



# Heronbridge School

## Policy: School concerns and Complaints

Coordinator: J Evans

As a Rights Respecting School, we are committed to embedding the principles of the United Nations Convention of the Rights of the Child (UNCRC). This policy enables our pupils to access and enjoy the following articles of the convention.

**Article 1- Every child under the age of 18 has all the rights in the convention**

**Article 2 -All children have these rights**

**Article 28- Every child has the right to an education**

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**Article 29-Education must develop every child's personality, talents and abilities to the**

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## **1. Introduction**

- 1.1 The school is committed to dealing fairly, honestly, consistently, appropriately and effectively with concerns and 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 concern or complaint is 'an expression of dissatisfaction concerning the school or a member of its staff that requires a response from the school.' Concerns will generally be raised verbally with the school and, therefore, the school's response to a concern may be verbal. Complaints are generally made more formally, in writing and the school will provide a formal written response to a complaint.
- 1.3 This procedure supports our commitment and is a way of ensuring that anyone with an interest in the school, including pupils, can raise a concern or a complaint, with confidence that it will be heard and, if well-founded, addressed in an appropriate and timely fashion.

## **2. When this procedure applies or does not apply**

- 2.1 If you are approaching us with an enquiry or making a request for us, this procedure does not apply. If you are not happy with our response to any enquiry or request, then you may raise a concern or complaint with us using this procedure.
- 2.2 When you raise a concern or complaint with us, we will usually respond in the way we explain below.

- 2.3 If your concern or complaint relates to matters that are not decided by the school, we will give you information on who to contact.
- 2.4 If your concern or complaint relates to matters that are handled by other procedures, we will explain to you how it will be dealt with. For example, if a complaint raises issues about staff capability, staff grievance, staff discipline or child protection, then action must be taken under those procedures. Separate procedures also exist to deal with complaints about school admissions, exclusion, special educational needs provision, school organisation proposals, religious worship and the delivery of the curriculum.
- 2.5 If your concern or complaint is about another body as well as the school (for example, the local authority), we will work with that body to decide how to handle your concern or complaint.

### **3. What you can expect from us**

- 3.1 We will consider all your concerns and complaints openly and fairly.
- 3.2 At all times, the school will respect the rights and feelings of all those involved with a concern or complaint.
- 3.3 As far as possible, your concern or complaint will be dealt with on a confidential basis and we will make every effort to protect confidential information. 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, to address it appropriately. If this is the case, we will contact you to discuss this.
- 3.4 If you are a pupil under the age of 16 and wish to raise a concern or complaint, we will ask for your permission before we inform or involve your parent(s) or carer(s). If you are a pupil under the age of 16 and the school

receives a concern or complaint from your parent(s) or carer(s), the school will consider whether the nature of the issues raised is such that your permission should be sought before any investigation of the issues begins (for example, it may be appropriate for your permission to be sought for your personal information and educational record to be accessed by the nominated investigator). If you are a pupil under the age of 16 and you are involved in a concern or a complaint made by other parties, we may ask your parent(s) or carer(s) to become involved and attend any discussion or interview with you.

- 3.5 If you are a pupil over the age of 16 and wish to raise a concern or complaint, the school will not inform or involve your parent(s) or carer(s) unless you expressly ask us to do. If you are a pupil over the age of 16 and the school receives a concern or complaint from your parent(s) or carer(s), the school will consider whether the nature of the issues raised is such that you must be informed and your permission must be sought before any investigation of the issues begins. If you are a pupil over the age of 16 and you are involved in a concern or a complaint made by other parties, we will not inform your parent(s) or carer(s) or ask them to become involved unless you expressly ask us to do so.
- 3.6 If the normal timescales for dealing with your concern or complaint need to be extended, we will contact you and explain why.
- 3.7 We may ask for advice from the local authority or diocesan authority, where appropriate.
- 3.8 If your concern or complaint raises issues that have to be dealt with differently than as in this procedure, we will contact you to explain why this is so and will inform you what steps will be taken.
- 3.9 The governing body will keep the records of documents used in any examination of or formal investigation of a concern or complaint under stages 2 and 3 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.

3.10 Concerns or complaints that are made anonymously will be recorded but examination or formal investigation will be at the discretion of the school depending on the nature of the complaint.

3.11 Where a concern or complaint is considered to have been raised only to cause harm or offence to any individual/s or the school, the governing body will ensure that records are kept of how it has been examined, any actions taken and, if applicable, the reasons for no actions being taken.

#### **4. What we expect from you**

4.1 We believe that all persons raising a concern or complaint 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 actions or behaviours that are aggressive, abusive or unreasonable. We have a separate policy to manage situations where we find that a person's actions are unacceptable.

#### **5. Being clear about your concern or complaint**

5.1 It is recommended that you use the school concern/complaint form, Appendix A, to record your concern or complaint so that there is clarification regarding all matters requiring examination and for which a response is required.

5.2 If you chose not to complete the form, we may need to contact you to clarify any appropriate aspects that are not detailed in your written communication. If you are a pupil, we will explain the form to you, help you to complete it and give you a copy.

5.3 The school reserves the right not to progress examination of a concern or a complaint if it has not been possible to obtain suitable and necessary clarifications on any appropriate aspects.

## **6. Dealing with your concern or complaint**

6.1 The chart in Appendix B summarises what will normally happen when you raise a concern or complaint. There are up to three stages. All concerns or complaints will be considered initially at stage 1. Most complaints can be resolved at stages 1 or 2.

6.2 If the person dealing with/investigating your concern or complaint at stage 1 considers that you have highlighted issues of a serious nature, that person will inform the headteacher and your concern or complaint may be escalated for immediate consideration under stage 2. If applicable, we will contact you and inform you that this has happened.

6.3 You can be supported by a relative or companion at any time during the process but you will be expected to speak for yourself. However, if you are a pupil, we recognise that it may be reasonable for your relative/companion to speak on your/their behalf and/or to advise you.

### **Stage 1 – Informal resolution**

6.4 Most concerns or complaints can be resolved quickly and satisfactorily by talking to a teacher or a member of the designated Senior Management Team. If you are a pupil, you may choose to raise your concern with your class councillor, your teacher or the Head Teacher.

6.5 You should raise your concern or complaint as soon as you can and, normally, within 10 school days of the occurrence to which it relates, or receiving a response from us to an enquiry or request with which you are dissatisfied. The longer you leave it, the harder it might be for those involved to deal with it effectively.

- 6.6 We will try to let you know what we have done or are doing about your concern or complaint within 10 school days, but if this is not possible, we will contact you and agree on a revised timescale with you.
- 6.7 The person dealing with/investigating your concern or complaint under stage 1 will contact you to agree on arrangements for keeping you informed of the progress being made. This person will also keep a record of the concern or complaint for future reference.

## **Stage 2 – Formal resolution**

- 6.8 If you feel that your concern or complaint has not been dealt with appropriately or satisfactorily under stage 1, you should put the matter to the headteacher or school manager delegated to do so by the head Teacher as a written complaint.
- 6.9 If your complaint is about the headteacher, you should write to the chair of governors, at the school's address.
- 6.10 We would expect you to do this within 5 school days of receiving our response to your concern or complaint under stage 1, as it is in everyone's interest to resolve a complaint as soon as possible.
- 6.11 If you need help to put your complaint in writing, contact the headteacher or school manager delegated to do so by the headteacher and appropriate support will be discussed with you.
- 6.12 If you are not the person raising a complaint but are involved in any other way with a complaint, the headteacher or school manager delegated to do so by the headteacher will explain what will happen and the help that is available to you.



6.13 Normally, the headteacher or delegated manager will contact you within 10 days of receiving your written complaint and may invite you to discuss your complaint at a meeting. The arrangements for the investigation of your complaint will be discussed with you and the timescale for the investigation will be agreed upon with you. The headteacher or school manager delegated to do so by the headteacher will provide you with a written response to your complaint, normally within **10 school days of the investigation being completed**. If this is not possible, the headteacher or delegated manager will contact you to explain the reason/s and agree on a timescale with you.

