

Llanrhaeadr Ym Mochnant



Complaints Policy / Polisi Cwynion

Including Procedures for handling complaints
from or involving pupils

**Adolygwyd, diweddarwyd a mabwysiadwyd gan y Corff Llywodraethol/
Policy reviewed, updated and adopted by Governing Body**

Dyddiad / Date: November 2020

Llofnod Cadeirydd / Chair's signature:

A handwritten signature in black ink, appearing to read 'A. Purgen'.

Llofnod Pennaeth / Headteacher's signature:

A handwritten signature in black ink, appearing to be a stylized name.

Dyddiad adolygu / Review date: July 2022

Introduction

The Governing Body recognises that it is important that concerns and complaints are dealt with appropriately and aims to ensure that if you have a concern or complaint it is taken seriously and is dealt with quickly, fairly and thoroughly. In order to do this the Governing Body has adopted the policy and procedures set out below.

In setting out this policy and procedure the Governing Body has had regard to the Welsh assembly Government Circular 2001/2012, 'Complaints Procedures in School Governing Bodies in Wales'.

However, because unjustified complaints can be distressing to all parties the Governing Body would encourage you initially to see whether your concern can be addressed without recourse to the complaints procedures.

Dealing with a concern

If you have a concern about something which you think is happening, or not happening, in school, you are encouraged to take this up informally with a teacher or with the headteacher who will usually be able to resolve your concern immediately, rather than use this procedure. However, this policy and procedure is in place for you to use if your concern is not resolved informally, or the matter is more serious.

What is a complaint?

A complaint is a formal expression of dissatisfaction, however made, about the standard of services, facilities or activities, or actions or lack of action, by the School or its staff, affecting an individual or group.

The following are not complaints:

- A request for a service
- A request for information or explanation of a policy or practice
- Matters for which there is a right of appeal or a legal remedy
- Matters appropriate to be dealt with under other procedures.

What complaints can be dealt with under these procedures?

General complaints about issues within school, or activities, facilities or services offered by the school to the wider community can be dealt with under these procedures. The school and the LEA must follow other procedures for complaints about :

- the curriculum
- the level of special educational needs provision
- exclusions
- collective worship
- child protection
- staff disciplinary action
- criminal matters
- admissions
- school transport provision
- harassment and bullying

- whistle blowing

We will advise you if your complaint should be dealt with under one of these separate arrangements.

Staff will need to follow the Grievance Procedure for any complaints about their personal treatment.

If your complaint is about a Child Protection issue then it will be dealt with under the All Wales Child Protection Procedures.

In some cases a complaint may lead to disciplinary action against a member of staff and there is a separate procedure that needs to be followed by the school in dealing with disciplinary matters. If disciplinary action is taken you will not be told the details of this because of the employment rules on confidentiality, however, you will be informed when the matter has been resolved.

Who can complain?

Pupil, parents, staff, members of the local community, governors and others.

Who should you complain to?

The Governing Body have appointed a Complaints Officer who will deal with all complaints in the first instance and all complaints should be addressed to the Complaints Officer in the first instance. If the complaint is about the Complaints Officer then the complaint should be addressed to the Headteacher in the first instance.

Whether your complaint is made verbally or in writing we will acknowledge all complaints in writing in order to ensure that we are clear about the nature of your complaint, what has happened so far, who has been involved, what remains unresolved.

Publication and Review

The Governing Body will review this policy at least annually and will update it in accordance with changes in legislation and other policies.

The Governing Body will make copies of this policy available to all parents, pupils, staff, governors, the LEA, the Diocesan Authority (where appropriate) and all those who request a copy, in accordance with the school's Freedom of Information Publication Scheme, and will publish a summary in the school prospectus.

Confidentiality

Complaints will be dealt with confidentially, with information being provided only to those who need to know the details in order to resolve the complaint.

Timetable

All complaints will be dealt with as soon as possible. We will acknowledge all complaints in writing within 2 school days of receipt. We aim usually to have dealt with all complaints within a period of no longer than 20 school days.

Where there are particularly complex issues that may take longer to investigate, we will keep you informed of progress and deal with them as quickly as we can.

Where a Governing Body Complaints Committee is called, we will aim to convene this as soon as possible and within no longer than 15 school days of the notification of the requirement.

Anonymous complaints

We will not investigate or record anonymous complaints except where these contain an allegation of a child protection or criminal nature. We shall pass these to the appropriate body to consider.

Malicious complaints

Complainants are reminded that documentation relating to the complaint will be made available to any person against whom a complaint is made, in order that they may answer the complaint. A person who is the subject of a complaint may exercise their right to representation or legal action where appropriate.

