St David's College

— Est. 1965 —

COMPLAINTS POLICY

Complaints

Date	Review Date	Monitoring	Coordinator	Nominated Governor
22/03/2026	22/03/2027	Annually by Main Board	Nicola McDonald	Peter Gaskell

1. Compliance

1.1. This complaints policy statement has been drafted with regard to the following statutory provisions and guidance:-

1.1.1. The Independent School Standards (Wales) Regulations 2024; and

1.1.2. National Minimum Standards for Boarding Schools 2003.

2. About this policy

2.1. St David's College ("the School]") is committed to attaining and maintaining the highest standards achievable. There can be occasions when matters fall short of the required standard. This complaints policy has been prepared to allow those with issues to raise them with the School and provides a set of stages for how complaints will be dealt with in an efficient and fair way.

2.2. Complainants must raise a complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The School may consider complaints made outside of this time frame but only if exceptional circumstances apply.

2.3. There are three stages to the School's complaints policy. It is the School's aim to ensure that the vast majority of complaints raised are dealt with informally at Stage One.

2.4. In the event that the complaint cannot be resolved at an informal level, this policy sets out a formal procedure for complaints to be investigated and resolved.

2.5. "School days" means a school day during term time and does not include inset days, weekends, bank or public holidays or any other days that are outside term time.

2.6. Whilst this policy permits a complainant to be joined by a representative at any stage 2 or stage 3 meeting, legal representation is discouraged for all parties.

2.7. Anonymous complaints will not be accepted. However, the Headteacher or Chair of the Governing Board may determine that the information provided warrants an investigation outside of this complaints policy.

2.8. All parties must observe mutual dignity and respect throughout the complaints policy's procedures.

3. Who this policy applies to

3.1. This policy applies to parents and individuals who have a complaint regarding the pupils, employees, governors, premises of the School and whether he/she is a parent or guardian of a pupil, or a member of the School's local community ("the Complainant").

3.2. Parents, legal guardians and pupils may also raise complaints about the boarding facilities at the School under this policy.

3.3. This policy does not apply to complaints arising from:

3.3.1. admissions.

3.3.2. child protection and safeguarding investigations.

3.3.3. services provided by third party suppliers/contractors who may use the School's premises.

3.3.4. employee grievances and disciplinary procedures.

3.3.5. statutory assessment of special educational needs; and,

3.3.6. whistleblowing.

3.4. The School reserves the right to reject a vexatious complaint. Vexatious complaints may be characterised (but are not limited to) the following:

3.4.1. complaints which are obsessive, persistent, harassing, prolific, repetitious.

3.4.2. insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.

3.4.3. insistence upon pursuing meritorious complaints in an unreasonable manner.

3.4.4. complaints which are designed to cause disruption or annoyance; and/or

3.4.5. demands for redress that lack any serious purpose or value.

3.5. Complainants

4. **Stage One – informal**

4.1. The Complainant should first approach the form teacher or house parent of the pupil concerned or alternatively another member of the School's employees ("Member of Staff"). If the Complainant is not a parent or guardian of a pupil, he/she should direct his/her complaint to the Headteacher.

4.2. The Complainant may raise his/her complaint in person, by telephone or in writing.

4.3. The Complainant should be prepared to give details of the circumstances which have given rise to the complaint that he/she wishes to raise and express how he/she would like the matter

to be dealt with or how he/she sees a resolution being achieved. It may be necessary to put these details in writing ("the Complaint").

4.4. There may be some occasions where the Complaint can be resolved on the spot. If that is achievable, details of the concern and the resolution will be recorded by the Member of Staff for monitoring purposes.

4.5. There may be some complaints which require further enquiries, with accounts being taken from other parties involved. The Member of Staff dealing with the Complaint at Stage One will make a record of the issues raised as necessary and will carry out those enquiries. The Member of Staff shall endeavour to conclude the enquiries within five School days from the date when the Complaint was made.

