

Complaints Policy and Procedure

Ffederasiwn Ysgolion **Llanidloes** Schools Federation



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1. Introduction

1.1 Llanidloes Schools' Federation 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 that 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 that 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.

4.2 Llanidloes Schools' Federation has a separate Vexatious Complaints Policy to deal with situations where the actions of an individual are unacceptable.

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 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 four Stages: A, B C and D. 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 aged over 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 aged 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.

Informal process: Stage A

6.4 If you have a concern, you can often resolve it quickly by talking to a teacher, or, for the secondary school, a Year Leader, Mr Richard Williams (Deputy Headteacher) or Mr Daniel Owen (Headteacher) or, for the primary school, Mrs Lisa Ashton (Acting Headteacher). You should raise your concern as soon as you can; normally we would

expect you to raise your issue within ten 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 or a teacher. This will not stop you, at a later date, from raising a complaint if you feel that the issue you have raised has 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 ten 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.

Formal process

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 complaints officer can help you to put your complaint in writing if necessary. The secondary school complaints officer is Mr Richard Williams and the primary school complaints officer is Mrs Clare Bound.

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

6.13 The complaints officer 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 ten 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 ten school days of completion.

Stage C

6.14 If your concern has not been resolved at Stage B (or is a special circumstance in which the formal process starts at Stage C – see section 7 and Appendix 1 below) you can put your complaint in writing to the chair of the governing body. You can address the letter to the school's address. If your complaint is about the chair of the governing body, you should address it to the vice-chair.

6.15 We would expect you 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 a form in Appendix 2 that you can use to record your complaint in writing, but you do not have to use it. If you are a pupil we will explain the form to you, help you complete it and give you a copy.

6.16 The chair of the governing body (or vice-chair, where applicable) may designate another governor to investigate the complaint on their behalf. This cannot be a member of the complaints committee.

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

6.18 The person overseeing your complaint will contact you to discuss your complaint and may arrange 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 ten school days of receiving your letter. The person overseeing your complaint will complete the investigation and will let you know the outcome in writing within ten school days of completion.

Stage D

6.19 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 clerk to the governing body 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.

6.20 There is a form in Appendix B that you can use to record your complaint in writing, but you do not have to use it. We would normally expect you to do this within five school days of receiving the response to Stage B (unless Stage C is the first stage of the process in line with special circumstances in Section 7 and Appendix A). We will let you know how the complaint will be dealt with and will send a letter (see Appendix C) to confirm this. The complaints committee will normally have a meeting with you within fifteen school days of receiving your letter.

6.21 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.

6.22 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.

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

6.24 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.

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

Procedure at a Stage D meeting

6.26 The complaints committee will meet with you to discuss your complaint. You can bring an advocate or a friend to support you. Appendix D outlines the format of a meeting.

6.27 The complaints committee will meet separately with those against whom you have made a complaint, but usually on the same day.

6.28 The complaints committee may identify other parties it needs to meet with, or other information it needs to examine, in order to make a decision.

6.29 The complaints committee may invite an officer of the local authority to the meeting. The officer will provide advice and guidance to the committee but will not have a role in making a decision.

6.30 The clerk to the governing body will attend the meeting to make notes. These are for the committee members to refer back to when making their decision. These are not minutes and will not be circulated to attendees. The notes will not be kept as part of the records, unless the committee decides that there is a valid reason to maintain part or all of the notes.

6.31 The only formal recording by the clerk will be the recording of the decision, in the form of the outcome letter.

6.32 No party will be permitted to record any part of the committee meeting.

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 the governing body for investigation. The chair may alternatively delegate the matter to another governor for investigation. Stage C onwards of the complaints procedure will apply.

ii. The chair of the governing body or headteacher and chair of the governing body

The vice chair of the governing body will be informed and will investigate it or may delegate it to another governor. Stage C onwards of the complaints procedure will apply.

iii. Both the chair of the governing body and vice chair of the governing body

The complaint will be referred to the clerk to the governing body who will inform the chair of the complaints committee. Stage D 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 the governing body and local authority. The local authority will usually agree arrangements with the governing body for independent investigation of the complaint.

iv. The headteacher

The concern or complaint will be referred to the chair of the governing body who will undertake the investigation or may delegate it to another governor. Stage C 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.

