

# Kings Monkton School

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## Complaints Policy

UPDATED MAY 2019

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## Foreword

This policy is written in line with guidance from:

Welsh Government *Independent Schools Information and Registration Handbook* (No.:099/2011) pg. 22

Welsh Government *Complaint Procedures for School Governing Bodies in Wales* (No.: 011/2012)

Welsh Government *Disciplinary and Dismissal Procedures for School Staff* (No.:002/2013)

## Introduction

At Kings Monkton School we have long prided ourselves on the quality of the teaching and pastoral care we provide our pupils. Equally, we aim to treat parents fairly and courteously at all times. However, if parents or pupils do have a complaint on any matter, they can expect it to be treated by the school in accordance with the following procedures. The complaints procedure will be operated in accordance with the principle that the welfare of the child is safeguarded and promoted and account will be taken of the ascertainable wishes and feelings of the child.

Complaints procedures help safeguard children and allow children to exercise their right to participate as laid out in Article 12 of the United Nations Convention on the Rights of the Child (UNCRC). It will also help uphold Article 3 of the UNCRC which means that schools are required to work in the best interests of children.

## What is a complaint?

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 or child protection, then action must be taken under those procedures and they should take precedence. The complaints procedure must not take the place of those other procedures.

Separate procedures also exist to deal with complaints about school admissions or exclusion and special educational needs provision.

It is important that a complainant is told the outcome of their complaint, although **any staff disciplinary, or capability, related action triggered by a complaint will be kept confidential.**

## Impartiality and fairness

Complaints must be handled fairly, openly and without bias. Prior knowledge of a person or situation should not affect handling or decision making. Complaints should be dealt with on the basis of **relevant facts.**

Complaints are often personal and so need sensitive handling with respect for the rights and feelings of all involved. An empathetic but assertive and clear approach has therefore been adopted. Kings Monkton School will not tolerate aggressive, abusive or unreasonable behaviour, however, or persistent complaints about the same thing that have no substance. In such circumstances the complainant can be referred to the Board of Governors and the child's place at Kings Monkton School can be withdrawn.

## Confidentiality

Complaints should be treated confidentially with only those involved in investigating and making a decision aware of the nature of the complaint. If a complaint raises issues about staff discipline, conduct or capability then those procedures will apply and the individual will be told the substance of the accusation being made unless there are exceptional reasons such as evidence of criminal activity in which case the police should be informed.

## Expectations of the complainant

The complainant should cooperate by describing their complaint in detail. Complainants should provide **specific information** which can be investigated and considered.

Complaints should be made promptly. It is not reasonable for people to make complaints a long time after the event. Preferably a complainant should make their complaint within 10 school days; unless there are exceptional circumstances, complaints brought more than six months from the point that the complainant first became aware of the event in question will not be considered.

Aggressive, abusive or unreasonable behaviour by complainants will not be tolerated. 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 and maybe asked to attend a meeting with the Academic Board.

## Using the Complaints Procedure

This complaints procedure supports our commitment and is a way of ensuring that anyone with an interest in the school can raise a concern, with confidence that it will be heard and, if well-founded, addressed in an appropriate and timely fashion.

## Our approach to answering your concern or complaint

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 so we ask you to be patient and allow us to investigate any complaints fully so that the matter can be resolved.

Some types of concern or complaint may raise issues that have to be dealt with in another way (other than this complaints policy), in which case we will explain why this is so and will tell you what **steps** will be taken. However, you may not be aware of the action or outcome from such investigations due to confidentiality reasons.

Kings Monkton School will keep the records of documents used to investigate your concern or complaint for seven years after it has been dealt with. Records will be kept in school and reviewed after seven years to decide if they need to be kept for longer.

Complaints that are made anonymously will not be dealt with and fall outside this Complaints Procedure. However, if a complainant wants to remain anonymous then due consideration will be given to this request and a decision will be made on the basis of the complaint and reasoning given.

Where complaints are considered to have been made only to cause harm or offence to individuals or the school, the Academic Board will be informed, and appropriate action taken against such malicious behaviour.

### Stage 1: Informal Resolution

- It is our experience that most complaints and concerns can be resolved quickly and informally.
- If parents have a complaint they should normally contact either the Head of Primary or the Principal. In most cases we would hope to resolve the matter promptly to the parents' satisfaction.
- If a pupil has a complaint then they should initially raise it with their Form Student Council Representative, or their Form Tutor.
- We will make a written record of the complaint or concern and the date on which it was received.
- 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.
- The matter should be resolved within 10 working days and a full explanation of what has occurred since the complaint will be given to the complainant.
- If the complainant is unsatisfied with this outcome then they can move to Stage 2 of this procedure.

