



# Ysgol Caban Aur Complaints Policy

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## **1. INTRODUCTION**

1.1 Ysgol Caban Aur is committed to dealing effectively with complaints. We aim to clarify any issues about which you are not sure. If possible, we will correct 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 We have a zero-tolerance approach to all forms of bullying and harassment and promote respectful relationships between learners, staff, and everyone who visits us.

1.3 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.'

1.4 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.

2.2 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.

2.3 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.

2.4 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 on a matter, 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. School staff, and all those who work with the school have the same right. We expect you to be polite and courteous. We will not tolerate aggressive, abusive, or unreasonable behaviour.

4.2 We will not tolerate unreasonable demands, unreasonable persistence nor vexatious complaining. Persistent and vexatious complainants who have no substance for their complaints may be considered to be behaving unreasonably and told, in writing, that their complaint may not be considered. We will adopt a proportionate approach to dealing with vexatious complaints.

4.3 We will not just apply a blanket ban on someone raising complaints, but a complainant who is unreasonable will be told that their issue will only be dealt with if it meets the agreed definition for complaints. We will seek advice and support in these circumstances.

## **5. OUR APPROACH TO ANSWERING YOUR CONCERN/COMPLAINT**

5.1 We will consider 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 and we will notify you.

5.4 We may ask for advice from other relevant authorities 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, and tell you what steps will be taken.

5.6 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.

5.7 Throughout the complaint procedure, YCA will keep an accurate record:

- to monitor progress of a complaint
- to be clear about the nature of the complaint
- to document what has been done and what needs to be done
- to provide evidence that the complaint was considered properly (which can be useful if a complainant or a person who is the subject of a complaint is dissatisfied with the way the complaint had been handled)
- for reference, if further complaints arise relating to the original issue
- to identify trends or recurring themes in complaints cases
- to compile reports if required on complaints.

## **6. ANSWERING YOUR CONCERN/COMPLAINT**

6.1 There are up to three Stages: A, B and C. Most complaints can be resolved at Stages A or B.

6.2 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, unless you require special assistance.

6.3 We recognise that when the complainant is a learner it is reasonable for the companion to speak on their behalf and/or to advise the learner.

6.4 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.

6.5 If you are a learner 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).

6.6 If you are a learner 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.

## **7. STAGE A**

7.1 If you have a concern, you can often resolve it quickly by talking to a Member of the teaching staff, but not the Headteacher (as they deal with complaints at Stage B)

7.2 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.

7.3 The longer you leave it the harder it might be for those involved to deal with it effectively.

7.4 If you are a learner, you can raise your concerns with any member of staff. 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.

7.5 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.

7.6 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.

## **8. STAGE B**

8.1 In most cases, we would expect that your concern is resolved informally.

8.2 If you feel that your initial concern has not been dealt with appropriately you should put your complaint in writing to the Headteacher.

8.3 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.

8.4 The form at Appendix A you may find useful. If you are a learner we will explain the form to you, help you complete it and give you a copy.

8.5 If your complaint is about the Headteacher, you should put your complaint in writing to the proprietor of Ysgol Caban Aur, to ask for your complaint to be investigated.

If your complaint is about the Proprietor, you should put your complaint in writing to the Headteacher, and the complaint will be jointly investigated with Director Bob Pigeon.

8.6 In all cases, a member of teaching staff can support you to put your complaint in writing if necessary.

8.7 If you are involved in any way with a complaint, a member of teaching staff will explain what will happen and the support that is available to you.

8.8 A member of teaching staff will invite you to discuss your complaint at a meeting, along with the designated safeguarding person (if applicable).

8.9 Timescales for dealing with your complaint will be agreed with you.

8.10 We will aim to have a meeting with you and to explain what will happen, normally within 10 school days of receiving your letter.

8.11 The school's designated person will complete the investigation and will let you know the outcome in writing within 10 school days of completion.

8.12 The Headteacher should acknowledge the complaint in writing. In some cases the Headteacher will have already been involved in looking at the matter; in others it will be his/her first involvement. Unless the complaint is regarding the Headteacher, then this will be the Proprietor.

8.13 The Headteacher should consider providing an opportunity to meet with the complainant to supplement any information previously provided. Unless the complaint is regarding the Headteacher, then this will be the Proprietor.

8.14 If the complaint is against a member of staff, the Headteacher should talk to the staff member against whom the complaint has been made. Unless the complaint is regarding the Headteacher, then this will be the Proprietor.

8.15 If necessary, the Headteacher should interview witnesses and take statements from those involved. Unless the complaint is regarding the Headteacher, then this will be the Proprietor.

8.16 Reasonable written records of meetings, telephone conversations and other documentation will be kept, as per guideline 5.7 above.

8.17 Once all the relevant facts have been established, the Headteacher, or Proprietor in instances regarding the Headteacher should produce a written response to the complainant. They may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.

8.18 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

8.19 Stage B response should also advise the complainant that if they are not satisfied with the response and wish to take the matter further, they should write to the School Proprietor within 5 school days of receiving the outcome letter. The outcome letter should set out the name of the School Proprietor and the address to which the complainant can send the letter.

8.20 Where the complaint is handled by the Proprietor at Stage B then the complainant will be informed that they would have exhausted the internal complaints at this stage.

## 9. STAGE C

9.1 If you still feel that your complaint has not been dealt with fairly, you should write, through the school's address, to the Proprietor setting out your reasons for asking them to consider your complaint. You do not have to write down details of your whole complaint again.

