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Y Coed

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Complaints Policy

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Associated documents
Parent Carer Conduct Policy

All our policies are constructed using the Monmouthshire values:

Teamwork Openness Fairness Flexibility Kindness

All our policies are co-constructed and informed by professional learning, pupil voice, parent carer voice, staff voice and subject to challenge and support by our Management Committee.

This policy makes clear how people should treat others and what may happen where things go wrong.

Introduction and the overall context of Welsh Government guidance on complaint processes for schools

Monmouthshire County Council endorses the Welsh Government Guidance in relation to complaints and school complaints procedures.

[School complaints procedures: guidance \[HTML\] | GOV.WALES](#)

The Management Committee adopts the Welsh Government complaints procedures.

. [Annex 1: Model policy \[HTML\] | GOV.WALES](#)

The guidance is published under section 10 of the Education Act 1996 and section 29(2) of the Education Act 2002, which requires school governing bodies to have regard to any guidance to establish and publicise procedures to deal with complaints relating to the school or to the provision of facilities or services under section 27 of the same Act.

Management Committee Members may seek advice about complaint handling from their local authority governor support officer from the Local Authority School Improvement Service (LASIS)

This school complaints policy should be applied to any person that engages with the school whether a pupil, parent, carer professional or other connected person.

When a person raises a concern or complaint with a school, a school must investigate it and deal with it in a fair and suitable way.

In a very small number of situations, parents or carers pursue their complaints and concerns in a way that is unreasonable. They may behave unacceptably or act in a way that is unreasonably persistent in their contacts and submission of information. This can impede the effective investigation of their concern or complaints, which can have a significant impact on time, resources and staff well-being in school. This behaviour can occur at the early stages of a concern

being raised, whilst a complaint is being investigated, or once the school has concluded the complaint investigation.

If the school determine that the complainant is unreasonable in pursuing the complaint (see criteria below), then the school may interrupt the complaints process. In such cases the school needs to be clear that they have done all they can to engage fully and properly with the complainant when seeking to resolve the complaint and have gathered appropriate evidence to demonstrate this.

Schools can obtain further advice and support to manage these challenging situations by contacting:

- LASIS
- Governor Support Unit
- Monmouthshire County Council: Community and Partner Development Manager, Community Safety Lead, Health and Safety Corporate Manager
- Chief Officer for Children. and Young People
- Equity and Inclusion Lead
- Lead Officer for Safeguarding in Education (LOSIE)

Head teachers should ensure staff are aware of the Monmouthshire County Council corporate wellbeing offer and of the support available via <https://www.educationsupport.org.uk> .

The staged complaints process

The Complaints Process

The school complaints process should have three stages:

Stage A - Informal

Stage B - Formal Complaint to Headteacher

Stage C - Formal Complaint to Management Committee

Cygod y Coed 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.

We do not accept any forms of bullying and harassment and promote respectful relationships between learners, parents, staff, and governors.

Our definition of a complaint is 'an expression of dissatisfaction in relation to the school, a member of its staff or the governing body 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.

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.

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.

What we expect from you

We believe that all complainants have a right to be heard, understood, and respected. School staff and governors have the same right. We expect you to be polite and courteous. We will not tolerate aggressive, abusive, or unreasonable behaviour.

Nor will we tolerate unreasonable demands, unreasonable persistence nor vexatious complaining. We have a separate policy to manage situations where we find that someone's actions are unacceptable.

Our approach to answering your concern or complaint

We will consider 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 and we will notify you.

We may ask for advice from the local authority or diocesan authority where appropriate.

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, and tell you what steps will be taken.

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.

Answering your concern or complaint

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, unless you require special assistance. We also 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 Head of Cysgod y Coed, Jake Parkinson. 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 Pupil Rep, or any member of staff. 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 headteacher.

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. The form at Appendix A you may find useful. If you are a pupil we will explain the form to you, help you complete it and give you a copy.

If your complaint is about the headteacher, you should put your complaint in writing to the chair of the Management Committee addressed to the school, to ask for your complaint to be investigated.

In all cases, Jake Parkinson can support you to put your complaint in writing if necessary.

