



Ely and Caerau Integrated Children's Centre

Complaints Procedure

2022-23

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January 2023

Introduction

As a rights respecting Centre we aim to ensure all children, staff and families are aware of children's rights. We aim to help our children to understand their rights but also model rights and respect in all relationships. Linked to Articles 3, 18, 28,29,30 (UNCRC).

This Centre values the good relations we enjoy with parents and the Community. These good relations are based on a respect for what the Centre and it's achievements; on good communications; and the provision of relevant and clear information.

The Ely and Caerau Children's Centre is committed to dealing effectively with complaints. We aim to clarify any issues about which you are not sure. If possible we will correct any mistakes we have made and we will apologize. We aim to learn from our mistakes and use that experience to improve what we do.

Our definition of a complaint is that suggested in the Welsh Government '*Complaints Procedure for School Governing Bodies*' guidance (2012). A complaint is '*an expression of dissatisfaction in relation to the school, a governor, or a member of its staff that requires a response from the school.*'

If a complaint raises issues about staff capability, staff grievance, staff discipline, admissions, special educational needs provision, the delivery of the curriculum or child protection, then action must be taken under those procedures and they should take precedence.

This procedure is a way of ensuring that anyone with an interest in the Centre can raise a concern, with confidence that it will be heard and, if well founded, addressed in any appropriate and timely fashion and in a way that is compliant with Welsh Government Guidance.

When to use this procedure:

This policy lays out the way in which we will respond to your complaint. Sometimes you may be concerned about a matter that is not decided by the

school, in which case we will tell you who to complain to or what other procedures you may need to use.

Our general approach to handling complaints:

- Most concerns can be settled quickly at the Centre just by speaking to the relevant person and without a formal procedure.
- We recognise the right of children to be listened to and to participate under the United Nations Convention on the Rights of the Child (UNHRC). Given the nature of the children we are working with in the nursery, complaints would need to be made by an adult but the adult may raise concerns on behalf of the child.
- We believe all complainants have the right to be heard, understood and respected. School staff and governors have the same right and we expect complaints to be made in a polite and courteous way. We will not tolerate aggressive, abusive or unreasonable behavior. We will also not tolerate unreasonable demands, unreasonable persistence or vexatious complaining.
- We will consider all your concerns and complaints in an open and fair way.
- At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information.
- Timescales for dealing with your concerns or complaints may need to be extended following discussion with you. **The timescales given in our flowchart are what we aim to achieve. They are not mandatory timescales.**
- We may ask the local authority for advice.
- Some types of concern or complaint may raise issues that have to be dealt with in another way, in which case we will explain why this is so and tell you what steps need to be taken.
- The governing body will keep the records of documents used to investigate your concern or complaint for seven years after it has been dealt with. After seven years the records will be reviewed to see if they need to be kept for longer.
- Complaints made anonymously will be recorded but investigation will be at the discretion of the Centre depending on the nature of the complaint.
- Where complaints are considered to have been made only to cause harm or offense to individuals or the Centre, the governing body will ensure that records are kept of the investigations that are made and what actions are taken, including the reasons for 'no action'.

Answering your concern or complaint

- The chart in Appendix A shows what may happen when you make a complaint or raise a concern. There are up to three Stages: A, B and C. Most complaints can be resolved at Stages A or B. You can bring a relative or companion to support you at any time during the process but you will be expected to speak for yourself.
- As far as possible, your concern or complaint will be dealt with on a confidential basis. However, there could be occasions when the person dealing with your concern or complaint will need to consider whether anyone else within the school needs to know about your concern or complaint, so as to address it appropriately.

Stage A

- If you have a concern, you can often resolve it quickly by talking to a teacher or the Head of Centre. You should raise your concern as soon as you can; normally we would expect you to raise your issue within 10 school days of any incident. The longer you leave it the harder it might be for those involved to deal with it effectively.
- We will try to let you know what we have done or are doing about your concern normally within 10 school days, but if this is not possible, we will talk to you and agree to a revised timescale.
- The person overseeing your concern or complaint will keep you informed of the progress being made. This person will also keep a log of the concern for future reference.

