



Radyr Comprehensive School

Ysgol Gyfun Radur

Respect ♦ Commitment ♦ Success

Complaints Policy and Procedure



Introduction

The intended audience for this policy is any 'Interested Party' of Radyr Comprehensive School. This includes pupils, parents, carers, guardians, members of staff, the local community, governors and other persons with a valid and justifiable interest in the function of the school.

Radyr Comprehensive School is committed to dealing effectively with complaints. We aim to clarify any issues about which a complainant is unsure. If required and if possible, we will put right any mistakes we have made. We aim to learn from mistakes and to use that experience to improve what we do.

The school appreciates all feedback, including suggestions, concerns, complaints and compliments.

Definition

Our definition of a complaint is *'an expression of dissatisfaction in relation to the school or a member of staff (including Governors) that requires a response from the School.'*

The requirement for maintained schools to create and maintain a Complaints Procedure Policy is mandated by law. Section 29(2) of the Education Act 2002 requires the Governing Bodies of all maintained schools in Wales to:

- Establish procedures for dealing with complaints; and
- Publicise such procedures.

In consultation with the Local Authority (City and County of Cardiff: Schools and Lifelong Learning Service) and the Welsh Government, this policy is defined as the established procedure.

Publication of the current version of this policy is via the school website (www.radyrcs.co.uk) under the heading 'Policies and Documents'.

Purpose

The school aims to treat all concerns and complaints seriously, and to respond to them positively, quickly and effectively in order to resolve them as soon as possible. It is our intention to resolve complaints and concerns quickly, and avoid the need for formal complaints.

There is a difference between an informal complaint (or 'concern') and a formal complaint. An informal complaint is likely to require listening and discussion of each other's view, generally involving a teacher, pupil and parent. It is hoped that it can be resolved quickly in this way, reaching agreement on appropriate action. If this does not resolve the informal complaint, then it could become a formal complaint.

The school accepts that sometimes a quick resolution is neither possible nor appropriate. Formal complaints are resolved through this policy, which has been approved by the Full Governing Body. It details the process of formal complaints, and how the Full Governing Body commits to resolving them.

This policy supports our commitment in ensuring that anyone with an interest in the school (an 'Interested Party') can raise a complaint, with confidence that it will be heard and, if well-founded, addressed in an appropriate and timely fashion.

It provides a framework which aims to ensure that:

- Interested parties are clear about how they can raise complaints, and how they will be responded to; and
- The Head Teacher, School Staff and Governors are clear about their roles and responsibilities in responding to complaints.

Dealing with a complaint

Complaints are best resolved with an open, cooperative and positive approach, therefore, we expect complainants to:

- Provide us with full details of the complaint to be able to better investigate it thoroughly; and
- To attend investigatory meeting and hearings where required.

In dealing with a complaint, the school will:

- Consider the complaint in an open and fair way;
- Establish the nature of the complaint, and what has happened;
- Respect the rights and feelings of those involved and make every effort to protect confidential information;
- Discuss with those involved in the matter and/or those complained about, allowing them to be accompanied if they wish;
- Potentially extend timescales for dealing with your complaint following discussions with you;
- Ask for advice from the Local Authority where appropriate;
- For certain complaints (such as those which cannot be addressed under this policy, or those which may lead to disciplinary action if substantiated), inform the complainant that the issue may have to be dealt with in another way (other than through this policy). In which case, the school will explain why this is so, and will tell the complainant what steps will be taken next;
- Keep records which will be reviewed by the Governing Body after seven years to decide if they need to be kept for longer.
- Ensure that the Governing Body keep records of documents used to investigate a complaint for seven years after it has been dealt with;
- Record complaints that are made anonymously but depending on the nature of the complaint, exercise discretion as to whether to investigate the complaint;
- Ensure that the Governing Body keeps records of complaints, which are considered to have been made only to cause harm or offence to individuals or the school, the investigations that follows and the actions taken, including the reasons for no further action;
- Advise those involved of the outcome.

What the school expects from complainants

We believe that all complainants have a right to be heard, understood and respected, but school staff and governors have the same rights. Therefore, we expect people to be polite and courteous.

On rare occasions, when the Complaints Procedure Policy has been fully exhausted and there is nothing more that the school can reasonable do, complainants can become unreasonable. The school will not tolerate aggressive, abusive or unreasonable behaviour.

The school will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining. When this happens the school will apply an approach consistent with the Vexatious Complaints Policy, and will not consider the complaint any further.

