



CASTELL ALUN HIGH SCHOOL

COMPLAINTS PROCEDURE

Agreed by Governing Body	September 2013
Reviewed	December 2016

Principles of Castell Alun High School Complaints Procedure

1. All complaints are taken seriously and will be dealt with in a fair and equitable manner to all parties and applied consistently. There are 3 stages to the procedures.

Stage 1 – complaint raised with (and resolved) by the first recipient of the complaint with school (informal stage)

Stage 2 – matter referred to Headteacher for investigation, decision and resolution – (formal stage)

Stage 3 – the matter referred to governing body for investigation, decision and resolution – (appeal stage)

2. All school staff and if necessary governors involved in dealing with a complaint will have no interest in or prior involvement with the matter. If an initial complaint is made to a member of staff/complaints officer who has some prior involvement in the matter it will be reported forthwith to the Headteacher who will immediately nominate an independent staff member to investigate the complaint.
3. The complaints officer or such nominated member of staff will :-
 - establish what has happened so far, and who has been involved;
 - clarify the nature of the complaint and what remains unresolved;
 - meet with the complainant or contact them if unsure or further information is necessary;
 - clarify what the complainant feels will put things right;
 - talk to those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - approach matters with an open mind;
 - keep records.
4. All complaints will be treated in confidence.
5. As a fundamental principle of fairness the accused person will be entitled to know in full the substance of the accusation unless there is good reason for withholding the information e.g. to protect the source of the complaint or other legal reason or meet data protection requirements.
6. Complaints involving pupils will be dealt with in a sensitive manner and at all stages of the complaint procedure pupils can be accompanied by his or her parents /guardians or an adult of the pupil's choice. Pupils may give evidence to committees; but only voluntarily or if under 16 with their parents/guardians consent.
7. It is expected of all parties to behave reasonably and treat the process and the parties involved with respect and allow the school to try and resolve the complaint at each stage and not to try and circumvent stages.
8. The complainant and the person against upon whom the complaint is made may be accompanied by a friend, advocate, colleague, parent or other person at each stage.
9. The record of complaints will show: -
 - description of complaint;
 - whether the complaint was investigated or just recorded;
 - the outcome of any investigation any issues for action by the school and the lead member of staff.

10. The record of the complaint will be made available for inspection by the Local Authority and will be retained by the school for 3 years including the year in which the complaint was finalised.
11. It must be remembered that there are other statutory processes for the complaints and appeals relating to the curriculum, special educational needs (SEN), religious worship, admissions, exclusions, staff grievance, staff capability and staff disciplinary. The Castell Alun complaints procedures do not replace these procedures.

STAGE 1 – COMPLAINT INFORMAL STAGE

1. This may be made to the complaints officer or nominated member of staff orally or in writing. If the initial complaint is made to the Headteacher he may refer at his discretion the matter back to the complaints officer or nominated member of staff.
2. The complainant will be given the opportunity to meet the complaints officer to discuss the matter and the complaints officer shall within 10 school days have investigated the complaint and shall forthwith convey to the complainant his/her decision.
3. The decision of the complaints officer will accurately record the decision along with all notes of discussions and interviews which shall include:
 - the name of the complainant;
 - date of receipt of the complaint;
 - a brief description of the complaint;
 - action taken to resolve the complaint and outcome;
 - issues for action by the school and the lead member of staff;
4. If the complaint is not resolved to the satisfaction of the complainant he/she will be informed orally or in writing that they may take the complaint to the Headteacher and shall be given a copy of the school's complaints procedure. Any complaint to the Headteacher (a stage 2 complaint) must be made in writing within 21 days of receiving the determination of the stage 1 complaint otherwise the Headteacher at his own discretion may refuse to deal with the complaint and the complaint will be deemed to be resolved and the matter closed.

