

Polisi a Gweithdrefnau Cwyno

Ysgol Gymunedol Peniel

1. Cyflwyniad

1.1 Mae Ysgol Gymunedol Peniel wedi ymrwymo i ymdrin â chwynion yn effeithiol. Rydym yn anelu at egluro unrhyw faterion nad ydych yn siŵr yn eu cylch. Os oes modd, byddwn yn cywiro unrhyw gamgymeriadau yr ydym wedi'u gwneud a byddwn yn ymddiheuro. Rydym yn anelu at ddysgu oddi wrth gamgymeriadau a defnyddio'r profiad hwnnw i wella'r hyn a wnawn.

1.2 Ein diffiniad o gwyn yw 'mynegiant o anfodlonrwydd mewn perthynas â'r ysgol neu aelod o'i staff sy'n gofyn am ymateb gan yr ysgol'.

1.3 Mae'r weithdrefn gwyno hon yn ategu'n hymrwymiad ac mae'n ffordd o sicrhau bod unrhyw un sydd â buddiant yn yr ysgol yn gallu mynegi pryder a bod yn hyderus y bydd yn cael ei ystyried yn llawn ac, os credir bod sail i'ch pryderon, y bydd y mater yn cael ei drin yn briodol ac yn ddi-oed.

2. Pryd i ddefnyddio'r weithdrefn hon

2.1 Pan fydd gennych unrhyw bryderon neu pan fyddwch yn gwneud cwyn, byddwn yn ymateb fel arfer yn y ffordd a esbonnir isod. Weithiau, mae'n bosibl y bydd gennych bryderon am faterion nad ydynt yn cael eu penderfynu gan yr ysgol, ac mewn achosion o'r fath byddwn yn dweud wrthyf i bwy y dylech gyflwyno cwyn. Ar adegau eraill, mae'n bosibl y bydd gennych bryderon am faterion yr ymdrinnir â nhw dan weithdrefnau eraill, ac mewn achosion o'r fath, byddwn yn esbonio sut yr eir ati i ymdrin â'ch pryderon.

2.2 Os yw'r mater sy'n destun pryder i chi neu'r gwyn yn ymwneud â chorff arall yn ogystal â'r ysgol (er enghraifft, yr awdurdod lleol), byddwn yn cydweithio ag ef i benderfynu sut i ymdrin â'r mater sy'n achosi pryder i chi.

3. Ydych chi wedi gofyn i ni eto?

3.1 Os ydych yn dod atom am y tro cyntaf, dylech roi cyfle i ni ymateb. Os nad ydych yn hapus â'r ymateb hwnnw, yna gallwch wneud eich cwyn gan ddefnyddio'r weithdrefn yr ydym yn ei disgrifio isod. Mae modd setlo'r rhan fwyaf o faterion sy'n destun pryder yn gyflym, drwy siarad â'r unigolyn perthnasol yn yr ysgol, heb fod angen defnyddio gweithdrefn ffurfiol.

4. Yr hyn yr ydym yn ei ddisgwyl oddi wrthoch chi

4.1 Rydym yn credu bod gan bob achwynydd yr hawl i gael gwrandawriad, i gael ei ddeall a'i barchu. Ond mae gan staff a llywodraethwyr ysgolion yr un hawl. Rydym yn disgwyl i chi fod yn foesgar ac yn gwrtais. Ni fyddwn yn goddef ymddygiad ymosodol, sarhaus neu afresymol. Ni fyddwn ychwaith yn goddef galwadau afresymol nac achosion lle mae mater yn cael ei wthio mewn modd afresymol, na chwynion blinderus.

