



Complaints procedure

Here you will find the Education Tribunal for Wales (ETW) complaints procedure. This procedure relates to complaints about the tribunal administration.

Complaints about Judicial Office Holders (Judges and Specialist Members of the Education Tribunal for Wales) should be referred to the Judicial Conduct Investigations Office. Further information is available at:

<https://www.complaints.judicialconduct.gov.uk/makeacomplaint/>

Our aim

We aim to provide a quality and helpful service to our users. If you are unhappy with the service provided by the tribunal administration, please let us know. You can do this by following the procedure outlined below. Complaints can be addressed to either the President or the Secretary of the Tribunal.

If it would help to discuss your concerns first, please feel free to contact us by telephone or e-mail:

Leon Mills
Business Manager/Secretary to the Tribunal
03000 25 9800
educationtribunal@gov.wales

Receiving a complaint

When we receive a complaint about the tribunal administration, we:

- treat it seriously;
- deal with it promptly and politely;
- respond by making a full explanation, an apology where we have got things wrong, and details of action we have taken to avoid getting things wrong in future;
- try to learn from complaints and use them to improve our operations; and
- keep a record of complaints and publish information on them in our annual report.

Making a complaint

Tribunal users can make complaints to the Tribunal:

- in writing
- by e-mail
- by telephone
- in person

We will normally reply in writing, by e-mail or post. You can make a complaint in either English or Welsh, and we will respond in whichever language you write to us in.

You can use this procedure to make a complaint about any of the aspects of the work of the tribunal administration. However, complaints about Judicial Office Holders must be submitted to the Judicial Conduct Investigation Office. You also cannot use this complaints procedure to have a Tribunal decision changed. If you disagree with a Tribunal decision, you should ask the tribunal to review its decision, or, if you think it is wrong in law, you can appeal to the Upper Tribunal. There are strict time limits on when you can appeal to the Upper Tribunal. Please see our guidance booklet *Permission to appeal to the Upper Tribunal: Guidance (ETW22)* or contact the Tribunal Helpline on 03000 25 9800 for more details.

Who should I complain to?

If you have a complaint about the way the Tribunal handled your hearing, but are not asking the Tribunal to change its decision because of that, you should write to the President of the Tribunal at:

educationtribunal@gov.wales or

ETW
Welsh Tribunals Unit
PO Box 100
Llandrindod Wells
Powys
LD1 9BW

If you are unhappy with the way your hearing was arranged, or with any other part of our service, you should write to the Secretary to the Tribunal.

In either case, it is helpful if you:

- make clear what you are complaining about;
- give specific details; and
- let us know how you think we could have dealt with things differently.

You can complain about the way we are handling your appeal or claim at any time during the process. Making a complaint will not normally delay the appeal or claim.

If you are not happy with our service before or on the day of the hearing, you should let a Tribunal Clerk know. The Clerk will try to sort out your complaint there and then.

What happens after I've made a complaint?

We will deal with your complaint promptly and fairly. Once we have received your complaint, it will be acknowledged within three working days.

We will normally send you a full reply within 15 working days of receiving it. If we are unable to reply within 15 working days because a longer investigation is needed, we will explain what steps are being taken to deal with your complaint, and when you can expect a full reply.

If we have made a mistake, we will apologise. We will tell you what went wrong and how we intend to put the service right.

What happens if the complaint is outside the jurisdiction of the Tribunal?

The Tribunal can only deal with complaints relating to an appeal or claim. If the complaint is about a school or local authority acting unreasonably, or failing to carry out their duties, it should be addressed to the:

Additional Learning Needs Branch
Support for Learners Division
Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

additionallearningneedsbranch@gov.wales

If the complaint is about something that the Tribunal cannot deal with, you may have grounds to appeal to the Public Services Ombudsman for Wales:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ

www.ombudsman.wales

0300 790 0203

Your local AM or MP may also be able to help you with a complaint. Your local Citizens' Advice Bureau can give you the name and address of your local AM or MP.

You can write to your AM at:

Welsh Parliament
Cardiff Bay
Cardiff CF99 1SN

You can write to your MP at:

House of Commons
London
SW1A 0AA