4.6. Once the enquiries have been concluded, the Member of Staff will contact the Complainant and provide:

4.6.1. a summary of his/her understanding of the Complaint raised.

4.6.2. a summary of the information which he/she has discovered as part of his/her Stage One enquiries (if required to be undertaken).

4.6.3. provide the School's response to the Complaint and an explanation as to how the response has been reached;

4.6.4. confirm whether any action is to be taken; and,

4.6.5. confirm that the matter will be logged and that a record will be retained to ensure that steps can be taken to avoid the issue arising again.

5. **Stage Two – formal complaint**

5.1. If the Complainant is not satisfied that the matter has been resolved at Stage One, he/she can progress his/her Complaint to the formal procedure under Stage Two ("Stage Two Complaint").

5.2. The Complainant will be required to complete the School's Stage Two Complaint form. A copy of the form is attached at appendix one of this policy. If the Complainant has raised an issue with completing the Stage Two Complaint Form, then the School may make reasonable adjustments if required under equality law.

5.3. The completed form should be addressed to the Headteacher of the School. If the Complaint concerns the Headteacher, the form should be addressed to the Chair of the Governing Board marked 'private and confidential'.

5.4. Complainants who fail to properly particularise a complaint may be rejected. The School will invite complaints to address any lack of detail or information to allow for the complaint to be considered prior to rejecting it.

5.5. The Stage Two Complaint form will be acknowledged in writing within three School days.

5.6. The Letter of Acknowledgement will provide:

5.6.1. the contact details of the Headteacher or the Chair of the Governing Body (as applicable); and,

5.6.2. specify that the Complaint will be investigated within ten School days ("the Stage Two Investigation").

5.7. During the Stage Two Investigation, the Complainant is required to keep the details of the Complaint private and confidential. This is to enable a just and fair investigation to be undertaken. Any steps taken by the Complainant which do not preserve the confidentiality of the Complaint may undermine the efficiency and effectiveness of the Stage Two Investigation and could require separate action to be taken to address any such breach of confidentiality.

5.8. The Headteacher or Chair of the Governing Board (as applicable) will be entitled to delegate the Stage Two investigation to another senior Member of Staff or Governor, so long as he/she has not been involved with the Complaint at Stage One or in any other way ("the Investigating Officer").

5.9. In the event that the Stage Two Complaint is about the Headteacher or Chair of the Governing Board, or if the Headteacher/Chair of the Governing Board has dealt with the matter at Stage One, the Stage Two Complaint will be dealt with Governing Board, whichever is deemed to be more appropriate in the circumstances.

5.10. The Complainant may be invited to attend a meeting with the person appointed to deal with the Complaint at Stage Two to discuss the Stage Two Complaint ("Stage Two Meeting").

5.11. The Stage Two Meeting will be arranged at a time which is mutually convenient for both parties.

5.12. The Complainant will be entitled to be accompanied at the Stage Two Meeting by one of the following:

5.12.1. a relative.

5.12.2. a friend; or,

5.12.3. a representative.

5.13. At the Stage Two Meeting, a decision will not be given regarding the outcome of the Stage Two it is an opportunity for the Investigating Officer to consider what the Complainant is seeking through the process and to undertake a fact find of the matters to be looked at.

5.14. The outcome of the Stage Two Investigation will be confirmed in writing within five School days of the end of the Stage Two Investigation. The outcome will be shared with all relevant parties.

5.15. If a Stage Two Meeting is held minutes will be taken by an appropriate person appointed by the School.

5.16. A record of the Stage Two Complaint, along with any documentation prepared during the Stage Two Investigation, and (if applicable) the Stage Two Meeting minutes, will be retained by the School for six years**.**

6. **Stage Three – Complaints Panel (parental/legal guardian complaints only)**

6.1. If the Complainant is not satisfied with the outcome at the conclusion of Stage Two, he/she may progress the Complaint to Stage Three ("the Stage Three Complaint").