5. Sut y byddwn yn mynd ati i ateb y mater sy'n destun pryder i chi neu'ch cwyn

- . 5.1 Byddwn yn ystyried eich holl bryderon a chwynion mewn ffordd agored a theg.
- . 5.2 Bydd yr ysgol yn parchu hawliau a theimladau pobl bob amser ac yn gwneud pob ymdrech i ddiogelu gwybodaeth gyfrinachol.
- . 5.3 Efallai y bydd angen ymestyn amserlenni ar gyfer delio â'ch pryderon neu gwynion ar ôl siarad â chi.
- . 5.4 Efallai y byddwn yn gofyn am gyngor gan yr awdurdod lleol neu'r awdurdod esgobaethol lle bo hynny'n briodol.
- . 5.5 Gall rhai mathau o bryderon neu gwynion godi materion y mae angen iddynt gael eu trin mewn ffordd arall (heblaw am y polisi cwyno hwn); mewn achosion o'r fath, byddwn yn esbonio pam ac yn nodi pa gamau y byddwn yn eu cymryd.
- . 5.6 Bydd y corff llywodraethu'n cadw cofnod o'r dogfennau a ddefnyddir i ymchwilio i'r mater sy'n destun pryder i chi neu i'ch cwyn am saith mlynedd ar ôl ymdrin â'r mater. Bydd cofnodion yn cael eu cadw yn yr ysgol a'u hadolygu gan y corff llywodraethu ar ôl saith mlynedd i benderfynu a oes angen eu cadw am gyfnod hirach.
- . 5.7 Caiiff cwynion dienw eu cofnodi ond mater i'r ysgol benderfynu arno yn ôl ei disgresiwn fydd penderfynu a ddylid ymchwilio i'r gwŷyn ai peidio, gan ddibynnu ar natur y gwŷyn.
- . 5.8 Os ystyrir mai'r unig reswm dros wneud cwynion yw er mwyn achosi niwed neu dramgwydd i unigolion neu i'r ysgol, bydd y corff llywodraethu'n sicrhau bod cofnodion yn cael eu cadw o'r 29 Gweithdrefnau cwyno ar gyfer cyrff llywodraethu ysgolion yng Nghymru Cylchlythyr Llywodraeth Cymru Rhif: 011/2012 Dyddiad cyhoeddi: Hydref 2012 ymchwiliadau a'r camau a gymerir, gan gynnwys y rhesymau dros 'beidio â gweithredu'.

6. Ateb i'r mater sy'n destun pryder i chi neu i'ch cwyn

- . 6.1 Mae'r siart yn Ychwanegiad A yn dangos beth all ddigwydd pan fyddwch chi'n gwneud cwyn neu'n mynegi pryder. Mae hyd at dri cham, sef Camau A, B ac C. Mae modd datrys y rhan fwyaf o gwynion yn ystod Camau A neu B. Gallwch ddod â pherthynas neu rywun yn gwmni i'ch cefnogi ar unrhyw adeg yn ystod y broses ond bydd disgwyl i chi siarad drosoch eich hun. Fodd bynnag, os yw'r achwynydd yn ddisgybl, rydym yn cydnabod ei bod yn rhesymol i'r sawl sy'n dod yn gwmni iddo/iddi siarad ar ei ran a/neu roi cyngor iddo/iddi.
- . 6.2 I'r graddau sy'n bosibl, bydd y mater sy'n destun pryder i chi neu'ch cwyn yn cael ei thrin yn gyfrinachol. Fodd bynnag, ar adegau, efallai y bydd angen i'r unigolyn sy'n delio â'r mater sy'n destun pryder i chi neu â'ch cwyn ystyried a oes angen i unrhyw un arall yn yr ysgol gael gwybod am y mater neu'r gwŷyn er mwyn ymdrin â hi'n briodol.
- . 6.3 Os ydych chi'n ddisgybl o dan 16 oed a'ch bod am fynegi pryder neu wneud cwyn, byddwn yn gofyn eich caniatâd cyn cysylltu â'ch rhiant/rhieni neu'ch gofalwr/gofalwyr. Os ydych chi'n

ddisgybl o dan 16 oed a'ch bod yn rhan o gwyŷn mewn unrhyw ffordd arall, efallai y byddwn yn gofyn i'ch rhiant/rhieni neu'ch gofalwr/gofalwyr fod yn bresennol mewn unrhyw sgwrs neu gyfweiliad gyda chi.

