



Complaints Policy

Reviewed by: G Edwards

Date policy agreed by Governing Body: 6th December 2023

Date for review: December 2025



Introduction

Cardiff West Community High School 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 are committed to working with, and listening to, all stakeholders. The introduction of “Classcharts” has the intent of improving home-school communication and resolving any concerns raised swiftly.

Our definition of a complaint is ‘an expression of dissatisfaction in relation to the school or a member of its staff 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.

1. 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.

2. 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.

3. What we expect from you

We believe that all complainants have a right to be heard, understood and respected. But 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. We will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining. It may be appropriate for the school to develop an ‘unacceptable actions’ policy; an example is available from the PSOW, in which case add ‘We have a separate policy to manage situations where we find that someone’s actions are unacceptable.’

4. Our approach to answering your concern or complaint

- We will consider all your concerns and complaints in an open and fair way.
- At all times the school will respect the rights and feelings of those involved and make every effort to protect confidential information.
- Timescales for dealing with your concerns or complaints may need to be extended following discussion with you.
- We may ask for advice from the local 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 this is so, and will tell you what steps will be taken.

The governing body will keep the records of documents used to investigate your concern or complaint for seven years after it has been dealt with. Records will be kept in school and reviewed by the governing body after seven years to decide if they need to be kept for longer. 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.

Where complaints are considered to have been made only to cause harm or offence to individuals or the school, the governing body will ensure that records are kept of the investigations that are made and what actions are taken, including the reasons for 'no action'.

5. Answering your concern or complaint

The chart in Appendix A shows what may happen when you make a complaint or raise a concern. 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. However, we 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 a member of the senior leadership team. 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. We would encourage all parents to use "Classcharts" to directly message the appropriate member of staff to try and resolve the issue.

If you are a pupil, you can raise your concerns with your school council representative, form tutor or a teacher chosen to deal with pupil concerns (as appropriate for the school). 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. There is also a form attached (Appendix B) that 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 governors, addressed to the school, to ask for your complaint to be investigated.

In all cases, a member of the senior leadership team can help you to put your complaint in writing if necessary.

If you are involved in any way with a complaint, a member of the senior leadership team will explain what will happen and the sort of help that is available to you.

A member of the senior leadership team 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

It is rare that a complaint will progress any further. However, if you still feel that your complaint has not been dealt with fairly, you should write, through the school's address, to the chair of governors setting out your reasons for asking the governing body's complaints committee to consider your complaint. You do not have to write down details of your whole complaint again.

If you prefer, instead of sending a letter or e-mail, you can talk to the chair of governors or a member of the senior leadership team who will write down what is discussed and what, in your own words, would resolve the problem. We would normally expect you to do this within five school days of receiving the school's response. You will be asked to read the notes or will have the notes read back to you and then be asked to sign them as a true record of what was said. We will let you know how the complaint will be dealt with and will send a letter to confirm this. The complaints committee will normally have a meeting with you within 15 school days of receiving your letter.

The letter will also tell you when all the evidence and documentation to be considered by the complaints committee must be received. Everyone involved will see the evidence and documentation before the meeting, while ensuring that people's rights to privacy of information are protected. The letter will also record what we have agreed with you about when and where the meeting will take place and what will happen. The timescale may need to be changed, to



allow for the availability of people, the gathering of evidence or seeking advice. In this case, the person dealing with the complaint will agree a new meeting date with you.

Normally, in order to deal with the complaint as quickly as possible, the complaints committee will not reschedule the meeting more than once. If you ask to reschedule the meeting more than once, the committee may think it reasonable to make a decision on the complaint in your absence to avoid unnecessary delays.

We will write to you within 10 school days of the meeting explaining the outcome of the governing body's complaints committee's consideration.

We will keep records of all conversations and discussions for the purpose of future reference and review by the full governing body. These records will be kept for a minimum of seven years.

The governing body's complaints committee is the final arbiter of complaints.

6. Special circumstances

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

- **A governor or group of governors**
The concern or complaint will be referred to the chair of governors for investigation. The chair may alternatively delegate the matter to another governor for investigation. Stage B onwards of the complaints procedure will apply.
- **The chair of governors or Headteacher and chair of governors**
The vice chair of governors will be informed and will investigate it or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.
- **Both the chair of governors and vice chair of governors**
The complaint will be referred to the clerk to the governing body who will inform the chair of the complaints committee. Stage C of the complaints procedure will then apply.
- **The whole governing body**
The complaint will be referred to the clerk to the governing body who will inform the Headteacher, chair of governors, local authority and, where appropriate, the diocesan authority. The authorities will usually agree arrangements with the governing body for independent investigation of the complaint.
- **The Headteacher**
The concern or complaint will be referred to the chair of governors who will undertake the investigation or may delegate it to another governor. Stage B onwards of the complaints procedure will apply.