STAGE 2 – COMPLAINT FORMAL STAGE

1. Upon receiving written notification the head teacher will within 5 school days acknowledge receipt of the complaint in writing and will give a target date for providing a response (usually within 10 school days) if it is not possible to provide a response within 10 school days the complainant must be informed and given a date when the complaint will be concluded.
2. The complainant will be given an opportunity to meet the Headteacher and may be accompanied by a friend, advocate, a parent/guardian or other person for support or to speak on the complainant's behalf. The Headteacher will have another person present to witness the discussion and full notes will be kept during all discussions, interviews and telephone conversations.
3. The Headteacher will convey forthwith his/her decision to the complainant in writing once it has been made. The complainant shall be told that he/she may appeal to the governing body complaints

committee if dissatisfied, provided he/she does so within 21 days of notification of the Headteacher's decision. Such notification to the governing body's complaints committee must be made in writing.

4. The Headteacher shall ensure that a record of the complaint is retained, which will include the following:-
 - the name and address of the complainant;
 - date and details of the complaint;
 - action taken to resolve the complaint and written record of discussions, interviews and evidence collated;
 - outcome;
 - date of notification to the complainant;
 - issues for action by the school and lead member of staff.

STAGE 3 – COMPLAINT APPEALS STAGE

1. If the Chair of the Governing Body has received a written complaint within 21 days following the determination of the complaint by the Headteacher he/she shall instruct the Clerk to the Governing Body to acknowledge receipt of complaint within 5 school days.
2. The Chair of the Governing Body shall convene a Governing Body Complaints Committee consisting of no less than 3 and no more than 5 school governors; such a committee shall comply in every respect with Part VII Regulation 57 of the Education (School Governors) (Wales) Regulations 1999 (conflicts of interest, impartiality etc.) to determine the complaint.
3. The Clerk to the Governing Body Complaints Committee shall make arrangements for the committee to meet to hear the complaint within 20 school days of the receipt of the complaint or such date that shall be convenient to other parties but shall not in any case be more than 30 school days from the initial date of receipt of the complaint by the Chair of the Governing Body.
4. The letter of acknowledgement referred to in paragraph 1 above shall set out the process as follows:-
 - all parties involved in the complaint are entitled to provide evidence/written documentation that they wish the committee to consider;
 - the date by which parties must provide such written evidence;
 - the date by which documents will be forwarded to the person complained about;
 - the date by which the person complained about must return their response;
 - the date that response will be made available to the complainant;
 - the date of the hearing.
5. The person against whom a complaint is made shall have at least 10 school days to consider all the evidence and take advice before providing a response before any hearing takes place.
6. The Chair of the Governing Body Complaints Committee shall give to all parties at least 5 school days notice of the date of the hearing in writing and such notice shall include the following information:-
 - the time and place of the committee hearing;
 - the grounds of the complaint with copies of all relevant documents;
 - the right of all parties to be accompanied or represented by a person of their choice;
 - details of those attending and their role;

- the committees right to proceed with an oral hearing in the in the absence of either or both parties to seek an adjournment of the hearing if there is good reason why they should not do so;
- the entitlement of the parties to seek an adjournment of the hearing if there is good reason why they cannot attend.

AT THE HEARING

1. Witnesses will only be required to attend to give their evidence but may stay throughout if the committee and the complainant agree.
2. The committee members may ask questions of any person. After introductions the complainant or their representative will be invited by the Chair to explain their complaint and followed by the witness.
3. The complainant will then sum up their complaint.
4. The Headteacher or other appropriate witness will then explain the schools actions followed by any witnesses for the school.
5. The Headteacher will sum up the school's actions and response to the complaint.
6. The Chair will then inform both parties that they will hear from the committee in writing within 5 school days.
7. Following the hearing the committee will deliberate and determine whether the complaint appeal is upheld.
8. Following the decision the committee will determine any action to be taken by the governing body, head teacher and or members of staff. This may include recommendations for change to the school policy or procedures to ensure similar problems do not arise in the future.
9. Following the committee's decision notification will be sent to the complainant in writing within 5 school days setting out the reasons for the decision and any remedial action to be taken by the school.
10. The decision of the Governing Bodies Complaints Committee is final even if the complaint is not upheld. The complainant should be been notified that they may take the complaint up with the Local Authority if they continue to be dissatisfied.