Cam A

6.4 Os oes mater yn achosi pryder i chi, yn aml gallwch ei ddatrys yn gyflym trwy siarad ag athro neu'r Pennaeth. Dylech fynegi'ch pryder cyn gynted â phosibl; fel arfer, byddem yn disgwyl i chi fynegi'ch pryder o fewn **10 diwrnod ysgol** i unrhyw ddigwyddiad. Po fwyaf y byddwch yn oedi, y mwyaf anodd y bydd hi i'r rheini sy'n delio â'r mater ymdrin ag ef yn effeithiol.

6.5 Os ydych chi'n ddisgybl, gallwch fynegi'ch pryderon i'ch cynrychiolydd ar gyngor yr ysgol, eich tiwtor dosbarth neu athro/athrawes a ddewiswyd i ddelio â phryderon disgyblion (fel sy'n briodol i'r ysgol). Ni fydd hyn yn eich atal rhag cyflwyno cwyn yn ddiweddarach os byddwch chi'n teimlo nad yw'r mater(ion) a godwyd gennych wedi'u trin yn briodol.

6.6 Fel arfer, byddwn yn ceisio rhoi gwybod i chi beth rydym wedi'i wneud neu'n bwriadu ei wneud am y mater sy'n achosi pryder i chi o fewn 10 diwrnod ysgol, ond os na fydd hyn yn bosibl, byddwn yn siarad â chi a chytuno ar amserlen ddiwygiedig gyda chi.

6.7 Bydd yr unigolyn sy'n gyfrifol am gadw golwg ar y modd yr eir ati i ymdrin â'r mater sydd wedi achosi pryder i chi neu â'ch cwyn yn rhoi'r wybodaeth ddiweddaraf i chi am y cynnydd sy'n cael ei wneud. Bydd yr unigolyn hefyd yn cadw cofnod o'r mater sy'n destun pryder i chi fel y bo modd cyfeirio at y cofnod hwnnw yn y dyfodol.

Cam B

6.8 Gan amlaf, byddem yn disgwyl i'r mater sy'n destun pryder i chi gael ei ddatrys yn anffurfiol. Os byddwch yn teimlo nad yw'r mater cychwynnol a achosodd pryder i chi wedi'i drin yn briodol, dylech gyflwyno'ch **cwyn yn ysgrifenedig** i'r pennaeth.

6.9 Byddem yn disgwyl i chi anelu at **wneud hyn o fewn cyfnod o bum diwrnod ysgol i'r dyddiad y byddwch yn cael ymateb i'r mater sydd wedi achosi pryder i chi, a hynny am ei bod o fudd i bawb bod cwyn yn cael ei datrys cyn gynted ag y bo modd**. Amgaeir ffurflen hefyd (Ychwanegiad B) a allai fod yn ddefnyddiol i chi. Os ydych yn ddisgybl, byddwn yn esbonio'r ffurflen i chi, yn eich helpu i'w llenwi ac yn rhoi copi i chi.

6.10 Os yw'ch cwyn yn ymwneud â'r pennaeth, dylech gyflwyno'ch cwyn yn ysgrifenedig i gadeirydd y llywodraethwyr, gan ei hanfon i gyfeiriad yr ysgol, yn gofyn iddo/iddi ymchwilio i'ch cwyn.

6.11 Ym mhob achos, gall y cadeirydd eich helpu i roi'ch cwyn ar bapur os bydd angen.

6.12 Os ydych chi'n rhan o gwyŷn mewn unrhyw ffordd, bydd y pennaeth yn esbonio beth fydd yn digwydd a'r math o gymorth sydd ar gael i chi.

6.13 Bydd y pennaeth yn eich gwahodd i drafod eich cwyn mewn cyfarfod. Cytunir ar amserlenni

ar gyfer delio â'ch cwyn gyda chi. Byddwn yn ceisio cyfarfod gyda chi ac esbonio beth fydd yn digwydd, fel arfer o fewn 10 diwrnod ysgol i'r dyddiad y daeth eich llythyr i law. Bydd unigolyn dynodedig yr ysgol yn cwblhau'r ymchwiliad ac yn eich hysbysu'n ysgrifenedig am y canlyniad.

