



Complaints Policy

Headteacher:	Mrs Ceri Morgan
Chair of Governors:	Dr Huw Williams
Policy Date	3.2.2025
Responsibilities	Head and Governors
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Next Review Date:	February 2026

Introduction

At Ysgol Hamadryad we aim to enjoy excellent relationships with all parents and guardians. We work together in an atmosphere of mutual respect for the well-being of the children. We value the good relations that we enjoy with parents and community and we realise that while these are built on excellent foundations we need to continually work hard to maintain them. We will do this by being open and honest, welcoming their input, providing clear and relevant information, listening and communicating effectively.

We realise that good relations are also supported by straightforward and well understood procedures for responding to expressions of concerns and dealing with the minority of such expressions which become formal complaints.

We always endeavour to treat expressions of concern seriously and to respond to them quickly and effectively to prevent any escalation of the complaint. We realise that a school which listens and responds to expressions of concern can learn how to improve its communications and procedures.

Purpose

The purpose of a complaints procedure is to provide a framework in which:

- Parents and guardians are clear about how they can express concerns and how they will be responded to
- school staff and governors are clear about their roles and responsibilities in responding to concerns
- The policy also details how we deal with vexatious complaints.

Principles

We aim to make this policy effective for all involved in the school and a process for those involved to express and resolve concerns. We appreciate that most questions that parents might have about the running of the school will be answered in the information that the schools routinely provide for parents as we endeavour to make our literature as comprehensive as possible. We also provide a variety of occasions when parents can gather information about the school and learn about the progress of their children.

We recognise that parents have a right to be able to raise questions and concerns which go beyond these matters and to know how they will be dealt with and that parents also have a right to know what to do if they are not satisfied with the way in which their concerns have been received, how they can take the matter further and how such matters will then be dealt with.

Most of the time concerns from parents can best be settled by talking to the headteacher or a member of staff. We therefore aim to be open and receptive to parents which will resolve misunderstandings speedily and efficiently and will significantly reduce the likelihood of these matters becoming formal complaints.

We aim to make our complaints procedures simple, easily accessible and effective. We will do this by providing a summary of how we deal with complaints in the information which is given to new parents when their children join the school.

All staff have copies of this policy so as to be clear of procedures and their role in them.

We aim to deal with all complaints promptly, seriously, consistently, effectively and objectively. We therefore will disregard anonymous complaints.

The principles below apply particularly when a concern has not been resolved informally and it takes on the character of a formal complaint:

- when a concern is not easily and informally resolved and becomes a formal complaint, all those involved in handling the complaint will respect the rights of the complainant and any other person involved
- the complaint will be kept confidential and only those people who need to know about the complaint whether for the purposes of investigating it or deciding on the merits of the complaint will be made aware of the complaint except where the matter is already in the public domain
- any person about whom the complaint is made or who is affected by the complaint will have the right to have relevant information which is sufficient to enable them to respond fully to any matter which concerns them. Information may only be withheld where there is an identified need to protect the source of the information or there is a legal reason why the information should not be released (for example the Data Protection principles).
- all staff and governors in schools should have the opportunity to take part in training to raise their awareness of the procedures and develop their skills in dealing with people who wish to complain
- if the outcome of a complaint shows a weakness in a process or procedure, then the school should consider making changes to improve it
- all complaints should be recorded and monitored to allow any lessons to be learned

The governing body should monitor the operation of the complaints procedure and evaluate its implementation annually.

Procedures

This model is intended to apply to general complaints received at Ysgol Hamadryad. It does not apply to the following matters, for which there will be separate and specific procedures:

- disciplinary/capability complaints about members of staff which should be handled through the specific procedures
- grievance procedures for employees
- exclusions, admissions and ALN issues where there is a right of appeal to the governing body, LA or to an independent tribunal
- matters which are or have been the subject of legal proceedings or are under investigation by the police or some other competent body, for example, child protection issues

A Staged Approach

The procedures described in greater detail in the following pages set out a staged approach. The principle is to deal with as many of the complaints as possible at the earliest stages. There are three stages at the school level.

Stage One	Informal stage	The intention is that the vast majority of concerns/complaints will be resolved informally
Stage Two	Headteacher's investigation	A formal investigation by the headteacher upon receipt of a written

		notification that a complaint has not been satisfactorily resolved informally. If the complaint is against the action of the headteacher, the chair of governors (or designated governor) will carry out all the Stage Two procedures.
Stage Three	Governing body review	A formal procedure, invoked following receipt of a written notification that stages one and two have not satisfied the parent, when the governing body seeks to establish the facts of the situation, to resolve the complaint if possible and to recommend action to prevent re-occurrence of the complaint where appropriate

In addition, there are two further stages available when a complainant is dissatisfied with the outcomes of the governing body review. The purpose of these stages is to review the way in which the complaint has been handled; they are not re-hearings of the substantive complaint.

