



Kirkbie Kendal School Academy Trust

Policy Title:	Curriculum Complaints
Policy Reference:	C11
Version:	1.3
Member of Staff Responsible for review:	Deputy Headteacher
Governors' Committee/SLT Responsible:	Curriculum
Status:	Adopted
Date first adopted/accepted by Governing Body:	24 Jan 07
Review Cycle:	1 year
Date of last review:	Feb 22
Date for next scheduled review:	Feb 23

Change Record		
Version	Date	Description
1.1	Curriculum (12 Feb 19)	Formal procedure section, second bullet point: inclusion of new wording after 'If not satisfied' to read 'with the outcomes of the investigation ...'
1.2	To SLT 21.01.21 Curriculum 9 Feb 21	No changes
1.3	To SLT 31.01.22 Curriculum 9.02.22	No changes
1.4		

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“Kirkbie Kendal School promotes the safeguarding and welfare of children in its care; all policies and procedures support the Child Protection Policy.”

KIRKBIE KENDAL SCHOOL ACADEMY TRUST

CURRICULUM COMPLAINTS POLICY

INTRODUCTION

Where the Headteacher, or a member of staff acting on his or her behalf, fails to resolve a curriculum complaint by a parent or carer, then the parent or carer can raise the matter with the Curriculum Complaints Committee established by the governing body to deal with such matters.

This guidance on procedure is produced to help you to address complaints and concerns about the School Curriculum. Briefly there is an informal procedure which should be followed at first. If this does not lead to a conclusion, there is a more formal process which can be followed. These stages are explained in more detail below.

Parents/Carers may complain if they believe that the governing body is **failing to**:

- provide a curriculum in line with the Department for Education (DfE) Policy in the school;
- carry out other curriculum duties, such as preventing any indoctrination in teaching programmes and not clearly defining what is being taught at Key Stage 3 and Key Stage 4;
- offer only approved qualifications or syllabuses;
- provide religious education or collective worship;
- operate a charging policy properly;
- provide the information that they are required to provide to parents and others (eg attendance, achievement at key stages, examination results, etc).

1 INFORMAL STAGE

1.1 Many complaints can be resolved by giving the complainant the opportunity to discuss his/her concerns with an appropriate member of staff, eg the Form Tutor, the Subject Teacher, the Subject Team Leader, the Deputy Headteacher (Curriculum). It is reasonable to expect that the vast majority of complaints should be resolved at this stage. The member of staff should keep a record of actions taken, phone calls made, copies of any letters posted and the outcome(s) of the informal complaint. If this does not lead to a satisfactory outcome then the Headteacher may become involved at this stage to try and prevent the need for a formal complaint. The Headteacher will acknowledge the complaint, check what actions have been taken and see if there is more that can be done to prevent a formal complaint. Again full records of actions taken, including letters and phone calls by the Headteacher, should be kept as well as the outcome of the complaint.

1.2 If the informal process has been exhausted and no satisfactory solution found, the complainant should be advised by the member of staff dealing with the issue that if he/she wishes the complaint can be considered formally.

2 FORMAL PROCEDURE

There can be two stages to the formal procedure:

- Referral to the Headteacher for investigation. In the case of a complaint about the Headteacher, the referral should be to the Chair of the Governing Body. The responsibility for

investigation in this case will rest with the Chair or a Governor, nominated to carry out the investigation (“the investigator”).

- If not satisfied with the outcome of the investigation: request a Committee of the Governing Body to consider an Appeal.

In any event the Head will inform the complainant within 10 school days of:

- the decision he/she has reached, and the reason for it;
- any action taken or proposed, including details of any request made to those complained against to take particular actions to resolve the complaint.

If the complainant is dissatisfied with the Headteacher's response, or has not received a decision within the time limit imposed above, the Headteacher must refer the matter to the Governing Body or Committee of it via the Clerk to the Governing Body. The Clerk will write to the complainant with details of how the Governing Body or Committee of it will consider the complaint, and of the complainant's rights as explained in the paragraph above and in the paragraphs below.

