



Complaints Policy

Valid until September 2027

Contents:

Introduction	4
Definitions of a Complaint	5
Scope	5
Equality and Diversity	6
How to Raise a Concern or Complaint	6
Complaints Manager	6
Investigating Officer	7
Principles for Investigation	7
Stages of complaint (not complaints against the Head teacher or Proprietor)	7
Stage 1: Informal	7
Stage 2: Formal	8
Complaints against the Headteacher, Proprietor or Education Director	8
Complaints made by a Pupil	8
Referring Complaints on Completion of the School's Procedure	9
Timescales	9
General Notes	10
Complaint Outcomes	10
Guidance for Staff	10
Frivolous, Vexatious, or Malicious Complaints	11
Restrictions	11
Advocacy Services	12
Legal Intervention	12
Disciplinary Action	12
Persistent Complaints	12
Unreasonably Persistent Complaints	13
Complaint Campaigns	13

Record-Keeping	13
Learning lessons	14

Introduction

This document outlines the procedures followed in dealing with complaints that are raised within Ysgol Tarren and Mill Haven School.

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Ysgol Tarren & Mill Haven School about any provision of facilities or services that we provide.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Ysgol Tarren & Mill Haven School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. As such, we welcome expressions of unhappiness and we will endeavor to rectify these in a manner that works for all.

Aims

Our school is committed to dealing effectively with complaints. We aim to rectify any mistakes we have made, and we strive to learn from mistakes and use these experiences to improve and develop our practice within our school.

We have a zero-tolerance approach to all forms of bullying and harassment and promote respectful relationships between learners, parents, carers, staff, and proprietor.

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to ensure that the process is accessible, fair, timely, child-centred and consistent with the Independent School Standards (Wales) Regulations 2024. We will:

- Be impartial, non-adversarial and respectful to all parties.
- Provide clear timescales for each stage of the procedure and explain any unavoidable delay.
- Allow concerns to be considered informally wherever this is appropriate.
- Ensure formal complaints can be made in writing and are investigated fairly.
- Provide access to a panel hearing where the complainant remains dissatisfied after the formal stage.
- Ensure the panel includes at least three people not directly involved in the complaint, including one person independent of the management and running of the school.
- Allow parents, pupils or boarders to attend a panel hearing and be accompanied if they wish.
- Address all points raised and provide findings, recommendations and outcomes in writing.
- Respect confidentiality and data protection requirements while keeping appropriate written records.
- Use learning from complaints to inform school improvement, safeguarding practice and quality assurance.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complaints the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Definitions of a Complaint

The difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of additional learning needs (ALN)
- Safeguarding matters

Scope

Here at Ysgol Tarren & Mill Haven school, pupils are encouraged to raise any concerns they may have in a constructive way to ensure that any dissatisfaction is brought to the attention of the headteacher of the school as quickly as possible. All concerns, complaints or suggestions will be taken seriously, fully investigated, handled quickly, sympathetically and confidentially.

Through this policy, Ysgol Tarren & Mill Haven School will comply with the Independent School Standards (Wales) Regulations 2024, including the standards relating to the provision of information and the manner in which complaints are handled. The proprietor remains responsible for ensuring that the standards are met and that this written complaints procedure is effectively implemented, kept under review, made available on the school website, and provided to pupils or boarders, parents and carers, prospective parents and carers, placing authorities and inspectors where required. This policy aims to clarify how complaints may be raised, investigated, recorded, responded to and reviewed. It does not restrict the matters that may be complained about, except where a separate statutory or specialist procedure applies. This policy does not replace safeguarding, child protection,

whistleblowing, staff grievance, disciplinary, admissions, exclusions or ALN procedures where those processes are more appropriate.

Equality and Diversity

Ysgol Tarren & Mill Haven school delivers services to pupils with ASC. Diversity is something we value in all our actions, as such our policies and practices reflect this. To maintain our commitment to equality, we will manage complaints in a manner that is equitable to all, regardless of their age, religion, disability, gender, race, sexual orientation, or anything else that could potentially lead to discrimination in our service delivery.

Whenever necessary, we will assist you to access the complaints policy. On request, we will provide literature in a range of formats.

How to Raise a Concern or Complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns can be raised with any members of staff. If the issue remains unresolved, the next step is to make a formal complaint.

Complaints against school staff (except the headteacher) should be made in the first instance, to Alan Elmore via e mail alan.e@vals-place.co.uk Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the education director and proprietor Pervaz Iqbal @ education@vals-place.co.uk Please mark them as Private and Confidential. Complaints that involve the education director/proprietor should be addressed to HR @ hr@vals-place.co.uk

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints will not normally be investigated. However, the Headteacher or education director, if appropriate, will determine whether the complaint warrants an investigation.

Complaints Manager

Upon receipt of a Formal complaint the Complaints Manager – The Head Teacher will:

- Within **five** working days, send to the complainant an acknowledgement letter and offer a copy of the complaints policy.

