

Polisi Cwynion

Complaints Policy

September 2025

Policy Issued: September 2024

Policy History		
Policy Date	Summary of Change	Review Date
01.09.2024	None – Initial Version	01.09.2025
01.09.2025	Reviewed Formatting changes made Stages clearly outlined – key staff named for panel hearing	01.09.2026

Policy Author: Sioned Davies (Headteacher)

Amberleigh Therapeutic School is committed to dealing with complaints.

The purpose of this policy is to:

- Provide an outline of the complaints process at Amberleigh Therapeutic School, Golfa Hall so that members of the community are informed of how they can raise complaints or concerns about issues arising at our school.
- Ensure that all complaints regarding Amberleigh Therapeutic School, Golfa Hall are managed in a timely, effective, fair and respectful manner.

This policy relates to complaints brought by parents, carers, pupils or members of our therapeutic community and applies to all matters relating to our school.

Amberleigh Therapeutic School, Golfa Hall welcomes all feedback, and is committed to continuous improvement. We value open communication within our community and are committed to understanding complaints and addressing them appropriately. 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. We recognise that the complaints process provides an important opportunity for reflection and learning. We value and encourage open and positive relationships with our therapeutic community. We understand that it is in the best interests of pupils for there to be a trusting relationship between carers, parents professional and our school.

The school expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis

When addressing a complaint, it is expected that all parties will:

- Raise and discuss issues in a courteous and respectful manner.
- Acknowledge that the goal is to achieve an outcome that is in the affected pupil's best interests and acceptable to all parties.
- Act in good faith and respect the privacy and confidentiality of those involved, as appropriate.
- Recognise that all parties, including the broader school community, have rights and responsibilities that must be balanced.
- Recognise that schools may be subject to legal constraints on their ability to act or disclose information in some circumstances.

Preparation for raising a concern or complaint Amberleigh Therapeutic School, Golfa Hall encourages those who may wish to submit a complaint to:

- 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 ask that you carefully consider the issues you would like to discuss.
- We ask that you think about how the matter could be resolved.

Complaints process

Our Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to the school's Senior Leadership Team so that services can be improved.

The school will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

Amberleigh Therapeutic School, Golfa Hall is always happy to discuss with community members any concerns that they may have. If you are a pupil, you can raise your concerns with your community chairman, form tutor, link worker, therapist or raise in the extended community meeting. 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.

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.

Where possible, school staff will work with you to ensure that your concerns are appropriately addressed. 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. If your complaint is about the Headteacher, you should put your complaint in writing to the proprietor, Kevin Gallagher, addressed to the school, to ask for your complaint to be investigated.

If you would like to make a formal complaint, in most cases, depending on the nature of the complaint raised, our school will first seek to understand the issues and will then convene a resolution meeting with the aim of resolving the complaint together. 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 community needs to know about your concern or complaint, so as to address it appropriately.

Stage 1 – Informal Resolution

1. It is hoped that most complaints and concerns will be resolved quickly and informally.

2. If parents / carers have a complaint, they should normally speak to their child's class teacher. Alternatively, parents / carers may also choose to contact the school to make an appointment to meet with the class teacher to discuss their concern. Complaints should be raised during school hours.
3. In most cases, concerns will be resolved straightaway by this means to the parents' / carers satisfaction. If the class teacher cannot resolve the matter alone, it may be necessary for him/her to consult the deputy headteacher / Headteacher / Proprietor as appropriate.
4. Complaints made directly to the Headteacher will usually be referred to the relevant class teacher unless the Headteacher deems it appropriate for him/her to deal with the matter personally.
5. The class teacher will make a written record of all concerns and complaints and the date on which they were received, child's details and if there are ongoing concerns using the form located in the staff office. These records will be kept for one (1) year after the pupil leaves the school.
6. The school will use its reasonable endeavours to resolve any informal complaints within ten (10) working days of them being raised, except where they are raised in school holidays or within two (2) working days of their commencement, where the school will use its reasonable endeavours to resolve them as soon as possible after commencement of the new term (usually within ten (10) working days
7. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the Class Teacher and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

Stage 2 – Formal Resolution

1. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then parents / carers should put their complaint in writing to the Headteacher. Parents / carers should also identify how they wish their complaint to be resolved.
2. The Headteacher / Proprietor will delegate responsibility for undertaking investigation of the complaint to a member of senior staff where appropriate, or will deal with the matter personally.
3. In most cases, the Headteacher will meet or speak with the parents /carers concerned to discuss the matter. If possible, a resolution will be reached at this stage.
4. The Headteacher will use reasonable endeavours to speak to or meet parents/carers within ten (10) working days of the formal complaint being received, except where the complaint is received in school holidays or within two (2) working days of their commencement, where the Headteacher will use his/her reasonable endeavours to speak or meet with parents / careers as soon as possible after the commencement of the new term (usually within ten (10) working days).
5. It may be necessary for a member of senior staff, to carry out further investigations.
6. The Headteacher will keep a written record of all meetings and interviews held in relation to the complaint.
7. Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents / carers will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten (10) working days after speaking or meeting with parents to discuss the matter (pursuant to paragraph 10 above). The Headteacher / Proprietor may also arrange to meet with parents /careers over Microsoft Teams to explain the decision,

8. The school will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the school's decision, which record will be kept for one (1) year after the pupil leaves the School. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.
9. Where parents/ carers are dissatisfied with the outcome of the school's response to their formal complaint, the parents / carers have the opportunity to have their complaint considered by an independent Complaints Panel.

Stage Three – Panel Hearing

1. If parents seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Headteacher's decision in respect of their formal complaint, the parents may, in writing addressed to the Board - Kevin Gallagher (Founder Trustee / Managing Director), Michelle Russell (Director), Stuart Lawless (Director), request that their complaint be further considered by a Complaints Panel set up for this purpose
2. This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'Appeal'.
3. Parents / Carers must lodge their appeal in writing and within ten (10) working days of the date of the school's decision made in accordance with the Stage Two procedure. The parents should provide a list of their complaint(s) made against the school and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each
4. The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise
5. Where an appeal is received by the Board of Directors, he/she will refer it without delay to the school. The school will, within five (5) working days, refer the matter to the Employee Representative Trustee / Quality Assurance (Kelly Nicholson) to the Board of Directors who will act as Clerk to the Complaints Panel. Where the appeal is received by the school during School holidays, or within two (2) working days of their commencement, the school has five (5) working days upon commencement of the school term to refer the matter to the Clerk.
6. The Clerk (independent of the management and running of the independent school), provides a source of advice on procedure for all parties
7. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform the parents of the steps involved in this complaints procedure.
8. The Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty (20) school days after receipt by the school or parents' written notice that they wish to invoke the Stage Three procedure, dependent upon the availability of the panel members.

9. The Complaints Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint who has not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to any relevant guidance issued by the Welsh Government.

10. The following are entitled to attend a hearing, submit written representations and address the panel:

- a) The parent/s . Carer and/or one representative;
- b) The relevant Headteacher and/or one representative; and
- c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the panel in their decision-making. Legal representation will not normally be appropriate.

11. .Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the panel in support of their position, including:

- a) documents in support of complaint(s),
- b) chronology and key dates relating to complaint(s), and
- c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the panel, along with the initial submission that was lodged by the parents/carers

12. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten (10) working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five (5) working days in advance of the Panel hearing.

13. It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

14. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten (10) working days of the hearing. The decision reached by the Complaints Panel is final.

15. Any decision reached that may have financial implications for the School will need the appropriate approval from the relevant authorities e.g. the Board of Governors, although any such approval must be compatible with the decision of the Complaints Panel.

16. The Panel's findings will be sent by the Clerk in writing to the parents, the Headteacher, the Board of Directors and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.

17. The School will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which will be kept for one (1) year after the pupil leaves the School.

During the process for handling a complaint or after the proper procedures have been followed, a complainant (and/or anyone acting on their behalf) may be deemed to be a vexatious or unreasonable complainant if they meet any or all of the following criteria:

- persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted (e.g. where several responses have been provided)
- change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response
- are unwilling to accept documented evidence of action
- are unwilling to accept that the Director has reached a final decision on a chosen course of action
- deny receiving an adequate response in spite of correspondence specifically answering their questions
- persist in pursuing a matter when they have already exhausted other statutory routes
- do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns
- continue to seek to pursue a complaint where the concerns identified are not within the remit of the Directors to investigate
- focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point.
- have in the course of addressing a complaint, had an excessive number of contacts with the school placing unreasonable demands on staff time. A contact may be in person or by telephone, letter or email.
- have threatened or used physical violence towards staff at any time. This will in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented. Any complainant who threatens or uses actual physical violence towards staff will be regarded as a vexatious complainant and will receive written confirmation of the same. This will also inform the complainant of the action to be taken with regard to any further communication received
- have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. All instances of harassment, abusive or verbally aggressive behaviour will be documented
- are known to have recorded meetings or telephone conversations or circulated such records to third parties without the prior knowledge and consent of other parties involved

- make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice
- Where a complainant has been identified as vexatious or unreasonable, the clerk will notify the complainant, in writing, of the reasons and what action will be taken. This notification may be copied for the information of others already involved in the complaint or matters closely related to it

Escalation

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 proprietor setting out your reasons for asking the board of director to consider your complaint. You do not have to write down details of your whole complaint again.

If you need help to make your concerns known, we will endeavour to 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.

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