



SCHOOL COMPLAINTS POLICY AND PROCEDURES

School: Whinney Banks Primary School

Date Adopted by Governing Body: March 2019

Signed: Chair: Mrs L Green

Headteacher : Mrs S Thorpe

Contents

School Complaints Policy (Revised January 2019)

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Overview

- Under Section 29 of the Education Act 2002, (<http://www.legislation.gov.uk/ukpga/2002/32/section29>) schools must have a complaints procedure in place to deal with complaints relating to the school and to any community facilities or services that the school provides. Following changes to the School Information (England) regulations 2008, since 1 September 2016 maintained schools must publish their complaints procedures on their websites.
- All academies must have a complaints procedure. This must meet the standards set out in the [Education \(Independent School Standards \(England\) Regulations 2014](#) Schedule 1, Part 7, which sets out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.
- **Anonymous Complaints** – These will not normally be investigated. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.
- **Complaint Campaigns** – where the school is the focus of a campaign and receive a large volume of complaints
 - All based on the same subject
 - From complainants unconnected with the school.The school may choose to respond by sending a template response to all complainants or publish a single response on the school's website.
- **Time Scales** – Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.
- **Complaints received outside of term time** – Complaints received outside of term time will be considered on the first school day after the holiday period.
- There are certain complaints, which fall outside the remit of the governing body's complaints procedure, for example, staff grievances or disciplinary procedures. Separate procedures are in place for dealing with these cases.
- In addition, it is recommended that the governing body ensure that any third party providers offering community facilities or services through the school premises, or using school facilities, should have their own complaints procedure in place.
- It should also be noted that the majority of issues raised by parents, the community or pupils, are concerns rather than complaints. However the governing body and school is committed to taking concerns seriously, at the earliest stage to resolve any issues which is always in the best interest of children and parents/carers.
- Any formal complaints made will be dealt with fairly and as speedily as possible, in a sensitive, impartial and confidential manner.

KEY MESSAGES

PART 1: Purpose of the Complaints Policy/Procedure

This procedure aims to reassure parents and others with an interest in the school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution: and
- The school recognises that a willingness to listen to concerns/criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

General Principles of Complaints

In summary there are four stages:

- Stage 1 (informal): concern heard by an appropriate staff member
- Stage 2 (formal): complaint heard by Headteacher;
- Stage 3 (formal): complaint heard by Chair of Governors
- Stage 4 (formal): complaint heard by GB's complaints appeal panel.

Stage 1 – Informal Stage

On occasions, a parent may raise a concern directly with school staff without any formality. At this stage, it may be unclear whether the parent is making a complaint, seeking information or has misunderstood a situation. Schools need to be clear about the difference between a concern and a complaint. It would be helpful if staff were able to resolve issues on the spot, including offering an apology where necessary. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints policy/procedure need not in any way undermine efforts to resolve the concern informally.

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with their child's class teacher. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 school working days. The school will then look at your complaint at the next stage.

Stage 2 Complaint heard by Headteacher

If the concern is not resolved immediately and the parent confirms a complaint, the opportunity to discuss the matter with an appropriate member of staff will be given e.g. Headteacher, Key Stage Leader, Head of Faculty, member of the Pastoral and Guidance Team. In the case of the complaint being against the Headteacher, this stage will always be heard directly by the Chair of Governors.

The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The Headteacher will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further. Following the investigation the Headteacher will aim to provide a written response within 10 school working days of sending the acknowledgement. However if a complaint is more complex to review this can be extended to a maximum of 20 school working days. The school will provide you details of the new deadline and an explanation on the delay. If you are not satisfied with the result at stage 2 please write to or call the school within 10 school working days of getting our response. The school will then look at your complaint at the next stage

Stage 3 – Complaint heard by Chair of Governors

If the matter has not been resolved at Stage 2 or the complaint is about the Headteacher, then you will need to write to the Chair of Governors c/o the school. The Chair of Governors will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further. Following an investigation, the Chair of Governors will aim to provide a written response within 10 school working days of sending out the acknowledgement. However if a complaint is more complex to review this can be extended to 20 school working days. The school will provide you details of the new deadline and an explanation on the delay. If you are dissatisfied with the result at stage 3, you will need to let the school know within 10 school working days of getting the response. The school will then look at your complaint at the next stage.

