

Highwood Primary

School



Promoting Resilience – Achieving Potential

Complaints Procedure

Governor ratification: 28.11.18

This policy has been impact assessed against protected characteristics (race, gender and disability) and no adverse impact has been identified.

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Why does the school need a complaints procedure?

Section 29 of the Education Act 2002 requires all maintained School Governing Bodies to adopt and publicise a complaints procedure for Parents. This includes complaints about any community facilities or services that the school provides.

Previous legislation still applies. In particular, 1991 SEN Information Regulations require Governing bodies of schools to publicise their complaint procedures in relation to SEN and the 1996 Education Act requires the LA to establish procedures for disputes between schools and Parents about SEN provision.

Stages of the Complaints Process

A clear complaints process well defined stages:

- Informal - Local resolution of the concern with Staff members which may include Senior Leaders (see Raising a Concern leaflet (Appendix 6)).
- Stage 1 - Complaint heard and formally responded to by Headteacher (or Chair of Governors if the complaint is against the Headteacher).
- Stage 2 - Governor panel hearing
- Stage 3 - Further recourse - possible to the Local Authority, OFSTED or the Department for Education (where appropriate)

Whilst every effort has been made to make this procedure as comprehensive as possible, the guidance and suggested best practice contained within this document is not exhaustive.

Informal Procedures - Dealing with Concerns

Schools need to be clear about the difference between a concern and a complaint. A concern can be defined as a cause of worry, whilst a complaint can be defined as an expression of dissatisfaction. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. Parents of Highwood are encouraged to refer to the Raising a Concern leaflet (see Appendix 4) to help deal effectively with initial concerns.

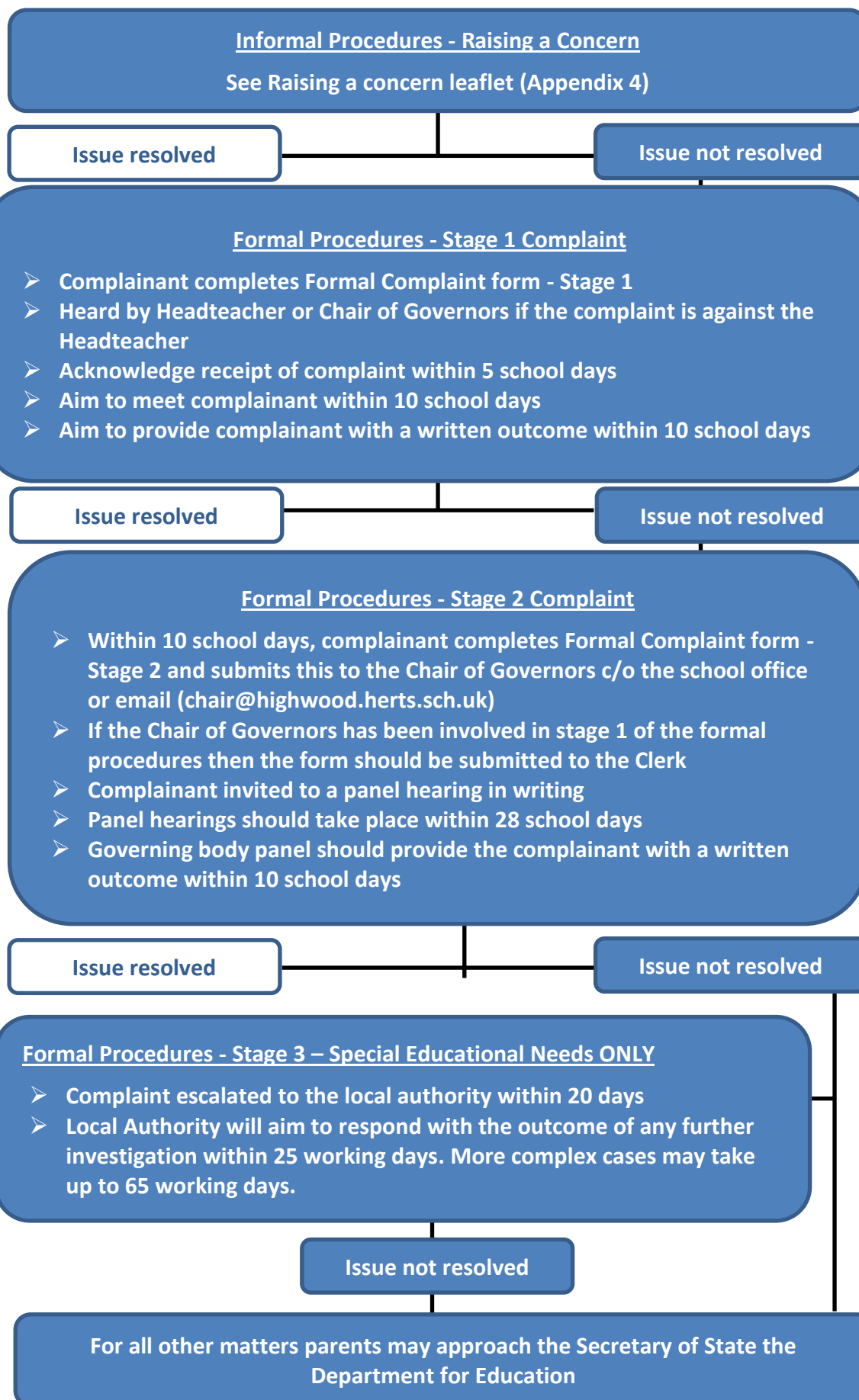
The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary. Parents may also be given details of support organisations who may be able to impartially discuss the Parents concerns with them (see Appendix 1).