- Informal complaints can in the first instance be referred to any staff member, these will then be shared with the class teacher and then the head teacher. The head teacher will then refer to line manager and proprietor.
- When the complainant is not the service user, the Complaints Manager will ensure that where the concern raised relates to a service user, that they consent to any sharing of information or personal details.

Investigating Officer

The Investigating Officer – HR will appoint an experienced officer who has received training in the management of complaints.

The Investigating Officer will retain overall responsibility for the quality and content of the investigation, and complaint response.

Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right
- We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.
- Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.
- The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

Stages of complaint (not complaints against the Head teacher or Proprietor)

Stage 1: Informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The school will acknowledge informal complaints within five working days and provide a response within ten working days.

The informal stage will involve a meeting between the complainant and the teacher. If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal

The formal stage involves the complainant putting the complaint to the headteacher in a letter or email or in person.

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the HR Department

The Investigator will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within ten working days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the HR Director in writing within five working days.

Complaints against the Headteacher, Proprietor or Education Director

Complaints made against the headteacher should be directed to the Education Director.

Where a complaint is against the Education Director, they are to be escalated to the proprietor.

Complaints made by a Pupil

At Tarren School/ Mill Haven site we feel that pupil voice is a crucial part of our community. We encourage our young people to follow the pupil complaint procedure that can be found in each classroom.

The Welsh Government has established MEIC, which is a national advocacy and advice line for children and young people. Advice and support can also be accessed from the children's commissioner for Wales.

MEIC may be contacted by freephone:0808 802 3456, or text:04001. This service is operated 24 hours a day

The children's commissioner of Wales can be contacted BY FREEPHONE: 0800 801 1000 (Mon- Fri 9am to 5pm), text 80 800 (Start your message with CONM) or email: advice@childcomwales.org.uk

Referring Complaints on Completion of the School's Procedure

If the complainant is not satisfied with the response to a formal written complaint, they may request a hearing before a panel appointed by or on behalf of the proprietor. The panel will consist of at least three people who have not been directly involved in the matters detailed in the complaint.

At least one panel member will be independent of the management and running of the school. The school will take reasonable steps to ensure that panel members are impartial and able to consider the complaint fairly.

Parents, pupils or boarders may attend the panel hearing and may be accompanied if they wish. Reasonable adjustments and appropriate support, including advocacy or communication support, will be considered where needed.

The panel will make findings and, where appropriate, recommendations. The complainant, the proprietor, the headteacher and, where relevant, the person complained about will each be provided with a copy of the findings and recommendations, subject to confidentiality, safeguarding and data protection requirements.

Timescales

Where a complaint is from a child this will be addressed within 5 days of the complaint being received. They will be told if there are any delays. This is because a child may not fully understand why their complaint is taking a long time to be resolved. Furthermore, a child, may not want to make a complaint at the time the incident happened, and we must be sensitive to this.

All other complainants must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there are valid reasons for not raising their complaint at the time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made outside of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales set out in this policy, we will:

- Set new time limits with the complaint.
- Send the complainant details of the new deadline and explain the delay
- As most of our children are looked after we will only notify parents where it is safe to do so of concerns raised by their child, but we will always notify the carers. If we become aware that the school is to be inspected by Estyn all parents/ carers/ pupils will be notified and a copy of the report is to be made available to all following the inspection.

General Notes

Throughout the stages, all investigations carried out will be documented, recorded and copied, to be placed into the complaints file with the complaint as evidence.

At the positive resolve of complaints, it would be beneficial for the young person and other person involved if applicable to partake in a restorative justice meeting or relationship building practice where appropriate.

Any meetings / discussions held must be signed and dated by all parties involved.

At any time during the complaint investigation complainants have the right to:

- Withdraw the complaint at any stage.
- Refer the complaint to the placing authority.
- Refer the complaint to the police.
- Refer the complaint to an independent body such as Estyn.

Complaint Outcomes

Upheld - there is evidence to support the complaint.

Partially Upheld - there is evidence to support aspects of the complaint.

Not Upheld - there is no evidence to support the complaint.

Guidance for Staff

Some may question if complaints against other employees should be treated differently. That is not the case. The complaints procedure should still be followed if the complaint concerns a staff member's behaviour.

You should be mindful of the following while handling a staff member complaint:

It should never be addressed by the employee who the complaint has been made about; rather, it should always be brought to the headteachers notice without delay.

The complaint should be investigated first, and if the complaint is determined to be valid, disciplinary action may follow. It does not follow that this investigation is more important than possible disciplinary action. The complaint should be handled in accordance with the complaint's procedure, and the same time limits should be followed. The line manager may wish to determine whether to take disciplinary action.

To determine whether the complaint should go through the complaint's procedure, some judgement must be used. For instance, if the complainant accepts a brief explanation, certain minor concerns, such 'the rules here are nonsense,' do not need to be filed. Consult the headteacher if you have any questions about whether to file a complaint or not.

