

COMPLAINTS POLICY (INCLUDING COMPLAINTS AGAINST THE CURRICULUM)


RESPONSIBILITY:	LEARNING & ACHIEVEMENT COMMITTEE
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PROPOSED BY:	PAUL PHILLIPS
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TYPE OF POLICY:	STATUTORY
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ON WEBSITE:	YES
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DATE AGREED BY LEARNING & ACHIEVEMENT COMMITTEE:	15 MARCH 2018
FREQUENCY OF REVIEW:	THREE YEARLY
NEXT REVIEW:	MARCH 2021

APPROVED BY:	FULL GOVERNING BODY
DATE APPROVED AND ISSUED:	26 MARCH 2018
SIGNATURE:	 CHAIR OF GOVERNORS

In reviewing this policy, Learning & Achievement Committee has taken into account the provisions of the Equality Policy (December 2016)



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Policy Statement

Our policy is to ensure that any complaints are taken seriously and dealt with promptly and that we have in place a procedure for dealing with them.

Raising Concerns

At Vandyke Upper School “everyone matters”; therefore, in order for every student to develop to their full potential, it is vital that the school’s liaison with parents is of the highest quality possible. Although we hope you are generally happy with what the school is doing for your child, there may be times when you have questions or concerns which you wish to bring to the school’s attention.

The Informal Stage

Many concerns may be settled by contacting your child’s tutor or subject teacher, because they work regularly with your child. However, if your concern is of a more general nature or one which centres on a complaint about a teacher, your first point of contact should be your child’s Head of Year. You can contact any member of staff by letter, email, or by arranging an appointment to speak with them in person or on the telephone. We will respond promptly and politely, usually on the same day but definitely within two school days.

If you need to take the matter further, you should make an appointment to see the Headteacher or member of the Leadership Group.

Having done these things, if you remain dissatisfied with the school’s response to your concern, you may make a formal complaint.

The Formal Stage

A formal complaint needs to be submitted to the Headteacher in writing with your contact address and telephone number. We are happy to provide the assistance of someone unconnected with the complaint, if you would like support in completing the letter. The Headteacher will contact you within two school days to confirm receipt of the complaint.

The complaint will be investigated within five school days. If it is likely to take longer than this, you will be informed and possibly asked for further information. You will then be invited to a meeting to discuss the matter. Following this meeting, you will receive a written reply to your complaint together with details of any actions which the school may be taking.

The Formal Hearing Stage

If you are not satisfied with the formal reply, you should then write to the Chair of Governors at the school address within ten school days, to ask for a formal hearing. You will receive an acknowledgement within five school days.

Your complaint will be heard by the Governors’ Complaints Committee within fifteen school days or as soon as possible. This meeting is to resolve the matter. The time and date of the meeting will be arranged to suit everyone and you are invited to bring a friend with you. The Committee’s decision will be sent to you within five school days.

The Secretary of State

As Vandyke is an Academy, complaints should be resolved within the school. If you remain dissatisfied with the decision of the Governors' Complaints Committee, you may write to the Secretary of State for Education at the Department for Education (DfE). The Department for Education (DfE) will only intervene if it finds that the Governing Body of the school has failed to carry out its lawful duties or has acted unreasonably.

Complaints not covered by this Policy

There are a number of matters for which special procedures have been established to deal with complaints. If your complaint relates to one of these areas, please ask for advice from the school regarding what to do.

The special procedure areas are:

- Admissions
- School Exclusions
- Special Educational Needs
- Staff Disciplinary or Capability Procedures
- Complaints about the Headteacher (in writing to the Chair of Governors)
- Complaints about Governors (in writing to the Headteacher)
- Matters relating to the National Curriculum and the provision of Collective Worship and Religious Education

Unreasonably persistent complainants and unreasonable complainant behaviour

Unfortunately, in a very small minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the school.

These actions can occur either while the complaint is being investigated, or once the school has concluded the complaint investigation.

In such cases, the school will observe the Department for Education's guidance on Serial and Persistent Complainants which is below.

The decision to stop responding will never be taken lightly. A school needs to be able to say yes to all of the following:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any);
- They are contacting the school repeatedly but making substantially the same points each time.

The case is stronger if the school agrees with one or more of these statements:

- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- Their letters/emails/telephone calls are often or always abusive or aggressive.
- They make insulting personal comments about or threats towards staff.

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent. Schools must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005. However, where an individual's behaviour is causing a significant level of disruption schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

Complainants who may have been restricted in their communications with the school can also be advised to ask a third party to act on their behalf, such as the local Citizen's Advice Bureau. Ultimately, if a complainant persists to the point that the school considers it to constitute harassment, legal advice should be sought as to the next steps. In some cases, injunctions and other court orders have been issued to complainants because of their behaviours.

Once a school has decided that it is appropriate to stop responding, they will need to let the complainant know; ideally, through a hard copy letter but an email will suffice.