Guidance for complainants

Most questions that regarding the running of the school will be answered in the information that the school routinely provides on an annual basis. The school also provides a variety of occasions when parents in particular, can gather information about the school and learn about the progress of their children.

In addition to the information above, complainants have a right to:

- Be able to raise questions and complaints which go beyond the matters highlighted above and to know how they will be dealt with; and
- Know what to do if they are not satisfied with the way in which their complaint has been received, how they can escalate the matter, and how such matters will then be dealt with.

In the majority of instances, complaints from interested parties can best be settled by talking to the Head Teacher or a member of staff.

The school would encourage interested parties to raise their complaint with the school as soon as possible. The school will not normally consider a complaint more than **three months** after the event about which the complaint is formed.

This policy is intended to apply to general complaints received by the school. It does not apply to the following matters, for which there are separate and specific procedures:

- Complaints about failure to follow the National Curriculum or the provision of Religious Education and collective worship;
- Disciplinary/capability complaints about members of Staff which should be handled through specific procedures;
- Grievance procedures regarding employees;
- Admissions (11 to 16) where there is a right to appeal to the Local Authority;
- Exclusions where there is a right to appeal to the Governing Body or to an independent tribunal;
- SEN issues where there is a right to appeal to an independent tribunal;
- Matters which are or have been the subject of legal proceedings or are under investigation by the Police or other competent body, for example, child protection issues;
- For complaints in respect of all of the above matters, complainants should contact the Head Teacher in the first instance.

Guidance for Staff, the Head Teacher, and Governors

A complaint may be received by any member of staff, the Head Teacher, or a Governor, and it is essential that complaints are recorded, responded to and resolved (or escalated) in line with this

policy. Therefore, it is incumbent upon anyone who may receive a complaint, to be familiar with this Complaints Procedure Policy as defined herein.

Deviation from this policy is both unfair to the complainant, who has an understanding of what to expect from the school; and is also counter-productive in that it may cause the entire procedure to be recommenced.

All complaints must initially be submitted as a Stage One (Informal) complaint. An informal complaint, whether received from a pupil, parent or other interested party, should normally be resolved at Stage One wherever possible. Please refer to the requirements of Stage One of the policy.

If at any time, a member of staff, the Head Teacher or a Governor is unsure of the procedure to be followed for Stage One or any subsequent Stage, they should refer in the first instance to this document. Further clarification can be sought either from the Head Teacher or from the Local Authority as appropriate.

Staff and Governors should ensure that anonymous complaints are recorded in the Complaints Log but investigation is discretionary unless there is a suggestion of criminal conduct or concerns about child safeguarding in which case the Local Authority/Police, as appropriate, should be informed. However, in deciding whether or not to investigate further, due consideration should be given as to whether the complainant could be afraid of being identified; this may be particularly pertinent in the case of complaints made by pupils who may fear recriminations, or being labelled troublemakers.

Responsibilities of roles/persons involved

The following is a summary of the explicit responsibilities of specific roles within the Complaints Procedure Policy.

The Head Teacher

The Head Teacher is responsible for:

- Ensuring that all members of staff understand this policy;
- Ensuring that the latest version of this policy appears on the school website;
- Ensuring that paper copies of this policy are made available when requested;
- Maintaining a log of all complaints received, their progress, and their closing/escalation comments. The information contained within this Complaints Log shall be deemed to be confidential, however a summary of redacted information shall be provided to the Full Governing Body for analysis;
- Reporting complaints against him/herself to the Chair of Governors in accordance with this policy.

When undertaking a Stage two (Head Teacher's) investigation, the Head Teacher will:

- Acknowledge the complaint in writing within **five school days** of receipt of the complaint, giving a brief explanation of the complaints procedures and a target date for providing a response;

- Provide a response to the substantive complaint within **fifteen school 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);
- Where appropriate, provide an opportunity for the complainant to meet him/her;
- If necessary, interview any witnesses and take statements from those involved;
- Ensure that written records of meetings, telephone conversations and other documentation are kept. This is in addition to the maintenance of the Complaints Log;
- Arrange a meeting with the complainant to discuss or resolve the matter, once all the relevant facts have been established. This meeting should be followed up with a letter setting out the outcome of the meeting.