If you are involved in any way with a complaint, Jake Parkinson will explain what will happen and the support that is available to you.

Jake Parkinson 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 - Formal Complaint to the Management Committee

It is rare that a complaint will progress to this stage. However, if Stage A and Stage B processes fail to resolve the complaint or the complainant feels that the complaint has not been dealt with fairly, they can make a formal complaint to the Management Committee. Persons should only complain directly to the Management Committee when there are special reasons for not using stages A and B, such as a serious complaint against the headteacher.

If the Chair of the Management Committee receives a complaint that could have been dealt with at stages A and B, and these have not been used, he or she may refer the complaint back to the headteacher for investigation.

The Chair will pass the complaint to the Management Committee Complaints Committee. The Complaints Committee will normally have a meeting with the complainant within 15 school days of receipt of the letter. Everyone involved will see the evidence and documentation before the meeting, while ensuring that people's rights to privacy of information are protected.

The Committee will have at least three members. The Management Committee may decide that one of the people appointed to this committee is an independent person instead of a Management Committee member, but the majority of committee members will always be Management Committee members.

The Complaints Committee will consider all the evidence before reaching a decision. They may ask for advice from the Local Authority - Monmouthshire County Council.

The school will keep a record of the complaint, including any evidence presented and minutes of any meetings or discussions, for seven years, unless the complaint involves negligence or child protection and safeguarding issues; in these cases, the record of the complaint, including any evidence presented and minutes of any meetings or discussions will be kept for a longer period of time.

Local Authority input

Request for Local Authority Review by the Chief officer For Children and Young People.

Once a decision at the end of stage C has been given the complaints process will end. There is no appeals process. If the parents are dissatisfied with the procedures used by the Management Committee to deal with the complaint, they can ask the Local Authority to review the Management Committee's actions. The request must be in writing to the Chief Officer for Children and Young People. The parent would be expected to do this within five school days of receiving the school's response to stage C.

The Local Authority will investigate the complaint or arrange for investigation by a third party. If the Local Authority concludes that the Management Committee has not followed its procedure, or has acted unreasonably, or has failed to carry out its statutory duty to deal with the complaint, then the Local Authority can direct the Management Committee to reconsider the complaint or to change its process to ensure future complaints are dealt with correctly. The Local Authority cannot, however, overturn any Management Committee decision in respect of the complaint.

The Local Authority will be the owner of the investigation report and related documents. Only the findings of the report will be made available to those involved in the investigation. If requested under the Freedom of Information Act 2000 and/or a subject access request (SAR), the report will be redacted according to the Data Protection Act 2018 prior to release.

Local Authority officers and the role of the Local Authority

Monmouthshire County Council has its own published complaints policy and procedures in relation to their officers. However, complaints relating to schools made directly to the county council will be referred to the school to deal with unless a special circumstance applies.

Special circumstances and exceptional arrangements

Special Circumstances

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

- Complaints about the headteacher
- Complaints about the chair of the Management Committee
- Complaints about the chair of the Management Committee and the headteacher
- Complaints about the chair of the Management Committee and vice-chair of the Management Committee
- Complaints about a governor or group of Management Committee members
- Complaints against the whole Management Committee
- Complaints about members of school staff, including any designated complaints officer
- Anonymous complaints
- Complaints that overlap with other functions of the Local Authority, e.g. social care

Complaints about the headteacher

The complaint will be given to the chair of the Management Committee, who may delegate it to another member who will investigate it. It is important to first establish whether the complaint should be dealt with under a procedure for staff capability, staff grievance, staff disciplinary or child protection. If it does, then those procedures take precedence. If not, the complaint should proceed under Stage B of the school's complaints procedure. If the complainant is not satisfied with the outcome at Stage B, they may take your complaint to Stage C. Any Management Committee member involved at Stage B will not be a committee member at Stage C.

Complaints about the chair

The vice-chair of the Management Committee will be informed and will investigate the complaint or may delegate it to another member. Stage B onwards of the complaints procedure will apply. Depending on the nature of the complaint the vice-chair should inform the Local Authority (and if appropriate the diocesan authority) that a complaint has been made and what action will be taken by whom. If the complaint is upheld then the complaints committee should consider whether it needs to recommend to the full Management Committee that the chair should be removed and another member appointed to that role.

Complaints about the chair of the Management Committee and the headteacher

The vice-chair of the Management Committee will be informed and will investigate the complaint or may delegate it to another governor. Stage B onwards of the complaints procedure will apply. Depending on the nature of the complaint the vice-chair should inform the Local Authority (and if appropriate the diocesan authority) that a complaint has been made and what action will be taken by whom. If the complaint is upheld then the complaints committee should consider whether it needs to recommend to the full Management Committee that the chair should be removed and another member appointed to that role. Who can have access to the investigation report: the Complaints Committee may require the investigation report in order to make an informed decision. The Local Authority may also require a copy of the report in order to provide appropriate advice.

Complaints about the chair of governors and vice-chair of governors

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. If the chair of the complaints committee is the chair or vice chair of the Management Committee, then the complaint should be referred to another member of the complaints committee and another member must take the place of the chair and/or vice chair on the complaints committee.

Complaints about a Management Committee member or group of Management Committee members

The complaint will be referred to the chair of the Management Committee for investigation. The chair may alternatively delegate the matter to another governor for investigation. Stage B onwards of the complaints procedure will apply. If the chair and vice chair are part of the group of members, the complaint should be referred to the clerk of the Management Committee who should proceed as described previously for complaints about the chair and vice chair of the Management Committee. If so many members are the subject of a complaint that too few remain to make up a complaints committee, or to provide a quorum for any subsequent decisions that the whole governing body might need to take, then the 'whole Management Committee' procedure described below should be used.

If the complaint is upheld the complaints committee should consider whether to recommend to the Management Committee that some or all of the members subject to the complaint should resign or be removed from the Management Committee. Care should be taken to ensure that no members implicated in the complaint take part in investigating it, are members of the complaints committee or take part in any governing body discussion and decisions about members resigning or being removed.

Complaints against the whole governing body

The complaint will be referred to the Clerk to the Management Committee who will inform the Headteacher, Chair of Management Committee and Local Authority.

Appointment of an independent investigator / independent committee

The local and/or diocesan authorities will agree arrangements with the Management Committee for independent investigation of the complaint. The local authority will investigate the complaint or arrange for investigation by a third party. Investigation will not be undertaken by the Clerk to the Management Committee or school staff. If investigation suggests that there are grounds for the complaints, the local authority will arrange for the complaint to be heard by a committee of independent persons set up specifically for that purpose. The independent committee will act as a complaints committee would act at Stage C of the complaints procedure. The local authority will be the owner of the investigation report and related documents. These will only be made available to those attending the independent complaints committee hearing. If requested under the Freedom of Information Act 2000 and/or a subject access request (SAR), the report will be redacted according to the Data Protection Act 2018 prior to release. If the governing body does not cooperate with the local authority or a committee established by the local authority to consider the complaint or acts against or fails to act on reasonable advice, then the local authority will be justified in considering using its powers of intervention. If a complaint provides evidence that a Management Committee is performing poorly, is acting unreasonably, or is in breach of the law, then the local authority may use its powers of intervention.

Complaints about members of school staff, including any designated complaints officer

A complaint about a member of staff will be passed to the headteacher. The headteacher may decide to delegate investigation to another senior member of staff under Stage A of the complaints procedure, or to investigate it themselves under Stage B. If you are not happy with the outcome the complainant may proceed through the complaints procedure until Stage C is completed. Care should be taken that if there are matters of a staff disciplinary or capability nature that procedures for those are followed and take precedence.

Anonymous complaints

Anonymous complaints will be recorded and investigated where possible and appropriate, but especially if there is a suggestion of criminal conduct or concerns about child safeguarding, in which case the local authority/police, as appropriate, will be informed. Consideration will be given to whether the complainant could be afraid of being identified; this may be particularly pertinent in the case of complaints made by pupils who may fear being labelled troublemakers. Where appropriate, anonymous complaints may be considered under another suitable policy, such as Whistleblowing.

