



Ysgol
Hamadryad

Complaints Policy

**Angor cadarn cyn hwylio'r don /
A secure anchor before setting sail**

Headteacher:

Mrs Rhian Carbis

Chair of Governors:

Dr Dafydd Trystan

Ysgol Hamadryad

Date of policy: December 2019

Reviewed: November 2020

Member (s) of staff responsible for policy: Headteacher and Governing Body

Review Date: December 2021

Introduction

At Ysgol Hamadryad we enjoy excellent relationships with the majority of parents. We work together in an atmosphere of mutual respect for the well being of the children. We value the good relations that we enjoy with parents and community and we realise that while these are built on excellent foundations we need to continually work hard to maintain them. We will do this by being open and honest, welcoming their input, providing clear and relevant information, listening and communicating effectively.

We realise that good relations are also supported by straightforward and well understood procedures for responding to expressions of concerns and dealing with the minority of such expressions which become formal complaints.

We always endeavour to treat expressions of concern seriously and to respond to them quickly and effectively to prevent any escalation of the complaint. We realise that a school which listens and responds to expressions of concern can learn how to improve its communications and procedures.

Purpose

The purpose of a 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
- school staff and governors are clear about their roles and responsibilities in responding to concerns

Principles

We aim to make this policy effective for all involved in the school and a process for those involved to express and resolve concerns. We appreciate that most questions that parents might have about the running of the school will be answered in the information that the schools routinely provide for parents as we endeavour to make our literature as comprehensive as possible. We also provide a variety of occasions when parents can gather information about the school and learn about the progress of their children.

We recognise that parents have a right to be able to raise questions and concerns which go beyond these matters and to know how they will be dealt with and that parents also have a right to know what to do if they are not satisfied with the way in which their concerns have been received, how they can take the matter further and how such matters will then be dealt with.

Most of the time concerns from parents can best be settled by talking to the headteacher or a member of staff. We therefore aim to be open and receptive to parents which will resolve misunderstandings speedily and efficiently and will significantly reduce the likelihood of these matters becoming formal

complaints.

We aim to make our complaints procedures simple, easily accessible and effective. We will do this by providing a summary of how we deal with complaints in the information which is given to new parents when their children join the school.

All staff have copies of this policy so as to be clear of procedures and their role in them.

We aim to deal with all complaints promptly, seriously, consistently, effectively and objectively. We therefore will disregard anonymous complaints.

The principles below apply particularly when a concern has not been resolved informally and it takes on the character of a formal complaint:

- when a concern is not easily and informally resolved and becomes a formal complaint, all those involved in handling the complaint will respect the rights of the complainant and any other person involved
- the complaint will be kept confidential and only those people who need to know about the complaint whether for the purposes of investigating it or deciding on the merits of the complaint will be made aware of the complaint except where the matter is already in the public domain
- any person about whom the complaint is made or who is affected by the complaint will have the right to have relevant information which is sufficient to enable them to respond fully to any matter which concerns them. Information may only be withheld where there is an identified need to protect the source of the information or there is a legal reason why the information should not be released (for example the Data Protection principles).
- all staff and governors in schools should have the opportunity to take part in training to raise their awareness of the procedures and develop their skills in dealing with people who wish to complain
- if the outcome of a complaint shows a weakness in a process or procedure, then the school should consider making changes to improve it
- all complaints should be recorded and monitored to allow any lessons to be learned

The governing body should monitor the operation of the complaints procedure and evaluate its implementation annually.

Procedures

Scope:

This model is intended to apply to general complaints received at Ysgol Hamadryad. It does not apply to the following matters, for which there will be separate and specific procedures:

- complaints about failure to follow the National Curriculum or the provision of R.E. and collective worship
- disciplinary/capability complaints about members of staff which should be handled through the specific procedures
- grievance procedures for employees
- exclusions, admissions and SEN issues where there is a right of appeal to the governing body, LEA or to an independent tribunal
- matters which are or have been the subject of legal proceedings or are under investigation by the police or some other competent body, for example, child protection issues

A Staged Approach

The procedures described in greater detail in the following pages set out a staged approach. The principle is to deal with as many of the complaints as possible at the earliest stages. There are three stages at the school level.

Stage One	Informal stage	The intention is that the vast majority of concerns/complaints will be resolved informally
Stage Two	Headteacher's investigation	A formal investigation by the headteacher upon receipt of a written notification that a complaint has not been satisfactorily resolved informally. If the complaint is against the action of the headteacher, the chair of governors (or designated governor) will carry out all the Stage Two procedures.
Stage Three	Governing body review	A formal procedure, invoked following receipt of a written notification that stages one and two have not satisfied the parent, when the governing body seeks to establish the facts of the situation, to resolve the complaint if possible and to recommend action to prevent re-occurrence of the complaint where appropriate

In addition, there are two further stages available when a complainant is dissatisfied with the outcomes of the governing body review. The purpose of these stages is to review the way in which the complaint has been handled; they are not rehearings of the substantive complaint.

Stage Four	County Council review	Review of procedures
Stage Five	National Assembly review	Review of procedures

The Role of the Local Authority (Cardiff City and County Council)

When the Cardiff Schools Service receives a general complaint concerning the conduct of a school, the complainant will be referred to the school and advised to pursue the complaint through the school's complaints procedure. (The exception to this is where the complaint concerns one of the areas covered by statutory requirements or is obviously concerned with child protection or staff disciplinary matters.)