In all cases the school and governing body will ensure that complaints are dealt with in an unbiased, open and fair way.

7. Our commitment to you

We will take your concerns and complaints seriously and, where we have made mistakes, will try to learn from them.



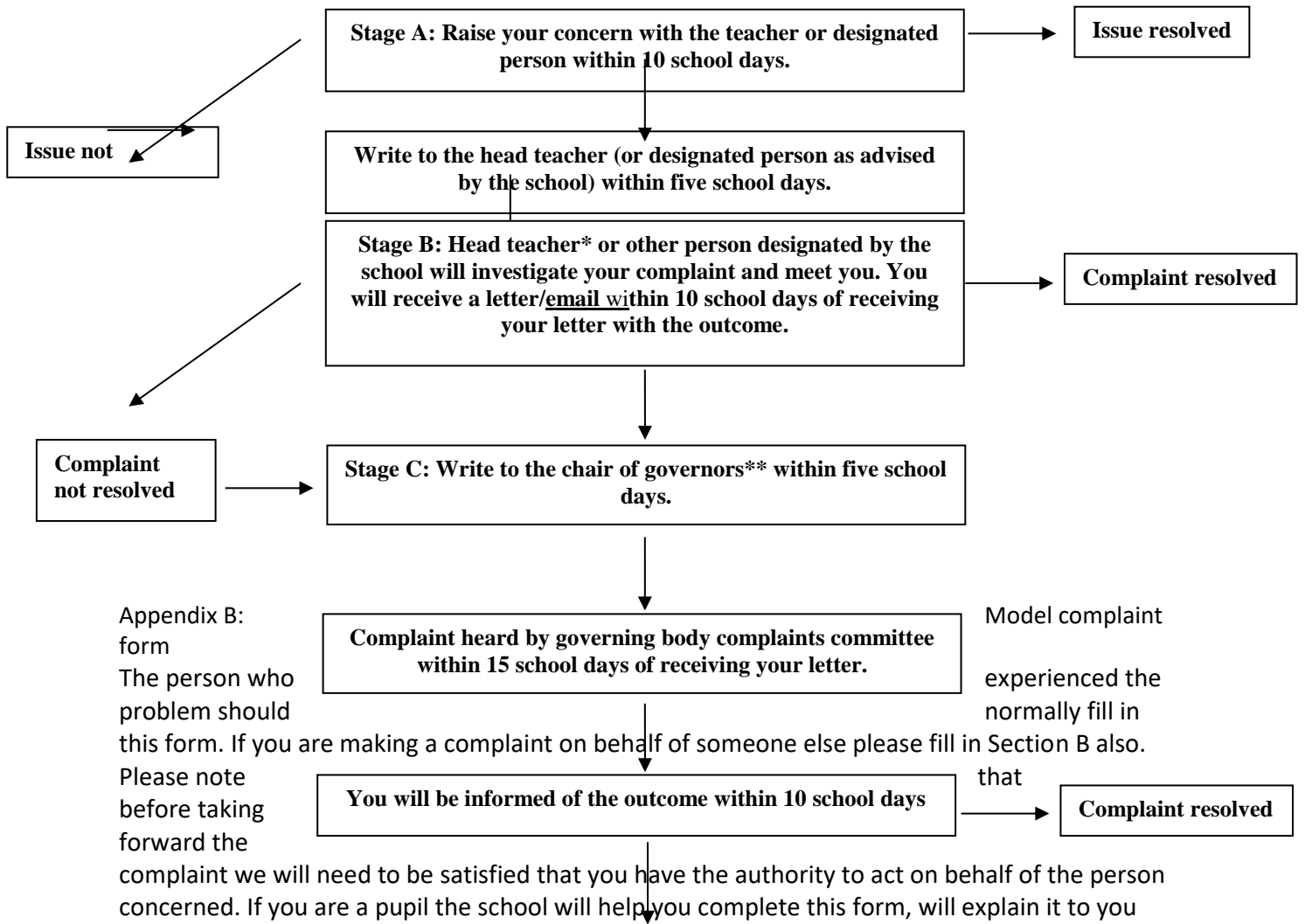
If you need help to make your concerns known we will try and assist you. If you are a young person and need extra assistance the Welsh Government has established MEIC which is a national advocacy and advice helpline for children and young people. Advice and support can also be accessed from the Children’s Commissioner for Wales.