Stage B

- In most cases, we would expect that your concern is resolved informally. If you feel that your initial concern has not been dealt with appropriately you should put your complaint in writing to the Head of Centre.
- We would expect you to aim to do this within **five** school days of receiving a response to your concern as it is in everyone's interest to resolve a complaint as soon as possible. There is also a form attached (Appendix B) that you may find useful.
- If your complaint is about the Head of Centre, you should put your complaint in writing to the chair of governors, addressed to the school, to ask for your complaint to be investigated.
- In some cases, the Head of Centre can help you to put your complaint in writing if necessary. However, this may not be appropriate. In which case, the school can direct you to other organizations, for example, the

Community Hubs, who can help you complete a letter or form. Complaints must however be received in writing.

- If you are involved in any way with a complaint, the Head of Centre will explain what will happen and the sort of help that is available to you.
- The Head of Centre will invite you to discuss your complaint at a meeting. Timescales for dealing with your complaint will be agreed with you. We will aim to have a meeting with you and to explain what will happen, normally within 10 school days of receiving your letter. The Headteacher or school's designated person will complete the investigation and will let you know the outcome in writing within 10 school days of completion.

Stage C

- It is rare that a complaint will progress any further. However, if you still feel that your complaint has not been dealt with fairly, you should write, through the school's address, to the chair of governors setting out your reasons for asking the governing body's complaints committee to consider your complaint. You do not have to write down details of your whole complaint again.
- If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors or the Head of Centre who will write down what is discussed and what, in your own words, would resolve the problem. We would normally expect you to do this within five school days of receiving the school's response. You will be asked to read the notes or will have the notes read back to you and then be asked to sign them as a true record of what was said. We will let you know how the complaint will be dealt with and will send a letter to confirm this. The complaints committee will normally have a meeting with you within 15 school days of receiving your letter.
- The letter will also tell you when all the evidence and documentation to be considered by the complaints committee must be received. Everyone involved will see the evidence and documentation before the meeting, while ensuring that people's rights to privacy of information are protected. The letter will also record what we have agreed with you about when and where the meeting will take place and what will happen. The timescale may need to be changed, to allow for the availability of people, the gathering of evidence or seeking advice. In this case, the person dealing with the complaint will agree to a new meeting date with you.
- Normally, in order to deal with the complaint as quickly as possible, the complaints committee will not reschedule the meeting more than once. If

you ask to reschedule the meeting more than once, the committee may think it reasonable to make a decision on the complaint in your absence to avoid unnecessary delays.

- The governing body's complaints committee has three members. Committee membership is checked in cases of conflicts of interest. Committee membership is reviewed annually. There are no staff governors on the complaints committee.
- The complaints committee must meet at Stage C to make a final decision about whether a complaint is to be upheld. The complainant will often be invited to this meeting or to a separate meeting. At this meeting the chair of the committee will ensure everyone is introduced, relevant issues are addressed and that everyone has an opportunity to speak and ask questions without interruption. The meeting must be conducted with respect and courtesy. The chair will ask the complainant to explain their complaint. The chair will speak to the HoC or whoever is involved in the complaint and may also speak to other witnesses.
- Following this meeting/meetings the committee may seek the advice of the LA. The committee will then meet in private and make a decision. It is good practice to make a decision the same day as the meeting unless the meeting has revealed issues that require further investigation. We will usually write to you within 10 days of the meeting giving you the decision of the committee.
 - If the complaint is not upheld the letter should make it clear:
 - That the complaint has been thoroughly considered
 - That the school / Centre will not re-consider the complaint
 - That new issues will only be considered if they are clearly different from matters complained about already.
- If the committee cannot make a unanimous decision it may vote with a decision being made by a majority.
- We will write to you within 10 school days of the meeting explaining the outcome of the governing body's complaints committee's consideration.
- We will keep records of all conversations and discussions for the purpose of future reference and review by the full governing body. These records will be kept for a minimum of seven years.
- The governing body's complaints committee is the final arbiter of complaints.

Special circumstances

- Where a complaint is made about any of the following, the complaints procedure will be applied differently.
 - o A governor or group of governors: The concern or complaint will be referred to the chair of governors for investigation. The chair may alternatively delegate the matter to another governor for investigation. Stage B onwards of the complaints procedure will apply.
 - o The chair of governors or Head of Centre and chair of governors: The vice chair of governors will be informed and will investigate it or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.
 - o 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 C of the complaints procedure will then apply.
 - o The whole governing body: The complaint will be referred to the clerk to the governing body who will inform the Head of Centre, chair of governors, and local authority. The authorities will usually agree arrangements with the governing body for independent investigation of the complaint.
 - o The Head of Centre The concern or complaint will be referred to the chair of governors who will undertake the investigation or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.

- In all cases the Centre and governing body will ensure that complaints are dealt with in an unbiased, open and fair way.

Expectations of the complainant:

- The complainant should cooperate by describing their complaint in detail providing specific information which can be investigated and considered.
- Complaints must be made promptly. It is not reasonable for people to make complaints a long time after the event. This should usually be with 10 school days. If it is reasonable this timeframe may be extended but as stated in WG guidance unless there are exceptional circumstances the school will not consider any complaints brought from more than six months ago. However, complaints that trigger a safeguarding investigation should still be looked at even if this timeframe has been exceeded.

- It is reasonable for the complainant to attend meetings if reasonable notice is given (at least one week's notice).
- Aggressive, abusive or unreasonable behavior will not be tolerated in our school. Persistent complainants who have no substance for their complaints may be considered to be behaving unreasonably and told, in writing, that their complaint will not be considered. In this circumstance the school will seek the advice of the local authority.
- If complainants do not meet these expectations at any stage of the complaints procedure, then schools are entitled to not consider complaints. This should be explained in writing to the complainant and a record kept by the school

Complaints made by children

- The complaints procedure makes no distinction about who makes a complaint and complaints made by children should be treated just as seriously.
- If a complaint is made by a pupil this will be discussed with their parents having sought the pupil's consent. It is important that an adult helps the child fully understand the complaints procedure.
- Pupils will be made aware of the national advocacy service who can help a pupil put their point of view across.
- Pupils are encouraged to speak to the school council about generic complaints

The Legal Framework:

- The Education Act 2002 requires governing bodies of all maintained schools to establish procedures for dealing with complaints. Governing Bodies must also publicize their complaints procedure.
- There are separate statutory processes for complaints and appeals that relate to the curriculum, special educational needs, admissions, exclusions, staff grievance, teacher capability and staff discipline.
Information about these can be found at: www.learning.wales.gov.uk
- Section 29(2) requires a governing body to have regard to guidance issued by the Welsh Government. This policy is compliant with 'Complaints Procedures for School Governing Bodies in Wales' published in October 2012

Our commitment to you

- We are committed to working effectively with parents and carers to ensure

that they are listened to and where complaints are made they are resolved quickly.

- We will take your concerns and complaints seriously and, where we have made mistakes, will try to learn from them.
- If you need help to make your concerns known we will try and assist you. Advice and support can also be accessed from the Children's Commissioner for Wales.
- The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.

Signed by the chair of governors on behalf of the governing body:

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Signed by the Headteacher:

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Date approved:(by full governing

body) Date of review:

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The Children's Commissioner for Wales can be contacted by freephone: 0808 801 1000 (Monday to Friday 9a.m. to 5p.m.), text: 80 800 (start your message with COM) or e-mail: advice@childcomwales.org.uk

Appendix A: Summary of dealing with concerns or complaints

Issue not resolved

Stage A: Raise your concern with the teacher, staff member or designated person within 10 working days

Issue resolved

Write to the Head of Centre within five working days.

Complaint not resolved

Stage B: The Head of Centre* will investigate your complaint and meet you. You will receive a letter within 10 working days of receiving your letter with and outcome.

Complaint resolved

Stage C: Write to the Chair of Governors within 5 working days.**

Mrs Annamaria Bevan
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