Frivolous, Vexatious, or Malicious Complaints

A complaint may be deemed frivolous, vexatious, or malicious for a variety of reasons. These elements include the following: -

- Failing to clearly identify the substance or specific issues that require to be addressed
- Complaining only about insignificant matters in a way that is out of proportion to their significance
- Pursuing a complaint that has already been resolved but without adding any new information
- Continually changing the complaint, apparently to prolong the engagement with the process
- Making excessive contact or unreasonable demands, including abusive behaviour and threat

Only senior management may make the determination of whether a complaint is unfounded, vexatious, or malicious after speaking with the responsible individual. If this decision is taken, the case will be concluded without being investigated at further.

The complaint, not the complainant, must be considered while making this choice. It cannot be presumed that all complaints would be vexatious just because for example a young person has made vexatious complaints in the past. However, there could be actions connected to prior grievances against the school or other organisations for example a linked children's home that could be taken into consideration when making a choice. As an illustration, consider the following: threats of violence; prior complaints of abusive behaviour directed at a specific employee; the use of one organisation's complaint procedures or services to continue a complaint with another organisation after the original complaint has been deemed frivolous, vexatious, or malicious.

Ysgol Tarren & Mill Haven Schools cares for vulnerable young people, thus every judgement on whether a complaint is frivolous, malicious, or vexatious should be made with care. To prevent the continuation of such a complaint and manage any risk, staff are to think about engaging external organisations like the police or legal services if required, this decision would be made in consultation with both the registered manager and the responsible individual.

Restrictions

There are several causes why a pupil could feel unable to file a complaint. We will work with all young people, staff members and wider stakeholders to assist us in providing a high-quality service by addressing as many of these factors as we can.

Difficulty in accessing and understanding procedures or paperwork - All pupils will have access to complaints forms, along with an explanation of the policy and procedures in a manner that works for them.

Fear of being victimised or facing punishment - People not directly involved in the matter will investigate any complaints made. Anonymous complaints are welcome, and they will be investigated also in line with this policy and complaints procedure.

Communication or language barriers - There should be a translation of the complaint's procedure available for those for whom English is not their first language. Third parties and other support staff members are also permitted to file complaints on behalf of young people.

Fear of being mistrusted - All concerns will be investigated, and a written answer will be provided. Staff members should be aware that a complaint we may consider to be minor may really be extremely serious to the pupil/ complainant.

Advocacy Services

There may on occasion be a need for a complainant to use the services of an advocate in presenting/ preparing their case. In such cases the advocate should be sufficiently skilled in signing or in speaking the complainant's preferred language and advice may be sought from the headteacher (if appropriate) in securing such services. In exceptional circumstances, (such as if the complaint is about the headteacher, for example) the complainant should seek the support and assistance from the proprietor or education director.

Legal Intervention

Where it is immediately apparent that the complaint is to be referred, by the complainant, to a Solicitor, the internal complaints process is immediately compromised. If such a situation arises, either at the outset, or during the complaints procedure, then the complainant will be informed that the complaints procedure is no longer in operation, and that the matter is to be immediately referred to Solicitors and/ or Insurers who represent the interests of the home.

Disciplinary Action

Ysgol Tarren & Mill Haven School have employment policies in place designed to deal with allegations of abuse and/or discrimination. If, during any investigation into a complaint made by a young person it becomes apparent that some form of disciplinary action is to be taken against an employee of the school, this will be taken in accordance with the most appropriate and relevant policy. The complainant will be informed of such action.

Persistent Complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the proprietor (or other appropriate person in the case of a complaint about the proprietor) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

The school has taken every reasonable step to address the complainant's needs, *and*

The complainant has been given a clear statement of the school's position and their options (if any),
and

The complainant is contacting the school repeatedly but making substantially the same points each time

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff
- Unreasonable behaviour, which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.
- Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.
- The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

Unreasonably Persistent Complaints

Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Record-Keeping

The school will keep written records of all complaints in accordance with its data retention policy. Records will include whether the complaint was resolved at the preliminary or informal stage, proceeded to a formal stage or panel hearing, any action taken by the school as a result, and whether the complaint was upheld, partially upheld or not upheld.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

Correspondence, statements and records relating to individual complaints will be kept confidential, except where disclosure is required by law, requested by the Welsh Ministers or a person acting on their behalf, requested by an inspector during inspection, required for safeguarding or child protection purposes, or requested through a valid data protection request.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention policy. The details of the complaint, including the names of individuals involved, will not be shared with the whole board of directors in case a review panel needs to be organised at a later point.

Learning lessons

The board of directors will review any underlying issues raised by complaints with the head teacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- ALN policy and information report
- Privacy notices

Policy Review

Review Date	Changes Made	By Whom
Reviewed 26.09.24	Updated policy to add additional information relevant to bullying, management of this and reporting and recording as well as reviewing of incidents	A. Elmore & P. Iqbal
Reviewed 06.05.25	Updated information relating to complaints about the education director and complaints about the proprietor	P. Iqbal
Reviewed 31.08.26	Strengthened policy wording to align with the Independent School Standards (Wales) Regulations 2024, including clearer proprietor responsibility, publication/accessibility requirements, panel hearing arrangements, record keeping and confidentiality.	L. Modoi
1.10.26	Reviewed with staff	Elmore

Appendix One: Young Persons Complaint Procedur