The complainant will be advised to contact the headteacher to take the matter further. If the complaint has already involved the headteacher, but has not been resolved to the satisfaction of the complainant, the complainant will be referred to the next stage of the school's complaints procedure and advised to contact the Chair of Governors.

The Cardiff Schools Service will provide advice to complainants on schools' complaints procedures and how they can access them.

The Cardiff Schools Service will give advice to headteachers and schools on the use of complaints procedures at Stages One, Two and Three.

If a school requests it, Officers from the Schools Service can be available during each stage of the process to offer information and advice, to carry out investigations on behalf of the school where an independent view will be helpful and to attempt mediation between parties.

The Schools Service of the City and County Council will also provide a fourth review stage (see Appendix B). Upon receipt of a letter from a complainant expressing dissatisfaction with the outcomes of a governing body review, the Chief Schools and Lifelong Learning Officer will designate an appropriate officer who will review the procedures followed by the school in order to establish whether the original complaint has been fairly and fully investigated.

Stages of the Complaints Process

Stage One - the informal stage

The vast majority of concerns and complaints can be resolved informally and speedily by the member of staff with whom the parent makes first contact:

- Parents/carers contact the individual member of staff involved in the complaint or the headteacher
- This may be done by speaking to a member of staff when they are on the yard at the beginning or end of the school day, when a mutually convenient time to meet can be arranged or by telephoning or writing to school
- An informal meeting will then take place
- If a governor, including the Chair of Governors, is approached by a parent directly with a complaint at this stage, the governor should initially refer the matter to the headteacher.

We would hope that concerns and complaints in many cases may be resolved following this initial contact. Our principle is to listen, investigate and ensure that the outcome is reported back. The complainant should be kept informed of any developments.

The following procedures should be adhered to:

- In all cases, members of staff dealing with a complaint should make a note of the date and details of the complaint and the outcomes of the contact and inform the headteacher
- If the concern or complaint is not immediately resolved, the staff member dealing with the matter should make sure that the complainant is clear about what will happen next. This should be put in writing if it seems the best way of making the outcome clear and of giving evidence of an attempt at resolution
- 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 should 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 headteacher who will acknowledge the complaint in writing within five working days of receipt, giving a brief explanation of the complaints procedures and a target date for providing a response. This should be 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 concluded.

The headteacher should provide an opportunity for the complainant to meet her/him. The complainant should, if he/she wishes, be allowed to be accompanied by a friend or relative who can speak on his/her behalf. Interpreting facilities should be made available if required.

If necessary, the headteacher should 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/carer 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 is complained against, they need to be made aware of the complaint, have an opportunity to respond and be accompanied by a representative if required.

The headteacher should ensure that written records of meetings, telephone conversations and other documentation are kept.

Once all the relevant facts have been established, the headteacher 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 outcome of the complaint.

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.

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 the complaint and to make arrangements for a meeting of the committee of the governing body charged with dealing with complaints. (The governing body might for example choose to use a grievance committee to hear formal complaints.) Complaints which may lead to disciplinary action will be handled in accordance with appropriate procedures.

The governing body should 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 with complaints or to the headteacher, 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 governing body should ensure that all parties to the complaint are given a fair hearing - a model procedure which could be adopted appears in Appendix A.

The decision of the committee should be given in writing to the complainant and any person against whom the complaint is made within five working days of the committee's meeting.


The letter will also advise the complainant that if they are dissatisfied with the outcome of the procedure they may write to the Chief Schools and Lifelong Learning Officer who will carry out a further review. 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.

Stage 4 - Review by County Council

If the complainant is dissatisfied with the outcome of the school's complaints process, they may write to the Chief Schools and Lifelong Learning Officer. The Chief Schools and Lifelong Learning Officer will designate an appropriate officer to carry out a review of the procedures which have been followed in order to confirm that the complaint has been fully and fairly considered.

Stage 5 - Review by National Assembly for Wales

Similarly, the complainant may approach the National Assembly for Wales for a review of the process undertaken.



Chair of Governor's Signature:

Headteacher's Signature:

Rh. Corbis

Date: December 2020

APPENDIX A

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

The clerk to the governing body should write acknowledging receipt of the written request and informing the complainant that it will be heard by a committee of the governing body within fifteen working days of receipt. The letter should also inform the complainant that they have the right to submit any further documents relevant to their complaint and that these must be received in order for the committee members to be sent copies at least five working days prior to the meeting.

The 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.

The 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 types of governor on the committee and be sensitive to issues of equal opportunity in the composition of the committee.

All relevant correspondence and documentation should be given to each committee member. The chairperson of the committee should ensure that the complainant, headteacher and any other witnesses are given five working days notice in writing of:

- (i) the time and place of the committee meeting,
- and
- (ii) the grounds of the complaint together with copies of all documents relied upon by either the complainant or headteacher,
- and
- (iii) the right of both parties to be accompanied or represented by a person of their choice,
- and
- (iv) the committee's option to proceed in the absence of the complainant/headteacher or their representative if no good reason is given why they should not do so.

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

The 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.

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

The 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. (iv) 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.)
- (vi) Members of the committee may ask questions similarly.
- (vii) Both parties or their respective representative shall be given the opportunity to sum up if they wish, the complainant/representative going last. Neither may introduce any new matter or issue which has not been raised before in the proceedings

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.

Any witnesses should then withdraw and the committee should consider its decision. This should include:

- (i) a decision on the complaint
- (ii) appropriate action to be taken by the school, and where appropriate
- (iii) 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.