Stage 4 – Complaint Heard by Governing Body's Complaints Committee

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Schools might wish to nominate a member of staff to have responsibility for the co-ordination and management of the school complaints procedure. In smaller schools the Headteacher may undertake this role.

If the matter has still not been resolved at Stage 3, then you will need to write to the Clerk of Governors giving details of the complaint and asking that it is put before the appeal panel. Should the Chair have been involved at any previous stage in the process a nominated Governor, impartial to the complaint, will convene a complaints panel. The complaint will be acknowledged within 5 school working days of receiving it. The hearing will normally take place within 20 school working days of sending the acknowledgment.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel's decision in writing within 5 school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

An effective procedure will specify how a complaint will be dealt with and resolve the situation satisfactorily.

FRAMEWORK OF PROCEDURES

An effective Complaints Procedure will:-

- encourage resolution of problems by **informal** means wherever possible
- be easily **accessible** and **publicised**
- be **simple** to understand and use
- be **impartial**
- be **non-adversarial**
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress
- ensure a full and **fair** investigation by an independent person where necessary
- respect people's desire for **confidentiality**
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary
- provide **information** to the school's senior management team so that services can be improved
- It is not expected that either the school or the complainant bring legal representation to a complaints committee. The committee meeting is not a form of legal proceedings and aims to ensure there is reconciliation or things are put right that may have gone wrong. However a school employee who is a witness in a complaint, may be entitled to bring union or legal representation if appropriate.
- If a complainant commences legal action against the school in relation to their complaint, the school may suspend the complaints procedures, until those legal proceedings have concluded.

Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes sure that they:-

- establish **what** has happened so far, and **who** has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Resolving Complaints

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

It would be useful if complainants were encouraged to state what actions/outcome they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Unreasonably Persistent Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of governor is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Withdrawing a Complaint

If a complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

Further Recourse

The Governors appeal hearing is the last school-based stage of the school complaints process.

If the complainant believes the school has not handled the complaint in accordance with the published complaints procedure or have acted unlawfully or unreasonably in the exercise of their duties under education law, they can after completing all stages of the schools complaints procedure contact the School Complaints unit (SCU), Department of Education, Piccadilly Gate, Store Street, Manchester, M1 2WD. Making a complaint to the DfE should only happen once other routes have been followed. The exception to this may be where there is a child protection concern, or where a child is missing education.

For the Secretary of State to intervene in a maintained school following a complaint, he needs to be sure either that the school has acted or is proposing to act unreasonable in exercising or performance of its functions.

Complaints about free schools and academies

The department's executive agency, the Education Skills Funding Agency (ESFA), will handle complaints about academies and free schools. You can find more information about this on the [ESFA's role in complaints](#) and what to do if your complaint is about an academy or free school on the above website.

Complaining to Ofsted

- Ofsted has powers to investigate certain types of complaint from parents to help them to decide whether to inspect a school.

Before complaining to the Secretary of State, ESFA or Ofsted, it is expected that all stages of this procedure have been exhausted.

PART 3: MANAGING AND RECORDING COMPLAINTS

• Recording Complaints

It would be useful for schools to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, in writing (e-mail). An example of a complaint form can be found in Appendix 7. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. All notes will be kept securely and encrypted where appropriate.

Where there are communication difficulties, consideration will be given to using a recording device. All parties should agree in advance to being recorded. The school as the data controller have discretion via policy to decide whether to allow complainants to record meetings, if it's not required for the purposes of a reasonable adjustment. Before agreement is given to record meetings the school will consider the following:

- How any decision to allow recording may affect any third parties called to act as witnesses
- The impact and consequences on the individuals involved in the complaint in the event recordings are lost or leaked.

• Audio or video evidence

Complainants should make sure they obtain informed consent from all parties present before recording conversations or meetings.

The DfE do not normally accept electronic recordings as evidence when asked to consider a complaint. However, they may accept independently notarised transcriptions of recordings. They may also ask for the written consent of all recorded parties.

Unless exceptional circumstances apply, the DfE will support schools who refuse to accept, as evidence, recordings of conversations that were obtained covertly and without informed consent of all parties being recorded.

• Governing Body Review of Complaints

The governing body should monitor the level and nature of complaints a school receives and review the outcome on a regular basis to ensure the procedure is operating effectively and make any amendments where necessary. Complaints information shared with the governing body should not name individuals.

As well as addressing the individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed.

