

## **G22 Parental Complaints Policy**

APPROVED BY THE FULL GOVERNING BODY ON: 15/11/05

SIGNED: \_\_\_\_\_ CHAIR OF GOVERNORS

### **General**

**The governing body is required by section 29 of the Education Act 2002 to have a policy for dealing with complaints from parents, pupils, members of staff, governors, members of the local community and others. This policy is written with due regard to National Assembly Guidance document 03/2004.**

The school's complaints policy allows complaints about school issues to be dealt with consistently, efficiently and sensitively, and at the appropriate level.

Complaints can cover a wide variety of matters. The school expects ALL complaints to be taken seriously, to be dealt with comprehensively, in an impartial way and as far as possible in confidence.

### **Aims and Principles**

The policy aims to ensure that all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so.

An overriding principle is that these procedures should be fair to all parties and applied consistently.

A complainant should be able to expect to have an acknowledgement, even if not the final response, to their complaint within two working days of having made the complaint.

Parents, pupils, staff and governors should be informed of the procedures for making formal complaints and appealing against decisions.

### **Types of Complaint**

The majority of complaints received by the school fall into the following categories:

- **financial and administrative**
- **accommodation and facilities**
- **academic** (course programme, unsatisfactory teaching, too much/too little homework, progress in a particular subject etc)
- **pastoral and welfare** ( discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child etc)
- **child protection** (allegations against staff, handling of sensitive issues)

Certain complaints are subject to other statutory processes such as staff disciplinary procedures, admissions and exclusions. These procedures do not replace those procedures.

## **Responsibilities**

**Governing Body:** for approving the policy, procedures, and guidelines, hearing and deciding on complaints, receiving reports, and advising the Head and for the general oversight of the policy and procedures.

**Headteacher:** for the efficient running of the policy and procedures, for training staff on how to deal appropriately with complaints, for hearing parental appeals from decisions taken by other staff, for presenting the school's case where the parent complains to the governing body/LEA, and for reporting on complaints as required, to the governing body.

**Deputy Head:** for staff mentoring and appropriate training of relevant staff.

**Director of School Administration:** for administrative and financial queries and complaints. For maintaining a log of formal complaints and records of action taken.

**Heads of Department/Subject:** for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods.

**Heads of Year:** for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care.

**Mr M Thomas - Deputy Head:** for child protection issues.

**All staff:** for hearing any complaints brought to them by parents and reassuring them that their complaints will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the complaint.

## **Guidelines**

All staff should listen carefully and patiently to parents' complaints, recognising that, even if the complaint proves to be ill-founded, it is a matter of great concern to the parent.

This policy adopts a three stage procedure in accordance with the National Assembly for Wales guidance document 03/2004. Copies of these guidelines can be obtained from the National Assembly for Wales via their web site [www.learning.wales.gov.uk](http://www.learning.wales.gov.uk) or by telephone on 029 20 826052. Alternatively this guidance is available on request to the school.

## **Stage 1**

### **Informal resolution by the first recipient of complaints**

Such a complaint may be made orally or in writing. If the matter is within the competence of the first recipient within the school to resolve quickly and informally this should be done.

- The complainant should always be offered the opportunity to meet the member of staff with whom they have raised the matter so that a decision can be reached within no more than 10 working days.
- The complainant may choose to be accompanied by a friend or relative.
- The member of staff may choose to be accompanied by a colleague who can act as witness to the discussions.
- If a resolution cannot be found the member of staff should inform the parent of their right to make a formal complaint to the Head, and inform the Head of the action taken.
- In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing. This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff.
- If the Headteacher is the first recipient of a complaint he may decide to delegate its handling to another member of staff under stage 1 or proceed to stage 2.
- In any cases of doubt members of staff should seek the advice of a member of the leadership team. If the member of the Leadership Team considers that he/she can deal with the complaint he/she should attempt to do so.
- If that person considers a matter to be serious (but is not a child protection issue) **even if a formal written complaint has not been** made, he/she should inform the Head in writing and inform the parent of the action taken.
- The Head will determine the next step(s).
- Even if no further action is necessary the member of staff should inform their line manager.

## **Stage 2**

### **A complaint is considered by the Headteacher:**

The Headteacher may handle a complaint informally according to the procedures laid down at stage 1. However, if the matter has not been resolved at stage 1, and the complainant refers the matter to the Headteacher, or in other circumstances at the decision of the Head, a formal consideration of the matter may be appropriate.

- The complaint should be put in writing.
- On receipt the Headteacher will acknowledge receipt of the complaint in writing.
- The Headteacher will appoint a senior member of staff as investigating officer to investigate the matter.
- The Headteacher will give a target date for providing a detailed response to the complaint.

- It may be appropriate for the complainant to meet the investigating officer or the Headteacher to discuss the complaint. The complainant may be accompanied by a friend or relative. It may be appropriate to provide facilities or assistance if the complainant has a disability.
- The Headteacher may wish to ensure the presence of a witness on the part of the school.
- Witness notes should be kept of all contact with the complainant including interviews, telephone conversation and other action.
- The Headteacher's decision should be conveyed in writing to the complainant, who should be advised of the opportunity to have the complaint heard by a Complaints Committee.

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff the 'named person responsible for child protection complaint (Mike Thomas – Deputy Head) should be informed).

If a serious complaint is made by a pupil, the member of staff should immediately inform the pupil's tutor, who will inform the Head of Year. It will be the responsibility of the Head of Year to determine whether he/she can deal with the issue, or what the next course of action should be, including referring the matter to the Leadership Team.

### **Stage 3 Complaints to the Governing Body**

Complainants who are not satisfied by the Head's decision re the complaint can make representations to the Governing Body. This should occur rarely and Governors should be satisfied that stages 1 & 2 have been exhausted before considering a matter or that there are special reasons why they should hear a complaint.

Complainants should be advised to write to the Clerk in the first instance stating their complaint, and providing any supporting documents. The Clerk will set up a meeting with the Governing Body's 'Complaints' panel at a mutually convenient time within 20 working days of the letter from the parent being received. The hearing will be as informal as possible. The parents may be accompanied by 'a friend', and where there might be language difficulties by someone able to translate appropriately.

The Governing Body has established a procedure to empanel Complaints Committee when the need arises. This will be chaired by the Chair of Governors, or if appropriate the Vice Chair, or the chair of the Finance Committee. The committee will be clerked by the Clerk to the Governors or the school's committee clerk. The Chair may request that representatives of the LEA or other relevant body observe the meeting and are in a position to provide advice to the Committee at the consideration stage.

The Chair of the Committee shall be guided by para 74 of the Circular in making arrangements for the complainant to attend its hearing of the complaint, and by the paras 75-77 relating to the timetable for the hearing, the provision of written evidence, and the notice of the meeting and associated papers. All parties should be enabled to provide written evidence if they so wish, and such evidence must be made available freely to all parties. At least five working days' notice should be given of the hearing. The Committee will proceed with the hearing in the absence of the complainant or his/her representative unless good reason is shown why there should be an adjournment.

The conduct of the hearing shall be guided by paras 78-81 of the Circular. Once all the evidence has been heard the committee shall consider its decision in private. It may adjourn to a second meeting in order to do this. It may be advised at this stage by representatives of the LEA or another relevant body. Paras 82-83 of the Circular provide guidance on procedures at this stage. Decisions will be by majority agreement with a second or casting vote from the Chair in the event of a tied vote. Guidance on the decision letter is given in paras 87 and 92 of the Circular. The record of the meeting shall include a full account of the committee's proceedings together with all relevant documentation; the decision reached; a note on action by the school or the governors consequent on the decision; the date of the decision, and a copy of the decision letter.

This policy does not provide for an appeals stage, as the Governors have considered that such a provision unduly prolongs the resolution of complaints without real benefit to the parties. Complainants will be advised that the LEA or if applicable the Welsh Assembly Government may review the procedures used by the Governing Body but not their decision.

### **Constitution of the Panel**

The Governing Body will name five members of whom three will form a quorum. The Chair of the Governing Body will chair the panel. If the Chair is not available or has previously been connected with the complaint, the Chair will nominate another governor- normally the Vice-Chair. The Governing Body may appoint a person under Regulation 46 of the School Standards and Framework Act (1998) who is not a member of the Governing Body such as an LEA adviser to sit on the panel. The Headteacher will not be a member of any complaints or appeal committee as this could compromise the impartiality of that committee. No member of the panel should have had prior involvement with the complaint or personal links with the complainant such that the fairness of the proceedings may be affected. The committee will be clerked by the Clerk to the Governors.

### **Reporting and Recording**

In all cases of formal complaints it is important for staff to keep records of the complaint and the action taken to resolve it. Supporting documents should be retained with this record. Any issues for action by the school should also be noted. These records will be filed with the Director of School Administration who will maintain a log of all complaints received.

Written notes should be kept of all meetings. Any letter of complaint and any other relevant documentation should be attached. Records of informal complaints resolved at stage 1 should be passed to the year office for filing with pupil records.

The Headteacher will monitor all complaints and take appropriate action on any issues that are identified by that complaint.

The Head and Leadership Team will consider the handling of complaints annually during the Summer Term and will discuss issues with staff as necessary.

The Head will report to staff and the Governing Body annually at the Summer Term meeting on the number and type of complaints received.

### **Training**

The Deputy Head responsible for staff development will arrange as required appropriate training in interviewing skills for relevant staff.

The Head will remind all staff from time to time of the procedures.

The Clerk will arrange training as necessary, in consultation with the Chair, for members of the Governing Body's Panel.

### **Monitoring and Review**

The Head is responsible for monitoring the working of the complaints procedures and for refining the application of them in the light of experience.

The Head will review the system annually and can, following consultation with the staff and governors, propose changes to the governing body

The Governing Body is responsible for making changes to the policy and procedures.

### **Exceptions to this Procedure**

In each case below it may be appropriate for the person handling the complaint to seek informal resolution wherever feasible

- Where the Headteacher is the object of a complaint it shall be referred to the chair of Governors. She/he will follow paras 94-6 of the Circular in determining how to proceed
- Where the complaint is against the Chair of Governors it shall be referred to the Vice Chair who will follow paras 100-102 of the Circular.
- Where the complaint is against both the Head and the Chair it shall be referred to the Vice Chair who will follow paras 103-5 of the circular
- Where the complaint is against both Chair and Vice Chair the procedure shall be that the Clerk to the Governors shall empanel a Complaints Committee of three to five members who have no prior involvement with the complaint. In this instance the Committee shall elect a chair for the hearing.
- Further permutations of complaints against governors are considered in the Circular.

**Publication**

This policy will be summarised in the school's Prospectus. It will be placed in full on the school's website, associated with a link that enables download of the Circular from the Assembly web site. All staff shall be given a copy and made aware of their roles in respect of the procedure. The full document will be provided to all parents, pupils, relevant bodies and to others who request a copy. In future all new staff and governors will receive a copy.