

Cantonian High School Ysgol Uwchradd Cantonian



Complaints Policy

June 2009

Ysgol Uwchradd Cantonian High School

COMPLAINTS POLICY

General

The Governing Body of Cantonian High School is required by the Education Act 2002 to have a policy for dealing with parents' & others complaints.

The school's complaints policy allows complaints about school issues to be dealt with efficiently and sensitively, and at the appropriate level.

Complaints can cover a wide variety of matters that concern parents and others. Cantonian High School takes ALL complaints seriously and deals with them comprehensively and as far as possible in confidence.

Aims

The policy aims to ensure that all complaints from parents, (and also pupils and others) are dealt with as quickly and sensitively as possible, and by the person best able to do so.

As far as possible all concerns should be dealt with as informally as possible. as this leaves us able to respond more rapidly and to move on for the benefit of the pupil(s) and other parties concerned.

A parent, pupil or other complainant should be able to expect to have a response, although not necessarily the final response, to their complaint **within three working days of having made the complaint.**

If parents, pupils or other complainants wish to register a formal complaint they should be asked to put their complaint in writing and send it to the school, care of the Headteacher, who will then direct it to the most proper person, usually the Complaints Co-ordinator

Possible Areas of Complaint

Complaints received by Cantonian High School may fall into the following categories: (displayed in alphabetical order)

- **academic** (course programme, unsatisfactory teaching, too much/too little homework, progress in a particular subject etc);
- **child protection** (allegations against staff or other pupils, handling of sensitive issues).
- **financial and administrative;** (including contact with parents or others)
- **pastoral** (discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child etc).

Responsibilities

Governing Body: for approving the policy, procedures, and guidelines, hearing and deciding on appeals, receiving reports, and advising the Head.

Chair of the Governing Body: to receive complaints at Stage 3, to nominate a governor or panel to hear the appeal, and to check that the correct procedure is followed.

Nominated Governor or Chair of the Panel at Stage 3

To ensure that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard; and
- any written material is seen by all parties.

Clerk to the Governing Body

The Clerk will act as the reference point for the complainant at Stage 3. The Clerk must:

- set convenient dates and times and venues for hearings;
- collate any written material and forward it to the parties;
- meet and welcome the parties;
- record the proceedings; and
- notify the parties of the decision.

Headteacher: for the overall internal management of the procedures, for hearing complaints at the second stage (see below), ensuring that the procedures are monitored and reviewed and reports made to the Governing Body. *NB: The Deputy Heads may be asked to fulfil this role on occasion.*

Complaints Co-ordinator: for the efficient operation and management of the policy and procedures, for training staff on how to deal appropriately with complaints, for keeping parents, pupils and others informed of the procedures and for compiling reports for the Head as required. This role will be carried out by the Workload Manager in all cases except for premises, environmental and financial queries and complaints, which will be dealt with by the Bursar. The Bursar will deputise for the Workload manager should s/he be absent from school, and vice versa. Should both

be absent, or it is deemed by the Headteacher to be more appropriate, one of the Deputies will fill this role.

Heads of Department and other middle leaders (holders of TLR): for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at stage 1 of the procedures.

Transition Leaders & Learning Leaders: for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care.

Named Senior Member of Staff: for child protection issues. ***NB: There are separate & specific policies & procedures in place for dealing with child protection issues AND THESE MUST BE FOLLOWED IMPLICITLY.***

All staff: for hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns. And for passing any complaints received from other people who are not parents or pupils to the Complaints Coordinator.

Information for Parents

The Cantonian High School will include in its prospectus / booklets / advice to parents that any formal complaints they may have should first be addressed to the Head. The full procedure at each stage will be set out in the school prospectus.

Formal Procedure

Every attempt will be made to resolve complaints informally, but if this fails then this procedure will be followed:

- Stage 1 complaint heard by staff member (who is not subject of the complaint);
- Stage 2 complaint heard by Head; (*or, on occasion, a Deputy Head*) and
- Stage 3 complaint heard by Governing Body's appeals panel.

Guidelines

All staff and governors should be conversant with the procedures.

Stage 1

All staff should listen carefully and patiently to parents', pupils' and others' complaints, recognising that however ill-founded the complaint might be it is a matter of great concern to the complainant.

If the matter is within the competence of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant member of staff, and the relevant person should be informed by the member of staff as soon as possible.

The member of staff receiving the complaint should use the school's 'Complaints Form' to inform the relevant senior member of staff. This does not prevent the member of staff also speaking to the senior colleague about the matter at the earliest opportunity.

If the senior member of staff considers the issue to be serious (but is not a child protection issue) he/she should inform the Complaints Co-ordinator (or Head) via the school's 'Complaints Form', and inform the complainant of the action taken. The Co-ordinator (or Head) will determine the next step(s).

If the Complaints Co-ordinator or a relevant senior member of staff considers that he/she can deal with the complaint he/she should attempt to do so. If a resolution cannot be found the Co-ordinator should inform the complainant of their right of appeal to the Head (*or Deputy*) (Stage 2) or Governing Body (Stage 3), and inform the Head/Governing Body of the action taken.

