



Milford Haven School

Complaints Policy

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Policy reviewed by: Headteacher, Ms C-A Morris

Complaints Procedures

Foreword

We make every effort to avoid situations which result in you feeling you need to make a formal complaint, however situations may arise where you are not happy with an aspect of the service we give you or your child.

If there is an incident or an ongoing matter concerning your child then the first point of call would be to ask to speak to your child's Head of House if it is a pastoral issue e.g. a suspected bullying issue; or with the School's Strategic Leader if it is related to the quality of learning and standards in KS3 or KS4. If it is still not resolved following this discussion and/or meeting, then normally a Deputy Headteacher would be best to deal with the matter.

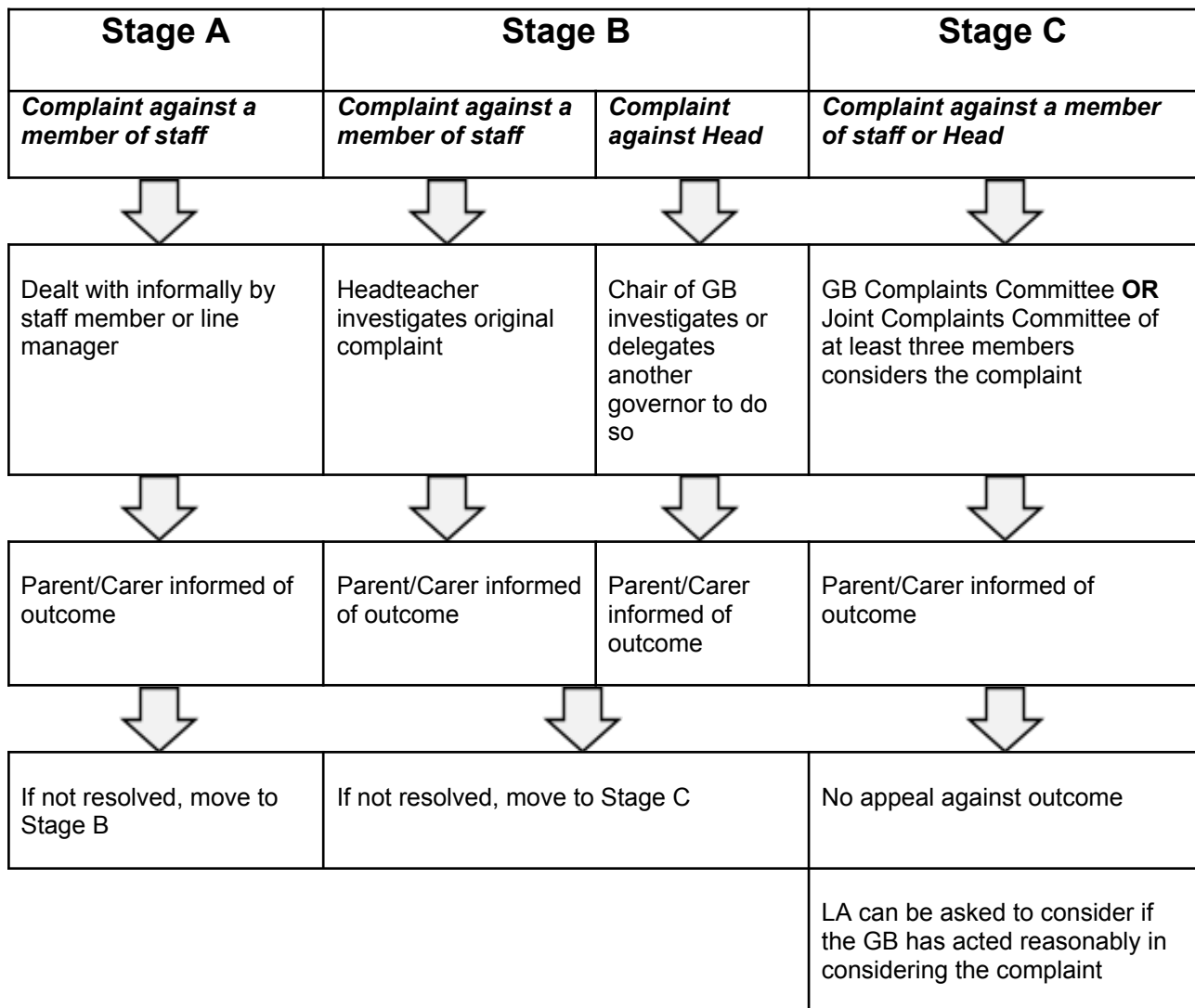
The Headteacher's PA will direct you to the most appropriate person if you call the school.