### **Stage 3 – Investigation by the complaints committee of the governing body**

6.14 As the school is committed to dealing with complaints effectively, it is anticipated that it will be rare for a complaint to progress any further than stage 2, but the final stage in our procedure is an investigation by the complaints committee of the governing body.

6.15 A designated individual will undertake the administration of the arrangements under stage 3, including contact/correspondence with you. This designated individual will normally be the clerk to the governing body.

6.16 If you still feel that your complaint has not been dealt with fairly after stage 2, you should write to the chair of governors, at the school's address, setting out your reasons for asking the governing body's complaints committee to investigate your complaint. We would normally expect you to do this within 5 school days of receiving the school's response under stage 2. The complaints committee will not consider any complaint that has not already been considered under stages 1 and 2, therefore, you do not have to write down details of your complaint again.

6.17 If you prefer, instead of writing, you may request a discussion with the chair of governors (or person delegated by the school). We would normally expect you to do this within 5 school days of receiving the

school's response under stage 2. The chair of governors (or person delegated by the school) will write down 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.

6.18 The complaints committee will thoroughly and objectively consider your complaint. This will include a full review of the investigation conducted at stage 2 and the findings of that investigation. Where necessary, additional information will be sought, and matters may be re-investigated. A meeting will be held with the involved parties. Further information may be sought after the meeting for a determination to be made.

6.19 You will be contacted regarding the arrangements for how your complaint will be dealt with and you will be sent a letter confirming those arrangements. The letter will record what has been agreed with you and the arrangements for the meeting with involved parties, including who will be involved.

6.20 The complaints committee will aim to meet with involved parties within 15 school days of receiving your letter or the signed discussion notes being received. If this is not possible, you will be contacted so a revised timescale will be agreed upon with you. If the timescale for the meeting needs to be changed, to allow for the availability of people, the gathering of specific information or seeking advice on certain matters, you will be contacted and a new meeting date will be agreed upon with you.

6.21 Normally, to deal with the complaint as quickly as possible, the complaints committee will not wish to reschedule the meeting more than once. If you ask to reschedule the meeting more than once, the committee may consider it reasonable to decide on the complaint in your absence to avoid further delays.

6.22 The letter referred to in paragraph 6.19 will inform you of the date by which any additional written information/ documentation that you wish to be considered by the complaints committee, must be received. This will be a date in advance of the meeting as the complaints committee must have time to review that information and conduct such enquiries as may be necessary for its investigation before the meeting takes place. Information submitted to and considered by the complaints committee may be shared with all parties involved in the meeting. At all times, people's rights to privacy of information will be protected.

6.23 The letter will also outline what will happen at the meeting. Generally, you may expect all persons involved in the complaint to be present at the meeting. However, any involved person who has concerns about such an arrangement may contact the person dealing with the complaint and make a request for the complaints committee to consider meeting with parties separately.

6.24 At the meeting, the chair of the complaints committee will ensure that:

- everyone is introduced;
- the meeting is conducted with respect and courtesy and the meeting does not become confrontational;
- involved parties have the opportunity to speak and ask questions, without interruption; and
- everyone is aware that the decision of the committee is final.

6.25 Procedurally, the chair will:

- ask you to outline the issues of your complaint. You may refer to written information and documentation that you have already submitted. However, as this information will already have been reviewed by the committee, you should expect that it will not be necessary, or may not be feasible in the time allowed for the meeting, for you to read and/or present that information in full detail;

- ask the headteacher (or whoever is representing the school) to explain findings of fact and any actions taken by the school at stages 1 or 2. The headteacher may also refer to written evidence and documentation that has already been requested by or submitted to the committee;
- ask any witnesses to speak, if relevant;
- invite committee members to ask questions of any person present; and
- ensure that all persons present are made aware of what will happen after the meeting.

6.26 After the meeting, the complaints committee will consider all the information received, in private. If the committee determines that it has received all the information necessary to conclude its investigation and make a decision on your complaint, the chair of the complaints committee will normally write to you within 10 school days of the meeting to explain the outcome. If the committee feels that further information is required to complete its investigation, you will be contacted and informed of this and a different timescale will be agreed upon with you.

6.27 Records of all conversations and discussions will be kept for future reference and review by the full governing body in accordance with paragraph 3.9.

6.28 The complaints committee of the governing body is the final arbiter of complaints and there is no appeal once this stage has been completed.

## **7. Special circumstances**

7.1 Where a concern or complaint is made about any of the following, the procedure will be applied differently. In all cases, the school and governing body will ensure that complaints are dealt with in an unbiased, open and fair way.

### **The headteacher**

7.2 The concern or complaint will be referred to the chair of the governing body for investigation. The chair of the governing body may alternatively delegate the matter to another governor for investigation. This takes the place of stage 2 of the standard procedure. If necessary, the subsequent and final stage in the procedure will be stage 3 - an investigation by the complaints committee of the governing body.

### **A governor or group of governors**

7.2 The concern or complaint will be referred to the chair of the governing body for investigation. The chair of the governing body may alternatively delegate the matter to another governor for investigation. This takes the place of stage 2 of the standard procedure. If necessary, the subsequent and final stage in the procedure will be stage 3 - an investigation by the complaints committee of the governing body.

### **The chair of governors, or both the headteacher and the chair of the governing body**

7.3 The vice-chair of the governing body will be informed and will investigate the concern or complaint, or may delegate the matter to another governor for investigation. This takes the place of stage 2 of the standard procedure. If necessary, the subsequent and final stage in the procedure will be stage 3 - an investigation by the complaints committee of the governing body.

### **Both the chair and vice-chair of the governing body**

7.4 The concern or complaint will be referred to the clerk to the governing body who will inform the chair of the complaints committee of the governing body. This takes the place of stage 2 of the standard procedure. If necessary, the subsequent and final stage in the procedure will be stage 3 - an investigation by the complaints committee of the governing body.

## **The whole governing body**

7.5 The complaint will be referred to the clerk to the governing body who will inform the headteacher, the chair of governors, the local authority and, where appropriate, the diocesan authority. The authorities will usually agree on arrangements with the governing body for an independent investigation of the complaint.

## **8. Sources of help and advice**

8.1 If you are a young person and need assistance, MEIC is a national advocacy and advice helpline for children and young people, established by Welsh Government.

8.2 Advice and support can also be accessed from the Children's Commissioner for Wales.

## **9. Consultation**

9.1 The governing body has consulted with staff, pupils and parents/carers on this policy and will consult further if any amendments are made in the future.

Signed: \_\_\_\_\_  
Chair of governors

Date approved by the full governing body: \_\_\_\_\_

Date of review: \_\_\_\_\_

Date sent to the local authority: \_\_\_\_\_

School concern/complaint form**Your details**

Surname	
Forename(s)	
Title: Mr/Mrs/Ms/Other	
Address and postcode	
Daytime telephone number	
Mobile telephone number	
e-mail address	
How would you prefer us to contact you?	

**If you are raising a concern or making a complaint on behalf of someone else, please provide that person's details.**

Person's surname	
Person's forename(s)	
Person's title: Mr/Mrs/Ms/Other	
Person's address and postcode	
What is your relationship to the person?	
Why are you making a complaint on the person's behalf?	

Please provide information on separate sheets of paper, if necessary.

Please outline the concern/complaint. (What do you think the school has done wrong or has not done?)



Please describe how this has affected you (or the person on whose behalf you are acting).





When did you (or the person on whose behalf you are acting) first become aware of the problem?

Have you (or the person on whose behalf you are acting) already raised your concern or complaint with a member of staff / the school? If so, please give brief details of how and when?

If you (or the person on whose behalf you are acting) first became aware of the problem more than three months ago and you have not already raised your concern or complaint with a member of staff / the school, please give the reasons.

