

## COMPLAINTS POLICY (INCLUDING COMPLAINTS AGAINST THE CURRICULUM)


<b>RESPONSIBILITY:</b>	<b>LEARNING &amp; ACHIEVEMENT COMMITTEE</b>
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<b>PROPOSED BY:</b>	<b>PAUL PHILLIPS</b>
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<b>TYPE OF POLICY:</b>	<b>STATUTORY</b>
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<b>ON WEBSITE:</b>	<b>YES</b>
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<b>DATE AGREED BY LEARNING &amp; ACHIEVEMENT COMMITTEE:</b>	<b>6 MAY 2021</b>
<b>FREQUENCY OF REVIEW:</b>	<b>THREE YEARLY</b>
<b>NEXT REVIEW:</b>	<b>MARCH 2024</b>

<b>APPROVED BY:</b>	<b>GOVERNING BOARD</b>
<b>DATE APPROVED AND ISSUED:</b>	<b>24 MAY 2021</b>
<b>SIGNATURE:</b>	 <b>DAVID PACKER</b> <b>CHAIR OF GOVERNORS</b>

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



## **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 (“the 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/carers 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 House. 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 Upper School 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 DfE will only intervene if it finds that the Governing Board 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)

## **Serial and Persistent Contacts or Complaints**

The School is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school unless the behaviour of a complainant is deemed to be unreasonable.

The School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 cooperate 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 irrelevant information which they expect to be taken into account and commented on
- changes the basis of the complaint as the investigation proceeds
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

- 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 and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint, in person, in writing, by email and by telephone, while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides false information
- publishes unacceptable information on social media or other public forums

Complainants should try to limit their communication with the School that relates to their complaint while the complaint is being progressed.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts.

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