



COMPLAINTS POLICY

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Review Completed	January 25
Date of Next Review	January 26

Table of Contents

1. Introduction
2. Aims
3. Definitions
4. Scope
5. Types of Complaints
6. Roles and Responsibilities
7. Principles for Investigation
8. Time Scales
9. Complaint procedure
10. Serial Complaints
11. Unreasonable complaints
12. Complaint Campaigns
13. Anonymous Complaints
14. Appeals
15. Learning lessons
16. Links with other policies

1. Introduction:

Viet Nam Tinh Hoa is committed to providing a safe, inclusive, and nurturing learning environment for all students, parents, staff, and community members. We recognize that concerns and complaints may arise from time to time, and we are dedicated to addressing these matters promptly and fairly. We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

This policy outlines the procedures for submitting, investigating, and resolving formal complaints within our school community.

2. Aims:

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

3. Definitions:

- Concern: is an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
- Complaint: is an expression of dissatisfaction however made, about actions taken or a lack of action.
- Complainant: The individual or party making a complaint.
- Respondent: The individual, staff member, or school entity against whom the complaint is directed.
- Confidentiality: Information related to complaints will be treated with the utmost discretion and only shared with those who need to be involved in the resolution process.

4. Scope:

This policy applies to all stakeholders, including students, parents, guardians, staff members, volunteers, and community members associated with VTH.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

5. Types of Complaints:

Complaints may pertain to various aspects of school life, including but not limited to:

- Academic matters
- Discipline and behaviour
- Safety and security
- Facilities and resources
- Administrative decisions
- Discrimination or harassment.

This policy does not cover complaints procedures relating to:

- Admissions
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- Safeguarding matters
- Exclusion
- Whistleblowing
- Staff grievances
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Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

6. Roles and responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

The investigator

The Head of Junior School will investigate the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report which includes the facts and potential solutions
- Keep the complainant up to date at each stage in the procedure
- Be aware of issues relating to:
 - Sharing third party information
 - Additional support needed by complainants, for example interpretation support for English or Vietnamese speakers.

- Keep records

7. Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

8. Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

9. Complaint Procedures:

Informal Resolution: Whenever possible, individuals are encouraged to resolve concerns informally by discussing the issue directly with the person involved or their immediate supervisor, teacher, or relevant staff member. Informal resolution aims to address issues promptly and avoid escalation.

Formal Complaint Submission:

If the issue remains unresolved after attempting an informal resolution or if the nature of the complaint requires immediate attention, individuals may submit a formal complaint following these steps:

1. Complainant submits a written complaint to the Head of Junior School or designated staff member. The complaint should include the following details:
 - Name and contact information of the complainant
 - A detailed description of the complaint
 - Relevant supporting documentation or evidence

If complainants need assistance raising a formal complaint, they can contact the school office at nlcs214@nlcshcmc.edu.vn.

Complaint Acknowledgment:

Upon receiving the complaint, the Head of Junior School or designated staff member will acknowledge receipt within 5 school days and initiate an investigation.

Investigation and Resolution:

The school will conduct a thorough and impartial investigation into the complaint, involving all relevant parties. The investigation will be completed within a reasonable timeframe, and confidentiality will be maintained to the extent possible.

Communication of Outcome:

VTH will communicate the outcome of the investigation to the complainant in writing within 20 working days of receiving the complaint.

10. Serial Complaints:

If an individual repeatedly submits similar or identical complaints without new evidence or substantial changes in circumstances, the school may consolidate these complaints for efficient resolution.

11. Unreasonable Complaints

If a complaint is determined to be unreasonable, frivolous, or vexatious, the school reserves the right to take appropriate action. Such actions may include dismissal of the complaint, limitations on future complaints from the same individual, or disciplinary measures if the complaint is malicious or disruptive.

A complaint may be regarded as unreasonable when the person making the complaint:

- 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 co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- 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 MOET.
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.

12. Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

13. Anonymous Complaints

While we encourage complainants to identify themselves for transparency and effective resolution, anonymous complaints will also be considered. However, it may limit the school's ability to fully investigate and address the complaint. The school will make reasonable efforts to investigate and respond to anonymous complaints to the best of its ability.

14. Appeals:

If the complainant is dissatisfied with the outcome of the initial investigation, they may appeal the decision to the School Board within 10 working days. The school will acknowledge receipt of the request within 5 school days.

The review panel will consist of 3 members of the school leadership, who don't have direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress. The written conclusion of this appeal will be sent to the complainant within 30 school days.

The decision of the School Board is final.

Confidentiality:

All information related to complaints will be treated confidentially, in accordance with applicable laws and regulations.

Records:

VTH will maintain records of all complaints, including documentation related to the complaint, investigation, and resolution. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel in accordance with data protection and privacy laws.

15. Learning lessons

The School Board will review any underlying issues raised by complaints with the Head of Junior School where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

16. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices