

**BRYN-Y-DERYN**



**CARNEGIE CENTRE**  
*Gyfleoedd ar gyfer newid a*  
**Ilwyddiant**  
*opportunities for change and success*

Complaints Policy  
2021-2022

This policy is based on the model policy guidance given by Welsh Government in Complaints procedures for school governing bodies in Wales - Welsh Government circular no: 011/2012

### **1. Introduction**

Bryn Y Deryn and Carnegie Centre (to be referred to as Bryn y Deryn or ByD) 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 we have made and we will apologise. We aim to learn from mistakes and use that experience to improve what we do.

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.'

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**

When you have a concern or make a complaint we will usually respond in the way 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. 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?**

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**

We believe that all complainants have a right to be heard, understood and respected. But school staff and management committee 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. We have a separate policy to manage situations where we find that someone's actions are unacceptable.'

## **5. Our approach to answering your concern or complaint**

We will consider all your concerns and complaints in an open and fair way. At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information.

Timescales for dealing with your concerns or complaints may need to be extended following discussion with you. We may ask for advice from the local authority. 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.

The management committee 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 management committee after seven years to decide if they need to be kept for longer. 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. Where complaints are considered to have been made only to cause harm or offence to individuals or the school, the management committee 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**

The chart in Appendix A shows what may happen when you make a complaint or raise a concern. There are up to three Stages: A, B and C. 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. 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. If you are a pupil under 16 and wish to raise a concern or bring a complaint we will ask for your permission before we involve your parent(s) or carer(s). If you are a pupil under 16 and are involved in a complaint in any other way, we may ask your parent(s) or carer(s) to become involved and attend any discussion or interview with you.

### **Stage A**

If you have a concern, you can often resolve it quickly by talking to a teacher or the well-being officer you should raise your concern as soon as you can; normally we would expect you to raise your issue within 10 school days of any incident. The longer you leave it the harder it might be for those involved to deal with it effectively. If you are a pupil, you can raise your concerns with your school council representative, form tutor or a teacher chosen to deal with pupil concerns. This will not stop you, at a later date, from raising a complaint if you feel that the issue(s) you have raised have not been dealt with properly. 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.

The person overseeing your concern or complaint will keep you informed of the progress being made. This person will also keep a log of the concern for future reference.

### **Stage B**

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 head of centre.

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.**

If your complaint is about the head of centre, you should put your complaint in writing to the chair of management committee, addressed to the school, to ask for your complaint to be investigated. In all cases, the deputy head of centre can help you to put your complaint in writing if necessary. If you are involved in any way with a complaint, the deputy head of centre (or other member of staff of your choice) will explain what will happen and the sort of help that is available to you. Bryn y Deryn 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 10 school days of receiving your letter. The school's designated person will complete the investigation and will let you know the outcome in writing within 10 school days of completion.

### **Stage C**

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 chair of management committee setting out your reasons for asking the management committee's complaints committee to consider your complaint. You do not have to write down details of your whole complaint again.

If you prefer, instead of sending a letter or e-mail, you can talk to the chair of management committee or deputy head of centre who will write down what is discussed and what, in your own words, would resolve the problem. We would normally expect you to do this within five school days of receiving the school's response.

You will be asked to read the notes or will have the notes read back to you and then be asked to sign them as a true record of what was said. We will let you know how the complaint will be dealt with and will send a letter to confirm this. The complaints committee will normally have a meeting with you within 15 school days of receiving your letter. 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.

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.

We will write to you within 10 school days of the meeting explaining the outcome of the management committee's complaints committee's consideration.

We will keep records of all conversations and discussions for the purpose of future reference and review by the full management committee. These records will be kept for a minimum of seven years.

The management committee's complaints committee is the final arbiter of complaints.

## **7. Special circumstances**

Where a complaint is made about any of the following the complaints procedure will be applied differently.

### **A member of the management committee or group of members**

The concern or complaint will be referred to the chair of management committee for investigation. The chair may alternatively delegate the matter to another member of the management committee for investigation. Stage B onwards of the complaints procedure will apply.

### **The chair of the management committee or head of centre and chair of the management committee**

The vice chair of the management committee will be informed and will investigate it or may delegate it to another member of the management committee. Stage B onwards of the complaints procedure will apply.

### **Both the chair of the management committee and vice chair of the management committee**

The complaint will be referred to the clerk to the management committee who will inform the chair of the complaints committee. Stage C of the complaints procedure will then apply.

### **The whole management committee**

The complaint will be referred to the clerk to the management committee who will inform the head of centre, chair of the management committee, local authority and, commissioning school.

The authorities will usually agree arrangements with the management committee for independent investigation of the complaint.

### **The Head of Centre**

The concern or complaint will be referred to the chair of management committee who will undertake the investigation or may delegate it to another member of the management committee. Stage B onwards of the complaints procedure will apply.

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

## **8. Our commitment to you**

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

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.

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

The Children's Commissioner for Wales can be contacted by free phone: 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)

## Complaints Procedure

It is the aim of all staff at Bryn y Deryn to work in partnership with parents, carers and the multi-disciplinary agencies involved with the school. Should a complaint be necessary the stages of the complaints procedure are outlined below. A full policy is available on request.

### Stages for handling Complaints

#### Stage One

Expression of concern to Head of Centre within 10 school days

Satisfactory outcome reached

MATTER  
RESOLVED

#### Stage Two

Issued not resolved

Written formal complaint made to Head of Centre within 5 school days

Investigation undertaken by Head of Centre or person designated by the school. You will receive a letter within 10 school days of your letter with the outcome.

Satisfactory outcome reached

COMPLAINT  
RESOLVED

#### Stage Three

Complaint not resolved

Formal complaint in writing made to chair of Management Committee Panel within 5 days


Complaint heard by management body complaints committee within 15 days of receiving your letter.

You will be informed of the outcome within 10 days

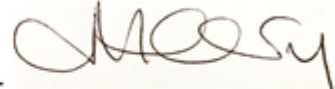
COMPLAINT  
RESOLVED

- If the complaint is about the Head of Centre you should write to the Management Committee
- If the complaint is about the Chair of the Management Committee you should write to the vice chair
- All timescales shown are targets and are flexible, however it is in everyone's best interest to resolve 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

Date Ratified: Feb 2018 – reviewed annually

Signed:  \_\_\_\_\_

*F. Simpson*  
*Head of Centre*

Signed:  \_\_\_\_\_

*J. Heerey*  
*Chair of Management Committee*