

Whitchurch High School - Ysgol Uwchradd Yr Eglwys Newydd

POLICY STATEMENT – COMPLAINTS’ PROCEDURE

Reviewed by: Jennifer Ford

Last Reviewed: June 2015

Introduction

Whitchurch High School (Foundation) values the good relations it enjoys with the parents of its students and the wider community. These good relations are based on a respect for what the school is achieving and the provision of relevant and clear information to children, staff, parents and the wider community.

Each day we make many decisions and try hard to do our best for all our students. Your comments – either positive or negative – are helpful for future planning. You may want to talk to us about a particular aspect of the school which is not a complaint. Many parents and others pass on their ideas and thoughts informally to staff and we value their support. There are many opportunities for you to do this.

However, if you are dissatisfied about the way either your child is being treated, or any actions or lack of action by us, as explained when your child joined the school, or the way the school has operated you have the right to complain.

The school’s complaints policy allows complaints about school issues to be dealt with efficiently and sensitively, and at the appropriate level. The school treats all complaints seriously and these will be dealt with comprehensively, and as far as possible or necessary, in confidence.

If a parent, or member of the public has a concern, the school requests that notice of the concern is provided to the school as soon as possible. It is difficult for the school to investigate an incident or problem properly if it took place some time ago. Most concerns and complaints can be resolved quickly and informally.

Aims

Whitchurch High School claims to:

- Make the process as easy to understand or follow as possible;
- Treat a clear expression of concern or dissatisfaction in relation to the School or a member of its staff as a complaint which requires a response from the school;
- Treat a complaint seriously whether it is made in person, by telephone, by letter, by fax, or by e-mail;
- Respect the rights and feelings of those involved and make every effort to protect confidential information (where possible and/or appropriate);
- Act promptly, politely and, where appropriate, informally (ie by telephone);
- Focus on resolution and review rather than blame;
- Make the existence and operation of the School's complaints procedure available to all who request it. A summary of how the school deals with complaints is included in the information shared with new parents when their children join the School.
- Provide a framework under the procedure set out below so that the school’s staff and governors are clear about their roles and responsibilities in responding to concerns or complaints.
- Keep the records of documents used to investigate a concern or complaint for a period of:

Stage 1: 7 Years

Stages 2 and 3: 7 Years

After 7 years, the Governing Body will review and decide if records need to be kept for longer.

Routine queries

Most questions that arise are likely to be about the running of the school, and will be answered in the information that the school routinely provides. The school also provides a variety of occasions (for example parents' evenings, information and open evenings) and opportunities (for example interim grades and reports) when parents can gather information about the school and learn about the progress of their children.

Scope

This policy and procedure applies to complaints raised by students, parents or members of the public in relation to the following areas: (this list is not exhaustive).

- a. Academic or curriculum issues (for example school work, own learning or subject choice issues).
- b. Pastoral care issues (for example rewards, sanctions or alleged bullying).
- c. Financial and administrative.

Anonymous Complaints

In order to provide parents with an assurance that concerns and complaints will be treated seriously and fairly, generally the School will make a record of all anonymous complaints but will not investigate or take action in respect of an anonymous complaint unless the complaint or allegation relates to alleged criminal activity or child protection issues, when the matter will be referred to the relevant authorities. If there is a concern that a child is at risk of harm or suspicion of abuse, the school will deal with the matter in accordance with the School's Child Protection Policy and Procedure.

Unreasonable behaviour

Aggressive, abusive or unreasonable behaviour by any visitor to the school will not be tolerated and may lead to the school asking the relevant authorities to intervene. Persistently making complaints which the school reasonably considers have no substance or are vexatious will fall into the category of unreasonable behaviour.

