

COMPLAINTS PROCEDURES

1. In accordance with Section 29 of the Education Act 2002, all governing bodies of maintained schools and nursery schools in Wales must have procedures in place for dealing with complaints from parents, staff, governors, pupils and members of the community etc., relating to the school and its provision of facilities or services under Section 27 of the Act.
2. Governing bodies are required to publish their complaint procedures, indicating how a copy can be obtained. A summary should be published in the school prospectus. Schools may also wish to refer to their complaint procedures in other material e.g., the annual governors report to parents, school newsletters, home-school agreement, school website etc.
3. Complaints and appeals relating to the Curriculum, Special Educational Needs, child protection, religious worship,



FACT FILE 01/07

COMPLAINTS PROCEDURES

A complaints procedure:

“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 addressed in an appropriate and timely fashion.”

(National Assembly for Wales Circulars No: 39/2006 and No:03/2004)

GOVERNORS WALES

**HELPLINE:
0845 60 20 100**

Empire House, 1st Floor
Mount Stuart Square,
Cardiff Bay
CF10 5FN

Phone: 029 2048 7858
Fax: 029 2048 7843
E-mail:
governorswales@btconnect.com

COMPLAINTS PROCEDURES

admissions, exclusions, staff grievance, staff disciplinary and staff capability will fall under other statutory procedures.

4. The governing body should consult staff, parents and pupils on the draft complaint procedures, if amended, before implementation. Staff and pupils should have access to a copy of the complaints procedure.
5. Governing bodies might wish to consider producing separate formats of the complaints procedures for pupils and adults, in order to provide suitable, appropriate and accessible information for all. Suggestions for pupil complaints leaflets can be found in Circular No: 39/2006.
6. Governing Bodies must have regard to guidance issued by the National Assembly for Wales in establishing and publishing procedures. Details are provided at the end.

COMPLAINTS PROCEDURES

7. Governing bodies should ensure that their complaint procedures contain the following:

- ◆ Principles underpinning the procedure;
- ◆ Roles and responsibilities of those involved;
- ◆ Procedures for dealing with complaints of various types;
- ◆ Timescales;
- ◆ Procedures for recording and monitoring complaints;
- ◆ Procedures for implementing any actions arising from resolution of complaints or from monitoring trends;
- ◆ How advocacy support can be accessed for pupils.

8. The 3 stage approach (i.e. first recipient, headteacher, governing body) to complaint resolution is usually recommended. There are however, situations where the 3 stage approach is not appropriate

and will need to be adapted e.g., complaints concerning, the whole governing body, an individual governor, the chair, the headteacher etc. This is well documented in the guidance listed at the end.

9. Governing bodies must have in place a complaints committee made up of at least 3 governors. A complaints appeals committee can also be set up if so wished by the governing body.

10. Impartiality, transparency, fairness must be applied throughout the entire complaints process.

11. Governing bodies will need to monitor the key issues or trends arising from complaints made, to amend school procedures/policies if required.

12. Advice and guidance on complaints can always be sought from your governor support office within the LEA and from the Governors Wales'

helpline 0845 6020100. LEAs may also produce model complaints procedures to assist governing bodies.

13. Essential reference material for governors: National Assembly for Wales circulars No: 03/2004 **School Governing Bodies Complaints Procedures** and No: 39/2006 **Guidance for School Governing Bodies on Procedures for Complaints Involving Pupils**, available on: www.new.wales.gov.uk

N.B THIS IS **JUST A SUMMARY** OF SOME THE MAIN POINTS THAT GOVERNORS SHOULD BE AWARE OF WHEN PRODUCING AND IMPLEMENTING COMPLAINT PROCEDURES. THIS FACT FILE SHOULD BE READ IN CONJUNCTION WITH THE ABOVE GUIDANCE AND INFORMATION PRODUCED BY YOUR LEA.