9.2 If you need assistance instead of sending a letter or email, you can talk to the Proprietor or a member of teaching staff who will write down what is discussed and what, in your own words, would resolve the problem and then be asked to sign them as a true record of what was said. A copy of the acknowledgement and the complaints form should be sent to the Headteacher.

9.3 You would normally be expected to do this within five school days of receiving the school's response.

9.4 We will let you know how the complaint will be dealt with and will send a letter to confirm this.

9.5 At this stage the complaint is dealt with by the **Complaints Panel**.

9.6 The Complaints Panel is set up by the Proprietor and includes at least three people none of whom have been previously involved in the complaint. At least one person on the Complaints Panel will be completely independent of the management or running of Ysgol Caban Aur. If not previously involved, the Proprietor will be part of the Complaints Panel.

9.7 The Complaints Panel will normally have a meeting with you within 15 school days of receiving your letter. See Appendix B.

9.5 The letter will also tell you when all the documentation to be considered by the Complaints Panel must be received. Everyone involved will see the 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.

9.6 The timescale may need to be changed, to allow for the availability of people, the gathering of information or seeking advice. In this case, the person dealing with the complaint will agree to a new meeting date with you. Normally, to deal with the complaint as quickly as possible, the Complaints Panel will not reschedule the meeting more than once. If you ask to reschedule the meeting more than once, the Panel may think it reasonable to make a decision on the complaint in your absence to avoid unnecessary delays.

9.7 We aim to write to you within 10 school days of the meeting explaining the outcome of the Complaints Panel's consideration. The meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the Complaints Panel will issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

9.8 The Complaints Panel is the final arbiter of complaints.

9.9 The Panel will consider the complaint and all the evidence presented and reach an unanimous, or at least a majority, decision on the complaint. Where appropriate the Panel can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

9.10 The Panel will send a written statement outlining the decision with reasons to both the complainant and the Headteacher.

## 10. OUR COMMITMENT TO YOU

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

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

10.3 If you need help to make your concerns known, we will try and assist you.

10.4 If you are a young person and need extra assistance you may want to contact MEIC which is a national advocacy and advice helpline for children and young people.

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

10.5 Advice and support can also be accessed from the Children's Commissioner for Wales.

10.5.1 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](mailto:advice@childcomwales.org.uk) (<mailto:advice@childcomwales.org.uk>).

## **11. OUTSIDE YSGOL CABAN AUR**

11.1 There are occasions when a complaint concerns an issue which should be passed to an external regulatory body for resolution. The following are examples of such concerns.

11.1.1 Failures to safeguard the welfare of the children at the school; either because of Health & Safety concerns or Child Protection concerns: -

11.1.2 A complaint which may result in a formal case to be considered under criminal law, and which therefore needs to be investigated by North Wales Police, or any other criminal investigations body

11.1 Such complaints will be passed to the relevant external agency as soon as it is clear that such action needs to be taken.

## **12. CONFLICT OF INTEREST**

12.1 Were a complaint raised to invoke a conflict of interest disabling the Headteacher to chair, the complaint will be investigated by the Proprietor of Ysgol Caban Aur.

12.2 If the complaint is raised by a learner at Ysgol Caban Aur and it invokes a conflict of interest, the complaint will be heard by the Proprietor of Ysgol Caban Aur.

## **13. CONFIDENTIALITY**

13.1 All correspondence, statements, and records relating to individual complaints shall be kept strictly confidential. Ysgol Caban Aur ensures that access to such information is restricted to the staff members directly involved in the investigation or resolution process.

13.2 In accordance with legal and regulatory requirements, documents relating to a complaint will be kept confidential except where:

- The **Welsh Ministers** request access to them; or
- A body conducting an inspection under **Section 163 of the Education Act 2002** requests access to any documents or records relating to the complaint.

**Appendix A**

**YSGOL CABAN AUR COMPLAINT FORM**

NAME \_\_\_\_\_  
(Print Last Name, First Name, Middle Initial)

ADDRESS \_\_\_\_\_  
Street City Postcode

TELEPHONE \_\_\_\_\_

PERSON(S) WHOSE ACTIONS GAVE RISE TO COMPLAINT \_\_\_\_\_

PLEASE EXPLAIN YOUR COMPLAINT (Provide complete details and dates. Present facts. Attach any materials you want to support your complaint.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION SOUGHT \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_

Return this completed form to Ysgol Caban Aur, Caban Aur, Llanbedrgoch. Ynys Mon.

**Mark for the attention of Complaints.**

**Appendix B - Example stage C acknowledgement letter from School Proprietor**

An example of a letter that the School Proprietor may wish to send to the complainant upon receipt of a complaint at Stage B for consideration.

Dear  
**Complaint re**

Thank you for your letter dated..... setting out the reasons why you are not satisfied with the Headteacher's response to your complaint about .....

I write to let you know that I will be arranging for the Complaints Panel to consider your complaint in accordance with Stage C of the attached complaints procedure.

***{or in the case of complaints against the Headteacher***

I have received your complaint against the Headteacher.  
I write to let you know that I have forwarded a copy of your complaint to the Headteacher with a request that they respond within ten school days to the issues raised in the complaint. A copy of the Headteacher's response will be sent to you as soon as possible.  
If you are not satisfied with the Headteacher's response, I will arrange for the Complaints Panel to consider your complaint in accordance with Stage B of the attached complaints procedure.

Yours sincerely

**School Proprietor**