Alternative procedures

If a particular complaint or concern is actionable under an alternative school process, then the school may decide not to take action under this Policy and Procedure, and take action under an alternative process. Examples of an alternative process are:

- a. Complaints about members of staff may be dealt with under a disciplinary, capability or grievance procedure;
- b. Complaints about admission decisions by the School will be dealt with in accordance with the School's admissions procedure;
- c. Complaints about exclusion decisions by the school will be dealt with in accordance with the School's behavioural policy and current national guidance on exclusion processes;
- d. Matters which are or have been the subject of legal proceedings or under investigation by the police or some other competent body, for example, child protection issues.

Complaints alleging disciplinary/conduct issues concerning student(s) will be dealt with according to the school's disciplinary procedure if the school concludes that the alleged activity is likely to have taken place as alleged or where other conduct issues arise. Where a complaint concerns alleged criminal activity by a student, the school will follow its disciplinary procedure taking into account any parallel police investigation or investigation by another competent authority.

Principles behind formal resolution of the complaint

All those involved in handling a complaint will respect the rights of the complainant and any other person involved:

The complaint will be kept confidential and only those people who need to know about the complaint whether for the purposes of investigating it or deciding on the merits of the complaint will be made aware of the complaint, except where the matter is already in the public domain or details of the complaint need to be made known to another so as to address the complaint properly.

Any person about whom the complaint is made, or who is affected by the complaint, will have the right to have relevant information, which is sufficient to enable them to respond fully to any matter which concerns them. Information may only be reasonably withheld where there is a reasonable belief that there is a need to protect the source of the information, or there is a legal reason why the information should not be released (for example processing personal data in accordance with the Data Protection Act 1998).

Stage 1: Informal Resolution (see Appendix 1: Flow Chart, page 7)

The vast majority of concerns or complaints can best be resolved informally and speedily by the member of staff with whom the complainant first has contact and usually within 48 hours depending on complexity and operational capacity. Although an informal process the complaint will be dealt with in a professional manner. The time scale for Stage 1 could be up to 10 school days which allows for one cycle of the school's two-week timetable.

The school encourages a complainant to discuss their concern with the appropriate member of staff at this initial stage. If the complaint is in relation to a particular pupil the appropriate member of staff will usually either be the pupil's class subject teacher or Learning Leader. If a complainant refers a concern or complaint to the Headteacher or the Chair of Governors, the Headteacher or Chair will refer the matter to an appropriate member of staff to respond to in accordance with Stage 1 of the Procedure.

The member of staff will make a record of the complaint and will ensure that the parent or member of the public understands what action will be taken and/or has been agreed will be taken. It may be necessary for the member of staff to refer the matter to another, such as a line manager who, will then respond to the complainant. The response to the complainant will normally take place within 48 hours of receiving the complaint, subject to complexity and operational capacity.

If the concern or complaint is not immediately resolved the staff member dealing with the matter will ensure that the complainant is aware of what further action or steps will be taken and the anticipated reasonable time frame to resolve the matter. It is anticipated that this would be within 8 school days of first notice of the complaint. Appropriate communication(s) of the decision outcome will be made to the complainant.

If the complainant is not satisfied with the outcome of Stage 1, within 5 school days of notification of the outcome, s/he may set out their concern or complaint in writing using the WHS Complaint Form (see Appendix 2 pages 8 to 10) for the attention of the Headteacher, together with a request for the matter to be dealt with at Stage 2.

Stage 2: Referral to Headteacher (see Appendix 1: Flow Chart)

Where a complainant is not satisfied with the outcome of Stage 1 notification in writing may be made to the Headteacher. Notification of the complaint [can][or][should] be made by completing the Whitchurch High School (Foundation) Complaint Form as shown in Appendix 2, pages 8 to 10. The complaint will now be dealt with under a formal procedure. The time scale under Stage 2 could be up to 10 school days depending on complexity and operational capacity. The complainant will be kept informed and have the opportunity to be updated on appropriate timescales.