Members of staff

Members of staff should:

- Be familiar with this policy, including escalation options, and should refer to the Head Teacher with any questions or points requiring clarification. If the complaint is in regard to the Head Teacher, the matter must be referred to the Chair of Governors;

When receiving and managing a Stage One complaint, members of staff will:

- Make a note of the date and details of the complaint and the outcomes of the contact and inform the Head Teacher;
- Listen, investigate and ensure that the outcome is reported back. The Head Teacher should be kept informed of any developments (if the complaint is not immediately resolved) make sure that the complainant is clear about what will happen next. This should ideally be put in writing;
- Aim to ensure that all arrangements at this stage do not involve undue formality. If it appears that the discussions are not going to lead to resolution and/or the complainant indicates that they are dissatisfied with the response, inform the complainant of the next stage of the procedure.

Governors (including the Governing Body)

Complaints are mainly received by the school staff and/or the Head Teacher, however all Governors should be familiar with this policy.

If a Governor, including the Chair of Governors, is directly approached by an interested party with a Stage One complaint, the Governor should refer the matter to the Head Teacher.

If the complaint is in regard to the Head Teacher, the matter must be referred to the Chair of Governors.

If a Governor, including the Chair of Governors, is directly approached by an interested party with the intention of escalating a complaint to Stage Three, the Governor should ask the complainant to make the complaint in writing to the Chair of Governors.

The Governing Body should ensure that no Governor can be accused of prejudice by ensuring that:

- At Stage Three an individual governor does not deal with any complaint;

- The complaint is quickly referred to a committee charged with dealing with complaints or to the Head Teacher, if complaint procedures at Stages One or Two have not been exhausted;
- The complaint is not reported to the whole Governing Body until it is resolved, and then not in detail;
- The decision of the Stage Three Governing Body committee be given in writing to the complainant and any person against whom the complaint is made within **five school days** of the committee's meeting;
- The complainant is made aware of the role of the Local Authority at Stage four should the complainant be dissatisfied with the process undertaken by the Governing Body at Stage Three.

The Chair of Governors

The Chair of Governors is responsible for:

- Publicising this policy to the Governing Body, and requesting that they be familiar with it;
- Liaising with the Head Teacher to redact the Complaints Log in order that a summary of complaints can be briefed to the Full Governing Body;
- Receiving complaints at Stage One that are made against the Head Teacher;
- Carrying out the processes of Stage Two (Head Teacher's Investigation) when the subject of the complaint is the Head Teacher. (This responsibility can be delegated to any other Governor);
- Receiving all complaints at Stage Three (Review by the Governing Body) in writing, and ensures that the Complaints Log is updated;
- Liaising with the Clerk to the Governors to request that the complaint is acknowledged, and also make arrangements for a meeting of the committee of the Governing Body charged with dealing with complaints;
- Forming a committee to address and resolve (where possible) the complaint. The decision of the committee should be given in writing to the complainant and any person against whom the complaint is made within **five school days** of the committee meeting;
- Advising the Vice Chair of Governors when a complaint has been made against the Chair of Governors (whether alone or with another officer of the school, except the Vice Chair of Governors). The Vice Chair will then assume all further responsibilities under this Procedure previously attributed to the Chair.

The Vice Chair of Governors

The Vice Chair of Governors is responsible for assuming the responsibilities of the Chair of Governors in the following situations:

- When the Chair of Governors is unavailable for any reason;
- When a complaint is made against the Chair of Governors (whether alone or with another officer of the school, except the Vice Chair of Governors). This responsibility can be delegated to any other Governor. Depending on the nature of the complaint the Vice Chair should inform the Local Authority that a complaint has been made against the Chair of Governors and what action will be taken by whom;
- When the Vice Chair of Governors receives a complaint against themselves and the Chair of Governors, then the Vice Chair or the Chair should advise the Clerk to the Governing Body. The Clerk will inform the Chair of the Complaints Committee, and Stage Three of this policy

will apply. If the Chair of the Complaints Committee is the Chair or Vice Chair of Governors, then the complaint should be referred to another member of the Complaints Committee and another Governor will take the place of the Chair and/or Vice Chair on the Complaints Committee.

The stages for complaints

Stage one – The informal Stage

The vast majority of complaints can be resolved informally and speedily by a member of staff with whom the complainant makes first contact.

The complainant should address their complaint (ideally in writing) to the member of staff or the Head Teacher.

If a Governor, including the Chair of Governors, is approached directly with a complaint at this stage, the Governor will refer the matter to the Head Teacher.

If a pupil raises a complaint, it should be directed initially to the School Council representative, Form Tutor or any other teacher. This will not stop the pupil, at a later date, from raising a complaint if they feel that the issue(s) they have raised have not been dealt with properly.

If not the initial point of contact, then the Head Teacher will be kept informed by the member of staff of any developments.

In all cases, members of staff dealing with a complaint will make a note of the date and details of the complaint and the outcomes of the contact, and will inform the Head Teacher.

If the complaint is not immediately resolved, the member of staff dealing with the matter will make sure that the complainant is clear about what will happen next. This may be put in writing if it seems the best way of making the outcome clear and of giving evidence in an attempt at resolution.

If it appears that the discussions are not going to lead to resolution and/or the complainant indicates that they are dissatisfied with the response, the Staff member will inform the complainant of the next stage of the procedure.

Special circumstances

Where a complaint is made about any of the following, the complaints procedure will be applied differently:

- **A Governor or group of Governors** – The complaint will be referred to the Chair of Governors for investigation. The Chair may alternatively delegate the matter to another Governor for investigation. Stage Two onwards of the complaints procedure will apply.
- **The Chair of Governors or Head Teacher and Chair of Governors** – The Vice Chair of Governors will be informed and will investigate it or may delegate it to another Governor. Stage Two onwards of the complaints procedure will apply.
- **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 Three of the Complaints Procedure will then apply.

- **The Full Governing Body** – The complaint will be referred to the Clerk to the Governing Body who will inform the Head Teacher, Chair of Governors and Local Authority. The authorities will agree arrangements with the Governing Body for independent investigation of the complaint.
- **The Head Teacher** – The complaint will be referred to the Chair of Governors who will undertake the investigation or may delegate it to another Governor. Stage Two onwards then applies.

Stage two – Head Teacher’s investigation

Complainants who wish to pursue a complaint to Stage Two must put the complaint in writing to the school using the complaints proforma at the end of this policy. The Head Teacher (or designated member of Staff) will acknowledge the complaint in writing within **five school days** of receipt, giving a brief explanation of the complaints procedure and a target date for providing a response. This will normally be within **fifteen school days**. If it is not possible to deal with the matter in this time, the complainant will be informed of when the investigation is likely to be concluded.

The Head Teacher (or designated member of staff) will provide an opportunity for the complainant to meet him/her. The complainant may, if he/she wishes, be accompanied by a friend or relative who can speak on his/her behalf.

If necessary, the Head Teacher (or designated member of staff) will interview any witnesses and take statements from those involved. If the complaint is with regard to 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 will attend.

If a member of staff is complained against, they will be made aware of the complaint, and have an opportunity to respond and be accompanied by a representative if required.

The Head Teacher (or designated member of staff) will ensure that written records of meetings, telephone conversations and other documentation are kept. Such records may be requested by the Local Authority/Welsh Government should the complaint be escalated to Stage Four or Five.

Once all the relevant facts have been established, the Head Teacher (or designated member of staff) will arrange a meeting with the complainant to discuss or resolve the matter. This meeting will be followed up with a letter setting out the outcome of the meeting. The complainant will be advised in this letter that if they are not satisfied with the outcome, and wish to escalate the complaint, that he/she should notify the Chair of Governors within **fifteen school days** of receiving the letter detailing the outcome of the complaint.

If the complaint is against the action of the Head Teacher, then the Chair of Governors (or designated Governor) will carry out all the Stage Two procedures.

Stage three – Review by the Governing Body

Complaints only rarely reach this formal stage, but the Governing Body is prepared to deal with them where necessary. It should be noted that Stages 1 and 2 must be completed before this stage can be initiated.

Formal complaints to the Governing Body must 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 within **five school days** of receipt of complaint and make arrangements for a meeting of the committee of the Governing Body charged with dealing with complaint. This will normally be within **fifteen school days** of receipt of the Stage 3 complaint letter. If it is not possible to deal with the matter in this time, the complainant will be informed of when the investigation is likely to be concluded.

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

The decision letter will outline advice for the complainant that if they are dissatisfied with the outcome of the procedure, they may write to the Director of Education who can carry out a further review. This further review will only consider whether the complaint has been fully and fairly considered according to the school's complaints procedure policy. It will not re-hear the substantive complaint.

Complaints which have the potential to lead to disciplinary action will be managed in accordance with the school's appropriate procedures.