Complaints which are withdrawn

We shall acknowledge these in writing and record them

Recording, Reporting and Monitoring

We shall keep a record of all complaints including withdrawn complaints.

The record will include :

- Name of the complainant
- Date complaint first received
- Date acknowledged
- A brief description of the complaint
- Date of withdrawal of the complaint (if appropriate)
- Whether the complaint was investigated
- The outcome of the investigation (at each stage of the procedure)
- Date of notification to the complainant of the outcome of the investigation
- Any issues for action by the school/staff/Governors
- Action taken/to be taken as a result of the investigation
- Full account of the proceedings, evidence and documentation, and record of the outcome of any hearing by the Complaints Committee
- Date of notification to complainant of outcome of Complaints Committee
- Action taken/to be taken as a result of Complaints Committee

The Complaints Officer will provide the headteacher with a report for the Governing Body termly summarising numbers of complaints, issues and key trends identified in complaints.

The Governing Body will ensure that issues for action identified as a result of a complaint are implemented.

Data Protection

The information provided to us during the investigation of a complaint will be used solely for the purpose of dealing with the complaint or any appeal and will not be passed to anyone other than those directly concerned with the issue. If your complaint is about the delivery of the service, we may need to disclose the information you provide to the person delivering the service in order to deal with it properly. If your complaint is about a person, we will disclose the information to that person in order that they are able to respond to the complaint. We may be required to disclose the records to the LEA, the Diocesan Authority, or the Welsh Assembly Government, if they are required to audit the procedure. The record may also be inspected by Estyn under Section 10 of the School Inspections Act

Retention of Documentation

We shall retain all documentation in relation to complaints on a confidential file until all aspects of the procedure, including any investigation by the LEA or Diocesan Authority, and the Welsh assembly Government, is completed. Unless the Governing Body has been notified of an appeal to the LEA/Diocese or to the Welsh Assembly Government it will destroy all documentation other than the record of the complaint after 6 weeks. Thereafter we shall retain only the record of the complaint which will be retained for a maximum period of 3 years.

How to obtain advice, support and guidance

There are a number of avenues open to parents, pupils, staff and governors to obtain advice and support if they have concerns about issues in school. These include

- The headteacher
- The Chair of the Governing Body
- Trade Union representatives (at either local or regional level).
- The LA
- The Welsh Assembly Government

Complaints procedure

1. Introduction

1.1 Llanrhaeadr Ym Mochnant Primary School is committed to dealing effectively with complaints. We aim to clarify any issues about which you are not sure. If possible, we will put right any mistakes we have made and we will apologise. We aim to learn from mistakes and use that experience to improve what we do.

1.2 Our definition of a complaint is 'an expression of dissatisfaction in relation to the school or a member of its staff that requires a response from the school.'

1.3 This complaints procedure supports our commitment and 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.

2. When to use this procedure

2.1 When you have a concern or make a complaint we will usually respond in the way we explain below. Sometimes you might be concerned about matters that are not decided by the school, in which case we will tell you who to complain to. At other times, you may be concerned about matters that are handled by other procedures, in which case we will explain to you how your concern will be dealt with.

2.2 If your concern or complaint is about another body as well as the school (for example the local authority) we will work with them to decide how to handle your concern.

3. Have you asked us yet?

3.1 If you are approaching us for the first time you should give us a chance to respond. If you are not happy with our response then you may make your complaint using the procedure we describe below. Most concerns can be settled quickly just by speaking to the relevant person in school, without the need to use a formal procedure.

4. What we expect from you

4.1 We believe that all complainants have a right to be heard, understood and respected. But school staff and governors have the same right. We expect you to be polite and courteous. We will not tolerate aggressive, abusive or unreasonable behaviour. We will also not tolerate unreasonable demands, unreasonable persistence, or vexatious complaining.

5. Our approach to answering your concern or complaint

5.1 We will consider all your concerns and complaints in an open and fair way.

5.2 At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information.

5.3 Timescales for dealing with your concerns or complaints may need to be extended following discussion with you.

5.4 We may ask for advice from the local authority or diocesan authority where appropriate.

5.5 Some types of concern or complaint may raise issues that have to be dealt with in another way (other than this complaints policy), in which case we will explain why this is so, and will tell you what steps will be taken.

5.6 The governing body will keep the records of documents used to investigate your concern or complaint for seven years after it has been dealt with. Records will be kept in school and reviewed by the governing body after seven years to decide if they need to be kept for longer.

5.7 Complaints that are made anonymously will be recorded but investigation will be at the discretion of the school depending on the nature of the complaint.

5.8 Where complaints are considered to have been made only to cause harm or offence to individuals or the school, the governing body will ensure that records are kept of the investigations that are made and what actions are taken, including the reasons for 'no action'.

6. Answering your concern or complaint

6.1 The chart in Appendix A shows what may happen when you make a complaint or raise a concern. There are up to three Stages: A, B and C. Most complaints can be resolved at Stages A or B. You can bring a relative or companion to support you at any time during the process but you will be expected to speak for yourself. However, we recognise that when the complainant is a pupil it is reasonable for the companion to speak on their behalf and/or to advise the pupil.

6.2 As far as possible, your concern or complaint will be dealt with on a confidential basis. However, there could be occasions when the person dealing with your concern or complaint will need to consider whether anyone else within the school needs to know about your concern or complaint, so as to address it appropriately.

6.3 If you are a pupil under 16 and wish to raise a concern or bring a complaint we will ask for your permission before we involve your parent(s) or carer(s). If you are a pupil under 16 and are involved in a complaint in any other way, we may ask your parent(s) or carer(s) to become involved and attend any discussion or interview with you.

Stage A

6.4 If you have a concern, you can often resolve it quickly by talking to a teacher or headteacher. You should raise your concern as soon as you can; normally we would expect you to raise your issue within 10 school days of any incident. The longer you leave it the harder it might be for those involved to deal with it effectively.

6.5 If you are a pupil, you can raise your concerns with your school council representative, form tutor or a teacher chosen to deal with pupil concerns (as appropriate for the school). This will not stop you, at a later date, from raising a complaint if you feel that the issue(s) you have raised have not been dealt with properly.

6.6 We will try to let you know what we have done or are doing about your concern normally within 10 school days, but if this is not possible, we will talk to you and agree a revised timescale with you.

6.7 The person overseeing your concern or complaint will keep you informed of the progress being made. This person will also keep a log of the concern for future reference.

Stage B

6.8 In most cases, we would expect that your concern is resolved informally. If you feel that your initial concern has not been dealt with appropriately you should put your complaint in writing to the headteacher.

6.9 We would expect you to aim to do **this within five school days of receiving a response to your concern as it is in everyone's interest to resolve a complaint as soon as possible**. There is also a form attached (**Appendix B**) that you may find useful. If you are a pupil we will explain the form to you, help you complete it and give you a copy.

6.10 If your complaint is about the headteacher, you should put your complaint in writing to the chair of governors, addressed to the school, to ask for your complaint to be investigated.

6.11 In all cases, Mr Adam Burgess (Chair of Governors) can help you to put your complaint in writing if necessary.

6.12 If you are involved in any way with a complaint, Mr J Richards will explain what will happen and the sort of help that is available to you.

6.13 Mr J Richards will invite you to discuss your complaint at a meeting. Timescales for dealing with your complaint will be agreed with you. We will aim to have a meeting with you and to explain what will happen, normally within 10 school days of receiving your letter. The school's designated person will complete the investigation and will let you know the outcome in writing within 10 school days of completion.

Stage C

6.14 It is rare that a complaint will progress any further. However, if you still feel that your complaint has not been dealt with fairly, you should write, through the school's address, to the chair of governors setting out your reasons for asking the governing body's complaints committee to consider your complaint. You do not have to write down details of your whole complaint again.

6.15 If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors or Mr J Richards, Acting Headteacher who will write down what is discussed and what, in your own words, would resolve the problem. We would normally expect you to do this within five school days of receiving the school's response. You will be asked to read the notes or will have the notes read back to you and then be asked to sign them as a true record of what was said. We will let you know how the complaint will be dealt with and will send a letter to confirm this. The complaints committee will normally have a meeting with you within 15 school days of receiving your letter.

6.16 The letter will also tell you when all the evidence and documentation to be considered by the complaints committee must be received. Everyone involved will see the evidence and documentation before the meeting, while ensuring that people's rights to privacy of information are protected. The letter will also record what we have agreed with you about when and where the meeting will take place and what will happen. The timescale may need to be changed, to allow for the availability of people, the gathering of evidence or seeking advice. In this case, the person dealing with the complaint will agree a new meeting date with you.

6.17 Normally, in order to deal with the complaint as quickly as possible, the complaints committee will not reschedule the meeting more than once. If you ask to reschedule the meeting more than once, the committee may think it reasonable to make a decision on the complaint in your absence to avoid unnecessary delays.

6.18 We will write to you within 10 school days of the meeting explaining the outcome of the governing body's complaints committee's consideration.

6.19 We will keep records of all conversations and discussions for the purpose of future reference and review by the full governing body. These records will be kept for a minimum of seven years.

6.20 The governing body's complaints committee is the final arbiter of complaints.

7. Special circumstances

7.1 Where a complaint is made about any of the following the complaints procedure will be applied differently.

i. **A governor or group of governors**

The concern or complaint will be referred to the chair of governors for investigation. The chair may alternatively delegate the matter to another governor for investigation. Stage B onwards of the complaints procedure will apply.

ii. **The chair of governors or headteacher and chair of governors**

The vice chair of governors will be informed and will investigate it or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.

iii. **Both the chair of governors and vice chair of governors**

The complaint will be referred to the clerk to the governing body who will inform the chair of the complaints committee. Stage C of the complaints procedure will then apply.

iv. **The whole governing body**

The complaint will be referred to the clerk to the governing body who will inform the headteacher, chair of governors, local authority and, where appropriate, the diocesan authority. The authorities will usually agree arrangements with the governing body for independent investigation of the complaint.

v. **The headteacher**

The concern or complaint will be referred to the chair of governors who will undertake the investigation or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.

7.2 In all cases the school and governing body will ensure that complaints are dealt with in an unbiased, open and fair way.

8. Our commitment to you

8.1 We will take your concerns and complaints seriously and, where we have made mistakes, will try to learn from them.

8.2 If you need help to make your concerns known we will try and assist you. If you are a young person and need extra assistance the Welsh Government has established MEIC which is a national advocacy and advice helpline for children and young people. Advice and support can also be accessed from the Children's Commissioner for Wales.

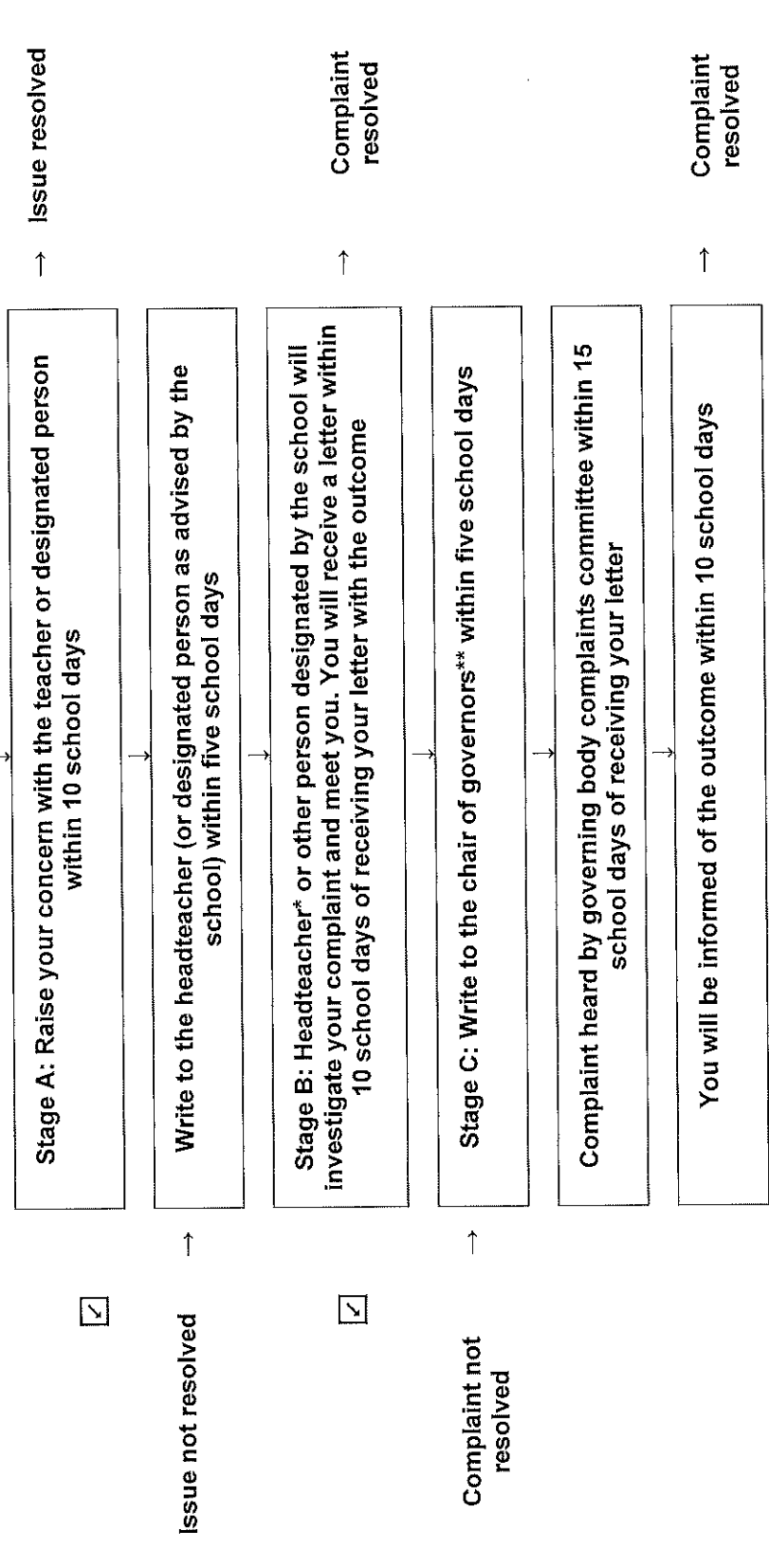
8.3 The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.