Complaints that overlap with other functions of the Local Authority, e.g. social care

The Local Authority will notify the school(s) in question without delay that a joint complaint has been received. A discussion will be held at the outset with the school for a decision to be made about who is the most appropriate body to consider the complaint; the Local Authority should duly notify the complainant of the decision. In the event the complaint is multifaceted, and a decision is made that the complaint needs to be considered by both bodies, the complainant should be:

- clearly informed as to which body is responsible for the investigation of each aspect of the complaint.
- provided with copies of each of the bodies complaints policies and their attention drawn to the timeframe for each of the investigation processes.
- provided with the contact details of the relevant liaison officer within the Local Authority and the school for the purposes of the impending investigation.

Withdrawal of complaints

Complaints that are withdrawn.

A complainant may withdraw a complaint at any time. A record of the complaint will be kept, and a letter sent to the complainant stating that because the complaint is withdrawn the complaints procedure will not be used. These actions are taken to have a record and also to manage vexatious complainants.

Definitions and examples to help identify unreasonable and unacceptable behaviour

Definitions

In this document, the definition in the Education Act 1996 of the word 'parent' is somewhat extended and includes an individual who has care of the child whether or not she/he is the natural parent or has parental responsibility for the child. This includes stepparents. Where an individual

does not fall within this broad definition, the principles of this guidance should still be applied, but the wording of the model letters should be amended accordingly.

A complaint is when a person is dissatisfied with:

- the services or facilities provided by the school
- the behaviour or actions of teachers and others working in the school
- the behaviour or actions of pupils
- the behaviour or actions of the governing body.

A complaint is not a concern relating to:

- the curriculum
- sex education
- special educational needs provision
- religious worship
- school admissions or exclusions
- staff grievance, disciplinary and capability concerns
- child protection issues.

These are all covered by separate procedures.

Defining and identifying unacceptable or unreasonable behaviour

'Unreasonable behaviour', may include one or two isolated incidents, as well as 'Unreasonably persistent behaviour', which is usually an accumulation of incidents or behaviour over a longer period.

Unreasonably persistent complainants are those parents or carers who, because of the nature or frequency of their contacts with the school, hinder the school's consideration of their concern or complaint.

- There is a distinction between persistent and *unreasonably* persistent complainants, for example, criticising a complaints procedure when the policy set out is not properly followed, is not unreasonable.
- If the school has clear guidelines for parents on how to feedback concerns to the school, and a robust complaints procedure which is well understood by staff and governors, then responding to expressions of dissatisfaction and requests for information should not cause the school a problem. However, some parents or carers may have justified concerns or complaints but may pursue them in inappropriate ways.
- Others may pursue complaints which appear to have no substance or which have already been investigated and determined. Their communication with the school may be amicable but still place very heavy demands on staff time, or they may be very emotionally charged and distressing for all involved.
- Very occasionally, complainants also act deceitfully by forging documents, making covert recordings of meetings, adopting false identities and so on. Such behaviour is unacceptable and managing it can become a distraction from consideration of the original substance of complaint.
- Situations can escalate, and in a few cases, parents or carers may become

abusive, offensive, threatening or otherwise behave unacceptably. Such behaviours may be carried out in person at the school, by telephone, in the community or online.

- In response a school may have to restrict access to its premises or staff, protecting the staff and children from exposure to harassment and harm.
- A single incident may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the concern or complaint. For example, unreasonable behaviour, persistence, demands, arguments, and lack of cooperation

Examples of unreasonable behaviour in relation, specifically, to complaints

- Refusing to specify the grounds of a complaint, despite offers of assistance
- Refusing to co-operate with the complaints investigation process
- Refusing to accept that certain issues are not within the scope of a complaints procedure
- Making unjustified complaints about staff and/or Management Committee members who are trying to deal with the issues, and forwarding information to others or requesting that someone else deals with the issue
- Changing the basis of the complaint as the investigation proceeds
- Denying or changing statements he or she made at an earlier stage
- Introducing trivial or irrelevant new information at a later stage
- Raising numerous, detailed but unimportant questions; insisting they are all answered
- Sending rude, threatening or confrontational letters/emails or making derogatory comments about the school or its staff or their professional conduct in online forums in a way that damages the school or the professional reputations of its staff.