6.2. The Complainant will be required to write to the Clerk of the Governing Board ("the Clerk") to request that the Complaint be dealt with at Stage Three. (Contact details for the Clerk will be available from the School's General Office or the School's website). In doing so the Complainant must set out the basis for disagreeing with the outcome of Stage 2. Complainants will not be permitted to raise any new allegations at Stage 3 that have not been dealt with at Stage 2.

6.3. The Stage Three Complaint will be considered by a complaints panel ("the Panel").

6.4. The Panel will have three members:

6.4.1. two members from the Governing Board who have had no involvement with the Stage Three Complaint at Stage One or Stage Two; and

6.4.2. one independent member who has no involvement with the management and running of the School.

6.5. Within three School days of a written request for the Complaint to be considered at Stage Three, the Clerk will acknowledge the request in writing and will endeavour to arrange for a meeting of the Panel to take place within twenty-one School days ("the Panel Meeting").

6.6. The Complainant will be entitled to be accompanied at the Panel Meeting by one of the following:

6.6.1. a relative.

6.6.2. a friend; or,

6.6.3. a representative.

6.7. The Complainant and the School will be entitled to submit any relevant documentation for the Panel's consideration. The documentation must be submitted to the Clerk three clear School Days before the date of the Panel Meeting.

6.8. The Complainant and the School must provide copies to each other of any documents submitted for the Panel's consideration three clear School days before the Panel Meeting.

6.9. The Complainant and the School will also be entitled to call any witnesses which each may reasonably require in order to support their submissions to the Panel. Details of the witnesses must be provided to the Clerk and other party three clear School days before the Panel Meeting. To be clear, the availability of a Witness alone will not prevent the School from proceeding with a Panel Meeting. In the event a witness cannot attend then written submissions may be accepted by the Panel.

6.10. The Panel Chair shall have an absolute discretion as to whether the Panel will consider any party's documents or hear witnesses where there has been non-compliance with either paragraphs 6.6, 6.7 or 6.8 of this policy.

6.11. Minutes of the Panel Meeting will be taken by the Clerk of the Governing Board.

6.12. At the Panel Meeting, the Chair of the Panel will explain how the Panel Meeting will be structured. The Panel will invite the Complainant to outline the Complaint, to refer the Panel to any of the documents submitted in compliance with paragraphs 6.7 and 6.8, and to call on any witnesses he/she has identified in accordance with paragraph 6.9 of this policy statement. The Complainant will be entitled to put questions to his/her witnesses. The School and the Panel will also have the right to put questions to the Complainant's witnesses once the Complainant has concluded his/her questions.

6.13. The School will be invited to make its submissions once the Complainant has concluded his/her submissions to the Panel.

6.14. The Panel will invite the School to outline its response to the Complaint, to refer the Panel to any of the documents submitted in compliance with paragraphs 6.7 and 6.8 above, and to call on any witnesses it has identified in accordance with paragraph 6.9 of this policy statement. The School will be entitled to put questions to its witnesses. The Complainant and the Panel will also have the right to put questions to the School's witnesses once the School has concluded its questions.

6.15. When the Panel has heard the Complainant and the School's submissions, it will be entitled to adjourn to consider its decision.

6.16. If the Panel is able to, it will deliver its decision at the conclusion of the Panel Meeting. A copy of the decision will be provided in writing within five School days to the Complainant and the Headteacher/Chair of the Governing Board (as applicable) of the School.

6.17. If the Panel is unable to reach a decision at the conclusion of the Panel Meeting, it will be entitled to adjourn the Panel Meeting and to deliver its decision in writing to the Complainant and the Headteacher/Chair of the Governing Board (as applicable) of the School within five School days. The outcome will also be delivered to any other relevant party.

6.18. In reaching its decision the Panel is entitled to make findings and recommendations concerning all parties.

6.19. A record of the Stage Three Complaint, along with documentation submitted to the Panel, and the Panel Meeting minutes, will be retained by the School for six years.

7. **Stage 3 Complaints - (non-parents/legal guardians)**

7.1. If the Complainant is not satisfied with the outcome at the conclusion of Stage Two, he/she may progress the Complaint to Stage Three ("the Stage Three Complaint").

