



# COMPLAINTS POLICY

Issue No 17

Date 11.11.14

## **Purpose**

**INFORMATION FOR PARENTS; PROCEDURE FOR DEALING WITH CONCERNS AND COMPLAINTS ABOUT YOUR CHILD'S EDUCATION**

## **Aims**

The staff and governors at Scott Lower School are committed to providing a high quality education for your child in a secure and supportive environment. Whilst all concerned strive to achieve their best for the welfare of the pupils at the school, it is appreciated that there may be occasions when you have concerns about your child's education or about particular incidents which have occurred at school. If such a situation arises, we would ask you to follow the procedure outlined below.

## **General procedure for concerns and complaints**

Some general points.

1. Complaints should be raised as soon as possible. Any complaint raised more than one month after the incident has occurred cannot be considered, unless there are exceptional circumstances.
2. All the timescales in this policy apply during term time, additional time will be required over school holiday periods.
3. Where the head teacher or Chair of Governors is unable to comply with the timescales, he/she will inform you. This will only arise if the complaint is complex or the availability of key people is a problem.
4. An anonymous complaint will not be investigated unless there are exceptional circumstances.
5. The Head teacher and/or Chair of Governors may close a complaint if it is deemed "vexatious". This may happen if it is clear there is insufficient evidence to pursue the case, but the complaint is being persistently raised. Equally this may happen if a complaint has been investigated and no justification for the complaint found.

The procedure is presented as a series of stages, in a question and answer format.

**It is important that you follow through the various stages in the order in which they are given.**

### **1. I am concerned about some aspect of my child's school life. Who should I speak to first?**

In the first instance you should always address your concern to the member of staff who has direct responsibility for your child's welfare. At our school this is your child's class teacher. You can contact them to arrange an appointment to discuss your concern when you collect your child at the end of the school day or by telephoning the school, writing a letter or sending a note via your child. It is always best to make contact at an early stage so that any problems can be dealt with before they become major issues, and parents and school can work together to find a satisfactory solution to the problem.

### **2. I've spoken to the class teacher but the situation hasn't improved. What should I do next?**

If you are not satisfied with the response you have received from the class teacher, you need to make a formal complaint. All complaints should be put in writing to the Head Teacher.

If the complaint is about the Head teacher, a letter should be sent to the Chair of Governors, addressed to the Chair at the school and marked "Private and Confidential".

The Head Teacher (or chair of Governors)

- Will acknowledge receipt of the letter within 5 school days
- Will ensure that you have a copy of the Complaints Policy
- Will investigate the complaint. This will involve
  1. Requesting information relating to the complaint from the member of staff (or the Head Teacher if the complaint is about the Head teacher)
  2. Requesting information relating to the complaint from you.
  3. Meeting with the member of staff or Head Teacher
  4. Meeting with you.
  5. Reviewing the evidence.
  6. Making notes throughout the investigation.
  7. Informing both parties in writing of the outcome of the investigation within 14 days of acknowledging the complaint.

The outcome of the investigation will be:

- To uphold the complaint
- To dismiss the complaint
- Cannot uphold the complaint due to lack of evidence.

This should be the conclusion of the complaint.

**3. I'm not satisfied with the response I've received. Is there anyone else I can complain to about the problem?**

If you feel that your complaint to the Headteacher has not resolved the issue as far as you are concerned, the next person you can refer the matter to is the Chair of Governors of the school. If you are not sure who this is, you can obtain the name of the Chair from the school office (telephone 01234 352630). Your request that the Chair of Governors reviews the Headteacher's handling of the complaint must be made in writing. The letter should be marked 'private and confidential.' The Chair of Governors will not interfere with the Headteacher in the day to day management of the school, but will investigate whether your problem has been dealt with in an appropriate manner and report back to you within 10 working school days.

**4. I have referred the matter to the Chair of Governors, but I'm still not happy. Is there anything more I can do?**

You are now reaching the stage where your original concern is turning into a complaint about the way matters have been dealt with by the school. If you wish to pursue this complaint, you have the opportunity of a formal hearing before a Complaints Panel of the Governing Body. Neither the Headteacher nor the Chair of Governors will be on this panel, which will normally consist of three governors appointed by the Governing Body as a whole. A request to the Governing Body to review the complaint must be made within seven days of receiving the written conclusion of the investigation by the Chair of Governors.

The Complaints Panel will meet within 21 days of receiving the request to review the complaint.

Full details of the procedure to be followed at the review hearing will be sent to you by the Chair of Governors if your complaint reaches this stage.

The outcome of the hearing will

- Uphold the complaint, the Committee will give reasons

- Dismiss the complaint, the Committee will give reasons
- Cannot uphold the complaint due to lack of evidence

If the complaint is upheld, the Panel will refer the result and any recommendations to the Governing Body. The Governing Body will reassure you that every effort will be taken to ensure that the same thing will not happen again and that school procedures and policies will be reviewed as a result of the complaint.

**5. The Governing Body Complaints Panel have not upheld my complaint. Is there anyone else I can refer the matter to?**

The Local Government Ombudsman investigates complaints about “maladministration” i.e. cases where the recognised complaints procedure has not been properly used. However, the Ombudsman cannot investigate complaints about internal school matters and is not empowered to overturn the decision of a Governing Body Complaints Panel which has correctly followed procedures. If the Ombudsman decides to investigate your complaint, you could wait up to 6 months to hear the result of the investigation. A complaint form can be obtained from your local library or Citizens’ Advice Bureau.

If you feel that the Governing Body have acted unreasonably or illegally in coming to their decision, you can complain to the Secretary of State for Education and Skills. If you feel this to be necessary, you will need to write to the Secretary of State, who will then investigate your complaint and let you know the result. However, you should be aware that such an investigation can take up to 6 months or more.

**Reference to the Local Government Ombudsman or the Secretary of State will only occur under very extreme circumstances.**

The vast majority of concerns and complaints will be dealt with by the staff and governors of the school. Please remember that they, like yourself, only want to achieve the best they can for the children in their care.

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## **OTHER COMPLAINTS PROCEDURE**

In addition to this general complaints procedure, there are a number of other statutory procedures which relate to specific aspects of the education system. These may need to be followed if you have concerns about the follows;

- a) The school curriculum and related matters*
- b) Admission of your child to school*
- c) Exclusion of your child from school*
- d) The assessment of your child’s educational needs*

If you require more information about any of these procedures, you should contact either the Headteacher of your child’s school or Education Services at Bedford Borough Council.

Most concerns that parents have on a day-to-day basis do not necessarily fit into one of these categories and the general procedure outlined above should therefore be followed, In any case, the general procedure can still be used to deal with concerns which fall within categories (a)-(d) until it becomes clear that recourse to the statutory procedure becomes necessary.

### **I’m still unsure what to do. Who can I turn to for help?**

If you are not sure what to do, or feel you would like some advice on how best to proceed, please contact your child’s Headteacher, in the first instance. If you feel you would like to speak to someone who is not directly involved with the school, you can contact Governor Support at Bedford Borough Council (Tel: 01234 267422)

Scott Lower School is committed to working towards equality of opportunity for all children regardless of age, ability, gender, race and social circumstances. All pupils are of equal value and have the same right to take part in the varied activities and opportunities wherever possible. All opportunities for learning should be offered in a way which allows all children access and the ability to progress at their stage of understanding.

#### Disability Discrimination Act

Scott Lower School is committed to having due regard to the following

The Disability Discrimination Act 1995 has been amended by the Disability Discrimination Act 2005 so that it now places a duty on all public authorities, including schools, when carrying out their functions, to have due regard to the need to:

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.