Unreasonable persistence

- Persisting even though the complaint has been comprehensively addressed.
- Reframing the complaint
- Demanding a review of the complaint
- Making an issue of trivial things, repeatedly, and making unreasonable demands of the school

Unreasonable demands

- Insisting on the complaint being dealt with in ways which are incompatible with the school's complaints procedure or with good practice
- Insisting on unattainable outcomes
- Wanting revenge or retribution
- Making demands about the way the complaint should be handled
- Providing an extraordinary degree of irrelevant detail
- Creating complexity where there is none and proposing unreasonable arguments

Unreasonable arguments

- Advancing irrational beliefs (e.g. seeing cause-and-effect links where none exist)
- Advancing and sticking to what is clearly a 'conspiracy theory' unsupported by evidence
- Insisting that a particular solution is the correct one
- Insisting on the importance of an issue that is clearly trivial

- Refusing to co-operate with the school

Unreasonable lack of co-operation

- Presenting a large quantity of disorganised information
- Withholding information
- Refusing to define the issues underlying the complaint
- Focusing on principles, rather than issues
- Changing the complaint

Considerations prior to acting under this policy

The decision to designate someone's behaviour as unacceptable, unreasonable, or vexatious, and restrict their access to the school, will or may have serious consequences for the parent/carer and the child, so the school should be satisfied that:

any formal complaint is being or has been investigated properly and proportionately and that all reasonable implications for the pupil/s have been considered regarding:

- potential safeguarding issues,
- health and safety aspects
- rights, respect and equality aspects
- the voice of the child
- inclusion aspects for pupils whose parents may require restrictions to the usual communications and access for parents/ carers/ any concluding determination is the right one
- communications with the complainant have been adequate, and the complainant is not now providing any significant new information that might affect the school's view on the complaint.

When it is necessary to designate the complainant as behaving unreasonably, some of the following steps may assist.

- Offering the complainant a meeting with the headteacher and the chair of the Management Committee to explore scope for a resolution of the complaint and explain why their current behaviour is seen as unreasonable.
- Sharing your policy with the complainant and warning them that restrictive actions may need to be applied if their behaviour continues.

Guidance on developing clear parental expectations and managing unreasonable behaviour.

- Designating a key contact (headteacher, senior member of staff or Management Committee member as appropriate) to co-ordinate the school's response(s)
- When complaints about new issues are made, these should be treated on their merits.
- You should consider whether any restrictions previously applied are still appropriate and necessary.

Options that can be taken to respond to unreasonable or unacceptable behaviour

Options for action

Any actions taken should be proportionate to the nature and frequency of the complainant's current contacts. The following options may be suitable, taking the complainant's behaviour and circumstances into account. The objective is to manage the complainant's unreasonable behaviour in such a way that their complaint can be concluded briskly, without further distractions. Options include:

- placing limits on the number and duration of contacts with staff per week or month offering a restricted time slot for necessary calls
- limiting the complainant to one medium of contact (telephone, letter, email etc.)
- requiring the complainant to communicate only with one named member of staff/Management Committee member
- requiring any personal contacts to take place in the presence of a witness and in a suitable location
- refusing to register and process further complaints about the same matter where a decision on the complaint has been made, you can inform the complainant that correspondence will be read and placed on file but not acknowledged, unless it contains new information.

Banning a parent or carer

It is very important to make sure that legitimate business between the banned parent/carers and school can still take place – bans should not disadvantage the child, e.g. safe delivery and collection of children.

Necessary and proper communication channels need to be agreed and shared with the parent/carers and staff. A ban should not deprive a parent/carers of all rights to communicate with the school.

Detailed records will be kept to show if:

- the decision is taken not to apply the Complaints Policy (particularly elements linked to unreasonable behaviour) when a member of staff asks for this to be done, or
- the decision is taken to make an exception to the Policy once it has been applied
- the decision is taken not to put a further complaint from this complainant through the complaints procedure for any reason, and if the decision is taken not to respond to further correspondence, making sure any further letters, faxes or emails from the complainant are checked for any significant new information.