In line with GDPR the school will retain records relating to complaints for a period of six years.

- **Publicising the Policy/Procedure**

There is a legal requirement for the complaints procedures to be publicised. It is up to the governing body to decide how to fulfill this requirement but details of the procedures could be included in:

- School prospectus
- Information given to new parents when their children join the school
- Information given to the children themselves
- Home-school agreement
- Home school bulletins or newsletters
- Documents supplied to community users including course information or letting agreements.
- A specific complaints leaflet which includes a form on which a complaint can be made
- Posters displayed in areas of the school that will be used by the public, such as reception or the main entrance
- School website

APPENDIX 1

School Complaints Legislation

SECTION 29 (1) OF THE EDUCATION ACT 2002

(<http://www.legislation.gov.uk/ukpga/2002/32/section29>):

- (1) all maintained schools and maintained nursery schools must have and publish procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides, for which there are no separate (statutory) procedures.
- (2) publicise the procedures so established
- (3) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State or (in relation to Wales) by the National Assembly for Wales.

SECTION 7 OF THE EDUCATION (INDEPENDENT SCHOOL STANDARDS) REGULATIONS 2014

Paragraph G states that **for Academies where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school.**

APPENDIX 2

COMPLAINTS PROCEDURE

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff and **governors** are made aware of the procedures, they will know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases it is useful if another member of staff can hear the complainant. Where the complaint concerns the Headteacher the complainant is referred to the Chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaint could be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them of the procedure. Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

The Headteacher's influence will already have shaped the way complaints are handled in the school and resolved the complaint at this stage. If though the informal process has been exhausted and no satisfactory solution has been found the parent will be asked if they wish the complaint to be considered formally at stage two of this procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is

Stage 1 Informal Stage – Complaint heard by staff member

If wishing to proceed with the complaint, the person will be invited to put the complaint in writing to the Headteacher or chair of governors using the form attached at Appendix 7. The form should be sent to the Headteacher or chair of governors within **ten school days**. Advice on how to complete the form may be requested from Governor Development Service 201988.

Stage Two and Three– Complaint heard by Headteacher or Chair of Governors

Where the Headteacher has addressed the complaint at stage one, the chair of governors will become involved at this stage. Where another staff member has addressed the complaint at stage one, the Headteacher will hear this stage.

The chair of governors or Headteacher will acknowledge the written complaint within **five school days** of receipt and provide an opportunity to meet the parent to discuss the complaint. At this point the chair of governors and Headteacher may still seek to resolve the complaint informally.

The chair of governors or Headteacher will investigate the complaint and a written response will normally be made within **ten school days** of receipt of the complaint. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date.

The written response will include full reasons for the conclusions reached by the chair of governors or Headteacher and what action, if any, the school proposes to take to resolve the matter.

Stage Four – Complaint Heard by Governing Body’s Complaints Committee

If the parent still remains dissatisfied, they will be advised that a meeting of the governors’ complaints committee will be convened. The governors’ complaints committee is the last school-based stage of the complaints processes, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole governing body at any stage, as this could compromise the impartiality of any committee set up for a disciplinary hearing against a member of staff following a serious complaint.

As the chair of governors may be involved at an earlier stage in the procedure (particularly where the complaint is about the Headteacher) it may be wise not to include the Chair as a member of the committee to avoid any possible reference to the chair being “impartial”.

The Headteacher would be expected to attend the hearing to give evidence and may also choose to invite staff to attend who had been directly involved in matters raised by the complainant (Subject to the approval of the Chair of the Complaints Committee).

The Complaints Committee should consist of three members of the governing body identified by the chair/clerk and is subject to individuals experience and availability. The committee may choose their own chair. No governor may sit on the committee if they have had any prior involvement in the complaint or circumstances surrounding. In some cases it may be appropriate to have **independent governors from other governing bodies** hear the complaint to ensure openness and transparency. **Academy Governing Bodies must ensure that at least one member of the panel is independent of the management and running of the school.**

Complaints about a governor, the Chair of Governors or the Governing Body

Complaints about a governor should be referred to the Chair of Governors who will investigate and respond to the complainant. In dealing with this matter the Chair should seek advice from the Local Authority's Governor Services Team or Diocesan/Church Authority Officer. The Complaints Appeals Committee would deal with any appeal against the Chair's response.

