



The Federation of Tavernspite and Templeton CP Schools



Complaints Policy

Introduction

This school has a clear policy for dealing with complaints. When a person raises a concern or complaint with us, we will look into it and deal with it in a fair and suitable way.

When the person making the complaint is a pupil, we have extra procedures to help them with the complaints process. These are shown in this policy.

In order to clarify, there is a difference between a concern and a complaint.

A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

A Complaint is when you are dissatisfied with:

- the services or facilities provided by the school
- the behaviour or actions of teachers and others working in the school
- the behaviour or actions of pupils
- the behaviour or actions of the governing body.

A Complaint is not a concern relating to:

- the curriculum
- sex education
- special educational needs provision
- religious worship
- school admissions or exclusions
- staff grievance, disciplinary and capability concerns
- child protection issues.

These are all covered by separate procedures. We will give you copies of these procedures if you ask for them.

We will respond to all concerns and complaints in a consistent way. We will:

- listen to your complaint and make sure we understand the problem
- investigate the complaint to find out exactly what happened
- speak to, and if necessary meet with, people involved in the complaint so that we have all the facts
- look at all the evidence and then decide on a fair and acceptable solution to the problem
- let you know how we have resolved the problem, either verbally or in writing.

Different complaints need different responses. Whenever we can, we will respond to your complaint quickly and informally and give you a verbal response. But if your complaint is more serious or complicated we will need more time to investigate it, and if appropriate, give you a written response. We will tell you how long we expect this process to take. If there are any delays in the process we will let you know.

We will keep a record of every complaint, our investigation and how the problem was resolved. The outcome of complaints is reported to the governing body each term.

The Complaints Process

Our complaints process has three stages:

Stage A - Informal

Stage B - Formal Complaint to Headteacher

Stage C - Formal Complaint to Governing Body

You should normally start at stage A – we hope to resolve the majority of concerns or complaints in this informal way. But if your complaint is more serious then you can go straight to stages B or C.

Stage A - Informal

Concerns or complaints can often be sorted out quickly by the first staff member you speak to. This might be a class, subject or form teacher, head of year or other senior person. Normally we would expect you to raise your issue within 10 school days of any incident.

1. Raise your concern with a staff member, either verbally or in writing.

Parents: please follow our normal school procedures for contacting the staff member

Pupils: you can contact your form tutor / class teacher or a member of staff chosen to deal with pupil concerns (as appropriate for the school). We will usually want to make sure you have also told your parents about your concerns.

2. Your complaint will be investigated and quickly resolved if possible. If your complaint is covered by any existing school policies we will try to resolve it using the solutions set out in these policies. We will tell you which policy applies. If you need a copy of any policy please ask us for one.

Pupils: if your complaint is about something that affects many pupils we might suggest taking it to the school council. Any resolution would then benefit everyone.

3. We will give you a response to your complaint, either verbal or written, within 10 school days. If there is a delay we will tell you.

4. We will keep a written record of the complaint and how it was resolved.

If we cannot resolve your complaint, or you are not happy with our response, you can progress your complaint to the next stage.

Pupils: Your complaint will only progress with your agreement. Your form tutor / class teacher / member of staff chosen to deal with pupil concerns will explain what happens in the next stage to you. You can have help to present your complaint if you want it. We will tell you about the different types of help there are and you can choose which to use.

Stage B - Formal Complaint to Headteacher

If we fail to resolve your complaint at stage A, or your complaint is more serious, parents can make a formal complaint to the headteacher in writing, or pupils can speak to the Head about it. We would expect you to aim to do this within five school days of receiving a response to your concern under Stage A of the process, as it is in everyone's interest to resolve a complaint as soon as possible.

If you complain directly to the headteacher without raising your concern with a staff member first, the headteacher may decide that your complaint could be dealt with informally using the stage A process. They will refer your complaint to a suitable member of staff to deal with and tell you they have done this.

1. Raise your complaint in writing to the headteacher.

Parents: Your letter should explain what your complaint is about. If we could not resolve your complaint at stage A, or you were not happy with our response, you should tell us what you are looking for as the outcome.