If the Headteacher or any other member of SLT has been significantly involved at Stage 1 then Stage 2 needs to be led by an appropriate governor. The Headteacher (designated representative or appropriate governor) will acknowledge receipt of a request for a concern or complaint to be dealt with at Stage 2, in writing, usually within 5 school days of receipt. The Headteacher (or designated deputy or appropriate governor) will also provide a brief explanation of Stage 2 of this Procedure and an estimated target date for a response - usually within 10 school days of receipt of the complaint. If for any reason it is not possible to deal with the matter in this timeframe the complainant will be informed in writing of the reason and a further estimated target for the response will be provided. Written records of meetings, telephone conversations and other documentation will be kept by the School.

The Headteacher (or designated representative) will appoint a member of the ELT to collate information and investigate the concern or complaint raised at this stage. The Headteacher (or designated representative) along with the appointed SLT member will offer the complainant an opportunity to first meet with them. The complainant will if s/he wishes, be permitted to be accompanied by a friend, relative, interpreter or supporter who can speak on their behalf provided they have notified the school as a courtesy in advance.

The SLT member will interview any witnesses and take statements from those involved in the complaint (if s/he considers this necessary). These witnesses may include pupils at the school or members of staff etc.

Once all the relevant facts have been established, the Headteacher (or designated representative) will offer a second meeting with the complainant to discuss or resolve the matter. The SLT member who carried out the investigation will also be present at this meeting. A friend, relative, interpreter or supporter may accompany the complainant to this meeting or a supporter who can speak on their behalf provided they have notified the school as a courtesy in advance.

This meeting will be followed up by a letter setting out the outcome of the investigation and the Headteacher's (or designated deputy's) decision with regard to the concern or complaint raised.

If the complainant is dissatisfied with the outcome of Stage 2, the complainant may notify the Chair of Governors in writing, within 5 school days of receipt of the letter setting out the outcome of Stage 2, that they wish the Governing Body to review the complaint further.

Stage 3: Review by the Governing Body

Where a complainant is not satisfied with the outcomes of Stages 1 and 2, notification in writing may be made to the Chair of Governors at the School within 5 School days of receipt of the outcome of Stage 2. The Chair of Governors will acknowledge in writing a receipt of a request for a concern or complaint to be dealt with at Stage 3, within 5 school days of receipt of the request.

The matter will then be passed to the Clerk of Governors who will administer convening the Governors' Complaints Panel. The time scale under Stage 3 will be up to 25 school days depending on the availability of the complainant and members of the Governors' Complaints Panel.

The letter from the Chair of Governors referred to above will notify the complainant that a meeting of the Governing Body's Complaints Panel with responsibility for dealing with complaints at Stage 3 of this Procedure will usually take place within 15 school days of the complainant's request. The Clerk to the Governors will then convene the Governors' Complaints Panel and write to the complainant with the details of the date, time and venue. In addition, the letter will inform the complainant that they have the right to submit any further documents relevant to their complaint up to 5 school days prior to date of the meeting.

If the timescale for the meeting needs to be changed, for example, to allow for the availability of certain people, then the Clerk to the Governing Body will seek to agree a new meeting date with all parties.

The Clerk to the Governing Body will ensure that the members of Governors' Complaints Panel that attend the meeting will have had no prior involvement in the matter. Generally it would not be appropriate for the Headteacher to form part of the Governors' Complaints Panel, although the Headteacher may attend the review hearing (as set out below).

The complainant is encouraged to attend the Review hearing in person and to make oral representations; to clarify or supplement their written appeal.

If the complainant is a parent/guardian it is for the complainant to decide whether their child should attend the hearing, if the complaint relates to them in some way.

Representation at the Review hearing

A friend, relative, interpreter or supporter who can speak on their behalf, may accompany the complainant. In all circumstances where the complainant intends to bring someone else to the review hearing, they should formally advise the Clerk to the Governing Body at least 3 school days prior to the hearing of the name of the other person attending and the capacity in which they are attending.

Documentation provided in advance of the review hearing

The Clerk to the Governing Body will ensure that the relevant correspondence and documentation is provided to the members of the Governors' Complaints Panel, the complainant, and/or the persons accompanying them, and Headteacher at least 3 school days prior to the Review hearing. This information will include the grounds of the complaint together with copies of all documents relied upon by either the complainant or Headteacher.

