

St Werburgh's Primary School



Concerns and Complaints Policy

Policy Statement

Section 39 of the School Standards and Framework Act requires school governors to establish and publicise procedures by which concerns and complaints relating to their school will be dealt with. These procedures must also comply with the Education Act 1996, which gives parents the right to complain directly to a local authority on matters relating to the school's curriculum and general educational provision.

The Aims of the Policy

The aims of this policy are:

- to set out the procedures to be used for making a complaint to the school
- to establish the procedures to be followed by the school when dealing with a complaint
- to set out the procedures to be used for making a complaint to the local authority
- to establish the procedures for appealing against local authority decisions when dealing with complaints.

Procedure

Making a Complaint to the School

The procedures for making a complaint will be published in the school prospectus and on the school website. In addition copies will be available from the school receptionist. There will be three prescribed stages for the complainant to follow.

1. **Stage 1 (Informal)**

The complainant should talk informally with the person within the school who is most closely involved with the cause for concern. This can be a class teacher (form tutor) or any member of staff who has jurisdiction over the area of provision that has given rise to the concern. If the complainant is not satisfied with the informal response to the complaint then he or she should move to stage 2.

2. **Stage 2 (Formal)**

The complainant should write formally to the Head. If the complaint is about the headteacher then the letter should be addressed to the clerk to the governors complaints appeal panel. If the complaint is not resolved to the satisfaction of the complainant then he or she should move to stage 3. Annexed to this policy is a list of organisations who can provide help with letter writing if required. The school, obviously, cannot take responsibility for the work of these external agencies; their names are given as helpful guidance only and there are many other agencies who will provide similar assistance.

3. **Stage 3 (Formal)**

The complainant should write formally to the Chair of the governors stating why he or she is unhappy with the Head's findings and requesting the meeting of a panel of Governors to review the complaint and Head's findings. That panel will be composed of Governors who have no personal knowledge of the matter being complained of. If, following the panels' findings, the complainant still believes that the complaint has not been handled fairly, and in accordance with the school's concerns and complaints policy, then the complainant has the right to request a local authority investigation.

School Procedures for Responding to a Complaint

All school employees are required to co-operate fully with any member of staff appointed to investigate a concern or complaint submitted by a parent or member of the wider public.

1. Stage 1 (Informal)

All members of staff are required to listen courteously to any concerns or complaints addressed to them by a parent or member of the wider public. They should use their best endeavours to address any concerns and issues raised. If the concern or issue is not within their area of responsibility then the complainant should be introduced to a member of staff who does have the authority to respond. Every effort should be made to resolve the cause of the concern or complaint.

2. Stage 2 (Formal)

The receipt of a complaint should be acknowledged in writing within five working days. Complaints should be investigated within 15 working days and the findings sent to the complainant in writing.

3. Stage 3 (Formal)

On receipt of a written complaint the Governors' panel should meet within 12 to 20 working days to review the issues raised and the actions taken to date. The panels' findings should be sent to the complainant in writing within five working days.

Making a Complaint to the Local Authority

Local authority employees are required to comply with all agreed procedures for dealing with complaints from the general public and from external organisations served by the authority. If local authority employees cannot resolve a complaint then procedures exist whereby the complaint can be referred to elected councillors.

1. For general school complaints, complainants should write to the complaints officer with the Children's Services Authority (CSA) enclosing as evidence copies of all previous correspondence with the school.
2. A local authority cannot take any action until the school has finished considering a complaint.
3. The complaints officer will investigate whether the school has dealt with a complaint properly in accordance with its published policies and procedures. The complaints officer will not reinvestigate the original complaint.
4. A local authority cannot make a school come to a different judgment if the governing body has considered the complaint in a reasonable way in accordance with agreed policies and procedures.
5. The complaints officer will inform the complainant and the school of the outcome of the local authority investigation.
6. If the conclusion is that the school did not follow procedures correctly the matter will be referred back to the governing body. The governing body is then required to reinvestigate the original complaint.
7. Curriculum related complaints should be addressed to the director of education. It is the responsibility of the local authority to ensure that there are procedures in place for dealing with complaints relating to the curriculum and the educational provision in a school.

Appealing against Local Authority Decisions

When a complainant is not satisfied by the response to a complaint, or the actions taken, by a local authority there are two appeal options available.

1. Appeal to the Local Government Ombudsman
2. Appeal to the Department for Education.

Local Government Ombudsman

1. The ombudsman can only investigate issues of maladministration. If a complainant considers that there has been a fault in the way that the complaints process has been handled by a local authority, for example not acknowledging letters, taking too long to take action, or providing wrong information, then the ombudsman can investigate and report.

2. The ombudsman cannot question decisions taken simply because the complainant does not agree with the outcome; neither can the ombudsman investigate how a local authority or a school is run.
3. The ombudsman can now investigate internal school matters but should feel satisfied that these are not “vexatious” complaints.
4. The local government ombudsman can be approached through: The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH.

Appeals to the Department of Education

1. The Secretary of State is empowered to take action if a governing body, or a local authority, have failed to carry out or fulfill a statutory duty.
2. The Secretary of State cannot take any action until a school, or a local authority, have finished looking into a complaint.
3. The Secretary of State is approached at the following address: Secretary of State for Education and Skills, Sanctuary Buildings, Great Smith Street London SW1P 3BT.

Policy Review

To be next reviewed in Sept 2019

Helen Faulkner Headteacher