

# **COMPLAINTS POLICY AND PROCEDURE**

## **NEWBRIDGE ON WYE CHURCH IN WALES PRIMARY SCHOOL**

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### **1. Introduction**

1.1 Our School is committed to dealing effectively with complaints. We aim to clarify any issues about which you are not sure. If appropriate 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.

1.4 In adopting this Policy and Procedure, the School Governing Body has had regard to Welsh Assembly Government Guidance 011/2012 "Complaints Procedure for School Governing Bodies in Wales"

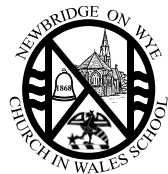
### **2. When to use this procedure**

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.

The following are examples of matters which should not be dealt with under this Complaints Procedure:-

- (a) the delivery of the curriculum
- (b) Special Educational Needs provision
- (c) pupil admissions
- (d) pupil exclusions
- (e) religious worship
- (f) child protection (All-Wales Child Protection Procedures will apply)
- (g) staff discipline or capability
- (h) staff grievance over personal treatment
- (i) criminal matters
- (j) provision of school transport
- (k) whistle blowing

2.2 If your concern or complaint is about another organisation as well as the School (for example the Local Authority) we will work with them to decide how to handle your concern.



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### **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 or unreasonable persistence or vexatious complaining.

4.2 "If complainants do not meet *[the expectations set out in paragraphs 2.20 to 2.24 of the Welsh Assembly Government Guidance]* then schools are entitled to not consider their complaints"

### **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.

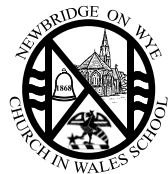
5.4 We may ask for advice from the Local Authority or Diocesan Authority where appropriate. This may delay matters.

5.5 As we have explained (paragraph 2.1 above), 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 (if any) will be taken by the School.

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 any 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'.



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#### 6. Answering your concern or complaint

6.1 The list 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 will 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. If the complaint criticises any person, it is fair that they should have the right to respond to the criticism.

6.3 If you are a pupil 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 teaching assistant. 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, a School Buddy, a member of a School Committee, a class assistant or a teacher. 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.

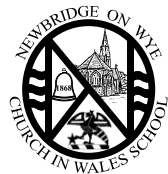
6.6 We will try to let you know what we have done or are doing about your concern normally within 10 school days, but if this is not possible, we will talk to you and agree a revised timescale with you.

6.7 The person overseeing your concern or complaint will keep you informed of the progress being made. Depending on the nature of the concern, 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 Head Teacher.

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



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useful. If you are a pupil we will explain the form to you, help you complete it and give you a copy.

6.10, Because we are a small school, we recognise that the Head Teacher (who is also a class teacher) may already have been involved in dealing with your concerns under Stage A. If this is so, your complaint at Stage B may be partly against the Head Teacher for not doing what you wanted to be done. In that case, you should put your complaint in writing to the Chair of Governors, not the Head Teacher, addressed to the School, to ask for your complaint to be investigated.

6.10A The Head Teacher (or the Chair of Governors) will either investigate your complaint themselves or refer it to someone else as investigator. If they refer it to someone else, they will explain why and will tell you the name of the person whom they have chosen to investigate it

6.11 In all cases, the person investigating your complaint can help you to put your complaint in writing if necessary.

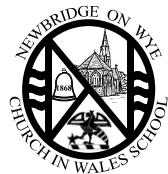
6.12 If you are involved in any way with a complaint, the person Investigating your complaint or the Clerk to the Governing Body will explain what will happen and the kind of help which is available to you. You should ask them if you are not clear what is happening

6.13 The person investigating your complaint will invite you to discuss your complaint at a meeting. They will aim to have the meeting with you and to explain what will happen, normally within 10 school days of receiving your letter. If possible, timescales for dealing with your complaint will be agreed with you. They will aim to complete the investigation and to let you know the outcome in writing within 10 school days of completing their investigation. This completes Stage B of the Procedure.

### **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 meet to consider your complaint. (If your complaint involves the Chair of Governors you should instead write to the Vice - Chair). You do not have to write down details of your whole complaint again because this will have been done under Stage B. (We would normally expect you to ask for a Complaints Committee meeting within five school days of receiving the School's response under Stage B.)

6.15 If you prefer, instead of sending a letter or e-mail, you can talk to the Chair of Governors or Vice-Chair, about meeting the Complaints Committee. They will make a note of what is discussed and what, in your own words, would resolve the problem. 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. Someone, usually the Clerk to the Governing Body, will let you know how the complaint will be dealt with and when the Complaints Committee meeting will take place and will send a letter to confirm this.