### Stage 2: Formal Resolution

- In most cases, we would expect that your concern is resolved informally. If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Principal. The Principal will decide, after due consideration, the appropriate course of action to take.
- 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.**
- In most cases the Principal will speak to or meet the parents concerned within 5 working days of receiving the complaint to discuss the matter. If possible, a resolution will be reached at this stage. Any agreed resolution will be communicated in writing by the Principal.
- The above time scale will depend on the length and depth of any further investigations that the Principal has to undertake but the aim will always be for a prompt resolution of the complaint.
- The Principal will keep written records of all meetings and interviews held in relation to the complaint, indicating whether they were resolved at the preliminary stage or whether they proceeded to a panel hearing
- Once the Principal is satisfied that, so far as is practicable, all the relevant facts have been established, he will make a decision and inform the parents accordingly, giving reasons for his decision. Any decision will be communicated in writing by the Principal.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### Stage 3: Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Owner of the School who is empowered to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The panel will consist of at least three persons who have not been directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. Each of the Panel members shall be appointed by **Kings Monkton School Ltd**. The Owner of the School will then acknowledge the complaint and schedule a hearing to take place, which the parents will be invited to attend, as soon as practicable and normally within 7 days of receiving the complaint.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing.
- The parents may be accompanied to the hearing by one other person. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all relevant facts, the Panel will reach a decision, making any findings and recommendations as deemed appropriate, and inform the parents in writing within 5 days of the hearing, giving reasons for its decision. The decision of the Panel will be regarded as final.
- The Panel's findings and any recommendations will also be sent in writing to the Principal, the Directors and, where appropriate, the person complained of.
- Parents can rest assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.
- To register a complaint with the Owner of the school please contact:

Rachael Newby  
Office Manager  
Kings Monkton School  
6 West Grove  
Cardiff  
CF24 3XL

[RachaelNewby@kingsmonkton.org.uk](mailto:RachaelNewby@kingsmonkton.org.uk)

### Complaints subject to concurrent consideration

Where complaints are subject to concurrent consideration (e.g. in situations which may also relate to court, tribunal, disciplinary, criminal or child protection proceedings) the consideration of such complaint may be

discontinued if at any time it appears that to continue would compromise or prejudice the other consideration. Notice of such discontinuation will be given in writing to the complainant. Consideration of the complaint may be resumed at any time.

Where such discontinuation takes place, the school will ascertain the progress of the concurrent consideration and inform the complainant once this has been concluded. At this stage the school will resume consideration of the complaint.

### **Complaints made about the Registered Person (for Out of school Care) or the Principal**

In the case of complaints made against the Registered Person (for Out of School Care), the procedures outlined in Stages 2 & 3 above will be followed.

In the case of complaints made against the Principal, the procedures outlined in Stage 3 above will be followed.

### **Further Information regarding Out of School Care**

The procedure for handling complaints arising in the Out of School Care setting is as outlined above. Parents may also pass information to the Care Inspectorate for Wales, who are not a complaints agency but are interested in receiving information regarding registered settings. Contact details are as follows:

CIW,  
South East Wales  
Welsh Government  
Rhydycar Business Park  
Merthyr Tydfil  
CF48 1UZ

Tel : 0300 7900 126

[www.ciw.org.uk](http://www.ciw.org.uk)

[ciw.southeast@wales.gso.gov.uk](mailto:ciw.southeast@wales.gso.gov.uk)

### Have your say...

#### Do you have a suggestion, concern or complaint?

By working together we can make a difference.

We want you to feel safe and happy at school, but sometimes you may feel worried, have a concern or want to make a suggestion.

We also want to hear about areas of school life that you enjoy and value. **If you are worried about something please tell a member of staff straight away so that we can look into it. We will take your concerns and any issues that you raise very seriously.**

If you don't want to raise the concern yourself, you can ask a member of the Academic Board, the school council, a member of staff or someone else you trust to take the matter up on your behalf.

#### When you raise a suggestion, concern or complaint:

- we will listen to everything you say
- we will ask you the questions to help make things clear
- we will treat you fairly
- someone can help you, such as a parent/carer, friend, relative or someone else
- the person dealing with your concern will tell you what is happening.

### Privacy

Usually, we will not tell anyone about what you say unless they are involved in dealing with your concern. Sometimes we will tell other people, for instance, if you or someone else is in danger of being hurt or upset. If this is the case we will explain it to you.

When you have a concern or complaint against another person, then that person will normally have a right to be made aware of the concern or complaint and be allowed to give their side of the story.

### School Council

If your concern or suggestion affects the whole school or a group of pupils, we might suggest that the school council considers it or you might want to ask the school council yourself.

**We all want our school to be safe, caring and successful – the best it can be. With your help we can make it so.**

# Complaint Record

Name of Complainant:			
Contact Number:		Email Address:	
Address:			

## Format of Complaint

Telephone <input type="checkbox"/>	Email <input type="checkbox"/>	Letter <input type="checkbox"/>	Other <input type="checkbox"/> Please clarify:
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Date of Complaint:	Name of Member staff complaint made to:	Time:
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Outline of Complaint	Agreed Action	Outcome
Date of Incident:		
Time of Incident:		
Staff Involved:		

Outline of Complaint	Agreed Action	Outcome
Outline:		<p data-bbox="1509 1241 1966 1276">Issued Resolved? Yes No</p> <p data-bbox="1509 1321 1966 1356">Next Stage? 2 3</p>

# Management Structure