The governing body has consulted with staff and pupils on this policy and will consult further if any amendments are made in the future.



Appendix A: Summary of dealing with concerns or complaints

Appendix A: Summary of dealing with concerns or complaints
 This procedure will be followed in the event of a concern or complaint about the school, provided that the concern or complaint does not fall under other statutory procedures.



Appendix B: form
 The person who problem should this form. If you are making a complaint on behalf of someone else please fill in Section B also. Please note before taking forward the complaint we will need to be satisfied that you have the authority to act on behalf of the person concerned. If you are a pupil the school will help you complete this form, will explain it to you

Model complaint experienced the normally fill in that

* If the complaint is about the head teacher you should write to the chair of governors.
 ** If the complaint is about the chair of governors you should write to the vice chair.
 All timescales shown are targets and are flexible; however it is in everyone's best interest to resolve a complaint as soon as possible. The school will work with you to ensure that the time allowed to deal with your concern or complaint is reasonable and helps to achieve an answer to the problem.

and will give you a copy of it when it is completed.



Your details

Surname	
Forename(S)	
Title: Mr/Mrs/Ms/other	
Address and postcode	
Daytime phone number	
Mobile phone number	
e-mail address	

How would you prefer us to contact you?

If you are making a complaint on behalf of someone else, what are their details?

Their name in full	
Address and postcode	
What is your relationship to them?	
Why are you making a complaint on their behalf?	

Your complaint (continue your answers on separate sheets of paper if necessary)

Name of the school you are complaining about.

What do you think they did wrong or did not do?

Describe how you have been affected.

When did you first become aware of the problem?



If it is more than three months since you first became aware of the problem, please give the reason why you have not complained before.

What do you think should be done to put matters right?

Have you already put your complaint to a member of staff? If so, please give brief details about how and when you did so.

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else

Signature:

Date:

Please send this form and any documents to support your complaint to:

Gaynor Edwards
Business Manager
Cardiff West Community High School
Penally Road
Caerau
Cardiff
CF5 5XP

Tel: 029 2067 1444

Email: cardiffwestchs@cardiff.gov.uk



Appendix 1: Habitual or vexatious complaints

Introduction

This policy applies to all complainants, and identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be 'habitual or vexatious' and ways of responding to these situations.

In this policy the term habitual means 'done constantly or as a habit'. The term vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. These terms are used in this policy to clarify that we are attempting to deal with persons who seek to be disruptive or whose requests cause disproportionate and repeated efforts on behalf of the school staff and governors by pursuing an unreasonable course of conduct.

The term complainant in this policy includes requests made under the Freedom of Information Act 2000, the Data Protection Act 1998, and the Environmental Information Regulations 2004, and reference to the complaints procedure is, where relevant, to be interpreted as meaning requests under those Acts.

Habitual and/or vexatious complaints can be a problem for school staff and governors. The difficulty in handling such complaints can place a strain on already limited time and resources. Whilst the school endeavours to respond with patience, empathy and sympathy to the needs of the complainants there are times when there is truly nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

Scope of Policy

This policy should only be used in exceptional circumstances after all reasonable measures have been taken to try to resolve complaints under the schools complaints procedures. However it is not necessary for a complaint to have become a level 3 complaint before this policy can be invoked. Judgement and discretion must be used in applying the criteria to identify potential habitual or vexatious complainants and in deciding on the appropriate action to be taken in specific cases.

The policy should only be invoked following careful consideration of all the issues by the Headteacher, the Chair of Governors and one other Governor member after an attempt has been made to reason with the complainant and it has been explained to them what it will mean if the habitual and vexatious policy is invoked. Authorisation to invoke the policy must be made in consultation with and on the advice of a panel of 3 governors. In an emergency the Chairman of Governors or if unavailable the Vice Chair of Governors may give authorisation pending ratification by the panel of 3 governors. The decision to invoke the policy must be reported to the full governing body.

No individual may undertake a role in authorisation in this procedure if he/she has had an involvement with the complaint.