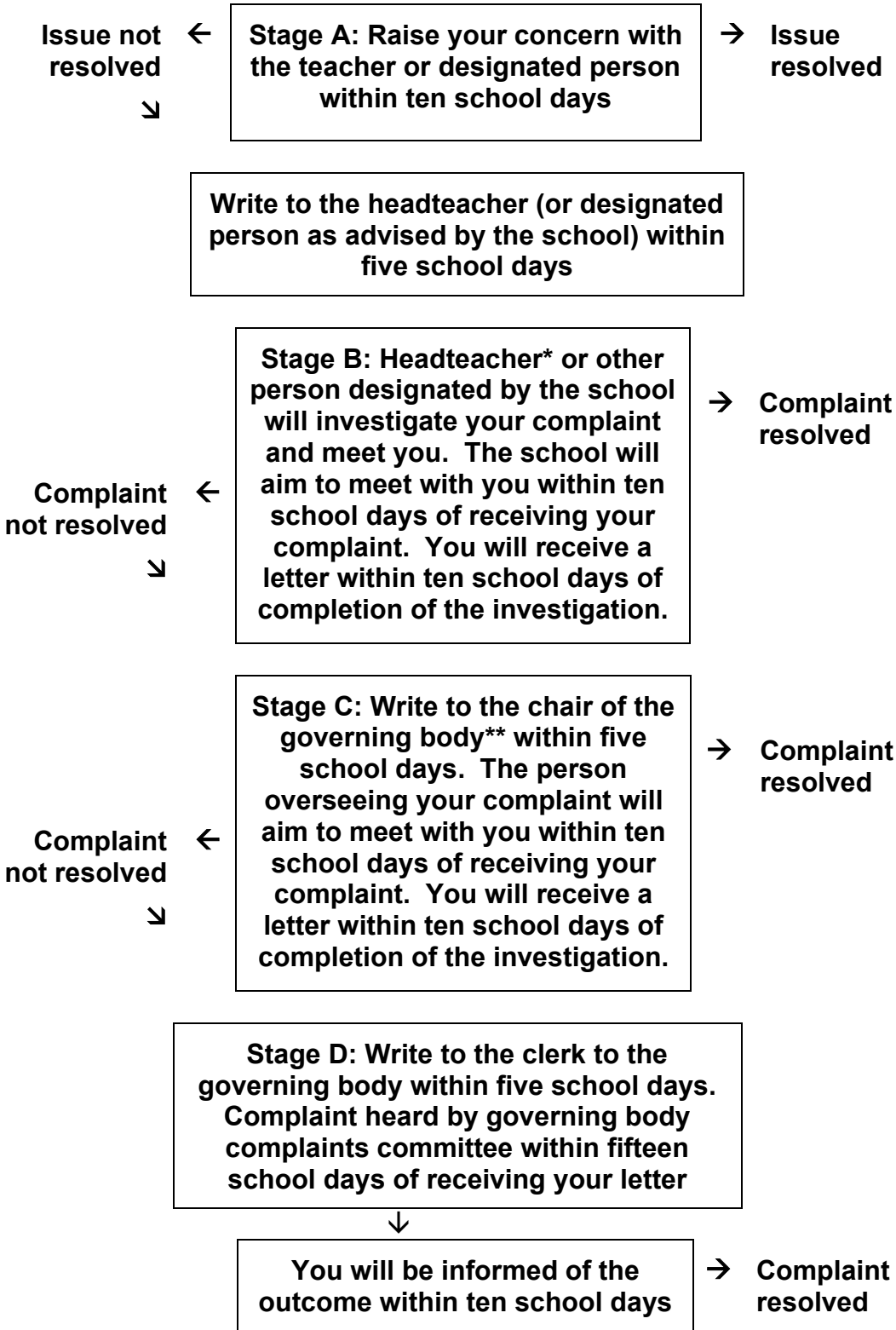
8.3 The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.

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

This procedure will be followed in the event of a concern or complaint about the school, provided that the concern or complaint does not fall under other statutory procedures



* If the complaint is about the headteacher you should write to the chair of the governing body.

** If the complaint is about the chair of the governing body you should write to the vice chair.

All timescales shown are targets and are flexible; however, it is in everyone's best interests to resolve a complaint as soon as possible.

The school will work with you to ensure that the time allowed to deal with your concern or complaint is reasonable and helps to achieve an answer to the problem.