7.2. The Complainant will be required to write to the Clerk of the Governing Board ("the Clerk") to request that the Complaint be dealt with at Stage Three. (Contact details for the Clerk will be available from the School's General Office or the School's website). The Complainant must set out why they are not satisfied with the outcome of the Stage Two Complaint and why they seek for the Complaint to be dealt with at Stage Three.

7.3. The Clerk will arrange for the Chair of the Governing Board to review the Stage Two Investigation. In the event that the Chair of the Governing Board has dealt with the matter at Stage One or Stage Two, or the Complaint is about him/her, another member of the Governing Board will be appointed to deal with the Stage Three Complaint.

7.4. The Complainant may be invited to attend a meeting with the Governing Board appointed to deal with the Stage Three Complaint to discuss matters further ("Stage Three Meeting"). For the avoidance of doubt, the arrangement of a Stage Three Meeting is entirely at the discretion of the Governor appointed to deal with the Stage Three Complaint.

7.5. The Complainant will not be entitled to be accompanied at the Stage Three Meeting without the prior permission of the appointed Governor.

7.6. If a Stage Three Meeting is held, the Complainant will be able to put forward their Complaint in order to assist the Governor to consider the issues before making a determination.

7.7. Minutes of the Stage Three Meeting will be taken by an appropriate person appointed by the School.

7.8. The Governor appointed to deal with the Stage Three Complaint will endeavour to communicate their decision about the Complaint in writing within five School days of the Stage Two Meeting or of being provided with the request for the Complaint to be dealt with at Stage Three. If further time is required then the Complainant will be notified.

8. **Records keeping**

8.1. As stated in this policy statement, records of concerns and complaints will be kept for monitoring and inspection purposes.

8.2. Records will include outcomes, relevant documents and any actions taken as a result of the concern or complaint being raised.

8.3. Records will be kept secure and confidential. However, there may be occasions when there is a legal obligation to permit a third party to inspect the records or for them to be provided as evidence to relevant agencies or in judicial proceedings.

9. **Data Protection**

9.1. The School must process personal data in order to progress complaints under this policy. The personal data processed in pursuance with this policy shall be done in accordance with the principles set out at Article 5 of the UK GDPR.

9.2. Our lawful basis for processing the personal data under this policy are:

9.2.1. Legal obligation – through complying with the requirements of the Welsh Independent School Standards and National Minimum Standards for Boarding Schools; and

9.2.2. Legitimate interest – were need to process information in order to establish facts and respond to the allegations made. The legitimate interest could be yours, ours or that of a third party.

9.3. To the extent that we are processing special categories of personal data or criminal data, our additional lawful basis is as follows:

9.3.1. Substantial public interest in ensuring complaints can be raised and considered in order to ensure natural justice is delivered; and

9.3.2. Preventing or detecting unlawful acts through investigation of allegations of discrimination or criminal activity.

9.4. The School is required to keep records of complaints and how they have been handled under this policy. We will keep these records for 6 years from closure of the complaint.

9.5. The information collected and records maintained through this complaints process may be shared internally with those that need access to the information to play a role in the complaint or as set out at paragraph 8.3 above.

Equality

Under the Equality Act 2010, St. David's has a duty not to discriminate against any of the protected characteristics. Due regard has been given to equality law when developing and implementing St David's policies, practices and day-to-day activities. St David's will continually monitor the way this policy operates to ensure it does not unlawfully discriminate, permit harassment or victimisation, or limit equality of opportunity. St David's is committed to meeting its obligations under the Equality Act 2010 at all times.

Appendix One

St David's College

STAGE TWO COMPLAINT FORM

Name of Complainant	
Complaint's Address	
Complaint's contact number	
Relationship to School	
Reason for complaint	

Details of complaint to be considered/investigation (continue on separate pages)

The Stage Two Complaint Form should be completed and sent to the Headteacher or Chair of Governors of the School (as applicable).