Please be assured that we will:

- treat your complaint seriously
- respond to your concern
- do our best to resolve the issue

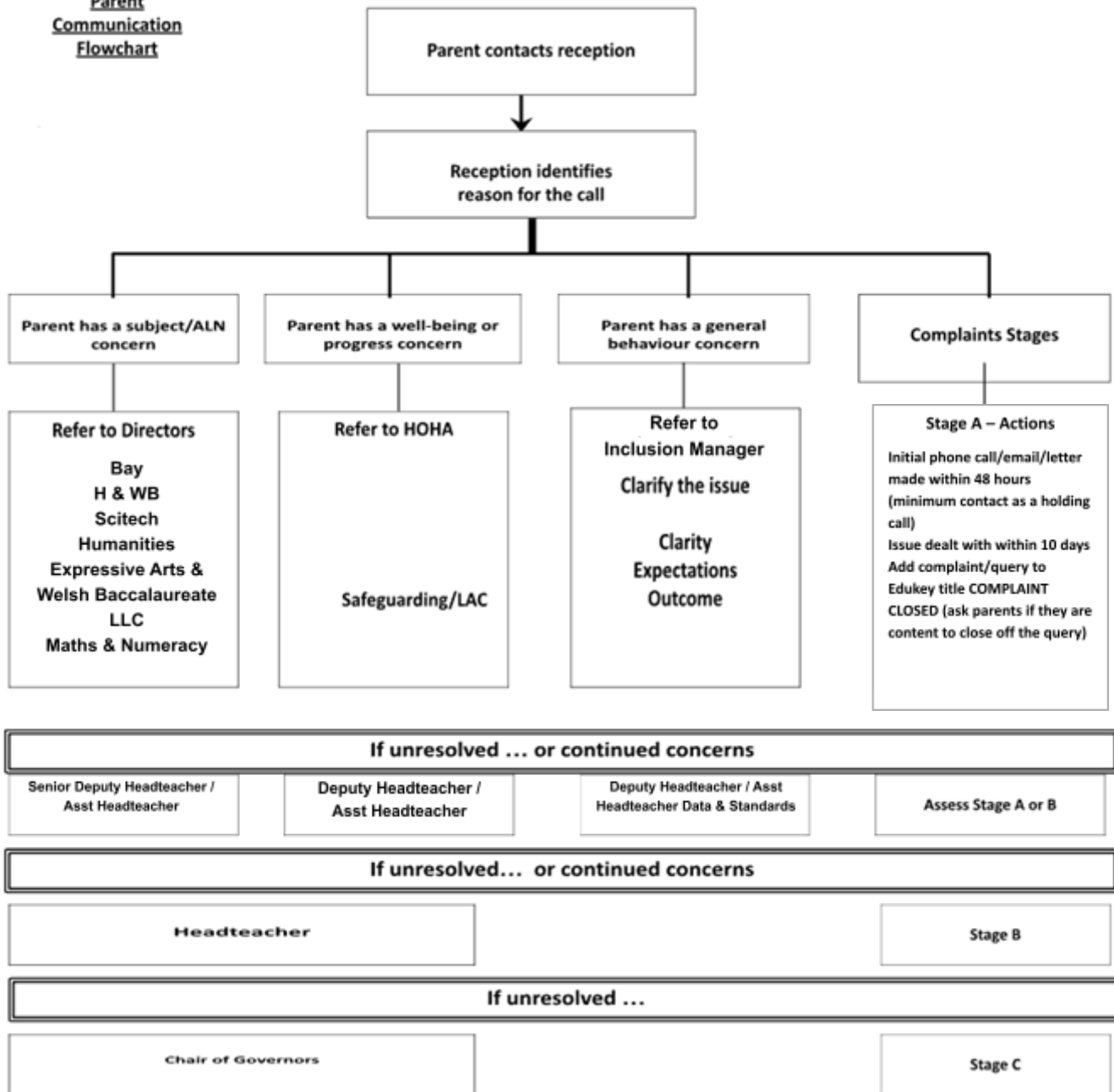
If the matter is still not resolved following this, then the Headteacher may ask a Governor to help resolve the issue. Any representation to the Governors must be submitted in writing addressed to the Chair of Governors.

The following policy is to be read in conjunction with the schools communications policy.



Milford Haven School Complaints Flow Chart Process

**Parent
Communication
Flowchart**



Milford Haven School Policy

Introduction

This school has a clear policy for dealing with complaints. When a person raises a concern or complaint with us, we will look into it and deal with it in a fair and suitable way.

When the person making the complaint is a pupil, we have extra procedures to help them with the complaints process. These are shown in this policy.

Who this policy applies to

This policy applies to parents, carers and pupils registered as attending Milford Haven School at the time the complaint is made. Complaints by staff are dealt with in accordance with the School's Staff Grievance procedure. Complaints from others will be dealt with in accordance with the contractual agreement or public duty existing between the school and the complainant.

A Complaint is when you are dissatisfied with:

- the services or facilities provided by the school
- the behaviour or actions of teachers and others working in the school
- the behaviour or actions of pupils
- the behaviour or actions of the governing body.

A Complaint is not a concern relating to:

- the curriculum
- sex education
- Special Educational Needs
- religious worship,
- admissions or exclusions.
- staff grievance, disciplinary and capability concerns
- Child Protection issues

These are all covered by separate procedures. We will give you copies of these procedures if you ask for them.

We will respond to all concerns and complaints in a consistent way. We will:

- listen to your complaint and make sure we understand the problem. If we need to get a clearer understanding or clarification, we will contact you.
- investigate the complaint to find out exactly what happened
- speak to, and if necessary meet with, people involved in the complaint so that we have all the facts
- look at all the evidence and then decide on a fair and acceptable solution to the problem
- propose and or implement actions to resolve your complaint and to improve future practice, where appropriate.
- let you know how we have resolved the problem, either verbally or in writing.

We will not inform a complainant of any specific action taken relating to any other individual, as this is protected under regulations relating to confidentiality.

Anonymous complaints

Should a complaint be made anonymously, the school will not deal with it unless it receives at the same time evidence, which the school can independently verify, in support of the complaint.

Timescale

Different complaints need different responses. Whenever we can, we will respond to your complaint quickly and informally and give you a verbal response. But if your complaint is more serious or complicated we will need more time to investigate it, and we will usually give you a written response. We will tell you how long we expect this process to take. If there are any delays in the process we will let you know.

We will keep a record of every complaint, our investigation and how the problem was resolved.

Our complaints process has three stages:

Stage A - Informal

Stage B - Formal Complaint to Headteacher

Stage C - Formal Complaint to Governing Body

You should normally start at stage A – we hope to resolve the majority of concerns or complaints in this informal way. But if your complaint is more serious then you can go straight to stages B or C.

Record Keeping

The School will keep a record of every formal complaint received, details of the investigation and a record of the outcome of the investigation.

Staff who are handling complaints under the informal part of the complaints procedure, will make a record of all correspondence with the complainant(s), the response of the school and where appropriate, the action taken. The records will be stored (either physically or electronically) in your child's school file.

Under the 'Freedom of Information Act 2000' a complainant may request a copy of all records relating to their child and any complaint they make. Any request for copies must be made via a written FOIA application.

Stage A - Informal

Concerns or complaints can often be sorted out quickly by the first staff member you speak to. This might be a class, subject or form teacher, head of house or other senior person. Normally we would expect you to raise your issue within 10 school days of any incident.

1. Raise your concern with a staff member, either verbally or in writing.

Parents/Carers: please follow our normal school procedures for contacting the staff member

Pupils: you can also contact our designated pupil complaints officer Mr R Berry

- 2. Your complaint will be investigated and quickly resolved if possible. If your complaint is covered by any existing school policies we will try to resolve it using the solutions set out in these policies. We will tell you which policy applies. If you need a copy of any policy please ask us for one.**

Pupils: If your complaint is about something that affects many pupils we might suggest taking it to the school council. Any resolution would then benefit everyone.

- 3. We will give you a response to your complaint, either verbal or written, within 10 school days. If there is a delay we will tell you.**

- 4. We will keep a written record of the complaint and how it was resolved.**

If we cannot resolve your complaint, or you are not happy with our response, you can progress your complaint to the next stage.