Cam C

6.14 Yn anaml y bydd cwyn yn mynd ymhellach. Fodd bynnag, os byddwch yn dal i deimlo nad yw'ch cwyn wedi'i thrin yn deg, dylech ysgrifennu, drwy gyfeiriad yr ysgol, at gadeirydd y llywodraethwyr yn amlinellu'ch rhesymau dros ofyn i bwyllgor cwynion y Corff Llywodraethu ystyried eich cwyn. Nid oes yn rhaid i chi ysgrifennu holl fanylion eich cwyn eto.

6.15 Os oes yn well gennych chi, yn lle anfon llythyr neu e-bost, gallwch siarad â chadeirydd y llywodraethwyr neu'r pennaeth, a fydd yn nodi'r hyn a drafodir a'r hyn a fyddai'n datrys y broblem yn eich barn chi. Fel arfer, byddem yn disgwyl i chi wneud hyn o fewn **pum diwrnod ysgol** i'r dyddiad y byddwch yn cael ymateb yr ysgol. Gofynnir i chi ddarllen y nodiadau, neu wrando ar y nodiadau'n cael eu darllen, a'u llofnodi fel cofnod dilys o'r hyn a ddywedwyd. Byddwn yn rhoi gwybod i chi sut y byddwn yn ymdrin â'r gwyn ac yn anfon llythyr atoch i gadarnhau hyn. **Bydd y pwyllgor cwynion fel arfer yn cynnal cyfarfod gyda chi o fewn 15 diwrnod ysgol o dderbyn eich llythyr.**

6.16 Bydd y llythyr hefyd yn dweud wrthyhych erbyn pryd y dylai'r pwyllgor cwynion dderbyn yr holl dystiolaeth a dogfennau i'w hystyried. **Bydd pawb sy'n rhan o'r gwyn yn gweld y dystiolaeth a'r dogfennau cyn y cyfarfod, a byddwn yn sicrhau bod hawliau pobl o ran preifatrwydd gwybodaeth yn cael eu diogelu.** Bydd y llythyr hefyd yn cofnodi'r hyn yr ydym wedi'i gytuno gyda chi ynglyŵn â ble a phryd y cynhelir y cyfarfod a beth fydd yn digwydd. Efallai y bydd angen newid yr amserlen er mwyn sicrhau bod pawb yn gallu bod yn bresennol yn y cyfarfod, er mwyn casglu gwybodaeth neu er mwyn cael cyngor. Mewn achos o'r fath, bydd yr unigolyn sy'n ymdrin â'r gwyn yn cytuno ar ddyddiad newydd ar gyfer y cyfarfod gyda chi.

6.17 Fel rheol, er mwyn delio â'r gwyn cyn gynted â phosibl, ni fydd y pwyllgor cwynion yn ad-drefnu'r cyfarfod fwy nag unwaith. Os byddwch yn gofyn am ad-drefnu'r cyfarfod fwy nag unwaith, efallai y bydd y pwyllgor o'r farn y byddai'n rhesymol gwneud penderfyniad ar y gwyn yn eich absenoldeb i osgoi oedi diangen.

6.18 Byddwn yn ysgrifennu atoch o fewn 10 diwrnod ysgol i'r cyfarfod i esbonio canlyniad ystyriaethau pwyllgor cwynion y corff llywodraethu.

