



**Leventhorpe**  
a business and enterprise academy

## **Governing Body Policy**

**Policy Title:** Complaints

**Policy no:** R3

**Committee:** Resources

**SLT Main Link:** Mr Locke

**Due for Review:** Resources Spring 2019

## LEVENTHORPE

### COMPLAINTS POLICY

Each day Leventhorpe makes many decisions and tries to do the best for all the children and to the community it serves. Your comments – either positive or negative – are helpful for future planning. Please let us know your views.

We know that it can feel uncomfortable to question or challenge, but if you do not express your concerns we cannot explain or take any remedial action.

If you are dissatisfied about the way a child is being treated, or any actions or lack of action by us, please feel able to complain. If you have a concern and you are not a parent/carer you should in the first instance contact the office.

#### **We undertake that:-**

- Your complaint will be dealt with honestly, politely and in confidence.
- Your complaint will be looked into thoroughly and fairly.
- Your complaint will be acknowledged and dealt with as soon as possible and we will keep you informed.
- We will apologise if we have made a mistake.

How to make a complaint

#### **First – Informal Stage**

If you have a concern about anything we do or if you wish to make a complaint you can do this by telephone, in person or in writing during term time. We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. If you have a particular concern, or there is something you are unhappy about, or you do not understand why we are doing something in a particular way, please contact your child's pastoral head (Head of House or Head of Sixth Form) or one of the Deputy or Assistant Heads who will be able to advise you further.

If you feel that your complaint has not been resolved satisfactorily then you should contact the Head Teacher either in writing or by speaking to the Head Teacher's Secretary. Following discussion with the Head Teacher (or a nominated governor if more appropriate) if you feel that your complaint has still not been dealt with satisfactorily then there is a next step.

#### **Second – Formal Stage**

If you are not satisfied you can complain formally by completing a form, which is available from the school office. Send the completed form to the Chair of Governors c/o The Clerk to the Governors at the school. The Chair will then arrange for your complaint to be investigated and considered and will reply within 15\* academy days to give you a progress report and tell you what will happen next. When your complaint has been fully investigated you will be told of the outcome in writing.

### **Third Stage – Complaint heard by a Complaints Panel**

If the matter has still not been resolved at Stage 2, the Chair or a nominated Governor~~s~~ will convene a complaints panel. Governors will ensure that at least one member of the panel is independent of the management and running of the academy. The hearing will normally take place within 20 Academy working days of the receipt of the written request for Stage 3 investigation.

You will be invited to attend the panel hearing and you will have the right to be accompanied if you wish.

The aim of the Panel Hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel's decision in writing within 7 academy working days after the date of the hearing.

The formal appeal hearing is the last school-based stage of the complaints process.

In the unlikely event that your complaint cannot be resolved by the complaints panel, there is a further step for certain categories of complaint. If you are not satisfied with the school's handling and investigation of your complaint then you may contact the EFA (Education Funding Agency) who are responsible for ensuring that academies comply with their Funding Agreements.

The EFA will check whether the complaint has been dealt with properly by the academy and will consider complaints about academies that fall into any of the following three areas:

1. where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
2. where the academy is in breach of its funding agreement with the Secretary of State
3. where an academy has failed to comply with any other legal obligation

The EFA cannot review or overturn an academy's decision about a complaint but they may ask the school to review its decision and/or ask the academy to change its complaints procedure so that it complies with legal requirements. Their contact details are

[academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk)

Academies Central Unit  
Education Funding Agency  
Earlsdon Park  
53 – 55 Butts Road  
Coventry  
CV1 3BH

## Vexatious Complaints

The school will resist abuse of the complaints procedure. It will not respond to complaints that are vexatious, repeated or manifestly trivial. It may decline to deal with some complaints where the number and/or type of complaints made by a particular individual or family is unreasonable. If, at any stage of the complaints procedure governors decide that a complaint is or has become vexatious they will advise the complainant that the school will not correspond on the matter further. Should correspondence continue, it will be read and filed but may receive no acknowledgement

Complaints become vexatious when they are:

- Repeatedly and obsessively pursued, or
- Unreasonable or seeking unrealistic outcomes, or
- Reasonable but pursued in an unreasonable manner

Examples may be where complainants:

- Persist in pursuing a complaint where the school's complaints procedure has been properly implemented and exhausted (e.g. where several responses have been provided).
- Change the substance of a complaint: continually raise new issues, or raise further concerns or questions upon receipt of a response.
- Are unwilling to accept documented evidence of action.
- Are unwilling to accept that the Governors have reached a final decision on a chosen course of action.
- Deny receiving an adequate response in spite of correspondence specifically dealing with the issues raised.
- Persist in pursuing a matter when they have already exhausted all routes of appeal.
- 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 are not within the control of the school or its governance.
- Focus on trivial matters to an extent which is out of proportion to their significance and continue to press only those points (we recognise that what is a 'trivial' matter is a highly subjective judgement and will exercise care in applying this criteria).
- Have in the course of addressing a complaint, had an excessive number of contacts with the school representatives placing unreasonable demands on staff time. A contact may be in person or by telephone, letter, e-mail or fax. Or any other means. (Discretion will 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).
- Make unreasonable demands on those dealing with a complaint, refusing 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.

- Make repeated counter-complaints against those dealing with the issue, especially with the clear intention of influencing the outcome of the procedure.
- Are known to have recorded meetings or face-to-face / telephone conversations without the prior knowledge and consent of other parties involved.
- 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. The school will consider any complainant who make threats or uses actual physical violence towards staff as a vexatious complainant. The school will inform the complainant of the action to be taken with regard to any further communication received and reserves the right to take legal action in such cases.
- Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. We recognise that complainants may be sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. However, the Governors have a duty of care to their employees and reserve the right to take whatever action is deemed necessary to secure their reasonable safety. Any form of harassment, abusive behaviour or verbal aggression will be recorded and legal action may be taken.

*Please see **Policy R3 Appendix A** for complaints form – available on request from the school*

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\*every effort will be made to meet the timescales stated in this policy. If the nature of the complaint or the investigation is complicated then resolution may take longer. If this is the case then the school will keep the complainant up to date with likely revised timescales.