



Complaints Procedure Policy

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Review date: March 2026

Signed: _____

Chairperson schools governing body, on behalf of the governing body

Date: _____

Signed: _____ Headteacher

Date: _____

Distribution: Staff, governors, pupils, parents/carers and interested parties.

Ysgol Ty Coch Special School - Complaints Policy

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About this policy

1. Anyone who feels that they have an issue with the school (or a member of staff of the school) that has not been dealt with to their satisfaction may make a complaint.
2. This policy explains how to make a complaint about the school and/or a member of staff of the school.
3. The aim of the document is to make sure that any issues raised are dealt with and resolved in a fair and timely way.
4. Anyone who feels that they have a complaint to make should read this document **before taking any action**. The steps laid out in the document must be followed so that all parties have the opportunity to put their point forward.
5. The person making the complaint may ask for assistance if they feel they need help in following this procedure. Details of where to get help are given on pages 5 and 6 of the document.
6. The governing body and staff of Ysgol Ty Coch Special School are committed to dealing effectively with all concerns and complaints. In doing so we aim to make clear any issues that you may not be sure about.
7. This complaints procedure supports our commitment and is a way of making sure that anyone with an interest in the school can raise a concern or a complaint, with confidence that it will be heard and, if the concern/complaint is well-founded, that it will be dealt with in an appropriate and timely way.

Ysgol Ty Coch Special School

Complaints Procedure

1. Have you asked us yet?

1.1 As a school we (the Headteacher, staff and governors) hope that most (if not all) concerns/complaints can be settled quickly, without the need to use a formal procedure. This may be achieved by first speaking to the relevant person at the school. So, as a first step we ask that for issues relating to:

- **a class situation - you speak to the class teacher.**
- **the school site - you speak to the Headteacher.**
- **a member of staff - you speak to the Headteacher.**
- **the Headteacher - you speak to the Chairperson of the schools governing body – contact details given later on in the document.**

1.2 If you are approaching us with a concern or complaint, for the first time, please allow us a chance to respond. If you are not happy with the response then you may make a formal complaint using the procedure described below.

2. When to use this procedure

2.1 When you have raised a concern or made a complaint (as described in point 1 above) but feel that you have not received a satisfactory answer.

3. Complaint

3.1 Our definition of 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.’

The response to the concern/complaint may be made by a member of staff or, the Headteacher or, a committee of the governing body as appropriate.

For further information please see the flowchart - Appendix A on page **13**.

3.2 Complaints from parents about their children being bullied at school is one of the most common complaints received by Welsh Government (Welsh Government document - School complaints procedures: guidance – updated March 2023)

Ysgol Ty Coch Special School is a school where respecting rights is important. We follow the United Nations Convention on the Rights of the Child (UNCRC). It teaches us to treat everyone equally and with respect. We aim to make our school a happy and safe place for everyone. Everyone, in our team, is involved in doing their best to spot, prevent and stop bullying.

We are here to help. If your complaint is about bullying, please speak to a member of staff and ask for a copy of the Anti-Bullying Policy. Please follow the steps in the policy. If, after following the policy you are still worried see the Headteacher or Deputy Headteacher. Julia Render – Deputy Headteacher, is the anti-bullying coordinator. If,

after following the steps in the Anti-Bullying Policy, you are still unhappy you can make a complaint using this policy.

- 3.3 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.
- 3.4 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' (if this is the case). Please see points 4.10 and 4.11 below.

4. How will your complaint be handled?

- 4.1 We understand that your concern/complaint is important to you, we will consider all your concerns and complaints in an unbiased, open and fair way. We believe that all complainants have a right to be heard, understood and respected. We will listen to what you have to say and investigate your concern as quickly as possible.
- 4.2 At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information.
- 4.3 School staff and governors have the same rights. We expect you to be polite and courteous in all your dealings with the school including when you are making a complaint.

Any form of aggressive, abusive or unreasonable behaviour; unreasonable demands or; unreasonable, persistent or vexatious complaining will not be tolerated. The definition of a vexatious complainant is given under point 4.11 below.

- 4.4 If you follow this formal procedure, we will usually respond in the way we explain below. However, there are some matters that cannot be dealt with at the school.

If the matter that you wish to raise is not covered by this procedure, we will advise you who to contact/how to proceed to get an answer. For example there are different procedures to follow if your complaint is about School Admissions, School Exclusions, Child Protection matters and bullying.

- 4.5 Bullying, in any form, is not tolerated at the school. If the concern or complaint you want to raise is about any type of bullying, please let the Headteacher know.

You will be listened to and given advice and information on how your concern or complaint can be dealt with. This will usually be dealt with by following the Anti-Bullying Policy which is available from the school.

- 4.6 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.
- 4.7 We may ask for advice from the Local Authority or Diocesan Authority where appropriate.
- 4.8 In some cases the timescales for dealing with your concerns or complaints may need to be extended. If this is the case, we will discuss this with you to let you know the reason and to agree a new timescale with you.

4.9 Some concerns/complaints may raise issues that have to be dealt with in another way. Should this be the case we will explain why this is so, how the matter will need to be handled and who will deal with it.

4.10 If the Headteacher or Governing Body feel that a complainant is unreasonable, overly persistent or vexatious then their case may be referred to the Director of Education, Access and Inclusion (the Director) for further consideration.

If the Director decides that the complaint is not unreasonable or vexatious it will be referred to the governing body to be dealt with in line with this procedure.

4.11 If the Director decides that the complaint is unreasonable or vexatious the complainant will be told and the matter will be closed.

Unreasonable or vexatious complaints can be characterised as:

- Complaints which are obsessive, persistent, harassing, prolific or repetitious.
- Complaints which are designed to cause disruption or annoyance.

An unreasonable or vexatious complainant can be characterised as one who:

- insists on pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- insists on pursuing meritorious complaints in an unreasonable manner.
- demands redress which lacks any serious purpose or value

4.12 If it is found that the complaint is justified, 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 in future.

5. Answering your concern or complaint

5.1 The chart in Appendix A (**page13**) shows what may happen when you make a complaint or raise a concern. There are three Stages: A, B and C. Most complaints can be resolved at Stages A or B.

5.2 You can have a relative or another person of your choice 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.

5.3 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.

5.4 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 that it can be dealt with appropriately.

Stage A

Anyone may make a complaint or raise a concern if they feel that it is necessary to do so.

1. If you do have a concern or complaint, it may be possible to resolve it quickly by (first) talking it through with a teacher or the Headteacher.
2. If you are a pupil who has a concern or complaint, you can raise your concerns with someone in your School Council or a teacher or another member of staff.
3. If you are making a complaint or raising a concern it will help if you let the school know as soon as you can. This is best done within 10 school days of any incident, if possible. The longer you leave it might make it harder for those involved to deal with it effectively.
4. 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 let you know and agree a revised timescale with you.
5. The person looking in to your concern or complaint will keep you informed of the progress being made. This person will also keep a log of the concern/complaint for future reference.
6. After you have spoken to someone, if you feel that your complaint has not been dealt with properly and you want it to be looked at again, you can have this done by following the school's Complaints Policy. The school can give you a copy.

Stage B

1. In most cases, we would expect that your concern is resolved informally (as described in Stage A above). However, if you feel that your concern/complaint has not been dealt with in a way that you feel is right/are satisfied with, then you should put your complaint in writing and give it to the Headteacher.
2. We would expect you to try to do this within five school days of receiving the first response you receive to your concern as it is in everyone's interest to resolve a complaint as soon as possible.

You may find the model complaint form at Appendix B (page 14) useful. If you are a pupil we will explain the form to you, help you complete it (if you want us to) and give you a copy.

3. If your complaint is about the Headteacher, you should put the complaint in writing and address the letter to the Chairperson of the governing body. The school will arrange for the letter to be given to the Chairperson.
4. In all cases, **Mr. D. Jones** (nominated Governor) can support you to put your complaint in writing if necessary.
5. **Mr. D. Jones** 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.

6. You will be invited 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.
7. We will then aim to complete the investigation and let you know the outcome in writing within 10 school days of finishing the investigation.

It is rare that a complaint will progress any further than Stage B. However, if, after completing Stage B, you still feel that your complaint has not been dealt with fairly, then continue to Stage C.

Stage C

1. At this point you should write to the Chairperson of the governing body the letter should explain why you want the governing body's Complaints Committee to consider your complaint. The letter must be addressed to the Chairperson and handed in at, or be sent to, the school.

You do not have to write down details of your whole complaint again, your original letter will be used.

2. If you prefer, instead of sending a letter or e-mail, you can talk to the Chair of governors 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 to you first raising your complaint/concern directly with them.

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.

3. We will send you a letter to let you know how the complaint will be dealt with. The letter will also tell you when all the evidence and documentation to be considered by the complaints committee must be received and, will confirm what we have agreed with you about when and where the meeting will take place and what will happen during the meeting.
4. The complaints committee will normally have a meeting with you within 15 school days of receiving your letter of complaint/signed notes.
5. Everyone involved will see the evidence and any other relevant documentation before the meeting takes place. Everyone involved must make sure that people's rights to privacy of information are protected.
6. On occasion, the timescale may need to be changed to allow for the availability of people, the gathering of evidence or seeking advice. If this should happen, the person dealing with the complaint will agree a new meeting date with you.
7. In most cases, so that the complaint may be dealt with 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 decide that it would be reasonable for them to decide on the complaint in your absence to avoid further unnecessary delays.

8. You will receive a letter, within 10 school days of the meeting taking place, explaining the outcome of the governing body's Complaints Committee's decision.
9. Records of all conversations and discussions, relating to the complaint, will be kept for the purpose of future reference and review by the full governing body. These records will be kept for a minimum of seven years, after this time they will be reviewed for a decision to be taken as to whether they should be kept any longer. All papers to be disposed of will be dealt with in line with the appropriate rules.
10. The governing body's Complaints Committee is the final arbiter of complaints.

6. Special circumstances

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

1. Complaints about the headteacher

Any complaint about the headteacher should be given to the chair of governors who may delegate it to another governor who will investigate it. It is important to try and establish whether the complaint should be dealt with under a policy for staff capability, staff grievance, staff disciplinary or child protection. If it does, then those policies take precedence. If not, the complaint should proceed under Stage B of the model complaints policy. If the complaint is not resolved, the complainant may take it to Stage C. Any governor involved at Stage B cannot be a committee member at Stage C.

2. Complaints about the chair of governors

The vice chair should deal with a complaint about the chair of governors or delegate it to another governor. Stage B onwards of the model complaints policy should apply. Depending on the nature of the complaint the vice chair should inform the local authority (and if appropriate the diocesan authority) that a complaint has been made and what action will be taken by whom. If the complaint is upheld, then the complaints committee should consider whether it needs to recommend to the full governing body that the chair should be removed, and another governor appointed to that role.

3. Complaints about the chair of governors and the headteacher

The complaint should be dealt with in the same way as a complaint about the chair of governors or headteacher, by the vice chair or their delegate.

4. Complaints about the chair and vice chair of governors

Any complaint about the chair and the vice chair of governors should be referred to the clerk to the governing body who will inform the chair of the complaints committee.

The chair of the complaints committee should arrange for a complaints committee hearing in accordance with Stage C. If the chair of the complaints committee is the chair

or vice chair of governors, then the complaint should be referred to another member of the complaints committee and another governor must take the place of the chair and/or vice chair on the complaints committee.

5. A governor or group of governors:

If a complaint is made against a governor or group of governors, it should be referred to the chair of governors (provided that the chair is not a subject of the complaint). The chair or a governor chosen by the chair should investigate (Stage B onwards of the model complaints policy should apply). If the complaint is upheld, it should be referred to the complaints committee to consider whether to recommend to the governing body that some or all the governors subject to the complaint should resign or be removed from the governing body.

Care should be taken to ensure that no governors implicated in the complaint take part in investigating it, are members of the complaints committee or take part in any governing body discussion and decisions about governors resigning or being removed.

If the chair and vice chair are part of the group of governors subject to the complaint, the complaint should be referred to the clerk of the governing body who should proceed as described previously for complaints about the chair and vice chair of governors.

If so, many governors are the subject of a complaint that too few remain to make up a complaints committee, or to provide a quorum for any subsequent decisions that the whole governing body might need to take, then the whole governing body policy described below should be used.

6. The whole governing body:

If a complaint is made about the whole governing body, it should be referred to the clerk who should inform the local authority and, if appropriate, the diocesan authority, the chair of governors and the headteacher. It is recommended that the local and/or diocesan authorities agree arrangements with the governing body for investigation and consideration of the complaint. There may be grounds for independent investigation, the local authority should advise, and governing bodies are strongly advised to act on that advice. The local authority could investigate the complaint or arrange for investigation by a third party. The clerk or school staff should not undertake investigation.

If investigation suggests that there are grounds for the complaint, the local authority should secure the agreement of the governing body to establish an external complaints committee.

An external complaints committee should act as a complaints committee would act at Stage C of the model complaints policy.

If the governing body does not co-operate with the authority or a committee established by the authority to consider the complaint or acts against or fails to act on reasonable advice, then the local authority would be justified in may consider using its regulatory powers of intervention. If a complaint provides evidence that a governing body is performing poorly, is acting unreasonably, or is in breach of the law, then a local authority may use its powers of intervention (advisably, in consultation with diocesan authorities in the case of schools with religious character)

7. Complaints about members of school staff, including any designated complaints officer

Any complaint about a member of staff should be passed to the headteacher. The headteacher may decide to delegate investigation to another senior member of staff under Stage A of the policy, or to investigate it themselves under Stage B. If the complainant is not happy with the outcome, they may proceed through the complaints policy until Stage C is completed. If there are matters of a staff disciplinary or capability nature those policies must be followed.

7. The local authority

A local authority should satisfy itself that all the schools it maintains have adequate complaints policies that are publicised. A local authority may provide whatever advice it deems appropriate to governing bodies. It may also provide guidance documents in addition to this publication.

A governing body may seek advice from a local authority about its complaints policy or how to handle a complaint or for assistance to investigate a complaint. However, the statutory responsibility for dealing with complaints remains with the governing body.

A local authority should consider any evidence that suggests that a governing body does not have a complaints policy, has an inadequate policy, has not followed its policy, or has a policy that is inoperable because persons who are subjects of the complaint investigate it or make decisions about it. If a school complaints policy is inoperable, if there are grounds to cast doubt on its independence, or in other reasonable circumstances, a local authority may arrange, with the agreement of the governing body, for a panel of independent persons to consider a complaint.

A local authority may use its powers of intervention under the School Standards and Organisation (Wales) Act 2013 if the governance or management of a school is inadequate.

8. The diocesan authorities

Diocesan authorities may provide advice to schools to which they appoint governors, and such schools may seek advice from the diocesan authorities. Schools with religious character may agree to the diocesan authority investigating a complaint or arranging for a third party to do so.

9. The Welsh Government

If the Welsh Government receives a complaint about a school, it will advise that the complaint should be addressed to the school for consideration under the school's complaints policy. If it appears that the governing body is failing to deal with the complaint, the Welsh Government will advise the complaint is brought to the attention of the local authority to provide support or take action.

10. The Children's Commissioner for Wales

The Children's Commissioner for Wales has an advice and support service for children and young people, and the people who care for them. Children and young people and their carers can go to the Children's Commissioner when they need advice and support. The Children's Commissioner's officers are not counsellors but work with children, young people, and adults to find a solution.

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.

The Children's Commissioner does not take the place of governors or of governing body complaints policies. The Commissioner may, under certain circumstances, examine individual cases, and to do so may require information, explanations and assistance from governors, local authority officers and members, and school staff.

The Commissioner may also, for the purposes of reviewing and monitoring arrangements made for dealing with complaints, whistleblowing and advocacy, or the absence of such arrangements, require information from governors, local authority officers and members, and school staff. The Commissioner may produce reports with recommendations but does not have power to require their implementation, although can publicise any failure to do so.

11. The Public Services Ombudsman for Wales

The Public Services Ombudsman for Wales (PSOW) has no role with respect to complaints which come within the scope of complaints policies described in this guidance. However, guidance is available on the PSOW website for complainants who feel their complaint to a public body has not been dealt with effectively.

12. The Education Workforce Council

The Education Workforce Council (ECW) has no role regarding governing body complaints policies described in this guidance.

13. Our commitment to you

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

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/complaints known, please let us know and we will try to assist you.

The Headteacher may be contacted by: letter - addressed to the school or telephone - 01443 203471.

The Chairperson of the governing body may be contacted by letter via the school or by you giving your permission for your contact details to be passed on to them.

The Welsh Government has issued a guidance document entitled:

School complaints procedures: guidance – updated March 2023

This document contains pupil friendly information/guidance and is available on the Welsh Government website www.gov.wales/school-complaints-procedures-html

The Local Authority has a Complaints Officer based at:

The Valleys Innovation Centre
Navigation Park
Abercynon,
Mountain Ash
CF45 4SN

Telephone – 01442 281162

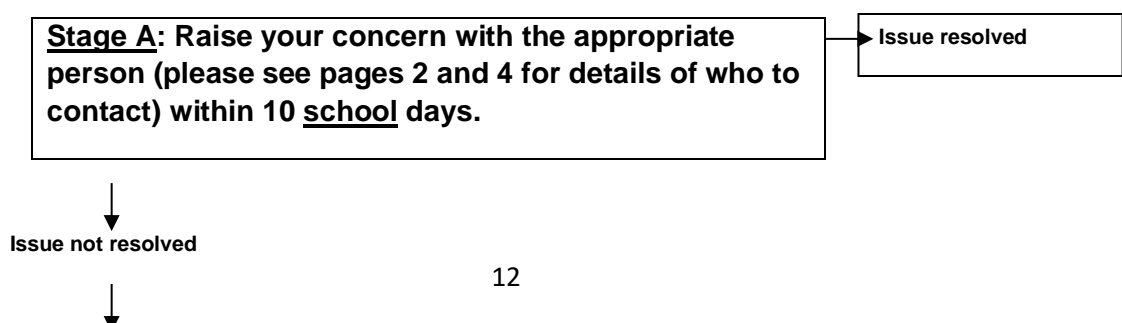
Related Documents

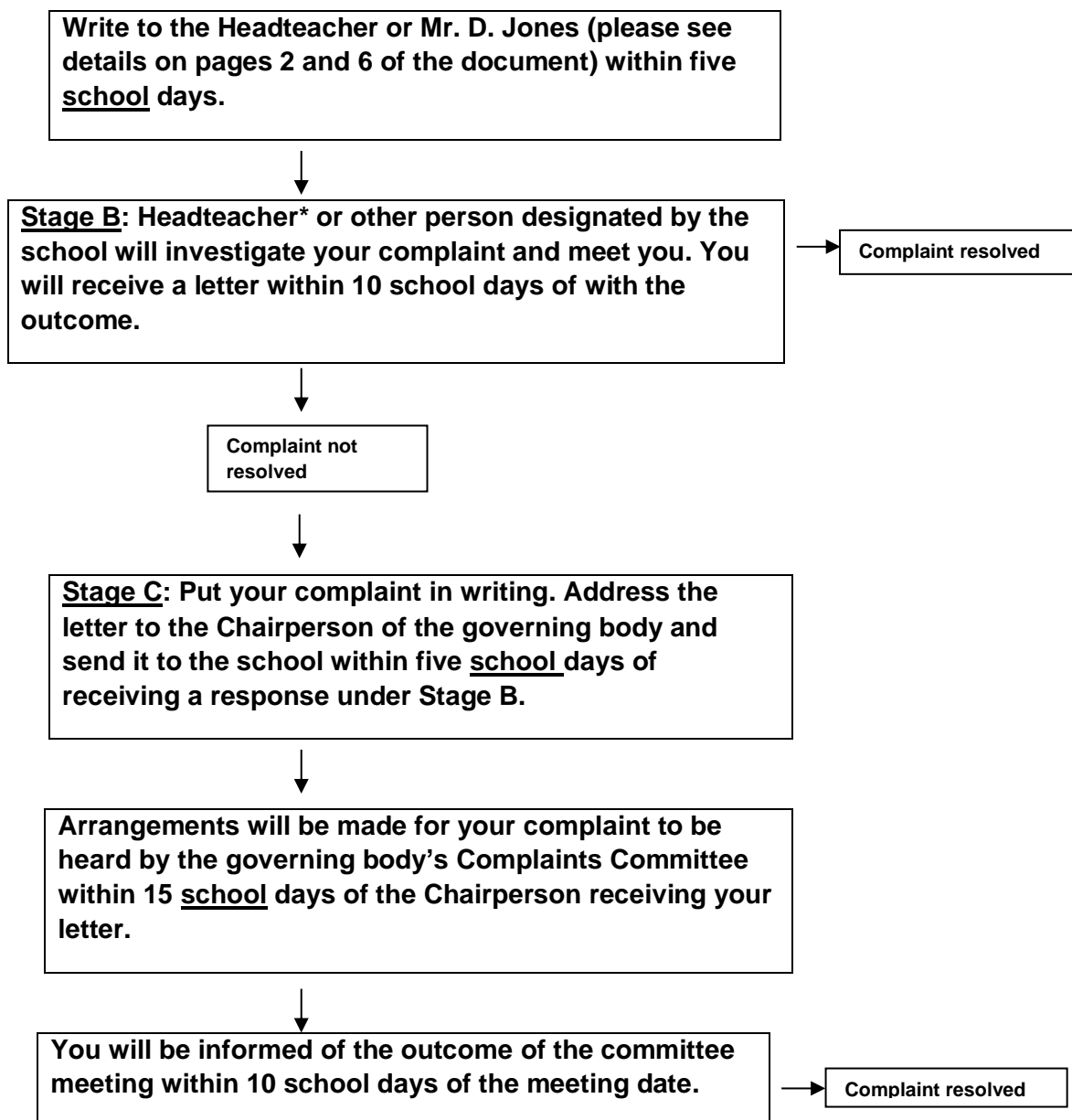
- The Education Act 2002
- Whistleblowing in schools guidance (Welsh Government)
- School governors guide to the law (Welsh Government)
- Disciplinary and dismissal procedures for school staff – Welsh Government Circular No. 002/2020
- Right's respecting, equality guidance
- Providing Effective Advocacy Services for Children and Young People Making a Representation or Complaint under the Children Act 1989

Appendix A

Complaints Procedure Flowchart

This flowchart shows, at a glance, how a complaint will be progressed. For full details please see; Point 5 - Answering Your Concern or Complaint on page 4 of this document.





The Complaints Committee is the final arbiter in the complaints procedure.

APPENDIX B: Model 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.

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.

Your details

Surname _____

Forename(s) _____

Title: Mr/Mrs/Ms/other _____

Address and postcode _____

Daytime phone number _____

Mobile phone number _____

Email address _____

How would you prefer us to contact you?

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? _____

About your complaint (continue your answers on separate sheets of paper if necessary)

Name of the school you are complaining about. _____

What do you think they did wrong or did not do?

Describe how you have been affected.

When did you first become aware of the problem?

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.

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

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:

Please send this form and any documents to support your complaint to:

[Insert name of complaint handler]

[Insert address and contact details of complaint handler]

Official Use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: