



Complaints Policy

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Introduction

Ysgol Y Rhos encourages open and constructive communications with parents/carers, pupils and other stakeholders. The Headteacher and Directors of the school welcome constructive comments and suggestions for improvements and take seriously any complaints that users of the school may wish to raise. There is a clear process to follow and carers/Local Authorities are invited to attend panel hearings and be accompanied if needed.

All complaints are treated as an expression of genuine concern or unhappiness. They will be considered very carefully in line with the procedures and timelines described in this policy. All correspondence, statements and records of complaint will be kept confidential although they must be made available to Estyn when inspected and copies must be provided for the Registration Authority (the Welsh Government) on request.

This policy has been formulated to comply with the requirements of, The Independent School Standards (Wales) Regulations 2024.

This policy is published on the Company's website and is available for inspection at the school during the school day. A copy will be provided free of charge on request to pupils, parents or carers of current pupils and parents or carers of prospective pupils. Reasonable adjustments and alternative formats will be provided where required.

United Nations Convention of the Rights of the Child (UNCRC)

Our complaints policy has also been written with due regard for the UNCRC demonstrating our commitment to the promotion and protection of children's rights ensuring that the voice, welfare and dignity of all our pupils is paramount to the work that we do. Our complaints policy encompasses the UNCRC in the following ways.

Article	Theme	Links
Article 2	Non-discrimination	All complaints will be treated fairly regardless of disability, care status, language, culture, religion, gender or background. This complaints procedure will be made accessible and available in other formats to support reasonable adjustments where appropriate.
Article 3	Best interests of the child	When a complaint involves or affects a child, decisions and actions will always prioritise the child's welfare, safety and well-being. Where complaints raise safeguarding concerns, Ysgol Y Rhos will act promptly to protect the child, even if this supersedes procedural stages.
Article 6	Right to life, survival and development	This effective complaints system will help identify risks to pupils well-being, safety or development. Timely resolution of concerns as outlined in this policy will support a safe, stable learning environment.
Article 12	Right to be heard	Children and young people are always welcomed to be able to raise concerns or complaints, directly or with support. Pupils views will always be sought, recorded and considered, in an age-appropriate and supportive way. Pupils will never be discouraged or penalised for raising concerns.
Article 13	Freedom of expression	This complaints process allows individuals to express dissatisfaction, concerns or disagreement safely and respectfully. Ysgol Y Rhos will foster a culture where raising concerns is viewed as constructive, not confrontational.
Article 14	Freedom of thought, belief and religion	Complaints related to belief, values or cultural practice will be considered sensitively and without bias. Our complaints process will always respect diversity and avoid assumptions or prejudice.

Article 16	Right to privacy	Complaints will always be handled confidentially, with information shared only on a need-to-know basis. Personal data will be processed lawfully and securely, in line with data protection requirements.
Article 17	Access to appropriate information	Ysgol Y Rhos' Complaints Policy is clear, transparent and accessible. Providing all users with clear information on; how to make a complaint, what will happen next, timescales and possible outcomes.
Article 19	Protection from all forms of harm	Complaints may raise concerns about abuse, neglect, bullying, discrimination or unsafe practice. Safeguarding concerns will be referred immediately to the designated safeguarding person (DSP). Safeguarding procedures which are implemented as a result of this will always override complaints stages where necessary.
Article 23	Rights of children with disabilities	Our policy ensures that children with disabilities or Additional learning needs (ALN) can raise concerns and complaints equitably. Reasonable adjustments and support (e.g. advocates, alternative communication methods) will be offered to make this possible.
Article 24	Right to health	Complaints about well-being, mental health support, medical needs or emotional safety will always be taken seriously and addressed promptly. The process will not exacerbate stress or anxiety for the child.
Article 28	Right to education	Our complaints processes will not restrict a child's access to education. Ysgol Y Rhos will ensure that children continue to receive education safely while complaints are being investigated
Article 29	Aims of education	Our transparent complaints system promotes; respect, responsibility, accountability and trust. It models positive conflict resolution and ethical behaviour, supporting pupils personal development.
Article 31	Right to rest, leisure and play	Our complaints processes are be proportionate and sensitive, avoiding unnecessary disruption to a child's daily routine or well-being.
Article 37	Protection from degrading treatment	Complainants (including children) must never be treated in a humiliating, dismissive or punitive way. This policy protects individuals from retaliation or victimisation for raising concerns.
Article 39	Recovery and reintegration	Where complaints involve harm, distress or breakdown of trust, Ysgol Y Rhos will provide support and repair, including; emotional support, restorative approaches and rebuilding relationships.
Article 42	Awareness of rights	Ysgol Y Rhos will ensure children and families understand; their right to complain, how to do so and that their concerns will be taken seriously,

Aims

Ysgol Y Rhos aims to meet its statutory obligations when responding to complaints from students, parents, where appropriate and carers of students at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points identified within the complaint and provide an effective and prompt response.