Complaints about the Chair of Governors must be referred to the Clerk to Governors who would arrange for the complaint to be investigated and considered by the Complaints Appeals Committee of the Governing Body. Clerks to Governors should seek advice from the Local Authority's Governor Services Manager or their Diocesan/Church Authority Officer. Governor Services or the Diocesan/ Church Authority may be able to assist with any investigation.

APPENDIX 3

ROLES AND RESPONSIBILITIES

The Remit of the Complaints Committee

The committee can:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points, which any governor sitting on a complaints committee needs to remember.

- It is important that the panel is independent and impartial and that it is seen to be so. **No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.** In deciding the make-up of the committee, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. If necessary the committee may be made up of independent governors from other schools.
- The aim of the complaints committee, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However it has to be recognised the complainant might not be satisfied with the outcome if the committee does not find in their favour. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective committee will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The committee chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial. (see appendix 10)
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the committee hearing if any the child needs to attend.
- **The governors sitting on the committee need to be aware of the complaints procedure.**

Role of the Clerk

It is strongly recommended that any complaints committee hearing is formally clerked. The clerk or SBM could be the contact point for the complainant and be required to:

- Ensure a written acknowledgement of the complaint and the request for it to be heard by the governors complaints committee be sent to the parent within **five school days**.
- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible. This will be within **twenty school days** of receiving the complaint.

- Parents must be informed of their right to some support at the meeting either a friend or LA Parent Support Adviser they should also be informed of the right to submit any further documents other than the complaints form (see appendix 7) and that these must be made available to the Clerk of the Governors within **five school days** of receipt of the acknowledgement letter.
- The Clerk/SBM will inform all those concerned of their right to call witnesses to the meeting, subject to the approval of the Chair of the committee, and their right to be accompanied by a companion of their choice (particularly parents).
- The Clerk/SBM will also ensure that the Headteacher or Chair of the complaints committee provides a written report in response to the complaint and advise them of their right to call witnesses and be accompanied by a supporter. Subject to the approval of the Chair.
- Clerk/SBM will collate any written material provided by the school or the parents and send it to the parties at least **five school days** prior to the meeting. This will also include the names of all parties and witnesses (if any) who will be attending the meeting.
- Meet and welcome the parties as they arrive at the hearing
- Record the proceedings
- Provide copies of the minutes once approved by the committee and subject to any necessary redactions under the Data Protection Act 2018.

Role of the Nominated Chair of the Committee

The Chair of the Committee has a key role, ensuring that:

- The correct procedure has been followed
- The remit of the committee is explained to the parties and each party has the opportunity of putting their case without undue interruption and ask questions
- The issues are addressed and only the issues identified in the complaint.
- Key findings of facts are made
- Parents and others who may not be used to speaking at such a meeting are put at ease
- The panel is conducted in an informal manner with each party treating the other with respect and courtesy.
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- All parties see written material. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Committees Decision

The Chair of the Committee needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response.

APPENDIX 4

Checklist for Complaints Committee

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the School's witnesses.
- The Complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issue.
- The Chair explains that both parties will hear from the panel within a set time scale.

APPENDIX 5

Governors Complaints Committee (GCC) Procedure for Hearing the Complaint

Introduction

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the parent.

The Chair of the GCC will ensure that the meeting is properly minuted.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavor to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

Order of Meeting

1. The Chair welcomes the parent and his/her companion and introduces everyone present.
2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
3. The parent/companion explains the complaint, calling in witnesses if appropriate.
4. The GCC and Headteacher may question the complainant and witnesses.
5. The Headteacher/Chair of Governors are then invited to present a response to the complaint, including action taken to address the complaint at stage 1 and 2 of the procedure and calling witnesses, if appropriate.
6. The GCC and parent may question the Headteacher/Chair of Governors.
7. The GCC may ask questions at any point.
8. The parent summarises their case, highlighting evidence, including anything that has emerged in the questioning.
9. The Headteacher summarises the school's position, highlighting evidence, including anything that has emerged in the questioning.

N.B. No new points to be added at stages 8 or 9.

10. The Chair of the Committee checks that all parties feel that they have had a fair hearing and reminds everyone of the confidentiality of the case.
11. Either party may request an adjournment of the hearing at any stage and this may be allowed on the grounds that further inquiries are necessary, but it should also be borne in mind that a speedy resolution of the complaint is usually desirable and advantageous.
12. The Chair of the Committee thanks both parties for attending and gives an indication of when they can expect to hear the outcome. All parties then leave the room together.

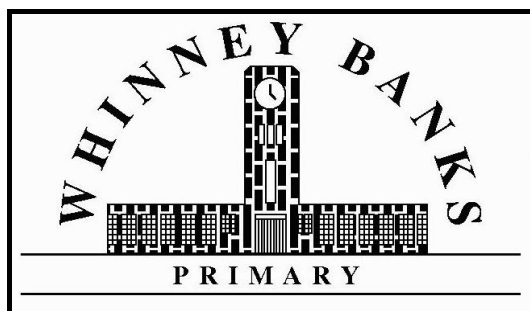
13. The GCC considers the complaint and reaches a unanimous or majority decision. The GCC also decides what action (if any) to take to resolve the complaint and, if appropriate, recommends changes to ensure similar complaints are not made in future.
14. When a decision has been made, the Chair informs both parties both verbally and in writing of the outcome of the complaint. This will usually be within 5 school days, unless there are exceptional circumstances which prevent this, in which case the Complainant will be notified of this and the reason for the delay.
15. The Panel's decision is to be regarded as final and the Complainant will be advised of any further recourse available should he or she be dissatisfied with the outcome, such as to the Secretary of State, or the Education and Skills Funding Agency (in the case of Academies).

Complaints Flowchart

CONCERN OR COMPLAINT RECEIVED

INFORMAL PROCEDURE STAGE 1	SCHOOL ACTION
Informal discussion with the relevant class teacher or other relevant member of staff usually resulting in resolution to the issue. If the complaint is about the Headteacher – proceed to Stage 3	The person is informed of the action to be taken to resolve the issue. If they are not satisfied they should be provided with a copy of the school's complaints policy/procedure and information on how to proceed to stage 1.
FORMAL PROCEDURE- STAGE 2	SCHOOL ACTION
The complaint is submitted, either verbally or in writing, to the Headteacher.	The Headteacher acknowledges receipt within 5 school days and provides a full written response within 15 school days. Information is provided to the complainant on how to progress the complaint to stage 2.
FORMAL PROCEDURE – STAGE 3	SCHOOL ACTION
A written complaint is submitted to the chair of governors.	The chair or nominated governor acknowledges receipt within 5 school days and provides a full written response with 15 school days. Information is provided to the complainant on how to progress the complaint to stage 4.
FORMAL PROCEDURE – STAGE 4	SCHOOL ACTION
Complainant writes to the chair or clerk of governors requesting that the complaint be heard by the complaints committee.	Clerk arranges for complaints committee to meet between 12 and 20 school days from receipt of letter. Chair of committee informs the complainant of findings with 5 school days of hearing. Information is provided to the complainant on how to progress the complaint to the Secretary of State and Local Government Ombudsman.
FURTHER RECOURSE	
Complainant regarding maintained schools forwarded to the DfE addressed to the Secretary of State The department's executive agency, the Education Funding Agency (EFA), will handle complaints about academies and free schools	The Secretary of State may intervene if a governing body has acted unreasonably.

APPENDIX 7



Complaint Form

Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution.

The school recognises that a willingness to listen to concerns or criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

If you are not satisfied or feel that you have been unfairly treated, we would like you to indicate the problem.

It is however very important that you seek to resolve any difficulties in the first instance by discussing your concerns/complaint with a member of staff at school.

If you have tried this and are still not satisfied with the response then please fill in all the sections of this form and return it to the Headteacher or Chair of Governors.

Your Name:

Child's Name:

Class/Group:

Your Address:

Contact Details: (mobile) (home)(work).....

Details of Complaint:

(Please be as specific as possible, e.g. giving dates, who was involved and where etc)

Please attach a continuation sheet/additional information if you wish

When did you report the problem to the school?

To whom at the school did you report the problem?

What was the response?

Have you complained to the school about this before? Yes/No *(delete as appropriate)

If so, to whom, and when?

What would you like to see done to resolve your complaint and bring the matter to an acceptable closure for yourself and the school?

Signed Date
(Parent/Guardian)

Appendix 8

FOR OFFICE USE ONLY

Date form sent to parent/carer:	Date form received:
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Parent/Carer's Name

Address

Child's Name and DOB:	Relationship to Child:
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Tel. No.	Informal Complaint:	Formal Complaint:
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Nature of Complaint

Informal Action List action taken to resolve informal complaint:

Outcome of Informal Complaint:

Formal complaint forwarded to Headteacher/Chair of governors for action:
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Any other Comments:

Formal Complaint forwarded to Governing Body for action:
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APPENDIX 9

Considering the evidence

A suggested format for clarifying issues and seeking information

What is the complaint?

What facts are not disputed?

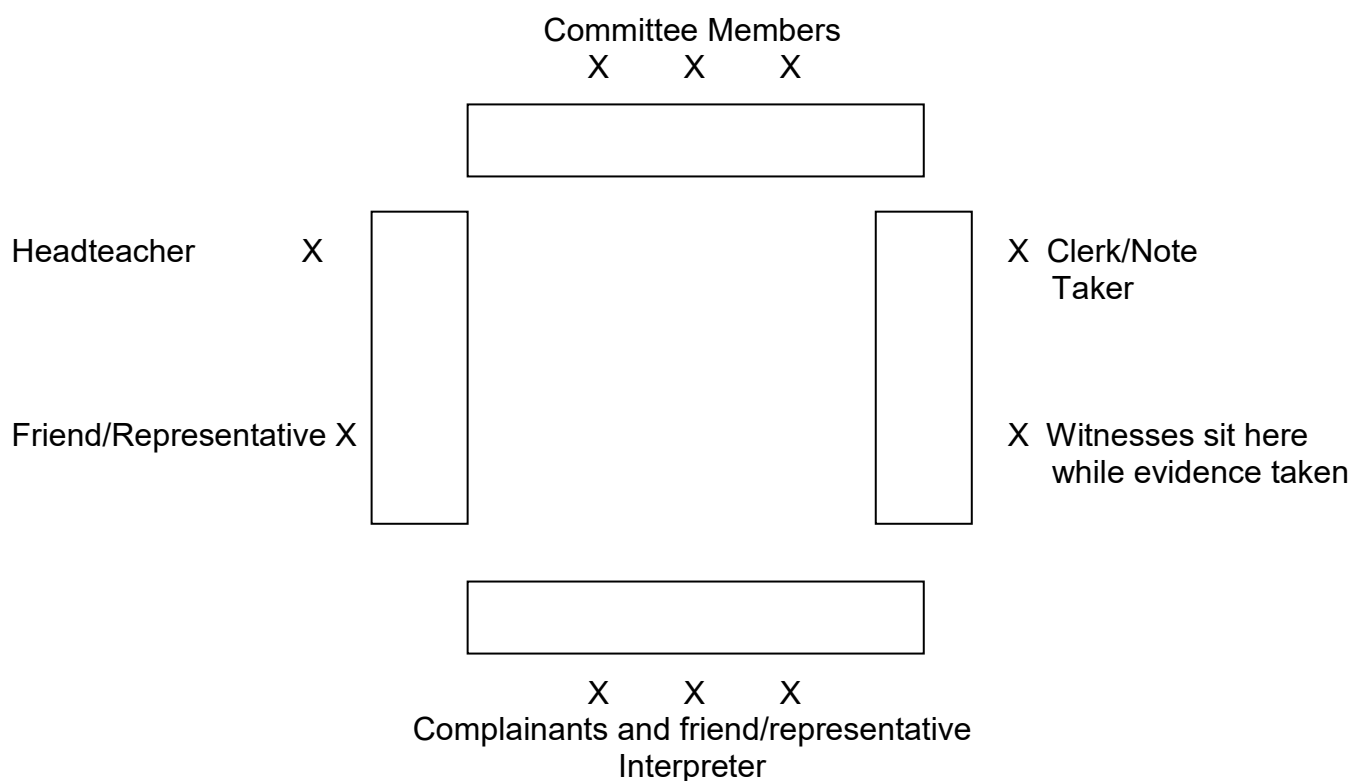
What facts do we need to establish?

What documentation do we need to consider/who do we need to speak to

Questions raised from the documentation/to ask at the hearing

APPENDIX 10

Suggested layout for complaints Hearing



X X X

Observers (staff named in the complaint who wish to attend, if appropriate)

It is important that the Headteacher, staff and complainants are treated equally at all times, **e.g. that the Headteacher is not in the room with the Committee members without the complainant and vice-versa.**