Stage Four	Local Authority review	Review of procedures
Stage Five	Welsh Government review	Review of procedures

The Role of the Local Authority (Cardiff Council)

When the Cardiff Education Service receives a general complaint concerning the conduct of a school, the complainant will be referred to the school and advised to pursue the complaint through the school's complaints procedure. (The exception to this is where the complaint concerns one of the areas covered by statutory requirements or is obviously concerned with child protection or staff disciplinary matters.)

The complainant will be advised to contact the headteacher to take the matter further. If the complaint has already involved the headteacher, but has not been resolved to the satisfaction of the complainant, the complainant will be referred to the next stage of the school's complaints procedure and advised to contact the Chair of Governors.

The Cardiff Education Service will provide advice to complainants on schools' complaints procedures and how they can access them.

The Cardiff Education Service will give advice to headteachers and schools on the use of complaints procedures at Stages One, Two and Three.

If a school requests it, Officers from the Education Service can be available during each stage of the process to offer information and advice, to carry out investigations on behalf of the school where an independent view will be helpful and to attempt mediation between parties.

The Education Service of the Cardiff Council will also provide a fourth review stage (see Appendix B). Upon receipt of a letter from a complainant expressing dissatisfaction with the

outcomes of a governing body review, the Director of Education and Lifelong Learning will designate an appropriate officer who will review the procedures followed by the school in order to establish whether the original complaint has been fairly and fully investigated.

Stages of the Complaints Process

Stage One – the informal stage

The vast majority of concerns and complaints can be resolved informally and speedily by the member of staff with whom the parent makes first contact:

- Parents/carers contact the individual member of staff involved in the complaint or the headteacher
- This may be done by speaking to a member of staff when they are on the yard the end of the school day, when a mutually convenient time to meet can be arranged or by telephoning or writing to school
- An informal meeting will then take place
- If a governor, including the Chair of Governors, is approached by a parent directly with a complaint at this stage, the governor should initially refer the matter to the headteacher.

We would hope that concerns and complaints in many cases may be resolved following this initial contact. Our principle is to listen, investigate and ensure that the outcome is reported back. The complainant should be kept informed of any developments.

The following procedures should be adhered to:

- In all cases, members of staff dealing with a complaint should make a note of the date and details of the complaint and the outcomes of the contact and inform the headteacher
- If the concern or complaint is not immediately resolved, the staff member dealing with the matter should make sure that the complainant is clear about what will happen next. This should be put in writing if it seems the best way of making the outcome clear and of giving evidence of an attempt at resolution
- If it appears that the discussions are not going to lead to resolution and/or the complainant indicates that they are dissatisfied with the response, the staff member should inform the complainant of the next stage of the procedure
- If the complaint is about the action of the headteacher, the matter must be referred to the chair of governors

Stage Two - Headteacher's Investigation

Parents who wish to pursue a complaint to Stage Two will be asked to put the complaint in writing to the headteacher who will acknowledge the complaint in writing within five working days of receipt, giving a brief explanation of the complaints procedures and a target date for providing a response. This should be within **ten working days**. Depending on the complexity of the complaint, it may not be possible to deal with the matter in this time. In such circumstances the complainant will be informed of an indicative timetable for considering the complaint.

The headteacher should provide an opportunity for the complainant to meet her/him. The complainant should, if he/she wishes, be allowed to be accompanied by a friend or relative who can speak on his/her behalf.

If necessary, the headteacher should interview any witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also be interviewed, normally with his/her parent/guardian/carer present. In some circumstances this may not be possible and a senior member of staff with whom the pupil feels comfortable should attend with him/her.

If a member of staff is complained against, they need to be made aware of the complaint, have an opportunity to respond and be accompanied by a representative if required.

The headteacher should ensure that written records of meetings, telephone conversations and other documentation are kept.

Once all the relevant facts have been established, the headteacher will arrange a meeting with the complainant to discuss or resolve the matter. This meeting will be followed up with a letter setting out the outcome of the meeting. The complainant will be advised in this letter that if they wish to take the complaint further he/she should notify the chair of governors within ten working days of receiving the letter detailing the outcome of the complaint.

If the complaint is against the action of the headteacher, the chair of governors (or designated governor) should carry out all the Stage Two procedures.

Stage 3 - Review by Governing Body

Complaints only rarely reach this formal stage, but it is important that governing bodies are prepared to deal with them when necessary. It should be noted that Stages 1 and 2 must be completed before this stage is reached.

Formal complaints to the governing body should be made in writing to the chair of governors. The chair of governors will ask the clerk to the governing body to acknowledge the complaint and to make arrangements for a meeting of the committee of the governing body charged with dealing with complaints. (The governing body might for example choose to use a grievance committee to hear formal complaints.) Complaints which may lead to disciplinary action will be handled in accordance with appropriate procedures.

The governing body should take care that no governor can be accused of prejudice by ensuring that:

- an individual governor does not deal with the complaint
- the complaint is quickly referred to a committee charged with dealing with complaints or to the headteacher, if complaint procedures at that level have not been exhausted
- the complaint is not reported to the whole governing body until it is resolved, and then not in detail

The governing body should ensure that all parties to the complaint are given a fair hearing – a model procedure which could be adopted appears in Appendix A.

The decision of the committee should be given in writing to the complainant and any person against whom the complaint is made within five working days of the committee's meeting.

The letter will also advise the complainant that if they are dissatisfied with the outcome of the procedure they may write to the Director of Education and Lifelong Learning who will carry out a further review. This further review will however only consider whether the complaint has been fully and fairly considered according to the school's complaints procedures; it will not

rehear the substantive complaint.

Stage 4 - Review by Local Authority Council

If the complainant is dissatisfied with the outcome of the school's complaints process, they may write to the Director of Education and Lifelong Learning at Cardiff Council. This review must be requested within 10 working days of the circulation of the decision of the committee at Stage Three. The Director of Education and Lifelong Learning will designate an appropriate officer to carry out a review of the procedures which have been followed in order to confirm that the complaint has been fully and fairly considered.

Stage 5 - Review by Welsh Government

If the complainant is not satisfied with the review undertaken by Cardiff Council, they may within 10 working days of the publication of the outcomes of the Council's review request a review by the Welsh Government.

Vexatious Complaints

Ysgol Hamadryad is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff or governing body to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. There are occasions when complainants behave in an unreasonable manner when raising and/or pursuing complaints. The consequences are that the actions of the complainant begin to impact negatively on the day-to-day running of the school and directly or indirectly on the wellbeing of the children and/or staff in the school. In these exceptional circumstances, the school may take action in accordance with this policy.

Parents' Expectations of the School

Parent/Carers or other Interested Parties who raise an informal or formal complaint with the school can expect the school to:

- Publicise how and when complaints can be raised with the school;
- Publicise the school's Complaints Policy (including procedures for dealing with persistent and/or vexatious complaints) on the school website;
- Respond within a reasonable time, as outlined in the complaints policy;
- Be available for consultation within reasonable time limits, bearing in mind the needs of the pupils and staff within the school, and the nature of the complaint;
- Respond with courtesy and respect;
- Attempt to resolve problems using reasonable means in line with the schools' Complaints Policy, and in consultation with the Local Authority and Welsh Government, as appropriate;
- Ensure regular communication with the complainant to outline progress and likely timescales of the investigation.

What the school expect from complainants

We understand that raising a complaint can be a stressful time, and we are sympathetic to that. We expect a complainant to be polite and courteous. We will not tolerate unreasonable, vexatious behaviour or harassment.

Ysgol Hamadryad defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the investigation process;
- refuses to accept that certain issues are not within the scope of the procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduces information, which is deemed trivial or irrelevant by those investigating the complaint(s), which the complainant expects to be taken into account and commented on;
- raises large numbers of detailed but unimportant or unrelated questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff/governors who are trying to deal with the issues, and/or seeks to have them replaced without just cause;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and concluded;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with;
- uses threats or intimidates staff/governors;
- uses abusive, offensive or discriminatory language or violence;
- knowingly provides false information;
- publishes information related to any potential or ongoing investigations on social media or other public forums.

Ysgol Hamadryad defines **Harassment** as the unreasonable pursuit of such actions as above in such a way that they:

- Appear to be targeted over a significant period of time, at one or more members of staff/governors; and/or
- Cause ongoing stress to individual(s); and/or
- Have a significantly adverse effects on the whole/parts of the school; and/or
- Are pursued in a manner which could be perceived as intimidating and/or oppressive by the recipient(s). This could include situations where persistent demands or criticism, whilst not especially taxing or serious when viewed in isolation, have the cumulative effect over time of undermining confidence, well-being and health.

Actions

In the first instance, the school will verbally inform the complainant that their behaviour is considered to be approaching unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing by the Head Teacher or Chair of Governors.