- Respect the complainant's desire for confidentiality, although if the complaint relates to a safeguarding matter, the complainant will be informed of our duty to safeguard children and therefore the information will need to be shared with the relevant agencies in line with our Safeguarding policy, and Keeping Learners Safe in Education <https://www.gov.wales/keeping-learners-safe> .
- Treat complainant with respect and courtesy, where the complainant is the pupil, it is important that we take account of their age, understanding, and any additional circumstances.
- Ensure that any decisions we make are lawful, rational, reasonable, fair, and proportionate, the need to safeguard and promote pupils welfare and in line with the regulatory requirements.
- Keep the complainant informed at all stages of the complaints process including any delays.
- We will use the learning and outcomes from complaints to assist us to develop and improve our practice.

We aim to resolve all concerns and complaints in a timely manner and through informal process wherever possible. Where this is not possible, formal procedures will be followed.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Scope

Ysgol Y Rhos intends to resolve complaints informally where possible, at the earliest stage. Pupils, in particular, may not wish for their complaints or concerns to be dealt with formally and may want their complaints/concerns to be addressed quickly. Wherever possible it is important to listen to what students want. However, we recognise that there may be occasions when complainants would like to raise their concerns/complaint formally. This policy outlines the procedure relating to handling such complaints.

Roles and responsibilities

The complainant

The complainant will always secure an effective and timely response to their complaint where they:

- Follow the procedures.
- Co-operate with the school throughout the process, and support the process by responding timely for example, request for more information.
- Treat all those involved with respect.
- Not publish details about the complaint on social media especially if their complaint mentions other pupils and their families/carers.

The investigating Officer.

An individual will be appointed to investigate the complaint/concerns and establish the facts.

They will:

- Interview all relevant parties, keeping notes.
- Consider records and any written evidence and keep these securely.
- Prepare a comprehensive report for the Headteacher and/or the school proprietor/HR. This report will address the issues investigated and include any learning and or recommendation for improvement as well as where the standard has been breached.

The investigating officer will:

- Be the contact point for the complainant and the Senior Leadership Team, including circulating the relevant papers and evidence before complaints meetings.
- Arrange the complaints hearing.
- Record and circulate the minutes and outcome of the hearing.

Principles for investigation

When investigating a complaint/concern, we will try to clarify:

- What has happened.
- Who was involved.
- What the complainant feels would put things right

Time scales

Where a complaint is from a child this will be addressed within 7 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 out 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 complainant.
- 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 a concern raised by their child, but we will always notify the carers.

Stages of complaint (not complaints against the Headteacher or teaching staff)

Stage 1

Ysgol Y Rhos 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 in writing by using one of our forms, letter, telephone, or email. If the complainant is unclear who to contact or how to contact them, they should contact the school reception at yradministrator@we-are-unique.care 01352 770100 or the Headteacher at headteacher@we-are-unique.care.

Upon receipt of a formal complaint, the Headteacher or school proprietor will appoint an

Investigating Officer to investigate the complaint.

On receipt of the complaint the member of staff receiving the complaint will then do the following:

- Log the complaint into the Complaints File on the Log Sheet for that month.
- Acknowledge the complaint via a letter.
- Hold an initial fact-finding meeting with the complainant and record this.
- Complainants are entitled to bring a representative to this or any other meeting.

Most complaints can be resolved at this stage. If the complaint is resolved at Stage 1, the complainant will be asked to sign a record of the meeting as an indication of their agreement with the outcome. They will be given a copy of the signed minutes, and the school will retain the original.

- The complaints form will clearly indicate "Informal Resolution Agreed".
- The complaints log will then be completed with the outcomes.
- If the complaint is not resolved informally the Investigating Officer will carry out any subsequent checks / speak to any other staff or students as required and then agree with an outcome.
- An outcome letter will be sent to the complainant with a comments page to be returned to the school.
- Stage 1 should be completed within 14 days of the receipt of the complaint.
- If the complainant is not happy with the outcome, this is then referred to as stage 2.

Stage 2:

If the complainant is dissatisfied with the Stage 1 response, they may submit a formal written complaint to the Headteacher. The written complaint should;

- explain the matters complained about,
- why the Stage 1 response was considered unsatisfactory and
- the outcome being sought.

The school will provide assistance or make reasonable adjustments where a complainant requires support to put their complaint in writing.

The Headteacher will acknowledge the Stage 2 complaint and liaise with the proprietor to appoint an investigating officer who has not previously been directly involved in the matter. Where the complaint concerns the Headteacher, a member of staff or another person who cannot appropriately oversee the investigation, the proprietor will appoint a suitably independent investigating officer.

The investigating officer will consider the Stage 1 records, relevant documents and evidence and may meet with the complainant, the person complained about and relevant witnesses.

A written response setting out the decision, reasons, any recommendations or action to be taken and the right to request a Stage 3 panel hearing will normally be provided within 14 school days of receiving the Stage 2 complaint. Where this is not possible, the complainant will be informed in writing of the reason and given a revised date

Stage 3:

If the complainant remains dissatisfied after Stage 2, they may request a Stage 3 panel hearing. The request should normally be made in writing to the proprietor within 10 school days of receiving the Stage 2 response. The school will provide assistance where the complainant requires support to make this request.

The panel will be appointed by or on behalf of the proprietor and will consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member will be independent of the management and running of Ysgol Y Rhos.

The hearing will normally be convened within 20 school days of receiving the request. The complainant will be given reasonable notice and the school will make reasonable efforts to agree a practicable date that enables the complainant to attend. Any delay and revised timescale will be explained in writing.

The complainant may attend the hearing and may be accompanied by a relative, friend, advocate or other representative. Reasonable adjustments will be made where required. The complainant and the school may provide written evidence and make oral representations. Relevant witnesses may be invited where the panel considers this appropriate.

After considering the evidence, the panel will make findings and recommendations. A written copy of its findings and recommendations will normally be provided within 10 school days to:

- the complainant;
- the proprietor;
- the Headteacher; and
- where relevant, the person who is the subject of the complaint.

A copy of the panel's findings, recommendations and hearing record will be retained securely in accordance with the school's records-retention arrangements and made available for inspection where required.

General Notes

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

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 where the complaint/concerns relate to safeguarding, ill-treatment of the pupil and or a serious incident impacting on the pupil's welfare.
- Refer the complaint to the police, if the nature of the complaint warrants this such as safeguarding and physical or sexual assaults for example.
- Refer the complaint to an independent body.

Complaint outcomes can be of 3 categories and all complaint must be concluded with one of the following categories:

- **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.

If the complaint raises any safeguarding concern then this should be managed via our safeguarding procedure. Concerns about staff conduct may be addressed by the company through the company Disciplinary and Grievance processes.

Complaints against the Headteacher will be referred directly to the proprietor who will make the necessary arrangements to ensure an appropriate, open, and transparent investigation.

Complaints against the Headteacher and school staff

Complaints concerning the Headteacher or a member of staff should be directed to the proprietor, Catrin Jones, at catrin@we-are-unique.care. The proprietor will arrange for the complaint to be considered fairly by a person who has not previously been directly involved in the matter.

Where appropriate, the complaint may initially be considered informally. If it is not resolved, the complainant may submit a formal written complaint under Stage 2. The proprietor will appoint a suitably independent investigating officer and provide a written response in accordance with the Stage 2 procedure.

If the complainant remains dissatisfied, they may request a Stage 3 panel hearing. The panel must comply with all the requirements set out under Stage 3, including having at least three members who were not directly involved in the matter and at least one member who is independent of the management and running of the school.

A complaint concerning the proprietor will be referred to another director or suitably independent person who has not been involved in the matter. Any subsequent Stage 3 hearing will be conducted by a compliant panel appointed on behalf of the proprietor.

Referring concerns after completion of the school's procedure

The Stage 3 panel hearing completes the school's internal complaints procedure. Where a complainant believes that the school is failing to meet the Independent School Standards, they may raise their concern with the Welsh Government. The Welsh Government does not normally act as a further appeal stage or overturn the panel's decision, but it may consider whether the school continues to meet the regulatory standards.

Where a pupil's placement is funded or arranged by a local authority, the complainant may also contact the placing authority. Nothing in this procedure prevents a person from contacting social services, the police or another appropriate statutory body where there is a safeguarding concern or possible criminal offence.

Persistent complaints

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, or repetitive knowingly providing false information.
- Insists on pursuing an unfounded complaint, or out of the scope of the complaint's procedure.
- Pursues a valid complaint, but unreasonably e.g. refuses to articulate the complaint, refuses to co-operate with this complaint procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out.

- Changes the basis of the complaint as the investigation goes on.
- Make a complaint designed to cause disruption, annoyance, or excessive demands on schooltime.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

Steps we will take

We will take every reasonable step to address the complainants' concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact, such as a fixed number per term.
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary.

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options.
- The complainant contacts us repeatedly, and we believe they intend to cause disruption or inconvenience.

When we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member, or other individuals, we will assess whether there are aspects that we hadn't previously considered or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete.
- Direct them to the proprietor if they are dissatisfied with our original handling of the complaint.
- If there are new aspects, we will follow this procedure again.

Record keeping

Ysgol Y Rhos will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the outcome. The records will also

include copies of letters and emails, and notes relating to meetings and phone calls.

All correspondence, statements and records relating to complaints will be kept confidential and disclosed only where necessary for the proper consideration of the complaint, where required by law, or where the Welsh Ministers or a body conducting an inspection under section 163 of the Education Act 2002 requests access.

All complaints will be stored securely and kept in line with The Data Protection Act 2018 and GDPR. Please see the school GDPR policy for more information.

Learning lessons

We will review any underlying issues raised by complaints with the proprietor and board of directors if and where appropriate to do so, 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 and or to safeguard and promote pupil's welfare.

This policy is reviewed every year as a minimum. However, where there are changes to legislation/guidance or in response to recommendation from any significant incident, review of the policy will take place immediately.

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