

# Rhiwbeina Primary School

## Complaints Procedure

## **Rhiwbeina Primary School - Complaints Procedures**

- At Rhiwbeina Primary School we value the good relations we enjoy with parents and the community. These good relations are based on a respect for what the school is achieving, on good communications and the provision of relevant and clear information.
- Good relations are also supported by straightforward and well understood procedures for responding to expressions of concern and dealing with the minority of such expressions which become formal complaints.
- Treating expressions of concern seriously and responding to them quickly and
- Effectively prevents the majority becoming more serious complaints.
- An anonymous complaint will be disregarded unless the complaint relates to alleged criminal activity or Child Protection issues.
- Unreasonable behaviour – aggressive, abusive or unreasonable behaviour by any visitor to the school will not be tolerated. Persistently making complaints which the school reasonably considers have no substance or are vexatious will fall into the category of unreasonable behaviour.

### **Aims and Objectives**

- To make the process as easy to understand and follow as possible.
- Our school aims to be fair, open and honest when dealing with any concern/complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding where possible.
- Any concerns should always be discussed with the Headteacher in the first instance, where every effort will be made to resolve the problem quickly and effectively.
- A concern is not viewed as a complaint. Only a very small number of concerns raised by parents need to be investigated using the formal complaints procedure. All those involved in handling a complaint will respect the right of the complainant.

## The Complaints Process

There is a staged approach for dealing with complaints. The principle is to resolve as many complaints as possible at the earliest stages.

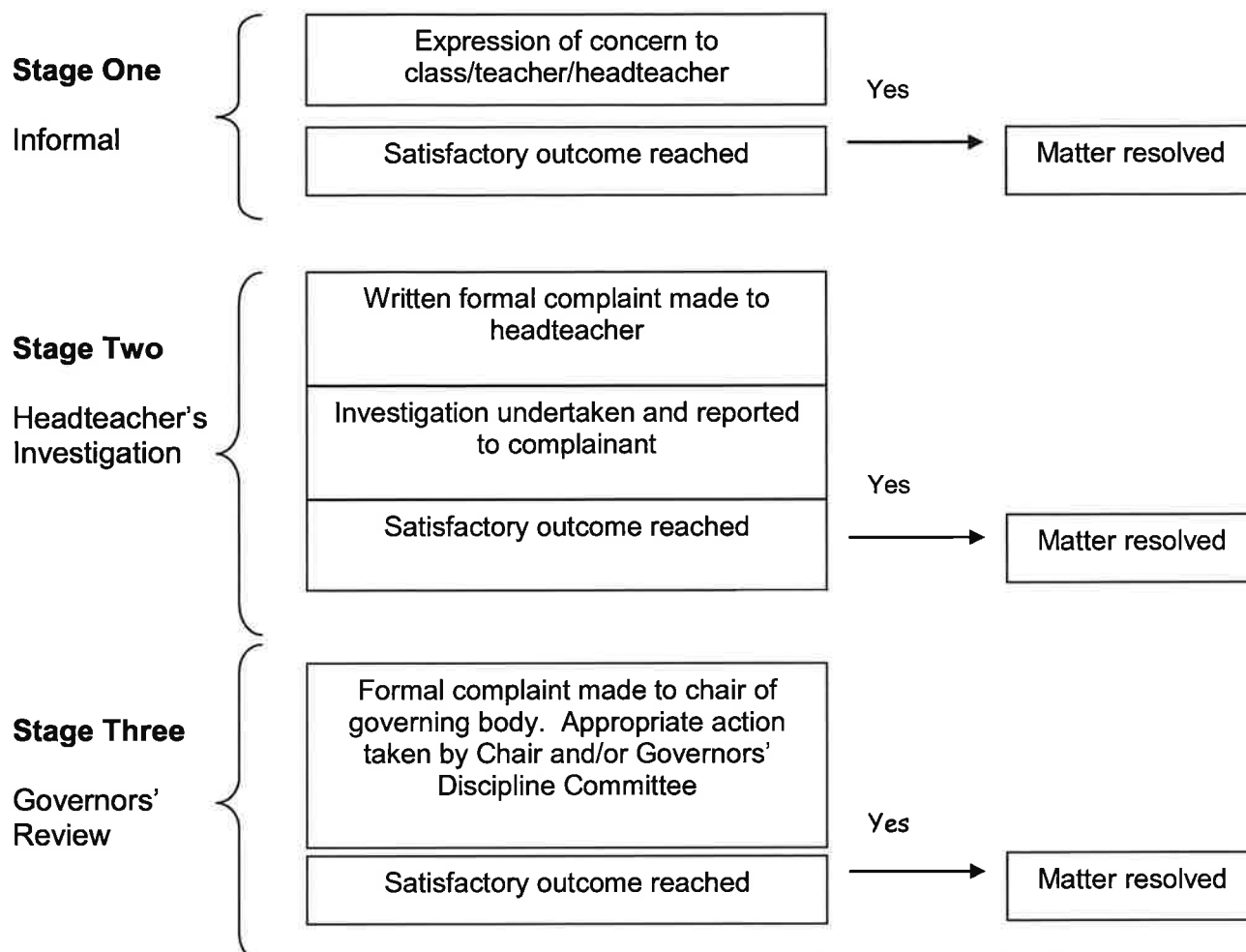
There are three stages at the school level.

<b>Stage One</b>	Informal stage	The intention is that the vast majority of concerns / complaints will be resolved informally
<b>Stage Two</b>	Headteacher's investigation	A formal investigation by the headteacher upon receipt of a written notification that a complaint has not been satisfactorily resolved informally
<b>Stage Three</b>	Governing Body review	A formal procedure, invoked following receipt of a written notification that stages one and two have not satisfied the complainant, when the governing body seeks to establish the facts of the situation, to resolve the complaint if possible and to recommend action to prevent re-occurrence of the complaint where appropriate.

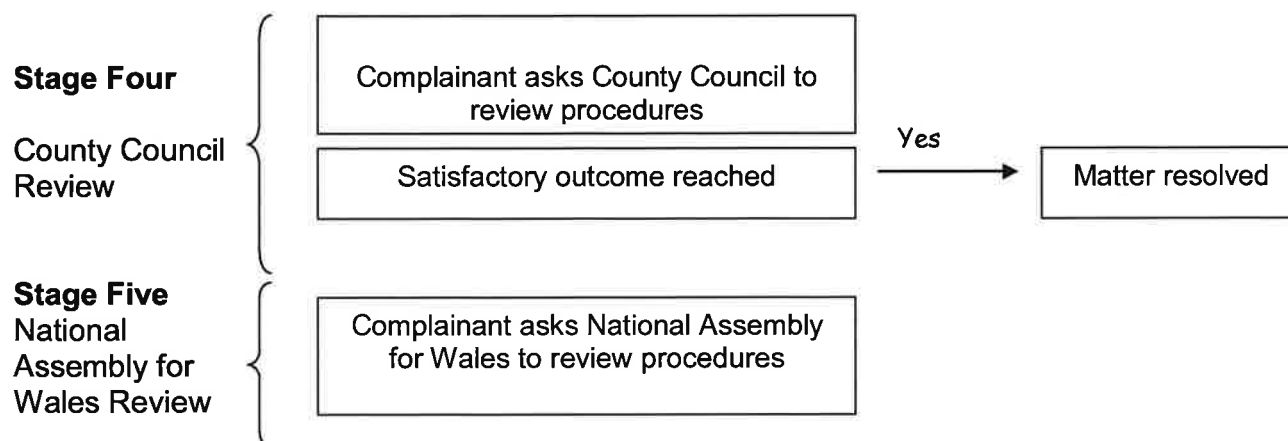
In addition, there are two further stages available when a complainant is dissatisfied with the outcomes of the governing body review. The purpose of these stages is to review the way in which the complaint has been handled; they are not re-hearings of the substantive complaint.

<b>Stage Four</b>	County Council review	Review of procedures
<b>Stage Five</b>	National Assembly review	Review of procedures

## RHIWBEINA PRIMARY SCHOOL STAGES FOR HANDLING COMPLAINTS



*LEAs do not have a statutory role in resolving complaints about schools – the statutory responsibility rests with the governing body. The Welsh Assembly Government's view is that the involvement of the LEA in a further stage would be for the purpose of reviewing the procedure used to reach a decision, not to renew the decision itself or to act as and appeal mechanism.*



### **Stage one Informal Stage**

If you are worried about something concerning your child at school you should first ask to discuss your concern with the member of staff or Headteacher. You can do this by phoning the Head, or making an appointment. The vast majority of concerns can be resolved informally and speedily.

### **Stage Two - Head teacher's Investigation**

Parents who wish to pursue a complaint to Stage Two should be asked to put the complaint in writing to the school. (*Complaint Form Appendix 2*) The Headteacher (or designated member of staff) should acknowledge the complaint in writing within five working days of receipt, giving a brief explanation of the complaints procedures and a target date for providing a response. This should be within fifteen working days. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded.

The headteacher (or designated member of staff) should provide an opportunity for the complainant to meet him/her. The complainant should, if he/she wishes, be allowed to be accompanied by a friend or relative who can speak on his/her behalf. Interpreting facilities should be made available if required.

If necessary, the headteacher (or designated member of staff) should interview any witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also be interviewed, normally with his/her parent/guardian present. In some circumstances this may not be possible and a senior member of staff with whom the pupil feels comfortable should attend with him/her. If a member of staff is complained against, they need to be made aware of the complaint, have an opportunity to respond and be accompanied by a representative if required.

The headteacher (or designated member of staff) should ensure that written records of meetings, telephone conversations and other documentation are kept.

Once all the relevant facts have been established, the Headteacher (or designated member of staff) should arrange a meeting with the complainant to discuss or resolve the matter. This meeting should be followed up with a letter setting out the outcome of the meeting. The complainant should be advised in this letter that if they wish to take the complaint further he/she should notify the chair of governors within fifteen working days of receiving the letter detailing the outcome of the complaint.

If the complaint is against the action of the Headteacher, the chair of governors (or designated governor) should carry out all the Stage Two procedures.

### Stage 3 - Review by the Governing Body

Complaints only rarely reach this formal stage, but it is important that governing bodies are prepared to deal with them when necessary. It should be noted that Stages 1 and 2 must be completed before this stage is reached.

Formal complaints to the governing body should be made in writing to the chair of governors. The chair of governors will ask the clerk to the governing body to acknowledge the complaint and to make arrangements for a meeting of the committee of the governing body charged with dealing with complaints. (The governing body might for example choose to use the grievance committee to hear formal complaints.) Complaints which may lead to disciplinary action should be handled in accordance with the school's appropriate procedures.

The governing body should take care that no governor can be accused of prejudice by ensuring that:

- an individual governor does not deal with the complaint;
- the complaint is quickly referred to a committee charged with dealing with complaints or to the headteacher, if complaint procedures at that level have not been exhausted;
- the complaint is not reported to the whole governing body until it is resolved, and then not in detail;

The governing body should ensure that all parties to the complaint are given a fair hearing following the agreed procedure.

The decision of the committee should be given in writing to the complainant and any person against whom the complaint is made within **five working days** of the committee's meeting.

The letter should also advise the complainant that if they are dissatisfied with the outcome of the procedure they may write to the Chief Schools Officer who will carry out a further review. This further review will however only consider whether the complaint has been fully and fairly considered according to the school's complaints procedures; it will not rehear the substantive complaint.

The following procedure should be followed upon receipt of a written request from the complainant for the complaint to proceed to Stage Three.

1. The clerk to the governing body should write acknowledging receipt of the written request and informing the complainant that it will be heard by a committee of the governing body within fifteen working days of receipt. The letter should also inform the complainant that they have the right to submit any further documents relevant to their complaint and that these must be received in order for the committee members to be sent copies at least five working days prior to the meeting.

2. The clerk to the governing body should convene a meeting of the complaints committee. In establishing the committee the governing body should nominate a pool of five governors from which three can be drawn for any hearing. This will ensure that there are always sufficient governors with no conflict of interest to constitute the committee when required. The committee should elect its chair.

3. The committee members should have had no prior involvement with the complaint. Generally, it would not be appropriate for the Headteacher to have a place on the committee. Governing bodies should have regard to the advantages of having a mix of different type of governor on the committee and be sensitive to issues of equal opportunity in the composition of the committee.