Formal Procedures - Dealing with Complaints

The formal procedures will need to be invoked when attempts to resolve a concern are unsuccessful and the person raising the issue remains dissatisfied and wishes to take the matter further. Highwood has nominated the Head Teacher the school's 'Complaints Co-ordinator'.

As per guidelines set out by Hertfordshire County Council, the school will not authorise any use of audio or video recording in any discussion, meeting or panel meeting.

Flow Chart - Summary for Dealing with Complaints



Framework of Principles

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.

How long should the school take in dealing with concerns and complaints?

Schools should aim to deal with these quickly and efficiently at Stage 1, so avoiding Stage 2 procedure wherever possible. All complaints should be acknowledged within **5 school days**.

The Governing Body should deal with and respond fully to Stage 2 complaints within **28 school days** of the written complaint being received. If this is not possible Parents need to be given the reasons for the delay and to be kept informed of progress.

Vexatious 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 procedure having been followed, the complainant remains dissatisfied. A vexatious complaint is likely to involve some or all of the following:

- the complaint arises from a historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for Staff;
- the complainant behaves in an aggressive manner to Staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or
- the complainant persistently approaches the school (and in some cases the Local Authority or Ofsted) through different routes about the same issue in the hope of getting different responses.

If the situation is challenging but it is possible to proceed, Staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact. Any restrictions imposed should be appropriate and proportionate. The options that schools are most likely to consider are:

- requesting contact in a particular form (e.g. – letters only);
- requiring contact to take place with a named member of Staff (e.g. – Headteacher);
- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file.
- if the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Unreasonable Complaints

Highwood is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Highwood defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

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 the Department for Education;
- 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 by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically: -

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. Whenever possible, the Head teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues the Head teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the head teacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Head teacher or Chair of Governors. However, complaints about barring cannot be escalated to

the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

The Complaints Team can be contacted directly where the school identifies a need to discuss a particular case further in order to ascertain whether the complaint can be considered vexatious or not. Useful contact details are included in this document at the end of Appendix 1.

Investigating Complaints

It is suggested that the person investigating the complaint (the Complaints Co-ordinator), makes sure that they:

- establish **what** has happened so far, and **who** has been involved;
The school can review images of contentious breach of school policies upto a period of 3 months (90 days). Please refer to Data Protection Policy for further details.
- 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;

Resolving Complaints

Prior to a complaint being escalated to involve a formal hearing, 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 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 liability.