6.19 Byddwn yn cadw cofnodion o bob sgwrs a thrafodaeth fel y bo modd cyfeirio atynt yn y dyfodol ac er mwyn i'r corff llywodraethu llawn fedru eu hadolygu. **Cedwir y cofnodion hyn am o leiaf saith mlynedd.**

6.20 Pwyllgor cwynion y corff llywodraethu fydd yn penderfynu'n derfynol ar gwynion. Pwyllgor Cwynion y Corff Llywodraethu: Cadeirydd a 2 aelod o'r corff llywodraethol (Dim Aelodau o'r Staff)

7. Amgylchiadau arbennig

7.1 Pan wneir cwyn am unrhyw un o'r bobl neu'r grwpiau/cyrff a ganlyn, bydd y weithdrefn gwyno yn cael ei defnyddio mewn ffordd wahanol:

- i. **Llywodraethwr neu grŵp o lywodraethwyr:** Caiff y mater sy'n achosi pryder neu'r gwyn ei chyfeirio at gadeirydd y llywodraethwyr a fydd yn cynnal yr ymchwiliad. Fel arall, gall y cadeirydd ddirprwyo'r mater i lywodraethwr arall a fydd yn cynnal yr ymchwiliad. Bydd Cam B a chamau dilynol y weithdrefn gwyno yn cael eu defnyddio.
- ii. **Cadeirydd y Llywodraethwyr neu'r pennaeth a chadeirydd y llywodraethwyr:** Bydd is-gadeirydd y llywodraethwyr yn cael ei hysbysu a bydd yn ymchwilio i'r gwyn neu'n ei dirprwyo i lywodraethwr arall. Bydd Cam B a chamau dilynol y weithdrefn gwyno yn cael eu defnyddio.
- iii. **Cadeirydd y llywodraethwyr ac is-gadeirydd y llywodraethwyr:** Caiff y gwyn ei chyfeirio at glerc y corff llywodraethu a fydd yn hysbysu cadeirydd y pwyllgor cwynion. Bydd Cam C o'r weithdrefn gwyno yn cael ei ddefnyddio.
- iv. **Y corff llywodraethu cyfan:** Caiff y gwyn ei chyfeirio at glerc y corff llywodraethu a fydd yn hysbysu'r pennaeth, cadeirydd y llywodraethwyr, yr awdurdod lleol ac, os yn briodol, yr awdurdod esgobaethol. Fel rheol, bydd yr awdurdodau yn cytuno ar drefniadau gyda'r corff llywodraethu i gynnal ymchwiliad annibynnol i'r gwyn.
- v. **Y pennaeth:** Bydd y mater sy'n achosi pryder neu'r gwyn yn cael ei chyfeirio at gadeirydd y llywodraethwyr a bydd ef/hi yn cynnal yr ymchwiliad neu bydd, o bosibl, yn dirprwyo'r mater i lywodraethwr arall. Bydd Cam B a chamau dilynol y weithdrefn gwyno yn cael eu defnyddio.

7.2 Ym mhob achos, bydd yr ysgol a'r corff llywodraethu'n sicrhau bod cwynion yn cael eu trin mewn ffordd agored a theg, heb ragfarn.

8. Ein hymrwymiad i chi

8.1 Byddwn yn cymryd eich pryderon a'ch cwynion o ddifrif ac, os ydym wedi gwneud unrhyw gamgymeriadau, byddwn yn ceisio dysgu oddi wrthynt.

8.2 Os bydd angen help arnoch i leisio'ch pryderon, byddwn yn ceisio'ch cynorthwyo. Os ydych yn berson ifanc ac os oes angen cymorth ychwanegol arnoch, mae Llywodraeth Cymru wedi sefydlu MEIC, sef llinell gymorth genedlaethol sy'n cynnig gwasanaethau eirioli a chyngor i blant a phobl ifanc. Mae cyngor a chymorth ar gael hefyd oddi wrth Gomisiynydd Plant Cymru. 8.3 Mae'r Corff Llywodraethu wedi ymgynghori â staff a disgyblion ar y polisi hwn, a bydd yn ymgynghori ymhellach os bydd unrhyw newidiadau'n cael eu gwneud yn y dyfodol.