4. All relevant correspondence and documentation should be given to each committee member. The chairperson of the committee should ensure that the complainant, headteacher and any other witnesses are given five working days' notice in writing of:

- (i) the time and place of the committee meeting, and
- (ii) the grounds of the complaint together with copies of all documents relied upon by either the complainant or headteacher, and
- (iii) the right of both parties to be accompanied or represented by a person of their choice, and
- (iv) the committee's option to proceed in the absence of the complainant/Headteacher or their representative if no good reason is given why they should not do so.

5. The chairperson of the committee should ensure that the meeting is properly minuted.

6. The aim of the meeting is to resolve the complaint and achieve a reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action which will satisfy the complainant that their complaint has been taken seriously.

7. The chairperson of the committee should try and ensure that the proceedings are as informal as possible and that the complainant feels at ease.

8. The committee will conduct the meeting having regard to the following principal steps. It shall be a rule that the committee shall not see one party in the absence of the other except in a case where the committee has resolved to proceed in the absence of the complainant/ Headteacher in circumstances outlined in paragraph 4.(iv) above :

(i) The complainant/representative will open by outlining the complainant and present any documentary evidence as appropriate.

(ii) The headteacher/representative may ask questions of the complainant/representative.(N.B. This opportunity is reserved for asking questions to clarify matters not for making statements.)

(iii) Members of the committee may ask questions similarly.

(iv) The headteacher/representative will respond to the complaint and present any documentary evidence.

(v) The complainant/representative may ask questions of the headteacher/representative. (N.B. This opportunity is reserved for asking questions to clarify matters not for making statements.)

(vi) Members of the committee may ask questions similarly.

(vii) Both parties or their respective representative shall be given the opportunity to sum up if they wish, the complainant/representative going last. Neither may introduce any new matter or issue which has not been raised before in the proceedings

9. At the conclusion of the meeting, the chairperson of the committee should explain that the committee will consider its decision and write to both parties with the outcome within **five working days**.

10. The headteacher and any witnesses should then withdraw and the committee should consider its decision. This should include:

(i) A decision on the complaint

(ii) Appropriate action to be taken by the school, and where appropriate,

(iii) Recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.

11. The school should ensure that a copy of all correspondence and notes is kept on file in the school. This should be held separately from pupils' personal records.




**Stage 4 - Review by County Council**

If the complainant is dissatisfied with the outcome of the school's complaints process, they may write to the Chief Schools Officer. The Chief Schools Officer will designate an appropriate officer to carry out a review of the procedures which have been followed in order to confirm that the complaint has been fully and fairly considered.

**Stage 5 - Review by National Assembly for Wales**

Similarly, the complainant may approach the National Assembly for Wales for a review of the process undertaken.

Signed  Headteacher Date: September 2023

Signed  Chair of Governors Date: September 2023

**Appendix 2: Rhiwbeina Primary School – Complaint Form**

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 also. Please note that before taking forward the complaint Rhiwbeina Primary School “The School” 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 to complete the form, will explain it to you and will give you a copy of it when it is completed. The completion of this form is not compulsory and other methods of making a complaint e.g by telephone, face to face, or via email will be acceptable.

**Your details (please complete all parts)**

<b>Surname</b>	
<b>Forename(s)</b>	
<b>Title : Mr/Mrs/Ms/ Other</b>	
<b>Address and postcode</b>	
<b>Daytime phone number</b>	
<b>Mobile phone number</b>	
<b>e-mail address (a secure one would be best)</b>	
<b>How would you prefer us to contact you?</b>	

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

<b>Their name in full</b>	
<b>Address and postcode</b>	
<b>What is your relationship to them?</b>	
<b>Why are you making a complaint on their behalf?</b>	

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

**C.1 What do you think the school or individual(s) did wrong or did not do?**

**C.2 Describe how you have been affected:**

**C.3 When did you first become aware of the problems?**

**C.4 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.**

**C.5 What do you think should be done to put matters right?**

**C.6 Have you already put your complaint to a member of staff? If so, please 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:**

The Chair of Governors or Headteacher  
Rhiwbeina Primary School  
Lon Ucha  
Rhiwbina  
Cardiff  
CF14 6HL

Telephone : 02920 623732

**Official Use Only.**

Date acknowledgement sent:.....

By whom:.....

Complaint referred to:.....

Date:.....