What do you (or the person on whose behalf you are acting) think should be done to put matters right?

Your signature: \_\_\_\_\_ Date:

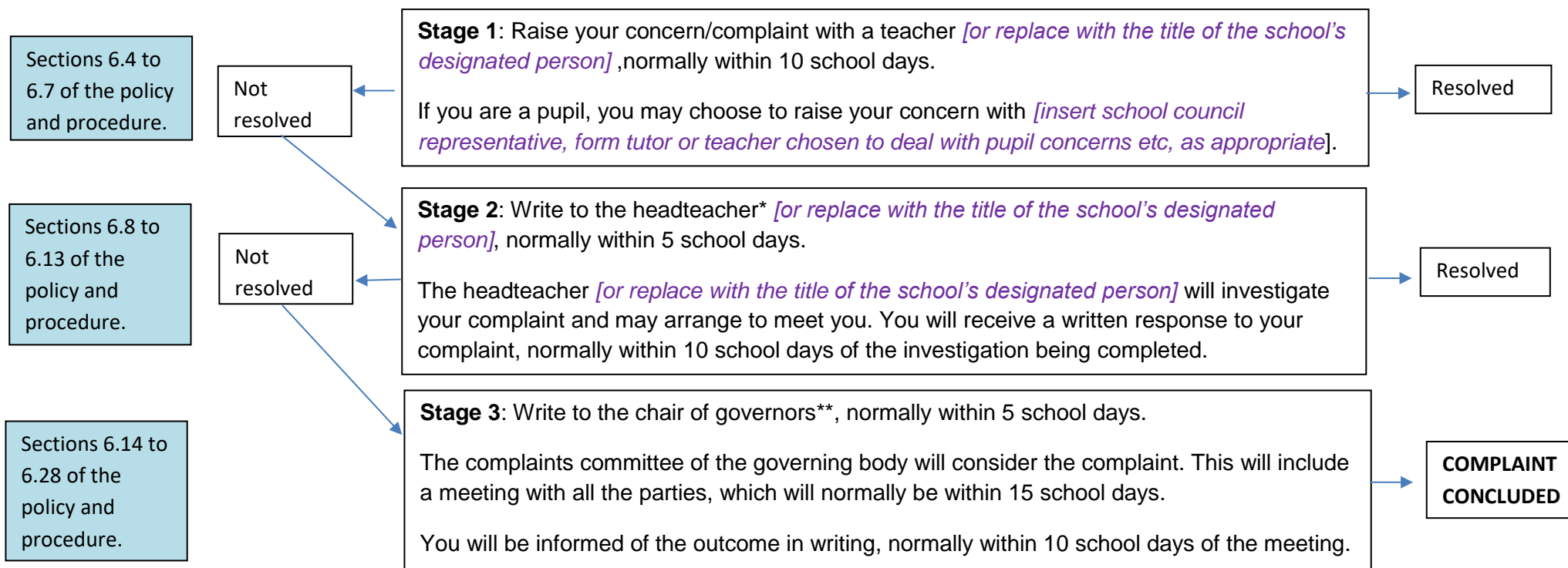
If you are raising the concern or making the complaint on behalf of another person, that person must also sign this form.

Signature: \_\_\_\_\_ Date:

## Appendix B: Summary of the procedure for dealing with concerns/complaints

### Summary of the procedure for dealing with concerns/complaints.

This procedure will apply if you raise a concern or complaint about the school, provided that the concern or complaint does not require consideration under other procedures. e.g statutory procedures.



**NOTES:** It is in everyone's best interest for concerns and complaints to be resolved as soon as possible but all timescales shown are flexible. The school will agree different timescales with you, when necessary, to ensure that adequate time is allowed for a thorough examination of the issues and with the aim of achieving an answer to the problem.

\* If the complaint is about the headteacher, you should write to the chair of governors.

\*\* If the complaint is about the chair of governors, you should write to the vice chair of governors.