The Governing Body will ensure that no Governor can be accused of prejudice by ensuring that:

- At Stage Three, 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 Head Teacher if the complaints procedure at the preceding levels have not been exhausted;
- The complaint is not reported to the whole Governing Body until it is resolved, and then not in detail;
- All parties involved in the complaint are given a fair hearing – both complainant as well as the party about whom the complaint is addressed;

Further stage – Review by Local Authority

If the complainant is dissatisfied with the school's complaints procedure process, they may write to the Director of Education. The Director of Education 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. This stage is governed by Local Authority procedures, and does not form part of this policy.

When the Local Authority receives a general complaint concerning the conduct of the school, the complainant will be referred to the school and advised to pursue the complaint through the school's complaints procedure policy. The exception to this is where the complaint concerns one of the areas covered by statutory requirements or is obviously concerned with child protection or staff disciplinary matters.)

The complainant will be advised to contact the Head Teacher to discuss and, if necessary, pursue the matter further. If the complaint has already involved the Head Teacher, but the matter has not been resolved to the satisfaction of the complainant, the complainant will be referred to the next stage of the school's complaints procedure and advised to contact the Chair of Governors.

The Local Authority can provide advice to complainants on schools' complaints procedures and how they can access them.

The Local Authority also offers advice to Head Teachers and Schools on the use of complaints procedures at Stages One, Two and Three.

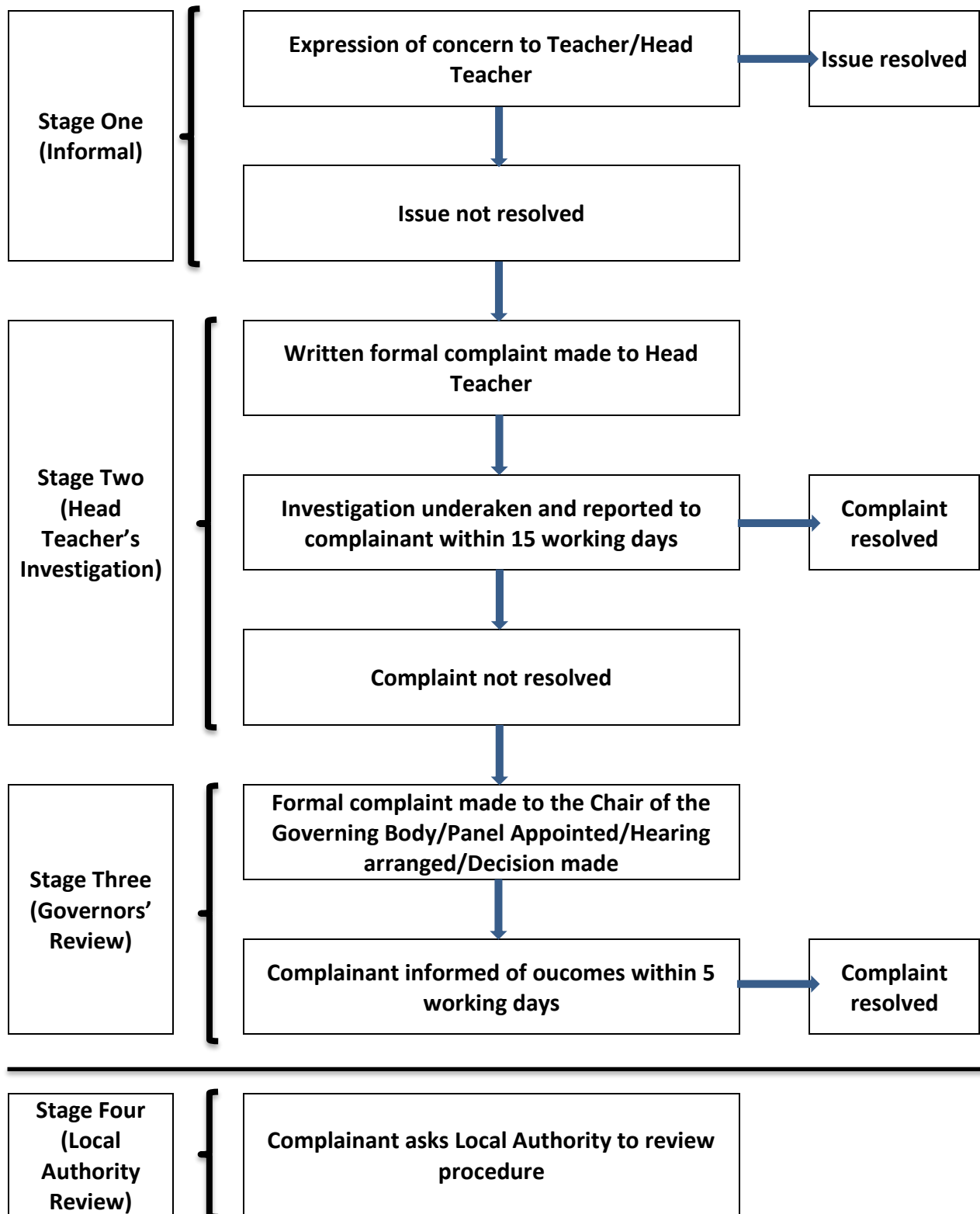
The Local Authority can also provide a fourth review stage. Upon receipt of a letter from a complainant expressing dissatisfaction with the outcomes of a Stage Three (Governing Body) review, the Director of Education can designate an appropriate officer who will review the procedures followed by the school in order to establish whether the original complaint has been fairly and fully investigated. The purpose of this stage is to review the way in which the complaint has been handled by the school; it is not a re-hearings of the substantive complaint.