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff, the 'named person' responsible for child protection should be informed by the Co-ordinator. In this case, it is probable that City & County of Cardiff Intake & Assessment or other relevant department or body will be contacted for information, advice or action.

If a serious complaint is made by a pupil, the member of staff should immediately inform the Complaints Co-ordinator, who will immediately inform the pupil's Learning Leader or Transition Leader. It will be the responsibility of the Learning Leader or Transition Leader to determine whether he/she can deal with the issue, or in consultation with the Co-ordinator, what the next course of action should be, including referring the matter to the Head.

If a trivial/simple verbal complaint is made it might be possible in most cases to resolve it immediately. In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing. This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff.

In any cases of doubt members of staff should seek the advice of the Complaints Co-ordinator, who has the responsibility for mentoring colleagues.

If the appropriate member of staff cannot resolve the complaint, the Complaints Co-ordinator must refer the matter to the Head (*or Deputy*) (Stage 2).

At Stage 1 the school should aim to resolve the complaint within **three working days** of receiving it. Where this is not possible, the Complaints Co-ordinator will inform the parties of the action being taken, and when it is expected to resolve it.

No complaint should normally be left unresolved at this stage after **five working days** of receipt of the complaint. In abnormal circumstances the matter will be referred to the Head (*or Deputy*) who will determine the appropriate action, and will keep the parties informed.

Stage 2

The Head (*or Deputy*) will decide the outcome at this stage, but may delegate the collating of information to the Complaints Co-ordinator.

The Head (*or Deputy*) must normally resolve the matter within **seven working days** of receiving notification of the complaint from the Complaints Co-ordinator or other member of staff. In abnormal circumstances a longer time scale can be agreed, either by agreement with all parties or by a decision of the Chair of the Governing Body if no agreement is reached.

If the Head (*or Deputy*) is unable to resolve the issue it is open to the complainant to make representations to the Governing Body. (Stage 3)

Stage 3

Appeals to the Governing Body

Complainants who are not satisfied by the Head's (*or Deputy's*) decision re the complaint can make representations to the Governing Body.

The complainant must be advised by the Complaints Co-ordinator to write to the Chair of the Governing Body giving details of the complaint. The Chair will ask the Clerk to the Governing Body to convene a meeting of the Governing Body's Appeals Committee to hear the appeal. (N.B. The Chair of Governors is not a member of the Appeals Committee)

The hearing must be within **fourteen working days** of the Chair receiving notice of the complaint.

The complainant must be told of their right to be accompanied by a friend, and where relevant, translations/interpreters may be arranged by the Clerk in consultation with the parties.

The Appeals Committee will make its own procedures, and will agree these with the Chair, who will report them to the next governing body meeting.

The Appeals Committee will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

Careful consideration must be taken when the complainant is a pupil.

The Appeals Committee will hear the appeal(s), consider all the views expressed and decide the outcome.

The Appeals Committee can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;

- decide on appropriate action to resolve the complaint; or
- recommend changes to the school's systems or procedures.

The Appeals Committee's decision is binding.

The decision at this stage must be communicated to the parties within **three working days** of the hearing.

Appeals to the Local Authority

However, parents have the right to take the complaint to the Local Authority under the Local Authority's procedures. They would first have to have tried to resolve the issue at school level. The school will enable the parents to obtain a copy of the Local Authority's arrangements.

Vexatious Complaints

If the complainant remains dissatisfied after all stages have been properly followed, the Chair is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Investigating Complaints

The person investigating the complaint will make sure that they:

- 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 would put things right;
- **interview** those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to **persist** in the questioning; and
- **keep notes** of the interview.

Malicious Complaints

Should any complaint, upon investigation, prove to be malicious, we will consider what action is most appropriate for us to take. Action may include: taking legal advice, referring to the school's Disciplinary procedures, reporting the matter to the police, or referring to the school's Code of Conduct (in the case of pupils), or other appropriate course of action.

Anonymous complaints will NOT be dealt with.

(N.B. At all stages of the process, the person investigating may ask a colleague other than a colleague who is the subject of the complaint, to attend any meeting or interview and take notes)

Resolving Complaints

At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following, if the complaint is valid:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. The governors acknowledge that an admission that the school could have handled the situation differently is not the same as an admission of negligence.

The school will attempt, at all stages, to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Reporting and Recording

In all cases it is important for staff to use the school's 'Complaints Form' so that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

The Head and Complaints Co-ordinator will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

Monitoring and Review

The Head may report to staff from time to time, and to the Governing Body annually or earlier if the Chair so determines, on the number and type of complaints received and their outcomes.

Signed _____ **Date** _____

Chair of the Governing Body

Policy Adopted by Governors: _____ **(Date)**

Policy reviewed on: _____ **(Date)**

Policy reviewed on: _____ **(Date)**

Policy reviewed on: _____ **(Date)**

Ysgol Uwchradd Cantonian High School

COMPLAINT FORM

*All formal complaints must be dealt with following the school's
Complaints Policy*

**Member of Staff receiving the
complaint:** _____

**From (Name of
Complainant):** _____

Name of Pupil and Class: _____

Date/Time of complaint: _____

Complaint: _____

Action Taken: _____

Outcome: _____

**Issue Referred
to:** _____

Date & Time: _____

**Action taken by this
person:** _____

