



Milverton Primary School

Standard of Fluency Complaints

School Website Copy

Agreed by: Finance and Personnel Committee

Date Agreed: March 2024

Date to be reviewed: March 2027

Updated Issue #1 March 2024

As members of a public authority, all staff are subject to the fluency duty imposed by the Immigration Act 2016, which requires staff members to have an appropriate level of fluency in English in order to teach pupils.

The school is free to determine the level of spoken communication necessary in order for staff members to develop effective performance, but it will be matched to the demands of the role in question.

The school will be satisfied that an individual has the necessary level of fluency appropriate for the role they will be undertaking, whether this is an existing or potential new member of staff. If a member of the school community feels that a staff member has insufficient proficiency in spoken English for the performance of their role, they are required to follow the process outlined in the policy.

For the purpose of this policy, a "legitimate complaint" is one which is about the standard of spoken English of a member of staff; complaints regarding an individual's accent, dialect, manner, or tone of communication are not considered legitimate complaints.

All legitimate complaints regarding the fluency duty will be handled in line with the processes outlined in this policy.

In addition to the processes outlined in this policy, the school will assess the merits of a legitimate complaint against the necessary standard of spoken English fluency required for the role in question. To assess the merits, the school will undertake an objective assessment against clear criteria set out in the role specification or, against the level of fluency descriptors relevant to the role in question. If the complaint is upheld, the school will consider what action is necessary to meet the fluency duty; this may include:

- Specific training
- Specific retraining
- Assessment
- Redeployment
- Dismissal

Appropriate support will be provided to staff to ensure that they are protected from vexatious complaints and are not subjected to unnecessary fluency testing.

Records of complaints regarding fluency will be kept in accordance with the processes outlined in the Recording a Complaint section of this policy.

Complaint Form

Before you make a formal complaint and to help ensure that you have completed the informal procedure, it is recommended that you ask the following questions:

- Have I communicated my concern or worry to the Class Teacher?
- Have I followed the guidance provided to me?
- Have I allowed a sufficient period of time for actions and improvements to be implemented?
- Am I dissatisfied with the action taken, or the way I have been treated?
- Is my concern unresolved?

If you answer yes to these questions, then you may wish to make a formal complaint.

Please complete and return the Complaint Form to Headteacher who will acknowledge receipt and explain what action will be taken.

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| Your name: |
| Pupil's name (if relevant): |
| Your relationship to the pupil (if relevant): |
| Day time telephone number: Evening telephone number: Email address: |
| Key points of your complaint – Please summarise the key issues for you |
| Timeline – please <i>summarise</i> the sequence of events – in date / time order |
| Your desired outcome(s) – What are you hoping to achieve? What actions do you feel might resolve the problem at this stage? |
| Are you attaching any paperwork? <i>Please give clear references and indications of documents, records, policies, and any other documents that will help us to understand your point of view and your complaint</i> |
| Signature: |
| Date: |
| Official use |
| <i>Date acknowledgement sent:</i> |
| <i>By whom:</i> |
| <i>Complaint referred to:</i> |
| <i>Date:</i> |