If the complainant's behaviour is not modified, the school will take some or all the following actions as necessary, having regard for the complainant's behaviour, and the effect of this behaviour on the school:

- Inform the complainant in writing that their behaviour is now considered by the school to be unreasonable/unacceptable and, therefore to fall within the terms of this policy;
- Inform the complainant in writing that all meetings with any member(s) of staff will be conducted with a third person present, and that notes of meetings may be taken in the interests of all parties;
- Inform the complainant in writing that, except in emergencies, all routine communication between the complainant and the School should be in writing only;
- (in the case of physical or verbal aggression) take advice from Local Authority Human Resources and/or Legal Services, and consider warning the complainant about being banned from the school site; or proceed immediately to a temporary ban; Please note: in any serious incident of aggression or violence, individuals may contact the police immediately.
- Consider taking advice from the LA on pursuing a case under Anti-Harassment legislation;
- Consider taking advice from Local Authority Human Resources/Legal Services about implementing specific procedures for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Head Teacher. Instead they communicate with a third party to be identified by the Governing Body of the school who will investigate to determine whether or not the complaint is reasonable or vexatious, and then advise the Head Teacher accordingly.

Legitimate new complaints may still be considered, even if the person making them is, or has been, subject to the terms of this policy. In such matters, the school may be additionally advised by the Local Authority Human Resources and/or Legal Services.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date, within a reasonable period of time, to be agreed by the relevant authority within the school, depending on the issues and individuals in question, then the school may resume the process identified above, at an appropriate level. In these circumstances, the School may be advised by the Local Authority Human Resources and/or Legal Services.

Signed by Chair of Governors: H.Williams

Signed by Headteacher: C.Morgan

Date: 3.2.2025

APPENDIX A - Process for Stage Three

The following procedure should be followed upon receipt of a written request from the complainant for the complaint to proceed to Stage Three.

The clerk to the governing body should write acknowledging receipt of the written request and informing the complainant that it will be heard by a committee of the governing body within fifteen working days of receipt. The letter should also inform the complainant that they have the right to submit any further documents relevant to their complaint and that these must be received in order for the committee members to be sent copies at least five working days prior to the meeting.

The clerk to the governing body should convene a meeting of the complaints committee. In establishing the committee the governing body should nominate a pool of five governors from which three can be drawn for any hearing. This will ensure that there are always sufficient governors with no conflict of interest to constitute the committee when required. The committee should elect its chair.

The committee members should have had no prior involvement with the complaint. Generally, it would not be appropriate for the headteacher to have a place on the committee. Governing bodies should have regard to the advantages of having a mix of different types of governor on the committee and be sensitive to issues of equal opportunity in the composition of the committee.

All relevant correspondence and documentation should be given to each committee member. The chairperson of the committee should ensure that the complainant, headteacher and any other witnesses are given five working days notice in writing of:

- i. the time and place of the committee meeting
and
- ii. the grounds of the complaint together with copies of all documents relied upon by either the complainant or headteacher
and
- iii. the right of both parties to be accompanied or represented by a person of their choice
and
- iv. the committee's option to proceed in the absence of the complainant/headteacher or their representative if no good reason is given why they should not do so.

The chairperson of the committee should ensure that the meeting is properly minuted.

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action which will satisfy the complainant that their complaint has been taken seriously.

The chairperson of the committee should try and ensure that the proceedings are as informal as possible and that the complainant feels at ease.

The committee will conduct the meeting having regard to the following principal steps. It shall be a rule that the committee shall not see one party in the absence of the other except in a

case where the committee has resolved to proceed in the absence of the complainant/headteacher in circumstances outlined in paragraph. (iv) above:

- i. The complainant/representative will open by outlining the complaint and present any documentary evidence and/or call witness(es) as appropriate.
- ii. The headteacher/representative may ask questions of the complainant/representative or of any witness called by him/her (N.B. This opportunity is reserved for asking questions to clarify matters not for making statements.
- iii. Members of the committee may ask questions similarly.
- iv. The headteacher/representative will respond to the complaint, present the documentary evidence and/or call witness(es).
- v. The complainant/representative may ask questions of the headteacher/representative or of any witness called by him/her. (N.B. This opportunity is reserved for asking questions to clarify matters not for making statements.)
- vi. Members of the committee may ask questions similarly.
- vii. Both parties or their respective representative shall be given the opportunity to sum up if they wish, the complainant/representative going last. Neither may introduce any new matter or issue which has not been raised before in the proceedings.

At the conclusion of the meeting, the chairperson of the committee should explain that the committee will consider its decision and write to both parties with the outcome within five working days.

Any witnesses should then withdraw and the committee should consider its decision. This should include:

- i. a decision on the complaint
- ii. appropriate action to be taken by the school, and where appropriate
- iii. recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.

The school should ensure that a copy of all correspondence and notes is kept on file in the school. This should be held separately from pupils' personal records.