

Aspley Guise Lower School

Growing Together, Aiming High



Complaints Policy and Procedure

September 2019

Review: September 2021

General Principles:

- This policy and procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event being complained of, will not be considered.

Raising a concern or complaint

Wherever possible, complaints are most quickly and effectively dealt with by the individual whose actions or decisions underlie the complaint. It is important that all employees of the school have the opportunity to reconsider their decisions.

Complaints may concern a matter of great importance and may be the source of anger, frustration or stress to the complainant. Nevertheless, complaints are more easily resolved in an atmosphere which is friendly and seeks co-operation. All parties to a complaint are therefore encouraged to behave with courtesy to one another and to seek to resolve the matter without recrimination. If deemed necessary by the school, there will be a suspension of proceedings until mutual respect is re-established.

Stage 1: Informal consultation

We aim to resolve all complaints and concerns at this stage.

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone, email or in person by mutually agreed appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

If, after attempting to resolve your concerns with the relevant member of staff concerned, your concern has not been resolved you should meet the Head Teacher. At this stage, complaints about Inclusion (including provision for children with particular needs) should be addressed to the Inclusion Manager/SENCO, who will usually be one of the Assistant Headteachers.

A safeguarding complaint that relates to the Head Teacher should be addressed to the Chair of Governors directly.

Stage 2: Formal review/reconsideration by the Headteacher

If your concern or complaint is not resolved at the Stage 1, you may put the complaint in writing using the form set out at Appendix 1 of this policy and pass it to the Headteacher, who will be responsible for ensuring that it is reconsidered appropriately.

This Stage 2 procedure should be followed even if the matter about which you complain is a decision of the Headteacher.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is essential that you include a clear statement of the changes that you would like the school to make to resolve your concern.

Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the Head Teacher.

The Headteacher will normally invite you to a meeting to clarify and seek to resolve your concerns. At this meeting you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It may be necessary for the matter to be further investigated. Such investigation will normally be completed within 5 school days.

The Headteacher will write to you indicating the outcome of this stage and any actions the school will undertake as a consequence of your concerns.

Stage 3: Review by Committee of Governors

If you believe the Headteacher's decision at Stage 2 is inconsistent with the policies and procedures of the school laid down by the Governing Body, you may request that the Governing Body reviews the process followed by the school. Any such request must be made in writing to Chair of Governors, within 10 school days of receiving notice of the outcome of Stage 2. You must specify how the decision at Stage 2 fails to follow the policies and procedures of the school. A Review Request form (Appendix 2) must be used.

Upon receiving a Review Request Form (Appendix 2), the Chair of Governors will determine whether or not:

The complainant has sufficiently complied with Stage 1 and 2 of this policy and;

The complainant has given sufficient detail to explain how the Headteacher has failed to comply with the policies and procedures of the school and what action is required to address this failing.

If either of these conditions is not satisfied, the Chair of Governors will give directions to the complainant as to what actions are needed in order to comply with this policy and/or sufficiently clarify their complaint.

Once the above conditions have been met, the Chair of Governors will convene a panel of three members of the governing body to consider the review request. This will usually take place within 20 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically. Written submissions and any supporting documentary evidence should be provided by the Headteacher and complainant to the panel and to each other at least 5 school days before the panel meets.

The panel 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.

Spurious or "Vexatious" complaints

From time to time, despite the school/governing body's desire to work with parents, there may be an occasion where there is persistent and/or unreasonable demands. The DfE refers to such events as 'manifestly unjustified, inappropriate or improper'

What criteria may be applied to decide whether it is 'manifestly unjustified, inappropriate or improper'?

- All reasonable steps have been taken to address matters
- A clear statement has been provided of the school's position
- The school is being repeatedly contacted with the same points being raised
- The school has reasonable grounds for believing that the intention is to cause inconvenience
- Communications are aggressive in tone or content. Abusive, derogatory and/or threatening comments are made

In the event of such criteria being met, the Chair of Governors will write to the party stating the process is complete and the matter is closed and that, should the party wish to continue, they should now make an appeal to the Secretary of State.

The Secretary of State's powers are delegated to the School Complaints Unit (SCU). The SCU will only consider cases in which the governing body has acted unlawfully or unreasonably. It will only overturn a decision in extreme circumstances. If it decides that a school has not followed its published procedures it has the power to direct that the process is re-visited.

Telephone	0370 000 2288
Online	www.education.gov.uk/help/contactus
Letter	DfE, School Complaints Unit, 2 nd Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD.

Is there a further stage of complaint?

For most complaints, the procedure ends with the governing body and there is no further 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 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 further stage of complaint to the local authority.

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 this may be longer for 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 Local Government Ombudsman who may decide to conduct an additional investigation: Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH. Tel: 0300 061 0614. Email: advice@lgo.org.uk

If your complaint is about the national curriculum or collective worship in a community or voluntary-controlled school, you do have a further stage of complaint to the local authority.

In this case, you can complain further by writing to the complaints manager who will acknowledge your complaint within five working days and inform the chair of governors and Headteacher. S/he will make sure your complaint is investigated and will ask the governing body for further information or advice as necessary. Following this investigation, a panel made up of the complaints manager and three members of the local authority will consider your complaint. You may talk to the investigating officer about your complaint and present your case personally to the panel. You may bring a friend, representative or interpreter to any meeting if you wish. Up to two representatives of the governing body may speak at the meeting.

When the panel has fully investigated your complaint the complaints manager will write and let you know the decision. S/he will explain the reasons for the decision, any action taken or proposed to be taken and any further avenues open to you. S/he will send a copy to the clerk and chair of governors and the headteacher. The aim will be to complete this process within 25 working days (this may be longer for complex cases).

Can I complain to anyone other than the County Council?

Yes, you can complain to the Secretary of State at the Department for Education:

The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT. Tel: 0870 000 2288. Web: 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.

**Appendix 1
Formal Complaint Form**

Please complete this form and return it to the school office or to the Head Teacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

.....

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

.....

Your Address:

Telephone numbers

Daytime:

Evening:

E-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

**Appendix 2
Review Request Form**

Please complete this form and return it to the Chair of Governors, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir

I submitted a formal complaint to the school on and am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

School use

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			