Non-attendance at the Review hearing

If through unforeseeable circumstances, the complainant and/or the person accompanying the complainant are unable to attend the review hearing on the day, they must telephone the Clerk to the Governing Body immediately and give the reason for the non-attendance. The complainant will be asked if they want the review hearing to go ahead in their absence. If they wish to seek another date for the review hearing, the matter will be referred to the Chair of the Governing Body who will decide, based on the complainant's reason for non-attendance, whether to hear the matter in the absence of the complainant or defer consideration until a further hearing is arranged.

Where a complainant and/or the person accompanying the complainant fails to attend on two occasions, the Governing Body will consider the review in the absence of the complainant or the person accompanying the complainant.

Procedure at the Review hearing

The Chair of the Governing Body will ensure that the stages of the review hearing take the following order:

- a) The complainant or person accompanying the complainant may outline the complaint and any documentary evidence and/or call witness(es) as appropriate;
- b) The Headteacher/person accompanying the Headteacher may ask questions of the complainant/ person accompanying the complainant or of any witness(es) called by him/her;
- d) The Headteacher/person accompanying the Headteacher will respond to the complaint, present the documentary evidence and/or call witness(es);
- e) The complainant/representative may ask questions of the Headteacher/representative or of any witness called by him/her;
- f) Both parties shall be given the opportunity to sum up if they wish. Neither party may introduce any new matter or issue which has not been raised before.

Governors may ask questions at the Review hearing

The members of the Governing Body at the Review hearing may ask questions at any time if they require clarification of what is being said or if they need information in order to reach a decision.

At the conclusion of the meeting, the Chair of the Governing Body should explain that the Governing Body will consider its decision and will aim to write to both parties with the outcome within **10 school days**.

The Headteacher and any witnesses should then withdraw and the Governing Body should consider its decision.

Decision

The Governing Body shall make one of the following decisions:

- (i) To reject the complaint; or (ii) To uphold the complaint; and/or
- (iii) recommend appropriate action be taken by the School which may include changes to the school's systems or procedures.

The School will ensure that a copy of all correspondence and notes are kept on file for 7 years. In matters where the complaint involves a pupil, or is lodged by a parent, this should be held separately from a pupil's personal records.

The decision of the Governors Complaints Panel is final and will be communicated in writing to the complainant and any person against whom the complaint is made, usually within **10 school days** of the Review meeting.

[E1]

Special Circumstances

Where special circumstances occur, such as complaints against:

- (i) A governor or Group of governors

The concern or complaint will be referred to the Chair of Governors who may delegate another governor who will undertake the investigation.

- (ii) The Chair of Governors or Headteacher

The Vice Chair of the Governors will immediately be informed and will decide whether the complaint needs to be investigated. If it is decided that the matter should be investigated, the Vice Chair may delegate the matter to another governor and Stage 2 of the procedure onwards will be followed.

- (iii) 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 governors sub committee.

The Clerk to the Governing Body will notify you of the procedure that will be followed in dealing with your complaint.

- (iv) The whole governing body

The complaint will be referred to the clerk to the governing body who will inform the Chair of Governors, the Headteacher and the local authority. The authorities will usually agree arrangements with the governing body for independent investigation of the complaint.

Staff training

All staff and school governors should have the opportunity to take part in training to raise their awareness of this Complaint procedures policy, and to develop their skills in dealing with individuals who wish to complain.