Reviewing decisions to restrict access

A ban should be considered to be a cooling off period and should not be disproportionately long (preferably weeks not months).

- When imposing a restriction on access, the school should set a specified review

date and communicate this to the parent/carer in writing.

- Restrictions should be lifted, and relationships returned to normal unless there are good grounds to extend the restrictions.
- The school should inform the complainant of the outcome of your review. If restrictions are to continue, explain your reasons and state when the restrictions will next be reviewed.

Bans should not be used as a substitute for reporting criminal matters, e.g. assault, criminal damage, public order offences etc. to the police.

Record Keeping and Retention

Retention Guidelines

Schools should keep a record of every complaint, their investigation and how the problem was resolved for seven years. The outcome of complaints should be reported to the Management Committee

- If the complaint involves negligence, school should keep a record of the complaint, their investigation and how the problem was resolved for 16 years.
- If the complaint involves child protection or safeguarding issues, school should keep a record of the complaint, their investigation and how the problem was resolved for 40 years.

Conduct of staff and employees of Monmouthshire County Council

Conduct in schools – Staff and Employees of Monmouthshire County Council. The public is entitled to expect the highest standards of conduct from all employees who work for local government. Council employees including those employed in schools are bound by the Local Authority Code of Conduct based on the recommendations of the Committee on the Standards of Conduct in Public Life.

The principles detailed below are the basic ones governing all council employees. The Code does provide clear and helpful advice, but all employees must comply with the Code and should be read in conjunction with; The Council's Whistle Blowing policy, the Dignity at Work policy and the social media Policy. This Code incorporates "The Seven Principles of Public Life":

- Selflessness - Employees shouldn't take decisions which will result in any financial or other benefit to themselves, their family, or their friends. Decisions should be based solely on the Council's best interests.
- Integrity - Employees shouldn't place themselves under any financial or other obligation to an individual or an organisation which might influence them in their work with the Council.
- Objectivity - Any decisions that employees take in the course of their work, including making appointments, awarding contracts, or recommending individuals for rewards or benefits must be based solely on merit.
- Accountability - Employees are accountable to the council as their employer. The council, in turn, is accountable to the public.

- Openness - Employees should be as open as possible in all the decisions and actions that they take. They should give reasons for their decisions and shouldn't restrict information unless this is clearly required by council policy or by the law.
- Honesty - Employees have a duty to declare any private interests, which might affect their work with the council.
- Leadership - Employees in a leadership or managerial position should promote and support these principles by their leadership and example.
- Standards - The aim of this code is to apply standards for all Monmouthshire County Council employees on the understanding that the citizens of Monmouthshire are entitled to expect the highest standards of conduct and where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality. Council.

Social Media Policy

All Local Authority employees are bound by the social media policy which states: It is an employee's own personal choice whether or not they participate in any kind of social media activity in their own time – the views and opinions that you express are their own. However, as a council employee you should be aware that any information which you post about Monmouthshire County Council cannot be kept entirely separate from your working life. The council would expect staff to make a distinction between their own views and those where they represent their employer. It may be appropriate to add a disclaimer to your personal blog or social media profile to make it clear that your personal accounts are your own – for example: "These views are my own not my employers".

The Education Workforce Council's Code of Professional Conduct and Practice

Many school employees are also required to be registered with the Education Workforce Council and this creates additional professional conduct obligations upon school professionals.

The Education Workforce Council's Code of Professional Conduct and Practice ('the Code') sets out the standards expected of those education staff who are required to be registered with the Education Workforce Council (EWC) and is intended to support and guide their behaviours and judgements as professionals working in education and training roles in Wales.

All registered school staff should adhere to the professional code of conduct [Code of Professional Conduct and Practice \(ewc.wales\)](https://www.ewc.wales/). Failure by a registrant to adhere to the Code may call their registration with the EWC into question. The EWC has legal powers to investigate and hear cases of alleged unacceptable professional conduct, serious professional incompetence, and criminal offences involving registrants.

The five key principles of the EWC Code of Conduct.

Registrants, including those registered on a provisional basis, commit to upholding the key principles of: Personal and Professional Responsibility, Professional Integrity, Collaborative Working, Professional Knowledge and Understanding, and Professional Learning.

Extracts from the code include the requirements to:

- recognise their personal responsibility as a role model and public figure, to uphold public trust and confidence in the education professions, both in and out of the workplace
- conduct relationships with learners and young people professionally by using all forms of communication appropriately and responsibly, particularly social media

- behave honestly, and with integrity, particularly with regard to their conduct, both in and out of the workplace
- adhere to lawful standards of behaviour, in a manner in keeping with their position as a member of the education profession
- aim to develop and maintain professional working relationships with parents, guardians, carers, and other stakeholders
- communicate appropriately and effectively with all involved in the education of learners and young people

Conduct of parents and carers

Conduct of parents and carers of pupils.

Monmouthshire County Council values the professionals in its schools and recognises their commitment to providing education to the learners of our county.

On occasions where parents or carers express their dissatisfaction with a member of staff or the provision of support in a school then the rights of individuals to complain are clear, however the rights of staff to equally fair treatment are also implied.

The complaints procedure does not provide a means of placing one person's rights above those of another. Complaints about staff have a direct effect upon the individual and may lead to feelings of anxiety and insecurity or fear of reprisals. These feelings can result in staff becoming stressed, demotivated or even ill. It is important that staff feel supported and recognise that in most cases complaints will focus on the department or services and not the individual, who was acting on behalf of the department. The investigation at any stage of a complaint will focus on the quality or nature of the service provided or whether or not the Council's appropriate procedures have been followed. The complaints procedure is not a disciplinary procedure. It is there to try and solve problems and improve the quality of support to pupils. It is not there to blame or victimise staff.

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a concern or a complaint. Neither schools nor the Local Authority should view behaviour as unacceptable just because someone is forceful or determined. All complainants have the right to be heard, understood and respected. However, complainants are expected to be polite and courteous in their dealings with us. Schools and the Local Authority will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence by complainants.

People working in and for schools have a right to work in a safe environment that does not put them at risk either physically or in terms of their mental health and wellbeing.

Unacceptable behaviour by parent/carers

Unacceptable behaviour is aggressive, abusive, or insulting behaviour or language from a parent or visitor that makes a member of staff or pupil feel threatened or is untrue and harmful to the staff or officer or school's reputation. This behaviour may be unrelated to any formal complaints.

Whether linked to the complaints process or not, such behaviour or language from a parent or visitor can present a real risk to staff or pupils, either physically or in terms of their wellbeing. Such behaviour might be demonstrated through face-to-face contact, on the telephone, during virtual meetings or in written communication (including social media).

Such behaviour may constitute a criminal offence and the school should report such offences to the Police as required and, in some situations, may be obliged to report under the Wales Safeguarding Procedures either for concern for children or because there are vulnerable adult concerns.

Unacceptable conduct Online and on social media

In regard to unacceptable online behaviours, parents may not always realise when they have used social networking sites inappropriately. Therefore, as a first step, the school should usually discuss the matter with the parent to try and resolve the matter and to ask that the relevant information be removed from the social networking site in question. If the parent refuses to do this and continues to use social networking sites in a manner the school considers inappropriate the school may take further action. This may include civil legal remedies such as for defamation, slander, or libel by either the school, the Local Authority or individual staff or officers. Where it appears a crime has been, or may be, committed then the school or individual school staff or officers may request police involvement.

Abuse/Bullying Using Cyber Technology

Staff in schools may become targets of cyber abuse/bullying and, like other forms of bullying, it can have a significant impact on their health, and self-confidence. Protecting staff from abuse is best done within a prevention framework, including whole school policies and appropriate practices.

Cyber abuse/bullying may consist of threats, harassment, embarrassment, humiliation, defamation, or impersonation. It may take the form of general insults, or prejudice-based abuse, e.g., homophobic, sexist, racist or other forms of discrimination. It may also involve email, virtual learning environments, chat rooms, websites, social networking sites, mobile and fixed-point phones, digital cameras, games, and virtual world sites.

Abuse using cyber technology can occur at any time and incidents can intrude into the victim's private life. The audience for such messages can be very large and can be reached rapidly. The content of electronically forwarded messages is hard to control and the worry of content resurfacing can make it difficult for the victim to move on.

The Local Authority endorses the decision of any school to operate a zero-tolerance policy towards direct or indirect harassment or assault against any member of staff, volunteers and

governors. This includes the use of social media and other forms of electronic communications to facilitate the act.

Cyberbullying and the law

While there is not a specific criminal offence called cyberbullying, activities can be criminal offences under a range of different laws, including:

- The Protection from Harassment Act 1997
- The Malicious Communications Act 1988 Section 1
- Communications Act 2003 Section 127
- Public Order Act 1986 Sections 4 & 5

Remedies where there is aggression, violence or threats of aggression or violence by parents

Aggression, violence or threats of aggression or violence by parents/ carers - bans / the withdrawal of the implied licence to enter school grounds.

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

Schools are not public places and although parents and carers have rights to attend and enter school premises for legitimate proper purposes. Section 547 of The Education Act of 1996 states that it is an offence for a trespasser on school premises to cause a nuisance or disturbance. The school is entitled to withdraw the implied right a parent or carer has to enter the school and effectively ban them from the school site, if that parent or carer is violent or aggressive. If the parent or carer then enters the premises, they are in breach of the law, and they can be prosecuted in the criminal courts. To have committed a criminal offence, an abusive individual must have been barred from the premises or have exceeded their 'implied licence', then also have caused a nuisance or disturbance.

If a school has reasonable grounds to suspect that someone has committed an offence, then they can be removed from the school by a police officer, or a person authorised by the appropriate authority such as the:

- Management Committee
- local authority
- proprietor of that school

These powers apply to all those that engage with the school and not just to parents. It applies to all forms of communication whether online or otherwise.

Schools should inform parent/ carers of their expectations of conduct by way of a parental code of conduct which should be shared on school web sites and to all parent carers at the time of school admission.

In most cases a staged approach to such concerns may be considered however in some situations then an immediate interim ban may be needed to protect the school community.

Other legal measures and remedies

The school and the local authority may also take injunctive or civil defamation action to protect staff and to protect the reputation of staff and officers where there is slanderous or libellous communication that affects their reputational rights.

Unacceptable behaviour or vexatious conduct in the context of the complaints process.

Unreasonable, unacceptable, or vexatious behaviour in connection with formal complaints is that which hinders the school or Local Authority consideration of complaints, or their ability to communicate with an individual effectively, because of the frequency or nature of the complainant's/individual's contact with the school or the Local Authority, such as, if the complainant or individual:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented.
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, and complicated contact with staff in person, in writing, by email and/or by telephone
- uses threats to intimidate
- uses abusive, offensive, or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums
- unreasonably maligns a person's professional reputation and makes allegations or assertions either face to face, online or in any form of communication which are untrue or without evidential basis.

Whenever possible, the headteacher or chair of the Management Committee should discuss any concerns with the complainant informally before applying an "unreasonable" or "vexatious" marking.

If the behaviour continues, the headteacher should write to the complainant explaining that their behaviour is deemed unreasonable and why and ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, they may specify methods of communication and limit the number of contacts in a communication plan. This should be reviewed after six months.

Alignment with Monmouthshire County Council Complaint processes and Unacceptable actions by Complainants policy

Where the Local Authority has become involved in a complaint due to one of the special circumstances outlined above then both the school complaints and unreasonable conduct policies and those of the Local Authority may both be applicable.

<https://www.monmouthshire.gov.uk/app/uploads/2020/09/Whole-Authority-Complaints-and-Compliments-Policy-April-2020.pdf>

and

<https://www.monmouthshire.gov.uk/app/uploads/2023/01/Whole-Authority-Unacceptable-Actions-by-Complainants-Policy-April-2020-English.pdf>

The complainant should be advised which process is being used, and if there is any cross over, when and how this will occur and why.

This policy was approved by the Management Committee

Signed: ... *Swilce* ...

Chair of the Management Committee

Date:14th October 2025

Signed:J. Parkinson.....

Head of Cysgod y Coed

Date:14th October 2026.....