

Introduction

Governing Bodies of schools are required by law under Education Act 2002 (Section 29) to establish procedures for dealing with complaints.

The Difference between a concern and a Complaint

All parties need to be clear about the difference between a **concern** and a **complaint**. A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. School will take informal concerns seriously and make every effort to resolve the matter as quickly as possible. The existence of a complaints procedure should not be seen as a way of undermining efforts to resolve a concern informally. (Annex 1)

The formal complaints procedure should be invoked where initial attempts to resolve the issue have been unsuccessful and the person raising the issue remains dissatisfied and wishes to take the matter further.

Who can make a complaint?

Anyone, (parents, carers or members of the public) must feel able to raise a concern or make comment about what goes on in school with staff, Head Teacher or nominated senior staff member, without formality. These can be made in person, by telephone or in writing.

General Principles

This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.

An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.

Standards for handling complaints

You can expect to be treated with courtesy, respect and fairness.

We expect that you will also treat our staff with the same courtesy, respects and fairness.

We will treat your complaint in confidence within the school/LA

Raising a concern or complaint

1) Informal Stage

Anyone wishing to raise a concern should ask for an appointment with an appropriate member of staff at an agreed time. This may be by letter, telephone, e-mail or in person by appointment. The nature of the concern should be clarified and brief details recorded i.e. name of person, contact address or phone number, nature of the concern, date when raised and date/s of any relevant incident or event.

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the Head Teacher [or to the Chair of Governors, if the complaint is about the Head Teacher].

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the governing body.

2) Formal Stage

If your concern or complaint is not resolved at the informal stage you must put the complaint in writing and pass it to the Head Teacher, [or to the Clerk to the governing body, for the attention of the Chair, if the complaint is about the Head Teacher] who will be responsible for ensuring that it is investigated appropriately. You may have a third party act on your behalf for which we will need written consent.

A Complaint Form is provided to assist you.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the Head Teacher or to the Clerk to the governing body, as appropriate.

The Head Teacher [or Chair] may invite you to a meeting to clarify your concerns and to seek an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Head Teacher [or Chair]. If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body reviews the process followed by the school in handling the complaint. Any such request must be made in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

Review Process

Any review of the process followed by the school will be conducted by a panel of 3 members of the governing body. This will usually take place within 10 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite representatives of the school [Usually the Head Teacher or the Chair of the governing body panel that has considered the matter], as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

You, and the school representative[s], will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

The matter will then be closed as far as the school is concerned.

If you believe that the Governing Body has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Education.

ANNEX 1

Selecting the most appropriate procedure

As a matter of daily routine, schools receive numerous contacts from parents and other interested parties. Many of these will be resolved simply by providing information or through the arrangement of an informal meeting. However, any approach may have the potential to develop into a complaint. For that reason it is very important to follow the appropriate procedure from the outset, so that the interests of the individuals may be safeguarded and in order to seek to identify a resolution as quickly as possible.

The school has clear procedures for receiving enquiries and complaints and an effective mechanism for “triage”, so that they are directed to the appropriate person[s] for resolution.

Any complainant will be invited to complete a Complaint Form, to assist in the understanding and analysis of their complaint and to ensure that an accurate record is maintained.

Contact/Complaints Triage Table

Nature of Contact	Appropriate person to receive contact	Relevant Policy/Procedure
Request for published information	School Office	FOI Act/Charging Policy
Request for personal pupil information	Head Teacher or Senior member of staff	DPA/Charging Policy
Complaint about GB policy [content or application of]	Clerk/Chair	General Complaints Procedure
Unreasonable exercise of discretion by Head Teacher	Head Teacher Chair	General Complaints Procedure
Allegation about conduct of a member of staff	Head Teacher Or Chair [if allegation against Head]	School Staff Discipline Procedure [Confidential to School and Employee]
Allegation of verbal or physical assault by employee on pupil	Head Teacher OR Child Protection co-ordinator Or Chair [if allegation against Head]	Local Child Protection Procedures [Confidential to school, LA CPO and parents of alleged victim]
Allegation about capability of a member of staff	Head Teacher Or Chair [if allegation against Head]	School Staff Competence Procedure [Confidential to School and Employee]
Conduct of another pupil [e.g. bullying]	Head Teacher or Senior member of staff	School behaviour and discipline procedures [Confidential to School and parents of alleged perpetrator]
Discipline of a pupil	Head Teacher or Senior member of staff	School behaviour and discipline procedures [Confidential to School and parents of pupil]
Content of /Failure to maintain a statement of SEN	Head Teacher /SENCO LA	LA procedures
Admissions	Chair/Clerk [Foundation/VA] LA [Community/VC]	Admissions Procedure Admissions Appeal Procedure
Exclusion	Chair/Clerk [Foundation/VA] LA [Community/VC]	Exclusion Appeal Procedure
Failure to provide NC Entitlement or Inappropriate curriculum	Head Teacher Clerk to GB/LA	LA Procedure
Services provided by other providers who may use the school premises	Manager of relevant service	Procedures of Service Provider
GB Decision to remove licence for a person to enter school premises [banning]	Clerk to GB/Chair	GB Appeal Committee
Selection of pupil for school team/play	Head Teacher/Clerk to GB	General Complaints Procedure