Llofnodwyd gan Gadeirydd y Llywodraethwyr ar ran y corff llywodraethu:

----- Dyddiad adolygu: Ionawr 2017

Gellir cysylltu â MEIC drwy radffôn: 0808 8023456, neu destun: 84001. Mae'r gwasanaeth hwn ar gael 24 awr y dydd. Gellir cysylltu â Chomisiynydd Plant Cymru drwy radffôn: 0808 801 1000 (Dydd Llun i ddydd Gwener 9a.m. tan 5p.m.), testun: 80 800 (rhowch COM ar ddechrau'ch neges) neu e-bost: advice@childcomwales.org.uk

Complaints Policy and Procedure

Ysgol Gymunedol Peniel

1. Introduction

1.1 Ysgol Gymunedol Peniel is committed to dealing effectively with complaints. We aim to clarify any issues about which you are not sure. If possible we will put right any mistakes we have made and we will apologise. We aim to learn from mistakes and use that experience to improve what we do.

1.2 Our definition of a complaint is 'an expression of dissatisfaction in relation to the school or a member of its staff that requires a response from the school.'

1.3 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.

2. When to use this procedure

2.1 When you have a concern or make a complaint we will usually respond in the way we explain below. Sometimes you might be concerned about matters that are not decided by the school, in which case we will tell you who to complain to. At other times you may be concerned about matters that are handled by other procedures, in which case we will explain to you how your concern will be dealt with.

2.2 If your concern or complaint is about another body as well as the school (for example the local authority) we will work with them to decide how to handle your concern.

3. Have you asked us yet?

3.1 If you are approaching us for the first time you should give us a chance to respond. If you are not happy with our response then you may make your complaint using the procedure we describe below. Most concerns can be settled quickly just by speaking to the relevant person in school, without the need to use a formal procedure.

4. What we expect from you

4.1 We believe that all complainants have a right to be heard, understood and respected. But school staff and governors have the same right. We expect you to be polite and courteous. We will not tolerate aggressive, abusive or unreasonable behaviour. We will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining.

5. Our approach to answering your concern or complaint

5.1 We will consider all your concerns and complaints in an open and fair way.

5.2 At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information

5.3 Timescales for dealing with your concerns or complaints may need to be extended following discussion with you.

5.4 We may ask for advice from the local authority or diocesan authority where appropriate.

5.5 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.

5.6 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. **Records will be kept in school and reviewed by the governing body after seven years to decide if they need to be kept for longer.**

5.7 Complaints that are made anonymously will be recorded but investigation will be at the discretion of the school depending on the nature of the complaint.

5.8 Where complaints are considered to have been made only to cause harm or offence to individuals or the school, 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'.

6. Answering your concern or complaint

6.1 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. However, we recognise that when the complainant is a pupil it is reasonable for the companion to speak on their behalf and/or to advise the pupil.

6.2 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.

6.3 If you are a pupil under 16 and wish to raise a concern or bring a complaint we will ask for your permission before we involve your parent(s) or carer(s). If you are a pupil under 16 and are involved in a complaint in any other way, we may ask your parent(s) or carer(s) to become involved and attend any discussion or interview with you.

Stage A

6.4 If you have a concern, you can often resolve it quickly by talking to a teacher or the headteacher. 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.

6.5 If you are a pupil, you can raise your concerns with your school council representative, form tutor or a teacher chosen to deal with pupil concerns (as appropriate for the school). This will not stop you, at a later date, from raising a complaint if you feel that the issue(s) you have raised have not been dealt with properly.

6.6 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 a revised timescale with you.

6.7 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

6.8 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 headteacher.

6.9 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 you are a pupil we will explain the form to you, help you complete it and give you a copy.

6.10 **If your complaint is about the headteacher:** you should put your complaint in writing to the chair of governors, addressed to the school, to ask for your complaint to be investigated.

6.11 In all cases, the headteacher can help you to put your complaint in writing if necessary.

6.12 If you are involved in any way with a complaint, the headteacher will explain what will happen and the sort of help that is available to you.

6.13 The headteacher 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 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

6.14 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.

6.15 If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors or headteacher 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.

6.16 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 a new meeting date with you.

6.17 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.

6.18 We will write to you within 10 school days of the meeting explaining the outcome of the governing body's complaints committee's consideration.

6.19 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.**

6.20 The governing body's complaints committee is the final arbiter of complaints.

7. Special circumstances

7.1 Where a complaint is made about any of the following the complaints procedure will be applied differently.

i. **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.

ii. **The chair of governors or headteacher 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.

iii. **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.

iv. **The whole governing body:** The complaint will be referred to the clerk to the governing body who will inform the headteacher, chair of governors, local authority and, where appropriate, the diocesan authority. The authorities will usually agree arrangements with the governing body for

independent investigation of the complaint.

v. **The headteacher:** 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.

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

8. Our commitment to you

8.1 We will take your concerns and complaints seriously and, where we have made mistakes, will try to learn from them.

8.2 If you need help to make your concerns known we will try and assist you. If you are a young person and need extra assistance the Welsh Government has established MEIC which is a national advocacy and advice helpline for children and young people. Advice and support can also be accessed from the Children's Commissioner for Wales.

8.3 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 chair of governors on behalf of the governing body:

..... Date of review: January 2018.

MEIC may be contacted by freephone: 0808 802 3456, or text: 84001. This service is operated 24 hours a day. 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

Appendix B: Complaint Form

The person who experienced the problem should normally fill in this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note that before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned. If you are a pupil the school will help you complete this form, will explain it to you and will give you a copy of it when it is completed.

A. Your details:

Surname: _____

Forename: _____

Title: Mr/Mrs/Ms/Other: _____

Address and Postcode: _____

Daytime Telephone Number: _____

Mobile Telephone Number: _____

e-mail Address: _____

How would you prefer us to contact you? _____

B. If you are making a complaint on behalf of someone else, what are their details?

Their name in full: _____

Address and postcode: _____

What is your relationship to them?

Why are you making a complaint on their behalf?

C. About your complaint

C.1 Name of the school you are complaining about.

C.2 What do you think they did wrong or did not do?

C.3 Describe how you have been affected.

C.4 When did you first become aware of the problem?

C.5 If it is more than three months since you first became aware of the problem, please give the reason why you have not complained before.

C.6 What do you think should be done to put matters right?

C.7 Have you already put your complaint to a member of staff? If so, please give brief details about how and when you did so.

Signature of Complainant: _____ **Date:**

Signature if you are making a complaint on behalf of someone else:

Signature: _____ **Date:**

Official Use

Date acknowledgement sent: _____

By whom: _____

Complaint referred to: _____

Date: _____

Procedures and Model leaflets for Handling Complaints from or Involving Pupils

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 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 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.

Working with the Law: The Legal Framework

Education Act 2002

1. Section 29(1) of the Education Act 2002 ('the Act') requires Governing Bodies of all maintained schools to establish procedures for dealing with complaints relating to the school or to the provision of facilities or services. Under section 27 of the Act*, Governing Bodies must also publicise their Complaints Procedures.
2. There are separate statutory processes for complaints and appeals relating to the curriculum, special educational needs (SEN), religious worship, admissions, exclusions, staff grievance, teacher capability and staff discipline. You can find guidance on these topics at HYPERLINK "<http://www.learning.wales.gov.uk>" www.learning.wales.gov.uk.
3. Section 29(2) requires a Governing Body to have regard to guidance issued by the Welsh Ministers in establishing and publishing complaints procedures relating to the school or to the provision of facilities or services under section 27 of the Act.
4. This circular is published under Section 29(2) in relation to the establishing and publicising of procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27 of the Act. Governing Bodies must have regard to the statutory guidance with respect to these matters and follow it unless there are compelling reasons for concluding that, in the particular circumstances of the school or the complaint, the guidance is not relevant or is outweighed by other considerations.

Education Act 1996

5. The model procedure and the remainder of this circular are published under section 10 of the Education Act 1996, under which the Welsh Ministers shall promote the education of the people of Wales.

*Section 27 provides the Governing Body of a maintained school with the power to provide any facilities or services whose provision furthers any charitable purpose for the benefit of pupils at the school, their families and people who live and work in the locality of the school.