Possible Outcomes

The possible outcomes for each stage are as follows:

- **Resolved through clarification** – The point in contention is clarified, and the complaint is found to be no longer relevant, then no further action is required;
- **Agreement** – The complainant and the school agree that the complaint is valid, and a course of corrective action is agreed;
- **Inability to agree** – The escalation process will be initiated. If the complainant is already at the Local Authority review stage, the LA will describe the options (if any) that remain open to the complainant;
- **Unsubstantiated complaint** – Including the considerations regarding complaints made anonymously, or where no (or insufficient) evidence is found to substantiate the complaint, the matter will be closed and no further action recorded.

Complaints Procedure Policy Flow Chart



Stage Two Complaint Form

If you wish to make a complaint at **Stage Two** of the Complaints Procedure Policy, **please complete this form as well as outlining your complaint in a letter**. This form is used to log complaints received by the school, which is a requirement of this policy.

The person who wishes to make the complaint should normally fill in this form. If you are making a complaint on behalf of someone else, then please fill in section B as well.

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 and explain it to you providing you with a copy when it is completed. The member of staff who will assist a pupil in completing this form will be either a Progress Leader or the Deputy Head Teacher.

Section A: Your Details

Surname:	
Forename:	
Title: Mr/Mrs/Ms/Other	
Address and postcode:	
Daytime telephone number:	
Mobile phone number:	
Email address:	
How you would prefer us to contact you:	

Section 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:	

Have you already put your complaint to a member of staff? If so, please give details as to how and when you did so.

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

Please send this form and any additional documents to support your complaint to:

Mr A D Williams
 Headteacher
 Radyr Comprehensive School
 Heol Isaf
 Radyr
 Cardiff
 CF15 8XG

Official Use Only	
Date letter of complaint received by the Head Teacher:	
Date acknowledgement letter sent to complainant: (usually within 5 working days of receiving letter of complaint)	
Date outcome of investigation letter sent to complainant: (usually within 15working days of receiving letter of complaint)	

Stage Three Complaint Form

If you wish to make a complaint at **Stage Three** of the Complaints Procedure Policy, **please complete this form as well as outlining your complaint in a letter**. This form is used to log complaints received by the school, which is a requirement of this policy.

The person who wishes to make the complaint should normally fill in this form. If you are making a complaint on behalf of someone else, then please fill in section B as well.

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 and explain it to you providing you with a copy when it is completed. The member of staff who will assist a pupil in completing this form will be either a Progress Leader or the Deputy Head Teacher.

Section A: Your Details

Surname:	
Forename:	
Title: Mr/Mrs/Ms/Other	
Address and postcode:	
Daytime telephone number:	
Mobile phone number:	
Email address:	
How you would prefer us to contact you:	

Section 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:	

Have you already put your complaint to a member of staff? If so, please give details as to how and when you did so.

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

Please send this form and any additional documents to support your complaint to:

Dr D Silver
 Chair of Governors
 Radyr Comprehensive School
 Heol Isaf
 Radyr
 Cardiff
 CF15 8XG

Official Use Only	
Date complaint letter received by the Chair of Governors:	
Date acknowledgement letter sent to complainant: (usually within 5 working days of receiving letter of complaint)	
Date set for Stage 3 Governors Committee Hearing: (usually within 15 working days of receiving letter of complaint)	
Date Committee decision letter is sent to complainant: (usually within 5 working days of the Committee Hearing)	