Recording and Monitoring

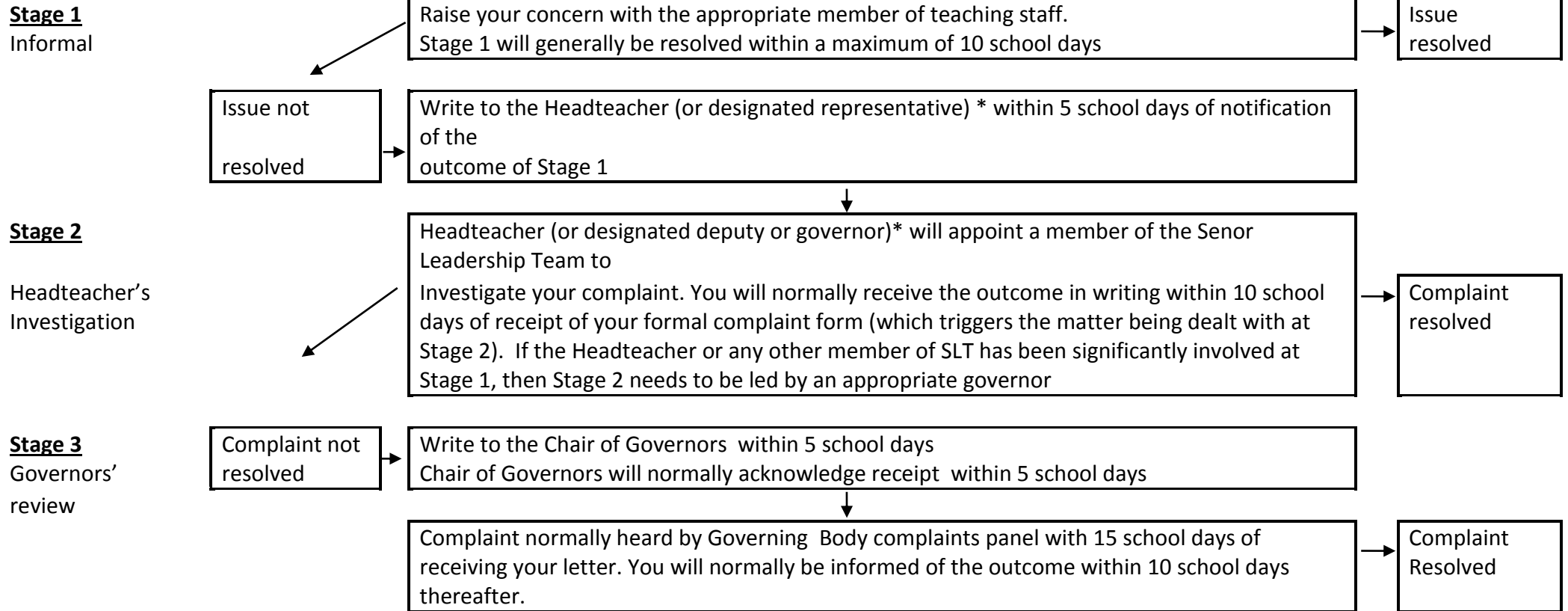
All complaints will be recorded and monitored. The Governing Body will monitor the operation of the complaints procedure and evaluate its implementation on an annual basis.

Consultation

The governing body has consulted with staff and pupils on the Complaints Policy Procedure and will consult further if any amendments are made in the future

Appendix 1: Whitchurch High School (Foundation) - 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



* If the complaint is about the head teacher, chair or vice chair or other governors, please refer to the special circumstances section above (page six). You will be advised by the clerk to the Governing Body of the procedure that will be followed in dealing with your complaint. All timescales shown are targets and are flexible. 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.

Appendix 2: Whitchurch High School (Foundation) - 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 Whitchurch High School (Foundation) 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 (please complete all parts)

Surname	
Forename(s)	
Title: Mr/Mrs/Ms/other	
Address and postcode	
Daytime phone number	
Mobile phone number	
e-mail address (a secure one would be best)	
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 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

c/o Mrs Kath Jones (PA to the HT)

Whitchurch High School

Penline Road

Whitchurch Cardiff CF14 2XJ

Telephone: 029 2062 9700 Fax: 029 2062 9701 Email: WHS@whitchurch.cardiff.sch.uk

Official Use	
Date acknowledgement sent:	
By whom:	
Complaint referred to:	
Date:	