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(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?

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

C.1 Who is your complaint against (name and role)?

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:

Please send this form and any documents to the headteacher, chair of the governing body or clerk to governing body as appropriate (see Appendix A) at the school address.

For Official Use:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix C: model meeting invitation letter

Use this template on school letterhead.

Amend sections in **[bold, red square brackets]** as appropriate.

Dear [name of complainant]

Re: Complaint

As part of the process of investigating your complaint, you are invited to attend a meeting with **[name of individual OR complaints committee]**.

The meeting will take place on **[date]** at **[time]**. It will take place at **[location]**.

If you wish to alter the date and time or location of the meeting, please let us know by contacting **[name of contact and way of contacting]**. Please be aware that the arrangements for the meeting will only be altered once unless there are exceptional circumstances. If you are unable to make two appointments to meet, the complaint may be progressed without the opportunity for you to attend a meeting.

[Please provide the following information [number of] days prior to the meeting:

- **[List information/documents required or delete this section if not applicable]**

[The following information/documents [in addition to any above] will be circulated [number of] days prior to the meeting.]

You can bring someone with you to the meeting to support you. This can be a professional advocate or a friend or family member.

The people who will be attending the meeting are:

- **[List all attendees, including the complainant]**

[The complaints committee will meet with you and anyone who comes with you separately to [names of subject of complaint or others] (only required in the case of a complaints committee meeting)]

If you do not alter the arrangements for the meeting, and do not attend the meeting without providing reasons for your absence in advance, the complaint will be progressed and a decision will be reached.

[I/we] look forward to meeting with you.

Yours sincerely

**[Name of person handling complaint/clerk to governing body]
[Role]**

Appendix D: complaints committee meetings

The process for conducting meetings of a governing body complaints committee is outlined below.

It is recommended that the committee meets separately with: the complainant(s); those who are the subject of a complaint and/or other staff/governors who are involved or have investigated at Stage A or B.

Process:

- The chair of the committee will introduce everyone in the meeting.
- All those attending should be put at ease.
- It is crucial that the meeting is conducted with respect and courtesy, and that all participants adhere to this.
- Should the conduct of participants deteriorate, and the meeting become combative, then the chair should adjourn the meeting and seek advice from the local authority if necessary.
- It should be explained that the committee will be meeting separately with the different parties.
- The chair must make it clear that the decisions will be made based on the facts.
- The decision of the committee will be final.
- The chair will ask the complainant to explain their complaint.
- The chair will ask the headteacher and/or any relevant school staff or governors who have investigated at Stage 1 or 2 to explain their findings of fact and any actions already taken.
- Any witnesses will be asked to speak.
- All those who wish to speak should be given the opportunity to speak and to ask any questions without interruption.
- Committee members may ask questions of any person in the meeting.
- If the local authority attends, they will provide advice to all parties.
- All relevant issues must be addressed – if additional meetings are required, these should be arranged.
- When the committee have met with all parties, and have sufficient information to make a decision, they will make their decision in private. The clerk will attend to record the decision.
- The clerk may make notes throughout. These are not minutes and will only be made to be able to support the committee members to review the information provided.

Appendix E: model outcome letter

Use this template on school letterhead.

Amend sections in **[bold, red square brackets]** as appropriate.

Dear **[name of complainant]**

Re: Complaint investigation outcome

[I/the complaints committee] [have/has] considered your complaint. Your complaint was:

- **[Outline the complaint – use multiple bulletpoints if the complaint has separate elements]**

The outcome of the investigation is:

- **[Complaint upheld/partially/upheld (delete as appropriate and list separately for each element if applicable)]**

[(for Stage B or C complaints) If you are unhappy with this decision, you are able to escalate it to Stage [C or D] by writing to the [chair of the governing body or clerk to the governing body], via the school, within 5 days of receipt of this letter.]

[(for Stage D complaints) The decision of the complaints committee is final. If you are unhappy with any aspects of the process, the local authority can review the process but cannot consider the complaint itself. Contact education@powys.gov.uk to raise any process issues, addressing your concerns to the officer responsible for complaints.]

[(if any actions have been identified) [I/the governing body] will take forward the following actions arising from your complaint:

- **List any actions]]**

Yours sincerely

**[Person investigating complaint/chair of committee]
[Role]**