MEIC may be contacted by freephone: 0808 802 3456, or text: 84001. This service is operated 24 hours a day.

The Children's Commissioner for Wales can be contacted by freephone: 0808 801 1000 (Monday to Friday 9a.m. to 5p.m.), text: 80 800 (start your message with COM) or e-mail: advice@childcomwales.org.uk

Appendix A: Summary of dealing with concerns or complaints

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 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 best interest to resolve a complaint as soon as possible.
 The school will work with you to ensure that the time allowed to deal with your concern or complaint is reasonable and helps to achieve an answer to the problem.

Appendix B: Ffurflen gwyno/ 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, will explain it to you and will give you a copy of it when it is completed.

A. Eich manylion/ Your details

Cyfenw/ Surname	
Enw(au) cyntaf/ Forename(s)	
Teitl/ Title: Mr/Mrs/Ms/Other	
Cyfeiriad a Chod post Address and postcode	
Rhif ffôn yn ystod dydd Daytime phone number	
Rhif ffôn symudol Mobile phone number	
Cyfeiriad e-bost E-mail address	

Beth yw'r ffordd fwyaf ffafriol o'ch cysylltu?
How would you prefer us to contact you?

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

Eu henw llawn/ Their name in full	
Cyfeiriad a Chod post Address and postcode	
Beth yw eich perthynas iddynt? What is your relationship to them?	
Pam yr ydych yn cwyno ar eu rhan? Why are you making a complaint on their behalf?	

**C. Am eich cwyn (os oes angen y medrwch barhau ar ddarn ychwanegol o bapur)
About your complaint (continue your answers on separate sheets of paper if necessary)**

C.1 Enw'r ysgol yr ydych yn cwyno amdano/
Name of the school you are complaining about.

C.2 Beth yr ydych yn meddwl maent wedi gneud yn anghywir neu ddim wedi gneud? /
What do you think they did wrong or did not do?

C.3 Disgrifiwch sut yr ydych wedi eich effeithio
Describe how you have been affected.

C.4 Pryd oeddech yn wybodus o'r broblem am y tro cyntaf
When did you first become aware of the problem?

C.5 Os yw mwy na tri mis ers i chi wybod am y broblem, rhowch reswm pam nad ydych wedi cwyno yng nghynt.

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

C.6 Beth yr ydych yn teimlo y dylai fod yn digwydd i gywiro'r broblem?

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

C.7 Ydych chi wedi cysylltu ag aelod o staff am y gwyn? Os hynny, a fedrwnch roi manylion cryno o sut a phryd y gwnaethoch hyn.

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

Llofnod yr achwynydd/ Signature of complainant:

Dyddiad/ Date:

Llofnod os ydych yn cwyno ar rywun arall

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

Llofnod/ Signature:

Dyddiad/ Date:

Anfonwch y ffurflen ac unrhyw ddogfennau i gefnogi eich cwyn i:

Please send this form and any documents to support your complaint to:

Mr J Richards
Pennaeth Dros Dro/ Acting Headteacher
Llanrhaeadr Ym Mochnant Primary School
01691 780352

Defnydd swyddogol/ Official Use

Dyddiad anfonwyd llythyr cydnabod/ Date acknowledgement sent:

Gan bwy/ By whom:

Cwyn wedi ei ailgyfeirio i / Complaint referred to:

Dyddiad/ Date: