

**Ysgol Greenhill School**



**COMPLAINTS  
POLICY AND PROCEDURE**

October 2017



# Complaints Procedures

## Ysgol Greenhill School 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.**

### Who this policy applies to.

This policy applies to parents, parents, guardians and pupils registered as attending Ysgol Greenhill School at the time the complaint is made.

Complaints by staff are dealt with in accordance with the School's Staff Grievance procedure.

Complaints from others will be dealt with in accordance with the contractual agreement or public duty existing between the school and the complainant.

**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.

Different complaints need different responses. Whenever we can, we will respond to your complaint quickly and informally, providing you with a verbal response. If your complaint is more serious or complicated we will need time to investigate and we will usually 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 respond to all concerns and complaints in a consistent way. We will:**

- Consider your complaint and make sure we understand the problem. If we need to get a clearer understanding or clarification we will contact you.
- investigate the complaint to find out, as clearly and objectively as we can, what happened
- speak to, and if necessary meet with, people involved in the complaint so that we have all the facts. This may include taking written statements.
- Review and consider all the evidence and circumstances related to the complaint.
- Where appropriate, propose and or implement actions to resolve your complaint and to improve future practice.
- Inform you of the outcome of your complaint. Where appropriate, letting you know how we have resolved the problem, either verbally or in writing.
- **We will not inform a complainant of any specific action taken relating to any other individual, as this is protected under regulations relating to confidentiality**
- Where appropriate, apologise and discuss how we repair any damage that might have resulting in our relationship with the complainant.

**Anonymous complaints**

Should a complaint be made anonymously, the school will not deal with it unless it receives at the same time evidence, which the school can independently verify, in support of the complaint.

# 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.

## Record Keeping

We will keep a record of every formal complaint, our investigation and how the problem was resolved.

Staff managing complaints under the informal part of the procedure, which may include issues and conversations where it may not, at first, be considered a 'complaint', may and are advised to make a record of such complaints, their response and where appropriate actions taken. These will usually be recorded and stored (either physically or electronically) in your child's school file.

Complainants will be entitled, under the 'Freedom of Information Act 2000' to request a copy of all records relating to their child and any complaint they make. Request for copies must be made via a written FOIA application.

In line with FOIA regulations appropriate records will be redacted to protect the confidentiality and identity of others. Complaints are not entitled to contemporaneous notes by individual staff.

## 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: If the concern is with a specific member of staff you can speak to them directly. Doing so at an appropriate and convenient time and place. You may ask to speak to staff 'privately'. 'Private' in a school context will include appropriate arrangements that safeguard both pupils and staff. This may simply mean where a conversation cannot be overheard, rather than away from others.*

*If you would prefer or find it easier, or the concern is of more general nature you can speak to your form tutor or Head of Year to deal with your concerns.*

*We will usually want to make sure you have also told your parents about your concerns. Should you not wish to inform your parents we will respect this if we believe the individual has the maturity and capacity to make such a decision, except where we believe any safeguarding concerns exist.*

- 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 satisfied with our response, you can progress your complaint to the next stage.

*Pupils: Your complaint will only progress at your request. Your Head of Year (or Head of School, if your complaint is about your Head of Year) will explain what happens in the next stage and what you need to do. 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, you can make a formal complaint to the headteacher. 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 1, 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. Should you wish to do this you will need to make an appointment to meet with the Headteacher. Your Head of Year or Head of School can help you to this. You can have someone with you for support at this meeting. We will write down your main points and you will be asked to read, agree and sign this record to make sure it correctly sets out your complaint. Depending on the circumstance we may write down everything you say again you will be asked to read, agree and sign this record. In either case you will be given a copy of the record. The headteacher will ask you what you are looking for as a solution or outcome to your complaint. You will then be informed how your complaint will be dealt with, including any investigation that might take place. To ensure your complaint is properly considered, taken seriously and any response is fully informed the Headteacher is unlikely to respond to any questions or points you make in the meeting.*

### **2. On receipt of a Formal Complaint the Headteacher will either appoint an Investigator, who will contact you to discuss your complaint and to establish if any, or all, aspects can be resolved quickly or investigate the complaint personally.**

*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.*

- The person designated to investigate will be sufficiently senior and not directly involved with the complaint previous to ensure an objective and thorough investigations can be undertaken.
- Wherever possible, the Investigator will attempt to resolve complaints through professional dialogue at an early stage.

- The Investigator will confirm with you the agreed main areas of your complaint that will be subject to thorough investigation.
- A Written response will be provided for all complaints investigated at the Stage B.
- The response will provide a clear conclusion on whether or not the complaint has been upheld and may link together similar issues for conciseness and clarity.
- On occasions, where the evidence is inconclusive because of differing opinions that cannot reasonably be resolved through independent corroboration, the outcome will be recorded as 'no conclusion could be reached'. Where this occurs, the reasons for not reaching a conclusion will be clearly explained.
- As part of carrying out the investigation, the Investigator will consider in detail all the information submitted and issues raised.
- The Investigator will only consider direct evidence that can be substantiated. It should be noted that investigation responses to complainants not directly linked to an incident may be limited by the information that can be disclosed to a third party under the Data Protection Act 1998

*Pupils: The headteacher may not need to have a meeting with you if you already met in step 1. If another member of staff is designated to investigate your complaint, they may ask to speak to you to ensure they fully understand your complaint.*

4. **The headteacher and or the designated investigator will keep a record of all meetings and discussions and the outcome of these.**
5. **Once the investigation is complete the complainant will receive a written response from the Headteacher. This will usually be within 10 days of receipt of the formal complaint. When this is not possible the complainant will be informed when a response will be sent.**

## **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.**

*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 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. Chair passes complaint to the Governing Body Complaints Committee. 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 considers all the evidence and reaches a decision. They may ask for advice Pembrokehire 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 action to be taken by the school 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.

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## **Special Circumstances**

In some cases, for example if your complaint is against the headteacher or a member of the governing body, we will follow slightly different procedures to the ones described above. If we need to do this, we will explain the differences to you.