacher to have a place on the committee.** Governing bodies should have regard to the advantages of having a mix of different type of governor on the committee and be sensitive to issues of equal opportunity in the composition of the committee.

8.0The chairperson of the committee should ensure that the meeting is properly minuted.

9.0The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action, which will satisfy the complainant that their complaint has been taken seriously.

10.0The chairperson of the committee should try and ensure that the proceedings are as informal as possible and that the complainant feels at ease.

11.0The committee will conduct the meeting having regard to the following principal steps. It shall be a rule that the committee shall not see one party in the absence of the other except in a case where the committee has resolved to proceed in the absence of the complainant/ headteacher in circumstances outlined in paragraph 5.0 above:

- i. The complainant/representative will open by outlining the complaint and present any documentary evidence and/or call witness(es) as appropriate.
- ii. The Headteacher/representative may ask questions of the complainant/representative or of any witness called by him/her. (N.B. This opportunity is reserved for asking questions to clarify matters not for making statements.)
- iii. Members of the committee may ask questions similarly.
- iv. The Headteacher/representative will respond to the complaint, present the documentary evidence and/or call witness(es).
- v. The complainant/representative may ask questions of the Headteacher/representative or of any witness called by him/her. (N.B. This opportunity is reserved for asking questions to clarify matters not for making statements.)

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- vi. Members of the committee may ask questions similarly.
- vii. At the conclusion of the meeting, the chairperson of the committee should explain that the committee will consider its decision and write to both parties with the outcome within five working days. The headteacher and any witnesses should then withdraw and the committee should consider its decision. This should include:
 - a) a decision on the complaint
 - b) appropriate action to be taken by the school, and where appropriate,
 - c) recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.

The school should ensure that a copy of all correspondence and notes is kept on file in the school. **This should be held separately from pupils' personal records.**

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Rhos Primary School
Neath Road
Rhos
SA8 3EB

Date

Dear Mr/Mrs

Re: Acknowledgement of formal complaint to Governing Body

Thank you for your letter of (date) in which you made a formal complaint to the Governing Body regarding.....(summarize key issues of complaint).

In accordance with the school's Complaints Procedure, the Governing Body will be arranging for their Complaints Committee to meet to hear your complaint. The Complaints Committee will be inviting you and (person being complained about) to attend this meeting once a suitable date and venue has been arranged. You will be given at least 5 working day's notice of the date of the meeting.

We would like to inform you that should you have any evidence/written documentation that you would like the committee to consider in relation to your complaint then you should submit this to the Governing Body before.....(5 working days time). This documentation will be made available to (person being complained about) and should they wish to make a written response then this will be forwarded to you by.....(15 working days time).

The clerk to the Governing Body will take steps to find a suitable date for the hearing in order for all parties to be able to attend. As soon as this date is set we will contact you with a date and time.

Yours sincerely,

.....

(Chair of Governors)

Ysgol Gynradd Rhos Primary School

Rhos Primary School
Neath Road
Rhos
SA8 3EB

Date

Dear Mr/Mrs

Re: Notification of Complaints Committee Hearing

Further to our letter of(date of Acknowledgment letter) issued in acknowledgement of your complaint, the Governing Body would like to invite you to a hearing with the Complaints Committee on.....(at least 5 working days from date of this letter).

The Governing body understands that your complaint relates to..... (brief description of grounds of complaints). All documentation that has been submitted by each party concerned in relation to the complaint is attached to this letter.

Attending this meeting will be..... (details of all attending and their role).

The Governing Body would like to inform you of your right to be accompanied or represented at the hearing by a person of your choice.

The Governing body would also like to inform you of your entitlement to seek an adjournment of the hearing if there is good reason as to why you cannot attend. However, the committee reserves the right to proceed with an oral hearing in your absence if no good reason is given as to why the meeting should not go ahead.

Yours sincerely,

.....

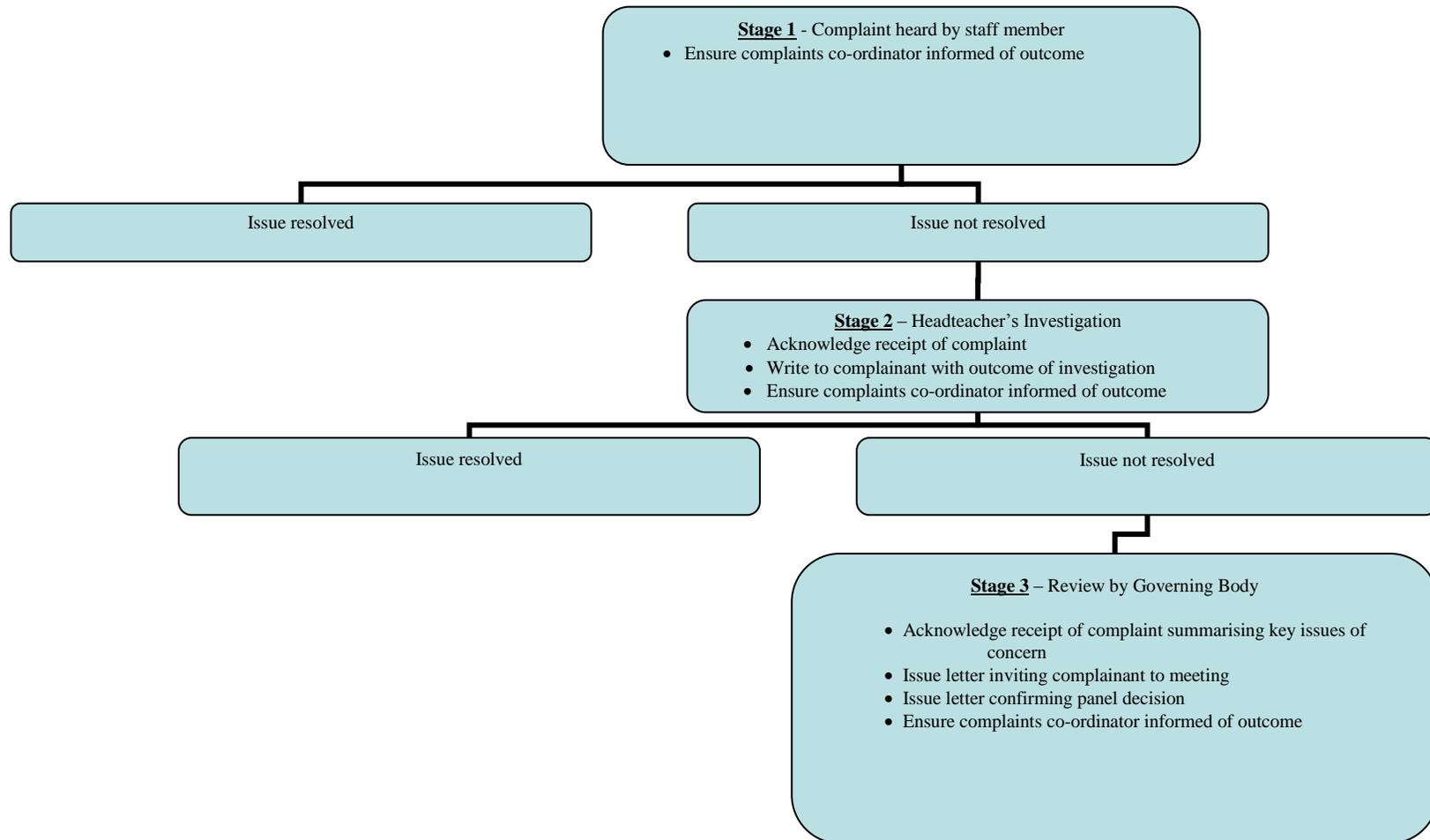
(Chair of Governors)

Encl:

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Flowchart

Summary of Dealing with Complaints



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Annex B

Please complete and return to Mrs Cole, Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

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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 who:

Complaint referred to:

Date:

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Complaints Log

| Date | Pupils Name | Complaint received by | Acknowledgement letter sent | Details of Complaint | Complaint dealt with by | Outcome and date resolved |
|------|-------------|-----------------------|-----------------------------|----------------------|-------------------------|---------------------------|
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