



# Complaints about our School Policy

*Reviewed Annually by the Pupil Progress & Welfare Committee*

Date of last Review	Signature
8 <sup>th</sup> March 2016	Chair

All Schools are required to have procedures in place for dealing with complaints relating to the School and any community facilities or services that the School provides.

The existence of this policy should be publicised on the website.

In this School all staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and the community and believe that School and parents must work together in partnership, each carrying out our own particular responsibilities to help pupils gain the most from their time in School.

If you feel that something is not going quite as you would like it to, that we are doing something that you are unhappy with, or not doing something that you feel we should, please tell us about it.

## **Procedure for Complainants**

1. Please arrange to discuss any concern with your child's teacher or appropriate staff member, or with the particular teacher concerned. We hope that most problems can be sorted out in this way.
2. If, after speaking to your child's teacher or the appropriate staff member, you do not feel that your complaint has been properly dealt with, or if your concern is about the conduct of a particular teacher, then you should discuss the matter with the Headteacher.
3. If you feel the complaint has still not been resolved, then you should make a formal written complaint to the Headteacher, unless the complaint is about the Headteacher. You should then receive a written response within 7 working days.
4. If your complaint is about the conduct of the Headteacher, or if you are dissatisfied with the Headteacher's response to your formal complaint letter, then you will need to contact the Governors.

You should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors, (Mrs Catherine Murray ), at the School address.

If for some reason, you do not feel able to do so, you should contact the Clerk, via the School, who will record your complaint as a statement for you to sign.

The Governors will investigate your complaint and write to you to advise you of the outcome. (See Procedures for Governors and Written Representation)

5. The decision of the Governors is usually final; however if you are dissatisfied with the Governors' response, you may be able to take your complaint to an external body.

Parents or other complainants can write to the Secretary for State for Education but the complaint will only be considered once a School's internal processes are all exhausted.

For the Secretary of State to intervene in a matter, he would also have to be sure that:

- The School has acted or proposes to act unreasonably in the exercise or performance of its functions under certain legislation

- Or, the School has failed to carry out a duty at all under certain legislation

School Complaints Team  
Department for Education  
Castle View House  
East Lane  
Runcorn WA7 2GJ

Or access the online School Complaint form:

<http://www.education.gov.uk/b00212240/guidance-on-making-a-complaint-about-a-school/how-to-complain-to-the-department-about-a-school>

## **Procedure for Governors**

Please also refer to the flowchart (Appendix 1).

If a parent or other complainant is not satisfied with the response from the Headteacher regarding their complaint, or if their complaint is about the Headteacher, then he/she is entitled to take their complaint to the Governing Body.

All complaints to the Governing Body must be in writing and should include full details of the complaint, enclosing any supporting evidence. This should be sent to the Clerk of Governors, care of the School. The Clerk will then ensure that the complaints procedure is started as soon as practicable.

A minimum of 3 Governors should be selected to form a Complaints Committee to investigate and consider the complaint. It is recommended that the Chair of Governors is not chosen. Those selected should ideally have no prior knowledge of the details surrounding the complaint or of the complainant themselves. Governors must be impartial.

Once the complaints committee is formed, they must decide how they are going to investigate the complaint. There are two options:

1. Oral hearing
2. Written representation (recommended by the LA)

Governors must be sensitive to any needs the complainant has.

### **Oral Hearing**

If an oral hearing is chosen, the parent or complainant will be invited to a meeting where they can put their complaint personally to the Governors.

The Headteacher must be present to respond to the complaint.

Teachers should not attend. If their evidence is needed, it will be sought before or after the meeting.

The Governors will only make a decision about the complaint once they have heard the parent's or complainant's and the School's evidence.

The structure of the meeting should be flexible however, it is anticipated it will follow a similar process to exclusion and admission appeals.

The complaints committee should have familiarised themselves with the written complaint before the meeting and will have opportunity to ask questions, as will the Headteacher.

The complaint should then be responded to by the Headteacher, with questions from both parties being permitted.

Once both parties have summarised their positions, the Governors will make their decision in private.

Both the complainant and Headteacher are entitled to bring a representative with them if they wish; this may be legal representation if appropriate.

The Clerk of Governors should be notified before the meeting of any representatives who are attending.

## **Written Representation**

If written representation is chosen by the complaints committee, the Clerk of Governors will write to the complainant outlining the procedure.

The complaint will be forwarded to the Headteacher, who then has 7 working days to respond.

The response in turn, will be sent back to the complainant for response within 7 working days.

Finally that response will go the Headteacher who has another 7 working days to respond to the Clerk.

A copy of the Headteacher's final response should be sent to the complainant, with the advice that it is for their information and any further response from the parent or complainant will not be considered except in exceptional circumstances.

All the responses are then put before the Complaints Committee for consideration.

For the avoidance of doubt, all communications should be through the Clerk to Governors, neither party should send their response to the other directly.

Regardless of which method is adopted, the complaints committee must take a robust approach and not simply endorse the decision of the Headteacher without any consideration of the evidence.

The Complaints Committee must have all the appropriate evidence they feel is necessary for them to make their decision. If they are not satisfied and require further evidence from either party, they should adjourn and request the information.

The Complaints Committee should only make their decision if they are satisfied they have sufficient evidence with which to make a final decision.

The decision of the Complaints Committee should be given to the complainant in writing within 5 working days of the decision.

Providing the procedures as laid down in the complaints policy are followed then there is no right of appeal following this decision.

The decision letter should outline the nature of the complaint, the factors taken into consideration and the decision of the complaints committee. There is therefore no need for minutes to include any other information.

Under the Data Protection Act, parents or complainants can request to have sight of all documents relating to their complaint, subject to restrictions.

It is important that the complaint and the investigation papers are not attached to the child's file as they do not relate to the child.

However, schools may wish to keep a central register of complaints received.

### Reference Materials

Education Act 1996 (Sections 496 & 497)

Education Act 2002 (Section 29)

Apprenticeships, Skills, Children and Learning Act ("The Act") 2009 (Chapter 10, Part 2, Sections 206-224)

Education Act 2011

'Complaints by Parents – Model Procedure'

### [Appendix 1](#)