Definition of Habitual or Vexatious Complainant

Each case will be viewed individually and decided on its merits. However, a complainant (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious if previous or current contact with them shows that they may meet any or all of the following criteria, dependent upon degree.

Where complainants:

- ☐ persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted (e.g. where several responses have been provided)
- ☐ change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response.

Care must be taken not to discard new issues which are significantly different from the original complaints. These might need to be addressed as separate complaints

- ☐ are unwilling to accept documented evidence of action
- ☐ are unwilling to accept that the Governing body has reached a final decision on a chosen course of action
- ☐ deny receiving an adequate response in spite of correspondence specifically answering their questions
- ☐ persist in pursuing a matter when they have already exhausted other statutory routes
- ☐ do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns
- ☐ continue to seek to pursue a complaint where the concerns identified are not within the remit of the Governing body to investigate
- ☐ focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a 'trivial' matter can be subjective and careful judgements must be used in applying this criteria
- ☐ have in the course of addressing a complaint, had an excessive number of contacts with the school placing unreasonable demands on staff time. A contact may be in person or by telephone, letter, e-mail or fax. Discretion must be used in determining the precise number of "excessive contacts" applicable under this section, using judgement based on the specific circumstances of each individual case
- ☐ have threatened or used physical violence towards staff at any time. This will in itself cause personal contact with the complainant and / or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented. Any complainant who threatens or uses actual physical violence towards staff will be regarded as a vexatious complainant and will be referred to the relevant authority. This will also inform the complainant of the action to be taken with regard to any further communication received
- ☐ have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff recognise, however, that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. They will document all instances of harassment, abusive or verbally aggressive behaviour



- ☐ are known to have recorded meetings or telephone conversations or circulated such records to third parties without the prior knowledge and consent of other parties involved
- ☐ make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice

Strategy for Dealing with Habitual or Vexatious Complainants.

Where complainants have been identified as habitual or vexatious under the scope of this policy, taking account of the above criteria, the Authorising Officers (Headteacher and Chair of Governors or if unavailable the Vice Chair of Governors plus one other Governor member) will determine what action to take. The Clerk will implement such action and will notify complainants, in writing, of the reasons why they have been classified as habitual or vexatious and what action will be taken. They will also be notified of the review procedure.

This notification may be copied for the information of others already involved in the complaint or matters closely related to it, e.g. LA officers, staff, Members of Parliament. A record must be kept, for future reference, of the reasons why a complainant has been classified as habitual or vexatious.

It may be decided to deal with complainants in one or more of the following ways:

- ☐ Withdraw contact with the complainant either in person, by telephone, by email, by fax, by letter or any combination of these, provided that at least one form of contact is maintained. If staff are to withdraw from a telephone conversation with a complainant there will be an agreed statement available for them to use at such times.
- ☐ To restrict contact to liaison through a designated member of staff.
- ☐ Notify the complainant in writing that the Governing body has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should be notified that any form of contact, either orally or in writing, in relation to their complaint, or any further complaints relative to the same period of time, or the same or similar issues as an earlier complaint, is at an end, and that further contact received will be acknowledged but not answered.
- ☐ Temporarily suspend, for a period to be specified to the complainant, all contact with the complainant, provided that the Governing body shall not, without the consent of the LA, withdraw or not provide any services to which the complainant or his/her family are entitled to receive.

Review Decisions and Withdrawing 'Habitual or Vexatious' Status.

Once a complainant has been determined, as habitual or vexatious, such status needs to be regularly reviewed, and, where appropriate, withdrawn at a later date. Such action may be appropriate where a complainant subsequently demonstrates a more reasonable approach or submits a further complaint for which the normal complaints procedures would appear appropriate.



A panel of 3 governors should review their decisions to categorise a complainant as habitual or vexatious every six months.

The panel on review may either withdraw the categorisation of a person as habitual or vexatious or amend the strategy being applied to that person. If the panel considers it appropriate to withdraw the status of habitual or vexatious complainant, normal contact with the complainant and application of the school's complaints procedure will be resumed. The complainant will be given notice of this decision forthwith.

☐ Copies of all decisions relating to the categorisation of a person as a habitual or vexatious complainant will be sent to the clerk who will hold and maintain a central register of such decisions.

Monitoring Arrangements

Statistical information will be presented annually to the Governing body with details of complainants who are categorised as habitual and / or vexatious.