Pupils: Your complaint will only progress with your agreement. The person dealing with your complaint will explain what happens in the next stage to you. You can have help to present your complaint if you want it. We will tell you about the different types of help there are and you can choose which to use.

Stage B - Formal Complaint to Headteacher

If we fail to resolve your complaint at stage A, or your complaint is more serious, you can make a formal complaint to the Headteacher. We would expect you to aim to do this within five school days of receiving a response to your concern under Stage A of the process, as it is in everyone's interest to resolve a complaint as soon as possible.

If you complain directly to the Headteacher without raising your concern with a staff member first, the Headteacher may decide that your complaint could be dealt with informally using the stage A process. They will refer your complaint to a suitable member of staff to deal with and tell you they have done this.

- 1. Raise your complaint in writing to the Headteacher.**

Parents/Carers: Your letter should explain what your complaint is about. If we could not resolve your complaint at stage A, or you were not happy with our response, you should tell us what you are looking for as the outcome.

Pupils: You can talk to the Headteacher about your complaint instead of writing it down. You can have someone with you for support at this meeting. We will write down everything you say, and you will be asked to read, agree and sign this record to make sure it correctly sets out your complaint. We will give you a copy of the record. The Headteacher will ask you what you are looking for as a solution or outcome to the problem. They will also let you know how it will be investigated.

- 2. The Headteacher will acknowledge receipt of your complaint in writing. They will let you know by when you should receive a response – usually within 10 school days.**

Pupils: If you talk to the Headteacher about your complaint in step A then we will not need to give you a written acknowledgement. The Headteacher will have given you a response time at this meeting.

- *The person designated to investigate will be sufficiently senior and not directly involved with the complaint previous to ensure an objective and thorough investigation can be undertaken.*
- *Wherever possible, the Investigator will attempt to resolve complaints through professional dialogue at an early stage.*
- *The Investigator will confirm with you the agreed main areas of your complaint that will be subject to thorough investigation.*
- *A written response will be provided for all complaints investigated at Stage B.*
- *The response will provide a clear conclusion on whether or not the complaint has been upheld and may link together similar issues for conciseness and clarity.*
- *On occasions, where the evidence is inconclusive because of differing opinions that cannot reasonably be resolved through independent corroboration, the outcome will be recorded as 'no conclusion could be reached'. Where this occurs, the reasons for not reaching a conclusion will be clearly explained.*
- *As part of carrying out the investigation, the Investigator will consider in detail all the information submitted and issues raised.*
- *The Investigator will only consider direct evidence that can be substantiated. It should be noted that investigation responses to complainants not directly linked to an incident may be limited by the information that can be disclosed to a third party under the Data Protection Act 1998.*

3. The Headteacher will investigate your complaint. This may include having a meeting with those involved. If you are asked to a meeting then you can bring a relative, friend, advocate or other person with you for support. The Headteacher may also choose to have another person present as a witness to what is discussed.

Pupils: The Headteacher may not need to have a meeting with you if you already met in step A.

4. The Headteacher and or designated investigator will keep a record of all meetings and discussions and the outcome of these.

5. Once the investigation is complete, the Headteacher will give you a written response to your complaint. This will usually be within 10 days of receipt of the formal complaint. When this is not possible the complainant will be informed when a response will be sent.

Pupils: The Headteacher will also tell you their decision verbally to make sure you fully understand it and can ask any questions if necessary.

Stage C - Formal Complaint to Governing Body

If we fail to resolve your complaint at stages A and B, or you are not happy with the outcome, you can make a formal complaint to the governing body. You should only complain directly to the governing body when there are special reasons for not using stages A and B, such as a serious complaint against the Headteacher.

If the Chair of Governors receives a complaint that could have been dealt with at stages A

and B, and these have not been used, he or she may refer your complaint back to the Headteacher for investigation. They will tell you if this is the case.

**1. Complaint made in writing to Chair of Governors through the school's address.
We would normally expect you to do this within five school days of receiving the school's response to Stage B.**

Parents/Carers: Your letter should explain what your complaint is about, what the school has done to investigate and resolve it, and why you are not happy with the outcome.

Pupils: You can talk to the Chair of Governors about your complaint instead of writing it down. We will write down everything you say, and you will be asked to read, agree and sign this record to make sure it correctly sets out your complaint. We will give you a copy of the record. The Chair will ask you what you are looking for as a solution or outcome to the problem. They will also let you know how it will be investigated.

2. The Chair will acknowledge receipt of your complaint in writing within 10 school days. They will outline the timetable for investigation as far as possible, making sure there is enough time to consider all evidence.

Pupils: If you talk to the Chair about your complaint in stage A we will not need to give you a written acknowledgement. The Chair will have given you a response time at this meeting.

3. Chair passes complaint to the Governing Body Complaints Committee.

4. Complaints Committee will meet to consider the complaint, usually within 10 school days of receipt.

They may decide that a meeting is necessary to hear the evidence. If this happens, you will be given at least 5 school days notice of the meeting with details of where it is to be held, date and time. If you are asked to a meeting then you can bring a relative, friend, advocate or other person with you for support. This meeting will be conducted in an informal way with each party treating the other with respect and courtesy.

At the meeting:

- you will be told the names and roles of the other people present
- the purpose of the meeting will be explained
- you will be asked to talk through your complaint. If you have witnesses they will be asked to give their evidence. The committee may ask you questions
- the Headteacher or other witnesses will explain the school's actions and response to the complaint. The committee may ask them questions.

At the end of the meeting the Chair will check:

- that you have said everything you wished to;
- that you feel the committee has listened to and understood the all the points made;
- that you are clear about when you will be told the committee's decision and that you understand the decision will be final.

- 5. Complaints Committee considers all the evidence and reaches a decision. They may ask for advice from the LEA or Diocesan Authority if appropriate.**
- 6. The Committee will give you their decision in writing, usually within 5 school days of the meeting. They will tell you the reasons for their decision and any action to be taken by the school as a result.**

Pupils: The Chair and a member of the Senior Leadership Team will also tell you their decision verbally to make sure you fully understand it and can ask any questions if necessary.

- 7. We will keep a record of your complaint, including any evidence presented and minutes of any meetings or discussions, for three years.**

Appeals

Once you have been given a decision at the end of Stage C the complaints process will end. The governing body and Headteacher will not look at your complaint again, even if you are unhappy with the outcome. There is no appeals process.

You can ask the local education authority (Pembrokeshire County Council), Diocesan authority or Welsh Assembly Government to review the procedures we used to deal with your complaint. However, if we have followed the process as set out in this policy document then they will not be able to overturn the decision made.

Pembrokeshire County Council has its own published complaints policy and procedures. However, complaints relating to schools made directly to the county council will be referred back to the school to deal with.

Special Circumstances

In some cases, for example if your complaint is against the Headteacher or a member of the governing body, we will follow slightly different procedures to the ones described above. If we need to do this, we will explain the differences to you.

Minutes

Notes taken and Minutes prepared (whether in draft or in final form) are private and confidential and must not be disclosed.

Any Draft Minutes circulated to those present at the meeting for consideration, do not become a true and accurate account of the meeting until those Minutes have been agreed by all of those who were present. The School will endeavour to circulate draft Minutes within 7 days of the Meeting. The draft Minutes are confidential and not to be shared with anyone. Any proposed amendments suggested by parties should be stated within 48 hours of receipt of the Draft Minutes. Any requests for a copy of the Minute Taker's notes to be provided at the end of the meeting will be refused.

In line with FOIA practice, records will, where necessary, be redacted to protect the confidentiality and identity of third parties. Complainants are not entitled to contemporaneous notes by individual staff.

PCC Policy quotes:-

Why have a procedure?

2.1 The Data Protection Act 2018, Article 12(5), The Freedom of Information Act 2000, Section 14, and the Environment Information Regulations 2004, Reg.12, have provisions which deal with the concept of excessive, persistent and/or vexatious requesters and authorise a reduced level of compliance to such requests and these statutory provisions have a separate system for appeals, which does not include the School's complaints procedure.

2.2 The Local Government Ombudsman's publication "Guidance note on 'unreasonably persistent' complainant and 'unreasonable complainant behaviour' by analogy is applicable. It states:

"Having a policy on unreasonably persistent and unreasonable complainant behaviour and corresponding guidance for staff on procedure should help authorities deal with complainants in ways which are demonstrably consistent and fair. It also helps staff to understand clearly what is expected of them, what options for action are available, and who can authorise these actions. In the absence of such guidance staff are likely to have greater problems with unreasonable and unreasonably persistent complainants. In addition, it provides a yardstick against which performance can be assessed for monitoring purposes."