Pupils: You can talk to the headteacher about your complaint instead of writing it down. You can have someone with you for support at this meeting. We will write down everything you say, and you will be asked to read, agree and sign this record to make sure it correctly sets out your complaint. We will give you a copy of the record. The headteacher will ask you what you are looking for as a solution or outcome to the problem. They will also let you know how it will be investigated.

2. The headteacher will acknowledge receipt of your complaint in writing. They will let you know by when you should receive a response – usually within 10 school days.

Pupils: If you talk to the headteacher about your complaint in step 1 then we will not need to give you a written acknowledgement. The headteacher will have given you a response time at this meeting.

3. The headteacher will investigate your complaint. This will usually include having a meeting with those involved. If you are asked to a meeting then you can bring a relative, friend, advocate or other person with you for support. However we will expect you to speak and to answer questions; it is not for your companion to do that on your behalf. The headteacher may also choose to have another person present as a witness to what is discussed and to take notes. During this meeting is important for the complainant to remain calm and behave appropriately throughout by working effectively with the school. Whilst we understand that issues concerning your child are very emotive, aggressive or abusive behaviour is not allowed neither are personal attacks on members of staff. In instances of inappropriate or threatening behaviour by a complaint the Headteacher will immediately stop the meeting and an attempt will be made to rearrange at a future date/time.

Pupils: The headteacher may not need to have a meeting with you if you already met in step 1.

4. The headteacher will keep a record of all meetings and discussions and the outcome of these.

5. Once the investigation is complete, the headteacher will give you a written response to your complaint, normally within 10 days of completion.

Pupils: The headteacher will also tell you their decision verbally to make sure you fully understand it and can ask any questions if necessary.

If you feel your complaint has not been resolved at Stages A or B by the staff of the school, you may complain, in writing, to the GB. The LA has no role in determining the outcome of a complaint, but is available to guide the GB on following the correct procedures.

If your complaint is against the Headteacher, and he/she cannot resolve it at stage A, the Chair of the GB will investigate it at Stage B. If the complaint is not resolved here, Stage C will be implemented, as described below, where a committee of three governors will consider the complaint.

Your letter should be addressed to the Chair of the GB and sent to the school marked 'Private and Confidential'. You should not involve any other governor at this stage.

Stage C - Formal Complaint to Governing Body

It is rare that a complaint will progress to this stage. However, if we fail to resolve your complaint at stages A and B, or you feel that your complaint has not been dealt with fairly, you can make a formal complaint to the governing body. You should only complain directly to the governing body when there are special reasons for not using stages A and B, such as a serious complaint against the headteacher.

If the Chair of Governors receives a complaint that could have been dealt with at stages A and B, and these have not been used, he or she may refer your complaint back to the headteacher for investigation. They will tell you if this is the case.

1. Complaint made in writing to Chair of Governors, through the school's address. We would normally expect you to do this within five school days of receiving the school's response to stage B, or the Chair's response, if your complaint is against the Head.

Parents: Your letter should explain what your complaint is about, what the school has done to investigate and resolve it, and why you are not happy with the outcome.

Pupils: You can talk to the Chair of Governors about your complaint instead of writing it down. We will write down everything you say, and you will be asked to read, agree and sign this record to make sure it correctly sets out your complaint. We will give you a copy of the record. The Chair will ask you what you are looking for as a solution or outcome to the problem. They will also let you know how it will be investigated.

2. The Chair will acknowledge receipt of your complaint in writing and will let you know how your complaint will be dealt with. The Chair will pass the complaint to the Governing Body Complaints Committee. The Complaints Committee will normally have a meeting with you within 15 school days of receipt of your letter. You will be asked to agree a suitable time and venue for the meeting. 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.

Pupils: If you talk to the Chair about your complaint in step 1 we will not need to give you a written acknowledgement. The Chair will have given you a response time at this meeting.

3. The Committee will have at least three members. The Governing Body may decide that one of the people appointed to this committee is an independent person instead of a governor, but the majority of committee members will always be governors.

4. The Complaints Committee will meet with you to consider the complaint. You can bring a relative, friend, advocate or other person with you for support. However, we will expect you to speak and to answer questions; it is not for your companion to do that on your behalf.

Pupils: You can ask someone else to help you explain your complaint at the meeting.

The meeting will be conducted in an informal way with each party treating the other with respect and courtesy. Normally, in order to deal with the complaint as quickly as possible, the Complaints Committee will not reschedule the meeting more than once; after that, the committee may think it reasonable to make a decision on the complaint in your absence to avoid unnecessary delays.

At the meeting:

- you will be told the names and roles of the other people present;
- the purpose of the meeting will be explained;
- you will be asked to talk through your complaint. If you have witnesses they will be asked to give their evidence. The committee may ask you questions.
- the headteacher or other witnesses will explain the school's actions and response to the complaint. The committee may ask them questions.

At the end of the meeting the Chair will check:

- that you have said everything you wished to;
- that the committee has understood all the points made so that it is able to make a decision based on the facts;
- that you are clear about when you will be told the committee's decision and that you understand the decision will be final.

5. The Complaints Committee will consider all the evidence before reaching a decision. They may ask for advice from the Local Authority (Pembrokeshire County Council).

6. The Committee will give you their decision in writing, usually within 10 school days of the meeting. They will tell you the reasons for their decision and any recommendation made to the school or GB as a result.

Pupils: The Chair of the complaints committee will also tell you their decision verbally to make sure you fully understand it and can ask any questions if necessary.

7. We will keep a record of your complaint, including any evidence presented and minutes of any meetings or discussions, for seven years.

8. Once you have been given a decision at the end of stage C the complaints process will end. There is no appeals process.

If you are dissatisfied with the procedures used by the governing body to deal with your complaint, you can ask the Local Authority (LA) to review the governing body's actions. If the LA concludes that the governing body has not followed its procedure, or has acted unreasonably, or has failed to carry out its statutory duty to deal with the complaint, then the LA can direct the governing body to reconsider the complaint or to change its process to ensure future complaints are dealt with correctly. The LA cannot, however, overturn any governing body decision in respect of the complaint.

Pembrokeshire County Council has its own published complaints policy and procedures. However, complaints relating to schools made directly to the county council will be referred back to the school to deal with.

Special Circumstances

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 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. The authorities will usually agree arrangements with the governing body for independent investigation of the complaint.
- v. **The Headteacher.** The 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.

Summary of the school's complaints procedures

Stage A	Stage B		Stage C
<i>Complaint against a member of staff</i>	<i>Complaint against a member of staff</i>	<i>Complaint against Head</i>	<i>Complaint against a member of staff or Head</i>
   			
Dealt with informally by staff member or line manager	Headteacher investigates original complaint	Chair of GB investigates or delegates another governor to do so	GB Complaints Committee of at least three members considers the complaint
   			
Parent informed of outcome	Parent informed of outcome	Parent informed of outcome	Parent informed of outcome
  			
If not resolved, move to Stage B	If not resolved, move to Stage C		No appeal against outcome
			LA can be asked to consider if the GB has acted reasonably in considering the complaint

Complaint Form

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

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect and courtesy
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Complaints Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
- many complainants will feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

Appeals

Once you have been given a decision at the end of Stage C the complaints process will end. The governing body and head teacher will not look at your complaint again, even if you are unhappy with the outcome. There is no appeals process.

You can ask the local education authority (Pembrokeshire County Council) or Welsh Assembly Government to review the procedures we used to deal with your complaint. However, if we have followed the process as set out in this policy document then they will not be able to overturn the decision made.

Pembrokeshire County Council has its own published complaints policy and procedures. However, complaints relating to schools made directly to the county council will be referred back to the school to deal with.

It was agreed by the Governing Body of Tavernspite and Templeton CP Schools on:

Date: _____

Signed: _____ (Chair of Governors)

Signed: _____ (Headteacher)