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.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, there may be occasions when new time limits can be agreed and the complainant sent details of the new deadline with an explanation.

The Governing Body should deal with and respond fully to Stage 2 formal complaints within 28 school days (5 1/2 weeks) of the written complaint being received. If this is not possible Parents need to be given the reasons for the delay and to be kept informed of progress.

What is the FIRST stage in dealing with a complaint?

Most concerns, or potential complaints, can be resolved informally by offering Parents a full discussion with the member of Staff who is best able to help. This may involve the Headteacher and the Chair of Governors working together to investigate the complaint. This is where the process should start and sometimes Governors approached by Parents informally will need to steer Parents in this direction initially.

Governors need to be aware that if they do become involved closely with complaints at Stage 1, they cannot be involved with Stage 2 of the complaints procedure.

If the complaint is about the provision the school is making for a child's Special Educational Needs, then a Parent might find it helpful to talk to the named SEN Officer where this applies. The Parent Partnership Service will be able to provide advice on the procedures the LA has in place for resolving disputes between schools and Parents over SEN provision.

Schools should give Parents wishing to complain further a copy of the School Complaints Procedure and ask them to set out their complaint in a letter or by completing the complaint form.

What is the SECOND stage in dealing with a complaint?

The Chair of Governors will arrange for the complaint to be investigated and considered under the arrangements approved by the Governing Body. This will usually involve a Panel of Governors appointed to act on behalf of the Governing Body.

In the case of Special Educational Needs complaints, the Chair of Governors must inform the Complaints Manager.

If the Chair of Governors, or other Governors, have been involved in earlier discussions to try and help settle the disagreement at Stage 1, then arrangements should be made

for another Governor with no prior involvement to take charge of the investigation and consideration of the complaint.

It may be helpful to offer the Parent an opportunity to talk about the complaint in the course of the investigation, prior to the complaint hearing. This might clarify the outstanding matters of complaint which remain unresolved and what outcome is sought by the complainant. Please note that neither a pre-meeting nor an investigation in advance of the Panel are a requirement. They are optional and it is up to Governors to decide whether to conduct them. Parents should be provided with full details of how the Governors' Complaint Panel will conduct the further investigation, if there is to be one, (please see 'Complaint by a Parent whose child no longer attends the school' for the exception to this rule).

A formal hearing is the best way for both Parents and the Headteacher and Staff to be satisfied they have had a proper opportunity to be listened to by Governors. Everyone should also be informed in advance of the order of proceedings for complaint hearings.

Both parties should make available to the Panel, in advance, any written information they intend to use in the formal hearing.

Who can attend a Stage 2 hearing?

At any meeting Parents may be accompanied by a friend or representative who may speak on their behalf. This person could be an interpreter of their choice and Parents should be encouraged to do this where necessary. If the Parent prefers to speak themselves they may bring a friend who acts as silent witness and support.

The Chair of the Panel may invite to the meeting any person who may help establish the facts of the complaint. Parents need to be told who this person is before the meeting. Please note that witnesses cannot be forced to attend unless they are members of staff.

Any member of Staff required by Governors to attend any meeting or the hearing will have the opportunity to be accompanied or represented.

A member of Staff named by Parents in the complaint may also choose to attend even if not required to do so by Governors and may be represented. If this happens, Parents should be told beforehand.

What happens after the investigation/hearing?

When the complaint has been fully investigated and the hearing has taken place, Parents should be notified of the **findings** in writing by the Chair of the Panel hearing the complaint or the Governor responsible for the investigation within 5 school days of the hearing date.

The report, with findings, should, at the same time, be published to the Governing Body as a confidential item and will, in addition, include any **recommendations**. A meeting of the Governing Body must accept the findings but can accept, reject or reject in part, the recommendations. Personal details should not be disclosed, but an outline of the complaint hearing and findings should be given.

The Chair of Governors should write to the Parents to confirm any actions agreed by the Governing Body. Any agreed actions must be implemented by whoever it applies to - this could be the Governing Body as well as the Headteacher. Parents should also be informed whether and how they can take their complaint further.

A copy of the report must be sent to the Headteacher and the Children's Services Complaints Manager in the case of a Special Educational Needs complaint, where there is a possibility of a third stage of complaint to the County Council.

What can Parents do if they are not satisfied with the outcome of the second stage of investigation?

In most cases it is expected that Parental complaints will be satisfactorily resolved following a formal complaint to the Governing Body. However, should Parents remain dissatisfied, the following sections explain the circumstances in which complaints can be taken further.

It should be noted that if Parents remain dissatisfied following the outcome of their Stage 2 hearing and wish to take their complaint further, they must do so within 20 working days (4 weeks) of receiving the written outcome of the hearing.

After 20 working days (4 weeks), neither the school nor the Local Authority (where appropriate) are under any obligation to investigate or progress the complaint any further.

When is there a THIRD stage of complaint to the County Council and how does it work? (STATUTORY THIRD STAGE ONLY APPLIES WHEN THE COMPLAINT IS ABOUT THE WAY THE SCHOOL IS PROVIDING FOR A CHILD'S SPECIAL EDUCATIONAL NEEDS)

When it is a complaint about the way a school is making provision for a child with a Statement of Special Educational Needs or an Education Health and Care Plan.

Parents may complain further to the LA by writing to the Children's Services Complaints Manager but only once the school's complaints procedure has been exhausted.

The CS Complaints Manager will acknowledge the letter and will notify the Chair of Governors and the Headteacher. The CS Complaints Manager will arrange for the complaint to be investigated. The Investigator will seek the comments of the Governing Body and any other information or advice that they deem necessary.

When the complaint has been fully investigated and considered the CS Complaints Manager will notify Parents of the outcome in writing, giving the reasons for it, any action or proposed action to be taken and the further recourse available. A copy of this will be sent to the Headteacher, the Chair of Governors and to anyone else concerned in the investigation. This brings the third stage for Special Educational Needs complaints to a conclusion.

Parents who remain dissatisfied following further investigation of their Special Educational Needs complaint by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288
Website: www.education.gov.uk

What happens when there is NO statutory third stage of complaint to the County Council?

For the vast majority of complaints there is no right of further complaint or appeal to the LA beyond the school's Governing Body. Parents may contact the complaints helpline for further advice but will be told there is no right of a further stage of formal investigation by the LA.

Can Parents complain to anyone other than the County Council?

Parents have the right to complain to the Secretary of State at the Department for Education (under the Education Act 1996), if they believe that the Governing Body or the LA is acting or proposing to act unreasonably (section 496), or is failing to carry out a statutory duty (section 497). This has to mean that the LA or the Governing Body is acting outside its powers, or misusing them. Only then would the Secretary of State follow up the complaint.

The Secretary of State will then contact the Governing Body or LA for information. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0370 000 2288 Website: www.education.gov.uk

Where can Parents get help?

Parents who remain dissatisfied following the Stage 2 consideration of their complaint by the Governing Body may seek advice from the Children's Services Complaints helpline on 01992 588542. Appendix 1 shows other sources of help which Parents can be signposted to.

What kind of record will be kept about complaints?

It is useful for the school to record the progress of the complaint and the final outcome. In order to do so Highwood School has created two forms, one for each stage, attached to this document. A brief note of meetings, telephone calls and emails exchanged may be kept to add to a record of the complaint.

The County Council will formally monitor Special Educational Needs complaints escalated to it under the statutory third stage of the complaints procedure. Schools should, as good practice, formally record and monitor all Stage 2 complaints to the Governing Body.

How should schools handle complaints made by:

- A member of Staff about another member of Staff or the Headteacher?
- A member of the Governing Body about a member of Staff?
- A member of Staff about a member of the Governing Body?
- A member of Staff about the action/decision of the Governing Body?
- A member of the Governing Body about another member of the Governing Body?
- Members of the public (not Parents)?
- A Parent whose child no longer attends the school?
- Data Protection and Freedom of Information related matters

This model procedure essentially covers complaints made by Parents or Carers of children who attend the school, but it is important that schools do have in place written procedures for the above eventualities. Highwood would not normally consider complaints made 3 months or more after the events complained of.

Complaint made by one member of Staff against another (including the Headteacher)

Complaints from members of Staff are not covered by this procedure. They should be dealt with by the Headteacher (where appropriate) or the Chair of Governors informally in the first instance. If this approach fails to resolve the issue, the next step would be for the Staff Grievance Procedure to be invoked (by the person bringing the grievance). A full transcript of the Model Grievance Procedure for Schools is available on:

www.thegrid.org.uk

The Schools HR Advisory Team can be contacted for advice on (01438) 844875.

Complaint made by a Governor about a member of Staff

This should be dealt with through the complaints procedure outlined in this document. Clearly the Governor concerned would have to withdraw from any meeting at which the complaint or its outcome was being discussed. If the complaint is related to the *conduct* of a member of Staff, it would be more appropriate to invoke the school's Disciplinary Procedures.

Complaint by a member of Staff against an individual Governor acting in a personal capacity

The Chair of the Governing Body (or the Vice-Chair if the complaint is against the Chair) should attempt to resolve the matter informally. If such a resolution is not possible, and with the agreement of the Governor concerned, a Panel of Governors could be set up to consider the matter as under the normal complaints procedure in this document.

Complaint by a member of Staff against the action/decision of the Governing Body

If the decision was taken at a meeting of the full Governing Body the matter would have to be put on the agenda for review at another meeting and if the decision was then confirmed that would be the end of the matter. (For this reason, it is important that matters that could potentially lead to a complaint or appeal are routinely dealt with by a committee with delegated authority, in order to allow for an appeal or a rehearing by an unprejudiced second group of Governors). If a committee or individual with delegated authority took the original decision then a Panel of Governors who were not involved in the decision should review the matter, ensuring that the member of Staff concerned was given an opportunity to state his/her case to the Panel. Any decision by the Panel would be final.

Complaint by a Governor about another Governor (including the Chair of Governors)

Complaints by a Governor about another Governor should be dealt with informally in the first instance to try and resolve the matter as swiftly as possible. In most cases, this should be handled by the Chair of Governors. If, however, the complaint is about the Chair of Governors, the Vice Chair of Governors should handle the matter. Should it remain unresolved, a Panel of Governors should be convened as per the guidance on process set out in this document to hear the complaint.

Should the Governor handling the matter consider that it is not possible to convene a Panel of impartial Governors, then it may be possible to convene a Panel comprised of Governors from other schools. Should this situation ever arise, the Governor handling the matter should contact School Governance on 01438 843082 for advice.

Governors should be mindful of their behaviour and attitude throughout their tenure in the role. Useful guidance from the Committee on Standards in Public Life regarding the 7 principles of public life can be found at the following link: <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

Complaint by a member of the public (not a Parent)

Complaints from members of the public are most likely to be dealt with by the Headteacher and beyond that the Chair of Governors.

Complaint by a Parent whose child no longer attends the school

The purpose of this complaints procedure is to ensure that if an error has been made, or an injustice done, some action can be taken to remedy matters for the injured party. Where Parents have removed their child from the roll of a school it is clearly impossible for the Governing Body to put things right for that child. However, the Governing Body has a duty of care to the pupils who remain on roll and it would be advisable for Governors to investigate the circumstances to satisfy themselves that no-one had acted inappropriately and that procedures and policies had been followed correctly. Whilst it is not necessary to convene a Governor's Complaint Panel, it would be good practice to inform Parents whether the complaint had been upheld or otherwise and of any changes to practice and procedures which have been agreed by the Governing Body. If a child is removed from roll after a complaint has been made, it is at the discretion of the Chair of Governors as to whether to proceed with a full Governors Complaint Panel or a Governor Review. Hertfordshire County Council will not investigate any complaints further where the child no longer attends the school in question as there is no tangible benefit in doing so beyond the school's complaints procedure.

Complaints regarding compliance with Data Protection and Freedom of Information legislation

All schools are responsible for their own compliance with the Data Protection and Freedom of Information Acts, regardless of their status. Hertfordshire County Council is not responsible, even if the school is a Community or Voluntary-Controlled school. Should your school receive a complaint concerning Data Protection or Freedom of Information compliance, the complaints process outlined in this document should be followed. Advice and guidance about DP and FOI can be found at www.ico.org.uk.

What complaint/appeal procedures are NOT covered by this document?

This complaints procedure does not cover:

- ☒ Child Protection Procedures – see www.hertfordshire.gov.uk/childprotection
- ☒ Appeals about admissions – see www.hertfordshire.gov.uk/schoolappeals
- ☒ Complaints about fixed term or permanent exclusions from school – see www.hertfordshire.gov.uk/schoolappeals
- ☒ Staff Disciplinary Procedures – see www.thegrid.org.uk
- ☒ Whistleblowing Policy – see www.thegrid.org.uk

For further information about these procedures, please see the School website.

What is the position of Staff complained about?

Under this complaints procedure any member of school Staff who is the subject of a parental complaint will have the opportunity to respond to the complaint during its investigation. They should also be able to see any response sent to the complainant as a result of the investigation.

There is an entirely separate procedure for schools to follow in dealing with Staff disciplinary matters. Therefore, if in the course of considering a complaint the Governing Body or LA concludes that disciplinary procedures should be initiated, they will take separate action.

Governing Body Review

The Governing Body will monitor the level and nature of complaints and review the outcomes on an annual basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole GB will not name individuals.

As well as addressing an 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. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating a school's performance.

Publicising the Procedure

It is a legal requirement for the Complaints Procedure to be publicised. The Governing Body will make the Complaints Procedure available by:

- on the school website;
- in the school prospectus;
- the information given to new Parents when their children join the school;
- in a specific complaints leaflet;
- on leaflets displayed in areas of the school that will be used by the public, such as reception or the main entrance;

How to complain to your child's school - information for parents

Introduction

School Governors are responsible in law for having a published complaints procedure and for responding to complaints.

What happens at the first stage?

Most concerns, complaints or potential complaints can be resolved by talking to the member of school Staff concerned. The school can tell you who you should speak to first. You may wish to request a copy of the school's complaints procedure, available from the school office or website. If the concern isn't resolved by speaking to a member of Staff, you should then fill in form 'Formal Complaint form- stage 1' which will lead to a meeting with the Headteacher who will investigate your complaint and aim to inform you of the outcome within 10 school days.

If your first contact is with individual Governors, you may be asked to take up your concerns with the Headteacher or the appropriate member of Staff. A Governor should not be made aware of a potential complaint as they may be required to sit on a panel in the event of a formal hearing (2nd stage) and should be impartial.

If your complaint is about the Headteacher, you should address this form to the Chair of Governors at the school. If your child has Special Educational Needs (SEN) you might find it helpful to talk to the Special Educational Needs Co-ordinator (SENCo) at your child's school or your named Special Needs Officer if your child has a Statement of SEN. A Parent Partnership Supporter may also be able to help you.

If parents who have not yet complained to their child's school contact the Local Authority, Council Officers will ask the complainant for their written consent to share information regarding their complaint with the school in question. If the complainant declines to provide their consent, the matter will not be taken any further. If consent is provided, the Council will pass the complainant's concerns onto the school.

What happens at the second stage?

The school will ask you to complete a form addressed to the Chair of Governors. The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. This is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to

discuss your concerns. The Governing Body should give you full details of how they will carry out any further investigation or formal hearing and keep you up-to-date with progress.

You and the school must make sure the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish. The Chair of the Panel may invite any person who may help establish the facts of the complaint. The Chair should tell you who this person is before the meeting.

If any member of Staff is required by the Governing Body to attend a meeting they will have the opportunity to be accompanied or represented as they wish. A member of Staff named by parents in the complaint may also choose to attend a meeting, even if not required to do so by the Governors. They may be represented. If this happens, the school will inform you before the meeting.

When the panel has fully investigated your complaint, the Chair of the Panel or the Governor in charge of the investigation will write to you to tell you the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. The Governing Body should aim to deal with complaints within 28 school days.

Is there a third stage of complaint?

For most complaints, the procedure ends with the Governing Body and there is no third stage of complaint to the Local Authority.

If the school's complaints procedure has been exhausted and you remain dissatisfied, you can approach the Secretary of State. Further advice is available from the Children's Legal Centre, the Advisory Centre for Education (ACE) or Family Lives (formerly Parentline Plus).

If your complaint is about the way that a school is providing for your child's Statement of Special Educational Needs you do have a third stage of complaint to the Local Authority.

In this case you may complain further to the Local Authority. This should be done by writing to the Children's Services Complaints Manager. It should be noted however that if you wish to pursue this route, you must do so within 20 working days (4 weeks) of receiving the written outcome of the hearing into your complaint. After 20 working days (4 weeks), neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

They will acknowledge your complaint within five working days and then inform the Chair of Governors and Headteacher. The Complaints Team will aim to investigate your complaint within 25 working days, however the investigation may take longer in complex situations. When your complaint has been fully investigated the Complaints Manager will write to let you know the decision. S/he will give the reasons for the decision, any action or proposed action to be taken and any further avenues open to you. S/he will send a copy to the Headteacher, the Chair of Governors and anyone else concerned in the investigation.

Parents who remain dissatisfied following further investigation by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation.

Can I complain to anyone other than the County Council?

For all other types of complaint, including those regarding Bullying or the National Curriculum there is no third stage of complaint to the Local Authority. However, you can complain to the Secretary of State at the Department for Education. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London SW1P 3BT
Telephone: 0370 000 2288
Website: www.education.gov.uk

Please note that the Department for Education will only follow up your complaint with the school or the Local Authority if they believe either might have acted unreasonably or failed to carry out a statutory duty.

Useful contact details

Chair of Governors	The school office can tell you who this is and pass on any written correspondence	
Complaints Team Children's Services	www.hertsdirect.org/your-council/hcc/childserv/comments/ Email: cs.complaints@hertscc.gov.uk	01992 588542
Parent Partnership Service (SEN)	www.hertsdirect.org/parentpartnership Email: parent.partnership@hertscc.gov.uk	01992 555847
Black Minority Ethnic (BME) Achievement Team - If your complaint is about racial harassment or discrimination	www.thegrid.org.uk	01438 844752
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0300 0115 142
HertsHelp	www.hertsdirect.org/hertshelp	0300 123 4044
Family Lives	www.familylives.org.uk	0808 800 2222
Carers in Herts	www.carersinherts.org.uk	01992 586969
Children's Legal Centre	www.childrenslegalcentre.com	0345 345 4345
Citizen's Advice Bureau	www.citizensadvice.org.uk	08444 111 444

Useful contacts

Advisory Centre for Education (ACE)

Education Advice & Training 72 Durnsford Road, London, N11 2EJ

Web: www.ace-ed.org.uk

Email: enquiries@ace-ed.org.uk

Phone: **0300 0115 142**

Children's Legal Centre

Riverside Office Centre Century House North, North Station Road Colchester, Essex, CO1 1RE

Web: www.childrenslegalcentre.com

Email: clc@essex.ac.uk

Phone: **0345 345 4345**

POhWER

Hertlands House Primett Road Stevenage, SG1 3EE

Web: www.pohwer.net

Phone: 0300 456 2370

National Youth Advocacy Service

(NYAS) Egerton House, Tower Road Birkenhead, Wirral, CH41 1FN

Web: www.nyas.net

Phone: 0345 345 4345

Special Educational Needs & Disability Information Advice Support Service (SENDIASS)

Web: www.hertfordshire.gov.uk/sendiaass

Email: SENDIASS@hertfordshire.gov.uk

Phone: 01992 555847

Appendix 2
Formal complaint form
Stage 1



Your name:

Pupil's name (if relevant to your complaint):

Date and time of meeting:

People present at meeting:

Concise details of the complaint:

(Please continue on separate sheet if necessary)

What action has already been taken to try to resolve the complaint?

What remains unresolved?

What actions have now been agreed by all parties?

Complainant Signed:	
Date:	

Headteacher Signed:	
Date:	



Appendix 3

Formal complaint form

Stage 2

Name:		
Address:		
Postcode:		
Email Address:		
Telephone No.	Day	
	Evening	
	Mobile	

What is it you want to complain about?

--

Have you complained to the headteacher?

YES

NO

When did you do this?

Date:

What happened as a result of your complaint to the headteacher?

--

What remains unresolved?

--

What might a resolution look like?

--

Complainant Signed:	
Date:	

Headteacher Signed:	
Date:	

Please return to the Chair of the Governing Body



Raising a Concern: Information for Parents

Every day representatives of Highwood make many decisions and work hard to do the best for the children of our school. Comments and input from parents is welcomed as we continuously seek to improve.

You may want to talk to us about a particular aspect of this school, although not actually make a complaint. Perhaps to get something 'off your chest' or find out how something is being dealt with.

We know that it can feel uncomfortable to question or challenge, but if you don't tell us what is worrying you, we cannot explain what we are doing or try to put it right.

We would ask that in the first instance you always approach the member of staff who is responsible for the area of school life related to your concern. If you feel your concern hasn't been dealt with adequately you may wish to request a meeting with a more senior member of staff, using the chart on the next page. The last step in this process would be to bring your concern to the Head teacher.

If you do not believe your concern has been satisfactorily resolved then you have the option to complain. Complaints need to be made formally and handled in a structured way. Please see the back of this leaflet for more information about this. For further information about our complaints procedure please visit our website.

Whenever you express concerns or make a complaint we will uphold our promise to handle your concerns in the following way:

- ✓ Your concerns will be dealt with honestly, politely and in confidence
- ✓ Your concerns will be looked into thoroughly and fairly
- ✓ If your concern is urgent we will deal with it more quickly
- ✓ We will keep you up to date with progress at each stage
- ✓ You will get an apology if we have made a mistake
- ✓ You will be told what we are going to do to put things right

Raising a Complaint: Information for Parents

Stage 1: In order to make a complaint, parents need to complete the form titled 'Formal Complaint form - stage 1'. Forms are available from the school office and on the school website. This form will provide a basis for a meeting with the Headteacher. This stage must be used even if you have already met with the Headteacher about your concern. If your complaint is about the Headteacher, the form may be addressed to the Chair of Governors.

Stage 2: If stage 1 does not lead to satisfactory resolution, you can complaint to the Governors. Once the parent has completed the form titled 'Formal Complaint form - Stage 2', the Chair of Governors (or Clerk if the Chair was involved in Stage 1) will arrange for your complaint to be investigated and considered, by a panel of Governors.

Stage 3: If you are unhappy with the panel's findings you can in some cases complain further to the Local Authority.

Frequently Asked Questions

One of my friends is a governor can I approach them with my complaint?

Although this seems like an ideal approach it can actually be unhelpful. Governors who sit on the panel to hear a complaint must be impartial. Please follow the procedure and refrain from discussing your complaint with individual Governors.

Can I just email the Headteacher with my issues?

The Headteacher is happy to be contacted by email to admin@highwood.herts.sch.uk. If there is a more appropriate person to deal with your concern she may pass on your concern. It is usual that most emails will be responded to with the suggestion of a face to face meeting.

How long do I have to raise a concern?

You can raise a concern at any time, however you have twelve months from the date of the event, to make a complaint. We ask parents to think about the effect of the timing of their complaint. For example, if you complain on the last day of the summer term, a member of staff may have the worry of the complaint hanging over them until September.

What if a group of us have the same issue?

You might want to consider asking for a meeting with a class teacher or a senior leader so that everyone can talk the issue through. If the concern is not resolved and you wish to complain you will need to do so as individuals.

If you have a concern, who should you talk to?

(Informal Stage)

