



Ysgol Gynradd
Penygawsi
Primary School

Complaints Policy

May 2019

Date	Review Date	Coordinator	Nominated Governor
May 2019	May 2021	Mrs T Harries Acting Headteacher	Mr M Jones Chair of Complaints Committee

Aims

- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.
- To differentiate between a concern and a complaint.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Introduction

We believe that this school provides an excellent education and that the Headteacher and school personnel work very hard to build positive relationships and have in place clear lines of communication with all parents and others. In so doing complaints are kept to a minimum.

However, we are aware that under section 29 of the Education Act 2002 we must have in place clear procedures to deal with any complaint made against the school or individuals connected with it. We take any complaint seriously and we deal with them professionally following set procedures.

We believe complaints need to be resolved as quickly as possible but in some cases we need to establish whether the issue brought to our attention is a complaint or an actual concern. In such cases 'many issues can be resolved informally without the need to invoke formal procedures'.

We agree with the definition that a concern is 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.' While a complaint is best defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. By making this distinction between a concern and a complaint and taking all informal concerns seriously the number of concerns should reduce before developing into formal complaints.

We must be aware that besides parents/carers of children who are registered at this school any member of the general public can make a complaint about 'any provision of facilities or services' that we provide at this school.

We are aware that under the Education Act 1996 parents have the right to complain directly to the local authority about any matter relating to the school's curriculum, any issue relating to the general education that we provide.

We have a duty to inform parents and the general public who may wish to make a complaint against an organisation using school facilities that they must lodge their complaint with that organisation and not the school.

We have a duty to publish the complaints policy in the school handbook and on the school website with hard copies available from the school office.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Local Government Act 1974
- Local Government Act 1988
- Education Act 1996
- Data Protection Act 2018*
- School Standards and Framework Act 1998
- Freedom of Information Act 2000
- Education Act 2002
- Education Act 2005
- Education and Skills Act 2008
- Apprenticeship, Skills, Children and Learning Act 2009
- Children, Schools and Families Act 2010
- Equality Act 2010

*We are aware that the General Data Protection Regulations (GDPR) has entirely replaced the previous Data Protection Act (DPA) making changes to many existing data protection rules and regulations that schools, academies and other educational establishments adhered to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- responsibility to ensure that the complaints procedure complies with their obligation under the Equality Act 2010;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility to deal with any complaint made against the Headteacher;
- responsibility not to share complaints with the whole Governing Body in case an appeals panel has to convene;
- responsibility to arrange for an independent panel to hear a complaint if the whole Governing Body have been 'contaminated' by having full knowledge of the complaint;
- responsibility of annually discussing the concerns/complaints log with the Headteacher;

- in place a self-evaluation process to monitor the way complaints are dealt with and to consider what improvements can be made to the complaints procedures;
- responsibility of taking into account any local or national decisions that affect the complaints process, and will make any modifications necessary to this policy;
- responsibility for ensuring that the complaints procedure is publicised on the school website and in the school handbook, is concise, simple to understand and impartial;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities Governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- nominated a link governor to:
 - visit the school regularly;
 - work closely with the Headteacher and the coordinator;
 - ensure this policy and other linked policies are up to date;
 - ensure that everyone connected with the school is aware of this policy;
 - attend training related to this policy;
 - report to the Governing Body every term;
 - annually report to the Governing Body on the success and development of this policy.
- make effective use of relevant research and information to improve this policy;
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- deal with all complaints impartially and in a non-adversarial manner;
- keep the complainant fully updated at all stages of the complaints procedure;
- keep records;
- not share third party information;
- seek an interpreter if the need arises;
- refer any complaint made against him/her to the Chair of Governors;
- ensure full and fair investigations are undertaken by an independent person where necessary;
- ensure confidentiality at all times;
- ensure all complaints are resolved as quickly as possible within realistic time limits;
- log all complaints received by the school and records how they were resolved;
- discuss the complaints log every year with the Governing Body;
- monitor and review complaints to see how they can contribute to school improvement;
- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;

- provide guidance, support and training to all staff;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy by speaking with school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy.

Role of the Complainant

We believe that all complainants have a right to be heard, understood and respected. School staff and governors have the same rights.

We ask the complainant to:

- cooperate with school to find a solution to the complaint as quickly as possible;
- provide enough information as possible;
- be respectful to everyone involved in the complaint procedure. We will not tolerate aggressive, abusive or unreasonable behaviour. We will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining.
- If the Headteacher and/or Governing Body receive unreasonable persistence or vexatious complaining, this may be deferred to the Director of Education for further consideration. If the Director of Education determines the complaint to be unreasonable or vexatious, it will be disregarded. If the complaint is determined not to be unreasonable or vexatious, this will be referred back to the Governing Body, to be dealt with in accordance with this procedure.

Complaint Procedures

Stage 1 (Informal Stage)

- If you have a concern, you can often resolve it quickly by talking to the teacher. You should raise your concern as soon as you can; we would expect you to raise your concerns within 10 days from any incident. The longer you leave it the harder it might be for those involved to deal with it effectively.
- You may also make an appointment to speak to any member of the senior leadership team.
- We will try to let you know what we have done or are doing about your concern within 10 school days, but if this is not possible, we will talk to you and agree a revised timescale with you.
- If you are a pupil, you can raise your concerns with your school council representative or a teacher.
- If after the discussion the matter is not resolved or if you are not happy with the way that it has been handled then the process moves to the next stage.
- However, every effort should be made to resolve the matter at this stage.

Stage 2 (Formal Stage)

- Once a formal written complaint is made to the school office is made to the Headteacher, they will undertake an investigation and reply in writing to the complainant within 10 school days. We will endeavour to accommodate those complainants who may be disabled or have learning difficulties by having in place alternative methods of registering a complaint (please contact the school for advice.)
- However, if the complainant is not satisfied with the outcome then the complainant should move to the next stage.
- If a formal written complaint is received about the Headteacher from the complainant then the complaint must be sent to the Chair of Governors, addressed to the school, asking for your complaint to be investigated.
- The Chair of the Complaints Committee will invite you to discuss your complaint at a meeting, within 10 school days of your complaint. Timescales for dealing with your complaint will be discussed with you.
- If the complainant is not satisfied with the outcome then the complainant should move to the next stage.

Stage 3 (Formal Stage)

- 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 Chairperson of the Governing Body, setting out your reasons for asking the Governing Body's Complaints Committee to consider your complaint.
- 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.
- 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, whilst 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.
- 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 is reasonable to make a decision on the complaint in your absence to avoid necessary delays.

- We will write to you within 10 school days of the meeting explaining the outcome of the Governing Body’s Complaints Committee’s consideration.
- 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.
- **The Governing Body’s complaints committee is the final arbiter of complaints.**

Complaints regarding the Curriculum and General Educational Provision

All curriculum and general educational provision complaints will be dealt with by the Local Authority in line with their set complaints procedures.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the schoolblog
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- reports such annual report to parents and Headteacher reports to the Governing Body

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed every two years or when the need arises by the Headteacher and the nominated governor.

Headteacher:		Date:	
Chair of Governing Body:		Date:	
Nominated Governors		Date:	

