

Complaints Procedure Statement

GUIDANCE for PARENTS

Introduction

In this school all staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that school and parents must work together in partnership, each carrying out our own particular responsibilities to help pupils gain the most from their time in school.

In accordance with [Section 29\(1\) of the Education Act 2002](#), 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.

If you feel that something is not going quite as you would like it to, that we are doing something that you are unhappy with, or not doing something that you feel we should, please tell us about it.

The difference between a concern and a complaint

A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

However, there will be occasions when complainants want to raise their concerns formally. In those cases, your complaints procedure should be followed.

- The first step:

Please arrange to discuss any concerns with your child's class teacher, or with the particular teacher concerned. We hope that most problems can be sorted out this way.

- The second step:

If, after speaking to your child's teacher, you do not feel that your complaint has been properly dealt with, or if your concern is about the conduct of a particular teacher, then you should discuss the matter with the Headteacher. In almost all cases we can sort things out satisfactorily in this way.

- The third step:

You should make a formal complaint to the Head teacher (either written, using video capture or in person where minutes will be kept), unless the complaint is about the conduct of the headteacher. You should then receive a written/visually recorded response.

- Taking matters further:

If your complaint is about the conduct of the headteacher, or if you are dissatisfied with the Head teacher's response to your formal complaint, then you will need to contact the governors.

You should send details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address or email; Imogen.Lemon@st-giles-nur.lincs.sch.uk

The governors will investigate your complaint and write to advise you of the outcome.

– **External Appeal:**

The decision of the governors is normally final; however, if you are dissatisfied with the governors' response, you may be able to take your complaint to an external body.

For certain complaints about schools maintained by the Local Authority, parents can write to the Secretary of State for Education. You must do this in writing, either by post to:

School Complaints Unit
Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

Or, by using the online School Complaints form. This can be accessed at: <https://www.gov.uk/complain-about-school>

You should be aware that the School Complaints Unit (SCU) will usually only consider a complaint once the school's internal processes have been exhausted. The SCU will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out. The SCU will also examine whether the school's policies adhere to education legislation. The SCU will not usually re-investigate the substance of the complaint.

Please note that, unless your complaint is about the governors' response or lack of response, your complaint will generally have to be considered first by the governing body of the school.

<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>

COMPLAINTS BY PARENTS – GUIDANCE FOR GOVERNORS

Governors Complaints Procedure

- If a parent is not satisfied with the response from the headteacher regarding their complaint or if their complaint is about the headteacher, then he/she is entitled to take their complaint to the Governing Body.
- All complaints to the Governing Body must be in writing and should include full details of the complaint, enclosing any supporting evidence. This should be sent to the clerk to the governors, care of the school. The clerk will then ensure the complaints process is started as soon as practicable (a complainant can request that the clerk to the governors write down the complaint on their behalf where writing a letter is difficult).
- A minimum of three governors should be selected to form a complaints committee to investigate and consider the complaint. It is recommended that the Chair of Governors is not on this committee. Those governors chosen should ideally have no knowledge whatsoever of the details surrounding the complaint or of the complainant themselves.
- It is appreciated that this may not always be possible, particularly in some rural schools. However, the Governing Body should always try to find impartial governors whenever possible.
- Once the complaints committee has been formed, they must then decide how they wish to investigate the complaint.
- Governors of LA maintained schools effectively have two options available. They can choose to deal with the complaint by means of an oral hearing or through written representations, but in making their decision they must be sensitive to any needs the complainant has. The LA advises maintained schools that, wherever possible and appropriate, it should be through written representations.
- If the governors of a maintained school choose to have an oral hearing, the parent will be invited to attend a meeting where they will be able to put their complaint personally to the governors. The headteacher should also be present to respond to the complaint. Teachers should not attend. If their evidence is needed, it should either be obtained via the headteacher, or where this is not appropriate, by a governor either before or after the meeting with the parent. The governors will only make a decision about the complaint once they have heard the parent's and the school's evidence.
- The structure of such a meeting should be flexible. However, it is anticipated it will follow a similar process to exclusion or admission appeals. The complaints committee should have familiarised themselves with the written complaint before the meeting opens and will have an opportunity to ask any questions, as will the headteacher. The complaint should then be responded to by the Headteacher with questions from both parties being permitted. Each party can then be asked to summarise their position. Both parties will then leave to allow the governors to make their decision in private.
- Both the complainant and headteacher are entitled to bring a representative with them if they wish. Although it would not normally be necessary, either party may bring a legal representative if they wish. Either party intending to bring a representative would be expected to contact the clerk to the governors before the hearing to notify them.
- If the governors do not wish to hold an oral hearing - that decision being at the discretion of the complaints committee - the investigation will proceed by way of written representations.
- Should the governors choose to adopt this procedure, the clerk to the governors will write to the complainant, outlining the procedure.
- The complaint will be forwarded to the headteacher who will then have 7 working days in which to respond.
- That response will then, in turn, be sent to the complainant for comment, any responses to be provided within 7 working days.
- Finally, that response will go to the headteacher who has 7 working days in which to respond to the clerk.
- A copy of the Head teacher's final response should be sent to the complainant with the advice that it is only for their information and that any further response from the parent will not be considered except in exceptional circumstances.
- All the responses are then put before the complaints committee for consideration.
- For the avoidance of doubt, all communication should be through the clerk to the governors, neither party should send their response to the other directly.
- Regardless of which method is adopted, the complaints committee must take a robust approach and not simply endorse the decision of the headteacher without any consideration of the evidence.
- The complaints committee must have all the necessary evidence they feel is necessary for them to make their decision. If they are not satisfied and require further evidence from either party, they should adjourn and request that information. The complaints committee should only make their decision if they are satisfied they have sufficient evidence with which to make a final decision.

- The decision of the complaints committee should be given to the complainant in writing within 5 working days of the decision. Providing the procedures as laid down in the complaints policy are followed then there is no right of appeal following this decision.
- The decision letter should outline the nature of the complaint, the factors taken into consideration and the decision of the complaints committee. There is therefore no need for minutes to include any other information.
- Under the Data Protection Act, parents can request to have sight of all documents relating to their complaint, subject to restrictions

It is important that the complaint and the investigation papers are not attached to the child's file as they do not relate to the child. However, schools may wish to keep a central register of complaints received.