

# Penllergaer Primary School



## Complaints Policy

The United Nations Convention on the Rights of the Child (CRC) is at the heart of our school's planning, policies, practice and ethos. As a rights-respecting school we not only teach about children's rights but also model rights and respect in all relationships -  
Linked to Articles 3, 12 (CRC)

This Policy is based on the Complaints procedures for school governing bodies in Wales Guidance document no: 011/2012 Date of issue: October 2012

## **1. Introduction**

1.1 Penllergaer Primary School is committed to dealing effectively with complaints. We aim to clarify any issues about which you are not sure. If possible 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.'

Separate procedures are in place for concerns of the following nature:

The curriculum

SEN

RE and Collective Worship

Admissions

Exclusions

Staff Grievance

Teacher Capability

Staff Disciplinary

Child Protection issues

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.

## **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.

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

## **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. Most concerns can be settled quickly just by speaking to the relevant person in school, without the need to use a formal procedure. If you are not happy with our response then you may make your complaint using the procedure we describe below.

## **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.

## **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 all 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.

5.5 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 will be taken. Examples of these concerns are listed in section 1.2

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 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'.

## **6. Answering your concern or complaint**

6.1 The chart 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 could 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.

6.3 If you are a pupil under 16 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 1**

6.4 If you have a concern, you can often resolve it quickly by talking to a teacher or Headteacher. 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, form tutor or a teacher chosen to deal with pupil concerns (as appropriate for the school). 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. At Penllergaer Primary School the person designated to deal with pupil complaints is Mrs Helena Griffiths (ALNCo).

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. This person will also keep a log of the concern for future reference.

### **Stage 2**

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 headteacher.

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

6.10 If your complaint is about the headteacher, you should put your complaint in writing to the chair of governors, addressed to the school, to ask for your complaint to be investigated.

6.11 The Headteacher (or Chair of Governors if the complaint is about the Headteacher) will invite you to discuss your complaint at a meeting. Timescales for dealing with your complaint will be agreed with you. We will aim to have a meeting with you and to explain what will happen, normally within 10 school days of receiving your letter. The Headteacher (or Chair of Governors if the complaint is about the Headteacher) will complete the investigation and will let you know the outcome in writing within 10 school days of completion.

### **Stage 3**

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 consider your complaint. You may be asked to clarify, in writing, a summary of your complaint.

6.15 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.

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.

6.17 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.

6.19 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 i.e. there will be no appeal to the final outcome.

## **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 for investigation. Stage 2 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 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.

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.

## 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 and pupils on this policy and will consult further if any amendments are made in the future. Signed by chair of governors on behalf of the governing body:

.....

Date approved: .....Oct 2019  
(by full governing body)

Date of review: .....Oct 2020.....

Date sent to the local authority: .....Oct 2019.....

Data protection law describes the legal basis for our processing your data as one based on consent. For further information about how Penllergaer Primary School uses your personal data, including your rights as a data subject, please see our privacy notice and our data protection policy which can be found on our school website. [www.edunet.link/penllergaer/](http://www.edunet.link/penllergaer/)

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.uk](mailto:advice@childcomwales.org.uk)

## **Appendices**

### **Information for Parents**

We welcome suggestions for improving our work in school.

Be assured that, no matter what you want to tell us, our support and respect for your child will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate an incident or problem properly if it took place some time ago. We do appreciate the assistance we receive from parents in addressing any problems that arise.

We receive very few complaints. Problems sometimes arise from misunderstandings which are easily addressed. Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher. When parents and teachers treat each other with mutual respect and support, this provides a very good role model for all our children.

If, having spoken to the class teacher, you still have concerns, you should see the Headteacher. She will investigate the problem and discuss her findings with you so that we can find a way forward together which serves the best interest of both the school and your child. In the unlikely event of the problem remaining unresolved you can put your complaint in writing and, if necessary, could subsequently refer it to the Chair of Governors.

### **Stage 1**

1. Parents discuss concerns with the class teacher.
2. If the teacher is unable to deal immediately with the matter, a clear note is made, including complainant's name, phone number and date, and the parent is contacted as soon as the matter has been investigated. The teacher may also consult the Headteacher/Deputy Headteacher at this stage.
3. The teacher ensures that the parent is clear what action or monitoring of the situation has been agreed and both parties agree on a timescale for resolving the problem.
4. If no satisfactory solution has been found, parents are asked if they wish their concern to be considered further.
5. A record is made of this informal complaint regardless of the outcome. A note is made whether the matter was resolved or if it proceeded to the Headteacher.

**It is hoped that most problems will have been resolved by now.**

Should you be dissatisfied with the result you can follow the School's Complaints Procedures set out in the Complaints Policy available on the school website or from the school office.

This procedure will apply to most general complaints received by the school. However, **it is not** intended to cover those matters for which there is a specific statutory process to object, complain or appeal:

Complaints about delivery of the National Curriculum and the provision of religious education and collective worship should be handled under the requirements of Section 409 of the Education Act 1996.

Separate procedures also exist for appeals about special needs assessments and school admissions and exclusions. (See the SEN Code of Practice Wales and School Admissions Code of Practice)

Concerns about allegations of child abuse and staff discipline must be dealt with through the separate agreed procedures that have been adopted for these purposes. (See Professionals and Child Protection Procedures and Practice)

Guidance on dealing with complaints linked to racism is contained in Annex B.

The procedure in the case of bullying is set out in the school's Anti-Bullying Policy.

Parents are made aware of the existence of this complaints procedure, through a section in the school's prospectus, and with reference in the annual report to parents.

## **Dealing with Complaints about Racism in Schools**

### Racist Behaviour to a Child or Student

The procedures to be followed are contained in the LA's guidance "Notification of Racist Incidents"

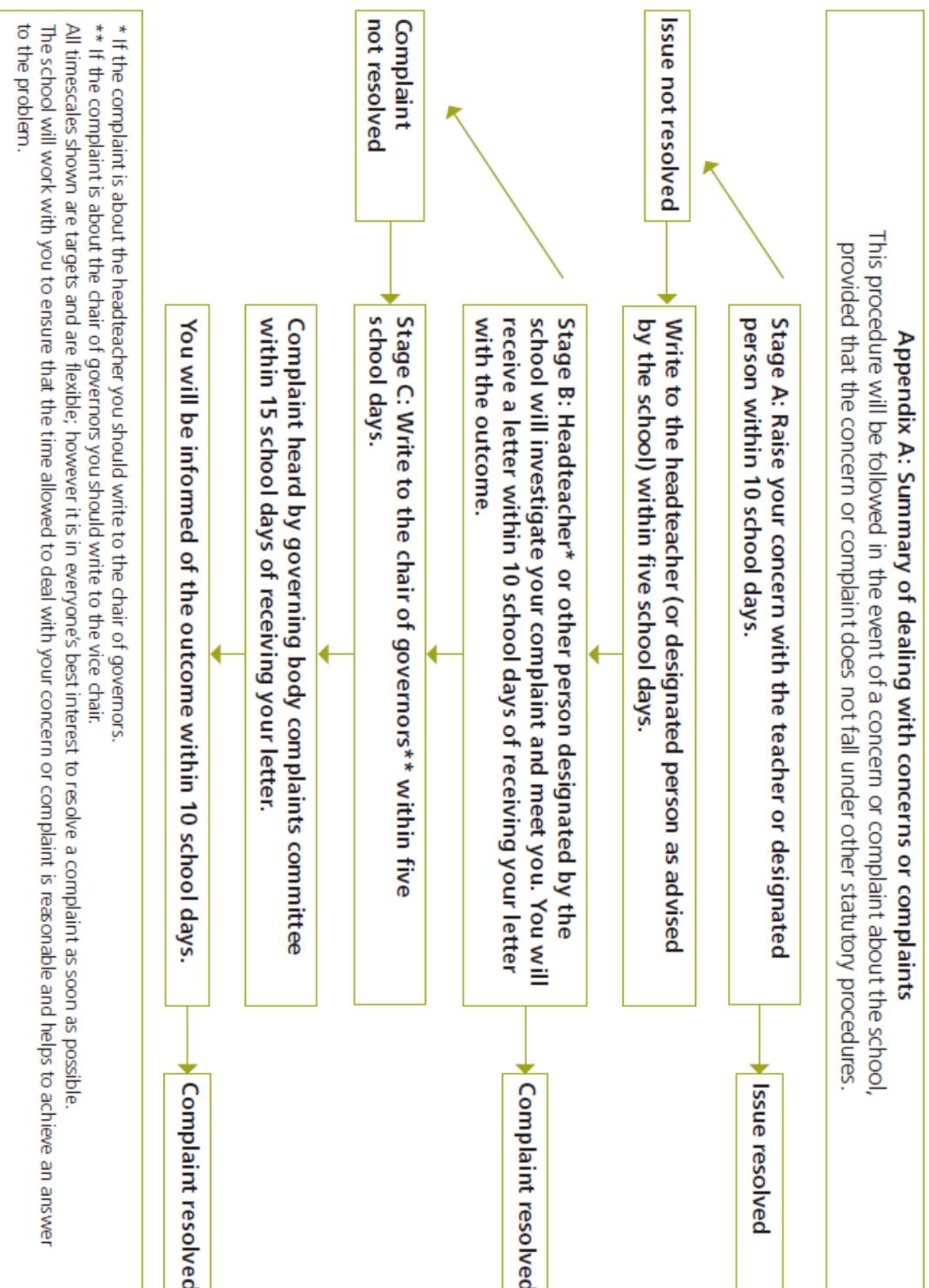
### Racist Incident Alleged Against School Staff

The report/complaint should be made to the Headteacher, or if the Headteacher is subject of the report/complaint, to the Chair of Governors. As racism is a disciplinary offence, the normal disciplinary procedures are followed.

### Institutional Racism

Parents who perceive that racist practice or policies are operated by the schools should pursue these through the General Complaints Procedure.

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



## Appendix B: Model 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 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

**Surname:**

**Forename(s):**

**Title: Mr/Mrs/Ms/other**

**Address and  
postcode**

**Daytime phone  
number**

**Mobile phone  
number**

**e-mail address**

**How would you prefer us to contact you?**

.....

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

**Their name in full:**

**Address and  
postcode:**

**What is your  
relationship to them?**

**Why are you making  
a complaint on their  
behalf?**

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

C.1 Name of the school you are complaining about.

C.2 What do you think they did wrong or did not do?

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.

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 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:

*Name of complaint handler*  
*Address of complaint handler*

**Official Use**

Date acknowledgement sent:  
By whom:  
Complaint referred to:

Date:

ACTION TAKEN

DATE COMPLAINT FORM RECEIVED \_\_\_\_\_

NAME OF PERSON INVESTIGATING COMPLAINT \_\_\_\_\_

POSITION WITHIN SCHOOL \_\_\_\_\_

(Signature 1 should be the person conducting the investigation ( headteacher) signature two should be witness to the action being taken i.e. the member of staff involved, the complainant, the 'responsible individual.)

Date	Action Taken	Outcome	Signature 1	Signature 2

## Complaint log

Date	Name of Complainant	Person dealing with complaint	Nature of complaint	Complaint form completed

# Pupil Complaints Leaflet

A complaint is when you tell someone about something you are not happy with. As a child at school you can talk about anything that you do not like, that worries you or upsets you. Your school will have a way of dealing with your worries.

## How do you tell someone about your worries?

If you are not happy with something in your school you can tell your teacher or another grown up at school. That person will try to help you or find someone else to help you. Your school has information telling you what you need to do and who you can talk to about your worries.



## Some things you might be worried about in school are:

- A school trip
- homework
- School uniform
- School meals

- School bus service
- Behaviour of someone else - could be another pupil or a teacher bullying
- Behaviour of pupils on the school bus or in the street at school times.



These are only some things you may worry about. There may be other things that you are not happy with that you want to talk about. These things could be in school or away from school. Don't keep your worry a secret. Anything you say will be listened to. Sometimes this worry has to be told to someone else so that your worry can be dealt with. The person you are talking to will tell you this.

# Pupil Complaints Leaflet

As a pupil you can make a complaint about any matter concerning your school. By law your school must have a procedure for dealing with complaints from many people including parents and pupils.

## Where to find the Complaints Procedure

If you want to make a complaint ask a member of staff for a copy of your school's complaints procedure. It will explain how you go about making your complaint. You can also ask the person named in the procedure as a contact point to find someone to help you make your complaint and guide you through the process.



## Some things you could complain about are:

- an event – such as a school trip
- anything about your school life – such as homework, school uniform
- school services – such as school meals or the school bus service
- the behaviour of an individual(s) – for example another pupil or member of staff

- something that affects you as a pupil – such as bullying
- something that has happened outside school but which is connected to the pupils – such as the behaviour of pupils on a school bus or in the street.



## Privacy

All complaints will be kept private. This means that normally it will not be discussed with anyone without your consent. However there are some circumstances where a complaint has to be shared with other people, especially if it means you or another child is in danger of being hurt. If this is the case this will be explained to you.