If the complaint appears to be urgent, the Clerk will convene a meeting of the appointed Committee to consider the complaint within twelve days of its receipt, these being days on which the school is normally in session (school days). If the complaint is not urgent, the Clerk will convene a meeting to consider the complaint within twenty school days. The Clerk will give the complainant a minimum of seven ordinary days' notice of the date, time and place of the meeting; any reasonable request made by the complainant for an alternative date should result in a mutually convenient alternative date being set at the earliest possible time. If the complainant does not wish to attend the meeting, he or she may present the complaint in writing to the Governing Body or Committee. The complainant must submit any such material to the clerk no later than two school days before the meeting.

MATTERS COVERED BY THE COMPLAINTS COMMITTEE

The Governing Body must establish a complaints machinery which is approved by the Secretary of State for use by parents if they believe that the Governing Body is failing to:

- provide a curriculum in line with the Department for Education (DfE) in the school;
- carry out other curriculum duties, such as preventing any indoctrination in teaching programmes and clearly defining what is being taught at Key Stage 3 and Key Stage 4;
- offer only approved qualifications or syllabuses;
- provide religious education or collective worship;
- operate a charging policy properly;
- provide the information that they are required to provide to parents and others (eg attendance, achievement at key stages, examination results, etc).

Complaints about staff are not covered by this procedure. These must be dealt with using the School Complaints Policy by the Headteacher.

THE CONSTITUTION OF THE COMPLAINTS COMMITTEE

The Committee will consist of two Governors and one non-governor who has relevant experience of the curriculum area in which the complaint has been made. One of the governors will act as Chairman of the Committee.

THE HEARING PROCEDURE

Where the complainant chooses to attend in person, the usual order of proceedings shall be as follows:

1. The Chairperson of the Governing Body or Committee will welcome the complainant, any representative and introduce those present.
2. The complainant may, if he or she chooses, restate the nature of the complaint.
3. The complainant may be asked questions by the committee and by the Headteacher.
4. The Headteacher may be asked to make a statement to the Committee regarding the matter complained of and may be asked questions by the Governing Body (or Committee) or by the complainant.
5. The complainant may, if he or she chooses, summarise the complaint.
6. The Headteacher, complainant and any friend or representative they have brought will be asked to leave.
7. The Committee shall consider at this meeting the complaint and any relevant information or factors. They shall only reach a decision after the Headteacher and, where relevant, the complainant and any friends or representatives of either individual, have withdrawn. The Committee shall decide:
 - i. to reject the complaint;
 - ii. to uphold the complaint;
 - iii. investigate the complaint further.
8. The Clerk shall inform the complainant and the Headteacher in writing within five school days:
 - i. of the decision reached by the Committee and the reasons for the decision. If the Committee decides that the complaint falls outside the scope of a curriculum complaint, the Clerk will inform the complainant of any further recourse he or she may have;
 - ii. of any action taken or proposed if the complaint was upheld, including details of any request to those complained against to take particular actions to resolve the complaint.

FURTHER ACTION

If this does not resolve the matter, further recourse can be taken by making a complaint to the LA then Secretary of State under section 496 or 497 of the Education Act 1996. However, it should be pointed out that the Secretary of State's powers do not extend to reviewing decisions of complaints committees. The Secretary of State only has the power to decide whether the Governing Body concerned has acted unreasonably or is in default of its statutory duties and insist that this state of affairs does not continue.

RELATED POLICIES AND PROCEDURES

Curriculum Policy
School Complaints Procedure/Policy
Religious and Collective Worship Policy
Prospectus and the Annual Report to Parents
Drugs Policy
Sex and Relationships Education Policy
Citizenship programme

THIS DOCUMENT IS AVAILABLE IN THE FOLLOWING FORMATS:

**PAPER
ENLARGED PRINT
EMAIL
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