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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.

6.16A. The Complaints Committee will consist of not less than 3 of the School Governors who have not previously been involved in your complaint.

6.17 The Complaints Committee will aim to have the meeting with you within 15 school days (3 weeks) of receiving your letter. 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.

6.18A. The decision of the Complaints Committee and its recommendations (if any) will be reported to a full Governing Body meeting. The Governing Body normally accepts the recommendations, but may decline to do so for good reasons, for instance if it considers that they would cost too much to carry out.

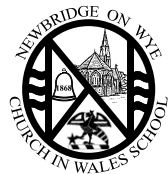
6.19 We will keep records of all conversations and discussions for the purpose of future reference and review by the full governing body. These records will be kept for a minimum of seven years.

6.20 The Governing Body's Complaints Committee is the final arbiter of complaints. Its decision is the end of the School's Complaints Procedure.

## 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 (not part of the group) 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



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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. The Governing Body may however not agree if the arrangements involve charging costs of the independent investigation to the school budget.

**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. However, as the School is part of a small community, it may be that one or more of the Governors who investigate or hear your complaint will know you or members of your family

#### 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 on this policy and will consult further if any amendments are made in the future.

Date adopted by Governing Body to replace previous Complaints Policy / Procedure: 9 July 2013

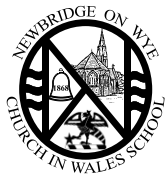
Signed.

Julian Gibson-Watt  
Chair of Governors

Reviewed January 2014

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](mailto:advice@childcomwales.org).



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#### Appendix A: Summary of dealing with concerns or complaints

[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].

**Stage A:** Raise your concern with the teacher or designated person within 10 school days of the problem arising

**If Issue not resolved:** Write to the Head Teacher (or if complaining about the Head Teacher, write to the Chair of Governors) within five school days.

**Stage B:** Head Teacher or other person designated by the school will investigate your complaint and meet you. You should receive a letter within 10 school days of receiving your letter telling you the outcome.

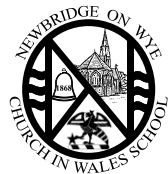
**If issue not resolved:** Write to the Chair of Governors\*\* within five school days asking for the Complaints Committee to hear your complaint. (\*\*If complaining about the Chair of Governors, write to the Vice Chair)

**Stage C:** Complaint heard by Governing Body Complaints Committee (hopefully within 15 school days of receiving your letter).

You will be informed of the decision of the Complaints Committee within 10 school days of the Committee hearing.

There are no further steps or stages under the School Complaints Procedure

All timescales shown are targets and are flexible -- some complaints are more complicated than others. 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



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#### **Appendix B: Model complaint form for Complaints Procedure Stage B**

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 as well as section A. 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. Your details**

Title (Mr, Mrs, Ms, Other):

Forenames and Surname:

Address and Postcode:

\*Telephone number for daytime contact

\*Mobile phone number

\*Email

\*Please state whether your email is secure, ie protected by a password:

(You need not give the details marked \*, but it would probably help us to respond more quickly)

How would you prefer us to contact you?

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

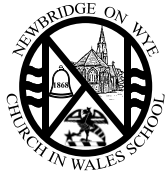
Title (Mr, Mrs, Ms, Other):

Forenames and Surname:

Address and Postcode

Please explain your relationship to them and why you are complaining on their behalf?





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#### **C. About your complaint (continue your answers on separate sheets of paper if necessary)**

*[If you need more space for answers, please use a separate sheet of paper]*

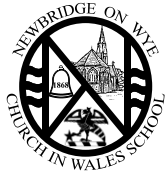
C.1 Name of the school you are complaining about:- Newbridge-on-Wye Church-in-Wales School.

C.2 What do you think the school did wrong or did not do? (Please give names of who was involved.)

C.3 Describe how you have been affected.

C.4 When did you first become aware of the problem?

C.5 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



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C.6 What do you think should be done to put matters right?

C.7 Have you already put your complaint to a member of staff? If so, please say which member of staff and give brief details about how and when you did so.

**Signature of complainant:**

**Date:**

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

**Signature:**

**Date:**

Please send this form and any documents to support your complaint to: [Insert name of complaint handler] [Insert address and contact details of complaint handler]

#### **Official Use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: