



Complaints Procedure Policy

This document was:

Generated by the Governors January 2016

Reviewed/Revised at a meeting of the Standards Committee held on 11th January 2016; 13th March 2019; March 16th 2022

Approved at a meeting of the full Governing Body held on 27th March 2019; March _____ 2022

Review date: March 2025

Signed: _____

Chairperson schools governing body, on behalf of the governing body

Date: _____

Signed: _____

Headteacher

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

Ysgol Ty Coch Special School - Complaints Policy

<u>Contents</u>	<u>Page(s)</u>
About the policy.	2
Taking the first step.	3
What is a complaint?	3
How will a complaint be handled?	3 - 4
How will your complaint be answered?	4 - 7
Where to get further advice.	7 - 8
Policy authorisation.	8
Flow-chart (at a glance information on the process)	9

About this policy

- 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.
- This policy explains how to make a complaint about the school and/or a member of staff of the school.
- The aim of the document is to secure the successful resolution of any issues raised.
- 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 then be followed so that all parties have the opportunity to put their point forward.
- The person making the complaint may ask for assistance if they feel they need help in following this procedure. Details of where help may be obtained are given on page 5 of the document.
- The governing body and staff of Ysgol Ty Coc **Special School** are committed to dealing effectively with all concerns and complaints. In doing so we aim to clarify any issues about which you are not sure.
- This complaints procedure supports our commitment and is a way of ensuring that anyone with an interest in the school can raise a concern or a complaint, with confidence that it will be heard and, if well-founded, addressed in an appropriate and timely fashion.

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 or a member of its staff that requires a response from the school.’

In this respect the response may be made by a member of staff or, an individual governor or, a committee of the governing body as appropriate (for further information please see the flowchart - Appendix A on page 10 at the back of this document).

- 3.2 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.
- 3.3 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 will consider all your concerns and complaints in an 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 it is possible to do so.

- 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 right. 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 your complaint/concern is about a matter that the school cannot deal with, we will tell you who you should make your complaint to and how to go about it.
- 4.5 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.
- 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 and Lifelong Learning (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 (at the back of this document) 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 as to address it appropriately.

Stage A

- i. If you have a concern/complaint you can often resolve it quickly by talking to a teacher, the Headteacher or (governor) who is nominated to deal with complaints. 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.
- ii. If you are a pupil who has a concern, you can raise your concerns with your school council representative, form tutor or a teacher chosen to deal with pupil concerns. 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.
- iii. 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.
- iv. 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

- i. In most cases, we would expect that your concern is resolved informally (as described in Stage A above). If you feel that your initial concern has not been dealt with appropriately you should put your complaint in writing to the headteacher.
- ii. 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.

- iii. 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.
- iv. In all cases, the nominated governor can help you to put your complaint in writing if necessary.
- v. If you are involved in any way with a complaint, the nominated governor will explain what will happen and the sort of help that is available to you.
- vi. 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. The school's designated person will complete the investigation and will let you know the outcome in writing within 10 school days of completion.

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

- i. At this point 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, your original letter will be used.**
- ii. If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors or the nominated governor 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.
- iii. 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.
- iv. 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.
- v. We will write to you within 10 school days of the meeting explaining the outcome of the governing body's complaints committee's consideration.

- vi. 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.
- vii. The governing body's complaints committee is the final arbiter of complaints.

6. Special circumstances

6.1 If complaints are made about any of the people or groups of people listed below they will be dealt with as follows:

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.

6.2 The governing body must keep the paperwork gathered and documents used to investigate your concern or complaint for seven years after it has been dealt with. These documents will be kept in school. When the seven years have gone by the governors will look at the documents to decide if they need to be kept for longer. If it is felt that the documents no longer need to be kept you will be informed and they will be destroyed.

7. Advice/Assistance

7.1 If you need help to make your concerns known we will try and assist you. Please see pages 4 and 5 for contact details of the nominated person.

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

7.3 The Chairperson of the governing body may be contacted by letter via the school or by asking for your contact details to be passed on.

7.4 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.

To contact MEIC

- **Telephone - 0808 802 3456**
- **Text – 84001**

These calls and texts are **free**. This service operates **24 hours a day**.

To contact the Children's Commissioner for Wales

- **Telephone - 0808 801 1000** the calls are **free** and the contact is available between **Monday to Friday 9.00 am to 5.00 pm**.
- **Text - 80 800** and start your message with COM
- Email advice@childcomwales.org.uk

7.6 The Welsh Government has issued a guidance document entitled:

Complaints Procedures for Schools Governing Bodies in Wales (Circular No. 011/2012)

This document contains pupil friendly information/guidance and is available on the Welsh Government website www.wales.gov.uk/educationandskills

7.7 The Local Authority has a Complaints Officer based at:

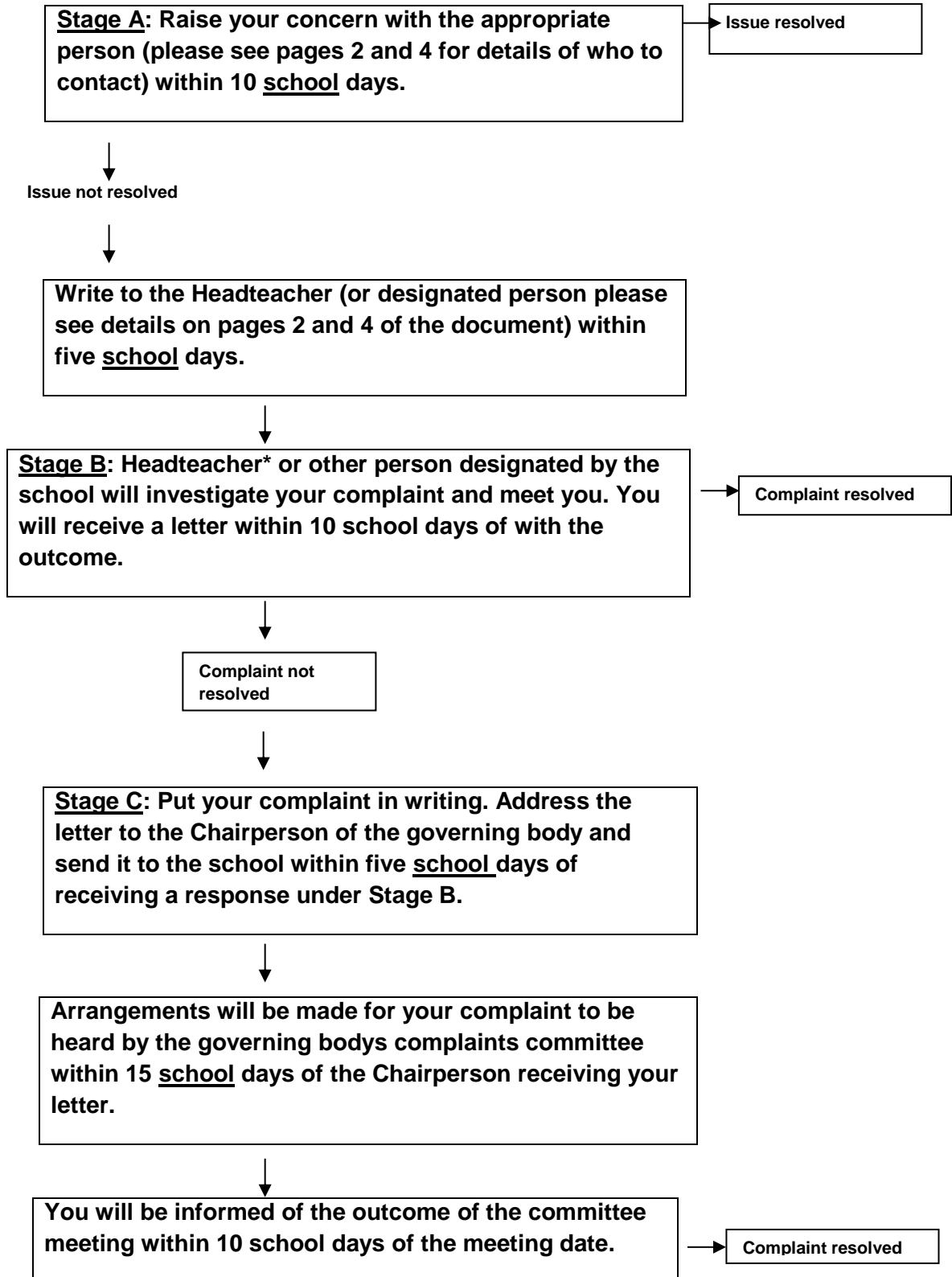
The Education and Lifelong Learning Directorate,
Ty Trevithick,
Abercynon,
Mountain Ash
CF45 R4UQ
Telephone – 01442 281162

The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.

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.

