



# SCHOOL BASED COMPLAINTS POLICY

*May Reid*

.....  
**Signed – Governor**

.....  
**Print Name**

**Date: December 2017**

**Review: December 2020**

## **1a Why do we have a School Based Complaints Procedure?**

- 1a.1** The Education Act 2002 requires the Governing Body to adopt and publicise a complaints procedure for parents. This includes complaints about any community facilities or services that the school provides.
- 1a.2** 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 Education Funding Agency (“EFA”) to establish procedures for disputes between schools and parents about SEN provision.
- 1a.3** There also remain specific requirements in relation to the National Curriculum, collective worship and religious education under the 1996 Education Act.

## **1b How we Operate**

Each day Falconer School makes many decisions and tries hard to do the best for all the children. Your comments - either positive or negative - are helpful for future planning. You may want to talk to us about a particular aspect of this school, though not actually make a complaint - you just want to get something ‘off your chest’. Whatever it is, we like to hear from you.

### **Our promise to you**

- Your complaint will be dealt with honestly, politely and in confidence
- Your complaint will be looked into thoroughly and fairly
- If your complaint 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
- You will get a full and clear written reply to formal complaints within 28 school days

## **2. How Has Our Procedure been Developed?**

- 2.1** To ensure we are consistent with all other Hertfordshire Schools, the Governing Body has agreed to adopt the latest available recommended Hertfordshire School Based Complaints Procedures.

## **3. The First Steps in Investigating a Complaint**

- 3.1** We seek to ensure that all parents, pupils, staff and other people who work at the school understand our way of working and following agreed school policies. Our aim is to ensure the best educational outcomes for young people at all time
- 3.2** If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing. We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the class teacher or other appropriate member of staff, such as the special needs co-ordinator (SENCO) if it is about special needs.
- 3.3** 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.
- 3.4** If the first person you talk to cannot help you then speak to the Headteacher. Make an appointment with the Headteacher's P.A. to make sure the Headteacher is available.

**3.5** A full understanding of the facts surrounding the complaint will be made and the Headteacher (or other member of school staff) will decide on appropriate action (if any) to take. We will seek to resolve issues as far as possible by discussion with the Headteacher (or other member of school staff), once the facts are known.

#### **4. What if it is still not possible to sort things out?**

**4.1** You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step. If you are not satisfied you can complain formally by filling in a form, which is available from the school office. Send the form to the Chair of Governors c/o the school office. The Chair of Governors will then arrange for your complaint to be investigated and considered and will reply within 10 school days to give you a progress report and tell you what will happen next. When your complaint has been fully investigated you will be told of the outcome in writing.

**4.2** Most complaints are the responsibility of the governing body of the school and will be resolved by them. A small number of complaints cannot be resolved by this process.

**4.3** In the case of complaints about **Special Educational Needs**, the **National Curriculum** or **Collective Worship**, in Special schools, you can complain further to the Central SEN team, Apsley 2, AP1108, Brindley Way, Apsley, Hemel Hempstead, HP3 9BF This should be done in writing or by e-mail at: [CentralSEN.Team@hertscc.gov.uk](mailto:CentralSEN.Team@hertscc.gov.uk)

**4.4** Appendix 1 outlines the agreed Hertfordshire Procedures for dealing with school based complaints.

**4.5** Falconer School will follow these procedures where it is not possible to reach agreement over an issue and identify further strategies to support a pupils' learning at the school.

## **Appendix 1: Agreed Hertfordshire School Based Complaints Procedures.**

### **1. How to make a complaint**

- 1.1 Most of the time, any concerns you have about your child's school can best be settled by talking to the Headteacher or a member of the school staff. However, there may be occasions when you want to make a complaint to the school's Governing Body and this information is designed to help you.
- 1.2 This policy describes the arrangements which Hertfordshire County Council recommends for schools to use when dealing with complaints about school matters. School Governors are responsible in law for having a published complaint procedure and for responding to any complaint.
- 1.3 Our guidance to schools aims to be fair to pupils, parents and school staff and recognises that responsibilities rest with each of these three. It takes account of the responsibilities of the Headteacher, the school's governing body and the Education Funding Agency ("EFA").
- 1.4 These complaints arrangements are well established and were made following consultation with headteachers, governors, the Diocesan authorities, the teacher associations and representatives of parent groups. For Church of England schools the Diocese of St Albans commends the adoption of this procedure. For Roman Catholic schools, the Diocese of Westminster provides its own guidelines to schools for dealing with complaints.
- 1.5 Under this complaints procedure any member of school staff who is complained about will have the opportunity to respond to the complaint during its investigation, and will be able to see any subsequent response sent to the complainant.
- 1.6 There is an entirely separate procedure for schools to follow in dealing with staff disciplinary matters. Therefore, if in the course of their consideration of a complaint the governing body or EFA conclude that disciplinary proceedings should be started, they will take separate action.

### **2. What Happens First if I Complain?**

- 2.1 You should be able to resolve many concerns or complaints, or potential complaints, by talking to a member of the school staff concerned. The school will be able to tell you who you should speak to first. This is where you should normally start.
- 2.2 Unless there are exceptional circumstances you should then talk fully to the Headteacher who will investigate your complaint.
- 2.3 If you get in touch first with individual governors, they may need to ask you to take up your concerns with the Headteacher or the appropriate member of staff who is best able to help you.
- 2.4 If your complaint is about the Headteacher you should write to the Chair of Governors c/o the school office.
- 2.5 If your child has special educational needs and your complaint is about the provision the school is making for those needs, you might find it helpful to talk to your named Special Needs Officer, if your child has a Statement of Special Educational Needs. Or, a Parent Partnership Supporter who works in the Conciliation and Appeals Unit (CAU) might be able to help you. Or you might seek help from a voluntary organisation. (Telephone 01992 555847 for the number of your local Parent Partnership Supporter or a voluntary organisation).

### **3. What Happens if I want to make a Second (Formal) Complaint to the Governing Body?**

- 3.1 The school office will make sure you have a copy of the school's complaints procedure and will tell you how you can complain to the governing body. You are likely to be asked to complete a form or write a letter.
- 3.2 You should make it clear
- why you are complaining
  - who you have spoken to already
  - what you want to happen as a result of your complaint.
- 3.3 The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the governors. This is likely to involve a panel of governors appointed to act on behalf of the governing body.
- 3.4 In the case of Special Educational Needs complaints and National Curriculum or Collective Worship complaints, the Chairman of Governors will inform the EFA.
- 3.5 If the Chair of Governors or other governor has been involved in earlier discussions to try and help settle the disagreement at stage 1, he or she should arrange for another governor to take charge of the investigation and consider your complaint.
- 3.6 The governor in charge of investigating the complaint may ask to meet you personally so that you are able to clarify what your complaint is about. The governing body will not normally be able to respond to your complaint at this stage. They should, however, give you full details of how they will carry out any further investigation or formal hearing and keep you up-to-date with progress.
- 3.7 You and the school must make sure the governors' complaint panel is provided with any written information or evidence you intend to use in any formal hearing.
- 3.8 You may bring a friend or representative who may speak on your behalf to any meeting. You may also bring an interpreter of your choice, if you need this. The Chairman of the panel may invite to the meeting any person who may help establish the facts of the complaint. He or she should tell you who this person is before the meeting.
- 3.9 If any member of staff is required by the governing body to attend any meeting they will have the opportunity to be accompanied or represented as they wish.
- 3.10 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 and may be represented. If this happens, the school will tell you this before the meeting.
- 3.11 When the panel has fully investigated and considered your complaint, the Chairman of the panel - or the governor responsible for the investigation - will write and let you know their findings. These findings will be reported to the governing body. The Chairman of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. You will also be told if you can complain further.
- 3.12 They should send a copy of the letter to the Headteacher (and to the EFA in the case of Special Educational Needs complaints, National Curriculum complaints or Collective Worship complaints.) When this has happened, the second stage is complete.

### **4. What Can I Do If I Am Not Satisfied With The Outcome of the Second Stage of Investigation?**

We very much hope you will be satisfied following the outcome of the formal complaint to the governing body. However, if you remain dissatisfied, the next section sets out how you might take your complaint further.

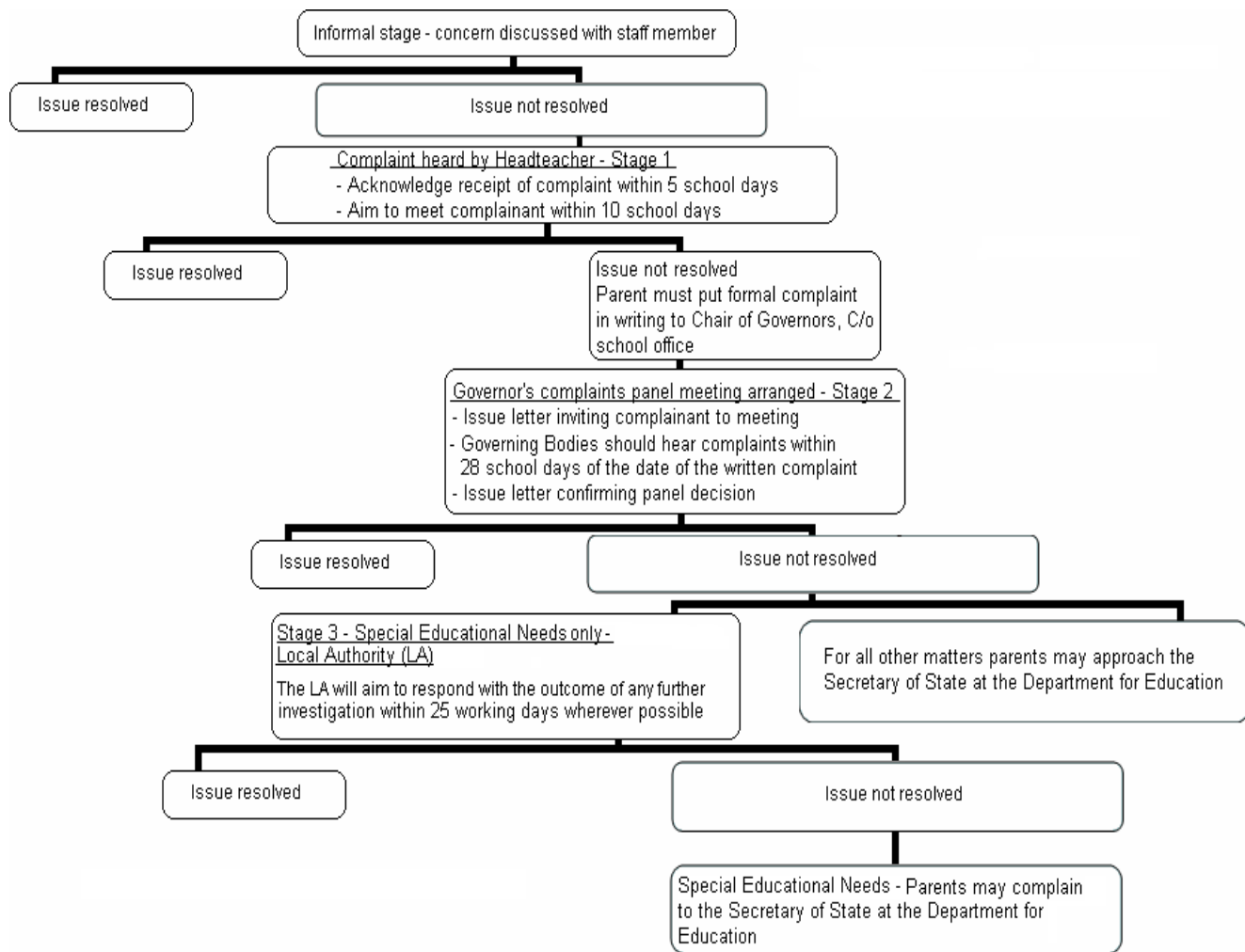
## 5. Is There a Third Stage of Complaint?

- 5.1 For the vast majority of complaints the procedure ends with the Governing Body. The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governors' Complaints Panel is final.
- 5.2 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).
- 5.3 **However, 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.**
- 5.4 In this case, you can write to the Complaints Manager who 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.
- 5.5 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

### Useful Contact Details

Chair of Governors	The School Secretary can tell you who this is and pass on any written correspondence	
Complaints Team (Children's Services)	<a href="http://www.hertsdirect.org/your-council/hcc/childserv/comments">www.hertsdirect.org/your-council/hcc/childserv/comments</a> Email: <a href="mailto:cs.complaints@hertfordshire.gov.uk">cs.complaints@hertfordshire.gov.uk</a>	01992 588542
Parent Partnership Service (SEN)	<a href="http://www.hertsdirect.org/parentpartnership">www.hertsdirect.org/parentpartnership</a> Email: <a href="mailto:Parent.partnership@hertfordshire.gov.uk">Parent.partnership@hertfordshire.gov.uk</a>	01992 555847
ACE (Advisory Centre for Education)	<a href="http://www.ace-ed.org.uk">www.ace-ed.org.uk</a>	0300 0115 142
HertsHelp	<a href="http://www.hertsdirect.org/hertshelp">www.hertsdirect.org/hertshelp</a>	0300 123 4044
Family Lives	<a href="http://www.familylives.org.uk">www.familylives.org.uk</a>	0808 800 2222
Careers in Herts	<a href="http://www.careersinherts.org.uk">www.careersinherts.org.uk</a>	01992 586969
Children's Legal Centre	<a href="http://www.childrenslegalcentre.com">www.childrenslegalcentre.com</a>	01206 873820
Citizen's Advice Bureau	<a href="http://www.citizensadvice.org.uk">www.citizensadvice.org.uk</a>	08444 111 444

## Summary of the Complaints Process



**FALCONER SCHOOL**  
**Complaint to the Headteacher**

<b>Name</b>			
<b>Address</b>			
<b>Telephone Numbers:</b>	<b>Day</b>		
	<b>Evening</b>		
<b>What is it you want to complain about?</b>			
<b>What would you like us to do to put things right?</b>			
.....		.....	
<b>Signed</b>		<b>Date</b>	

**Please submit the completed form to the Headteacher's Office**



**FALCONER SCHOOL**  
**Complaint to the Governing Body**

<b>Name</b>			
<b>Address</b>			
<b>Telephone Numbers:</b>	<b>Day</b>		
	<b>Evening</b>		
<b>What is it you want to complaint about?</b>			
<b>Have you complained to the Headteacher?</b>	<b>Yes</b>	<b>No</b>	
<b>When did you do this?</b>	<b>Date:</b>		
<b>What happened when you complained to the Headteacher?</b>			
<b>What would you like us to do to put things right?</b>			
..... <b>Signed</b>		..... <b>Date</b>	

Please return this form the Chair of the Governing Body, c/o Clerk to the Governors at Falconer School