

All Saints C of E (VA) Primary School, Datchworth



Procedures for dealing with school based complaints (Information for Parents)

Based on the model procedure issued by: Hertfordshire County Children's Services

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Children's Services

MODEL PROCEDURES FOR DEALING WITH SCHOOL BASED COMPLAINTS

(Guidelines for Headteachers and Governing Bodies)

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General Principles of complaints

Most text extracted from 'School Complaints Procedure' document (DCSF – now DfE)

Dealing with Complaints – Initial concerns

1. Schools need to be clear about the difference between a concern and a complaint. A concern can be defined as a cause of worry, whilst a complaint can be defined as an expression of dissatisfaction. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

2. These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if Staff were able to resolve issues on the spot, including apologising where necessary.

Schools may also wish to meet with Parents if that would help resolve the issue.

Similarly Parents may be given details of support organisations who may be able to impartially discuss the Parents concerns with them (see Appendix 3).

Dealing with Complaints – Formal procedures

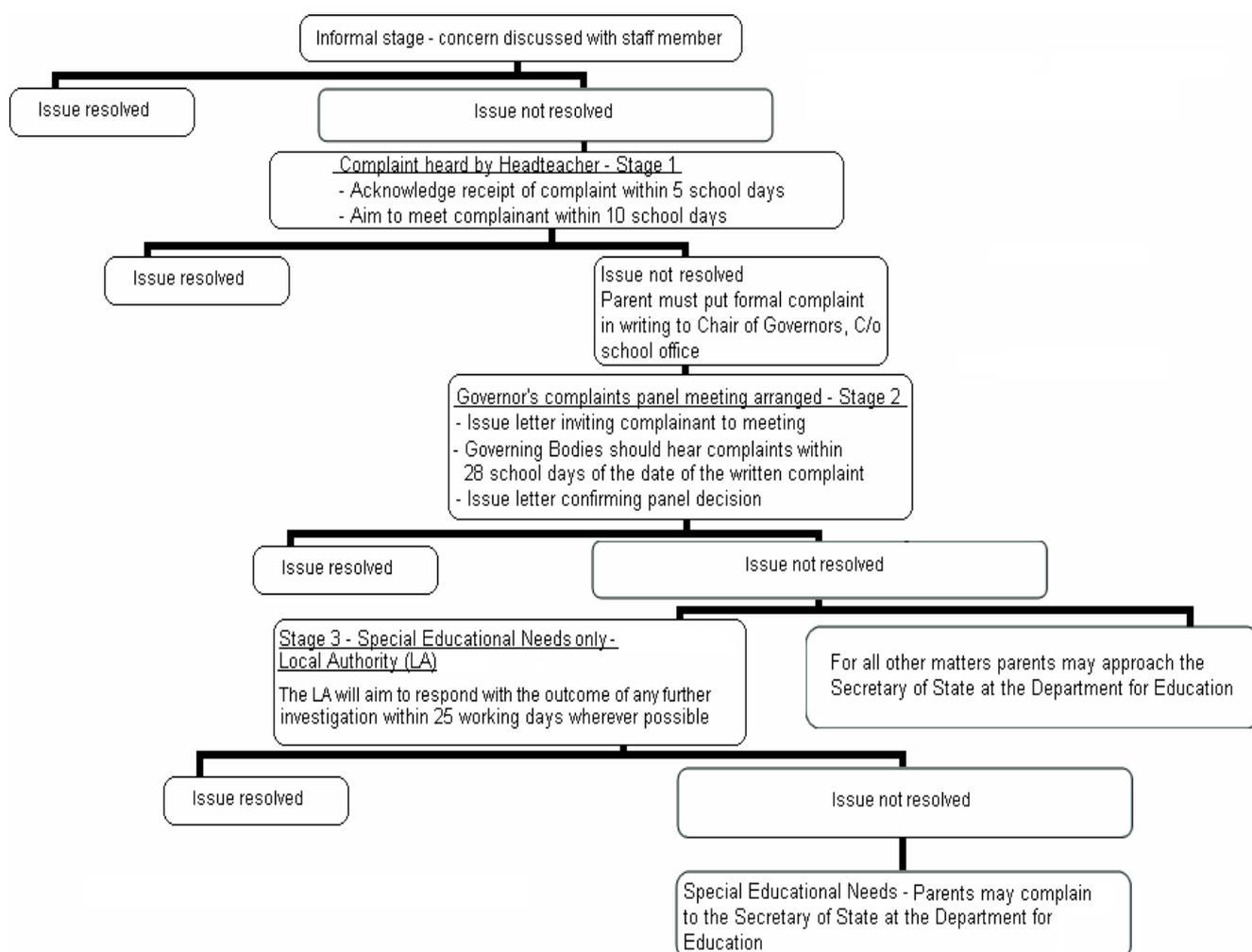
3. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

4. Schools might wish to nominate a member of Staff to have responsibility for the operation and management of the school complaints procedure. They could be termed the school's 'Complaints Co-ordinator'. In smaller schools this may often be the Headteacher.

Flowchart - Summary of Dealing with Complaints

Please see next page.

Dealing with complaints



Framework of Principles

5. An effective Complaints Procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's Senior Management Team so that services can be improved.

Investigating Complaints

6. It is suggested that at each stage, the person investigating the complaint (the Complaints Co-ordinator), makes sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

7. Prior to a complaint being escalated to involve a formal hearing, schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

8. It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of liability.

9. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

10. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the

complainant remains dissatisfied. A vexatious complaint is likely to involve some or all of the following:

- the complaint arises from a historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for Staff;
- the complainant behaves in an aggressive manner to Staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or
- the complainant persistently approaches the school (and in some cases the Local Authority) through different routes about the same issue in the hope of getting different responses.

If the situation is challenging but it is possible to proceed, Staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact. Any restrictions imposed should be appropriate and proportionate. The options that schools are most likely to consider are:

- requesting contact in a particular form (e.g. – letters only);
- requiring contact to take place with a named member of Staff (e.g. – Headteacher);
- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file.
- if the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

The Complaints Team can be contacted directly where the school identifies a need to discuss a particular case further in order to ascertain whether the complaint can be considered vexatious or not. Useful contact details are included in this document at the end of Appendix 2.

Time-Limits

11. Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further

investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Stages of the complaints process

12. A clear complaints process has well-defined stages:

Informal – Local resolution of the concern with Staff member

Stage 1 – complaint heard by Headteacher

Stage 2 – Governor’s Panel

Further recourse – Possibly to Local Authority, OFSTED or Department for Education (where appropriate).

Recording Complaints

13. It would be useful for schools to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, it would be helpful if the member of Staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record.

Governing Body Review

14. The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole GB will not name individuals.

15. As well as addressing an individual’s complaints, the process of listening to, and resolving complaints will contribute to school improvement. When individual complaints are heard, schools may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating a school’s performance.

Publicising the Procedure

16. There is a legal requirement for the Complaints Procedure to be publicised. It is up to the Governing Body to decide how to fulfil this requirement and details are included in the following ways:

- on the school website;
- in our School Handbook;
- in information given to new Parents when a child joins the school;
- in a specific complaints leaflet.

Why does the school need a complaints procedure?

Section 29 of the Education Act 2002 requires all maintained School Governing Bodies to adopt and publicise a complaints procedure for Parents. This includes complaints about any community facilities or services that the school provides.

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 LA to establish procedures for disputes between schools and Parents about SEN provision.

How will these guidelines help you?

The Model Procedures include:

- Guidelines for Headteachers and Governing Bodies for handling complaints
- A Toolkit for Governors – Hearing Stage 2 Formal Complaints (Appendix 1)

Also included is:

- 'How to complain to your child's school - Information for Parents' (Appendix 2). This is also available to print off and distribute at the following link: www.hertsdirect.org/docs/doc/h/misccompschool.doc
- A leaflet entitled 'How to comment, compliment or complain' - this is normally given to Parents when their child starts school (Appendix 3)

These procedures are now well-established in Hertfordshire and have been formally adopted or followed by the vast majority of schools. They were drawn up following consultation with Headteachers, Governors, the Diocesan Authorities, the Teacher Associations and Representatives of Parent groups in 1995. The Diocese of St Albans commended the adoption of these procedures for Church of England Schools. For Roman Catholic schools the Diocese of Westminster has also provided its own guidelines for dealing with complaints.

The Department for Education (DfE) has confirmed our procedures are well ordered. They have, however, issued guidance in the form of a School Complaints Procedure Toolkit. The document is intended to help schools draw up a complaints procedure if they have not already done so, or to review their existing procedure if they wish. However, the good news is that the DfE acknowledges that the majority of schools already have a complaints procedure in place, based on LA or Diocesan Board models.

The DfE guidance broadly reflects what this LA has for many years commended to schools. To obtain a copy of the guidance, download it from www.governornet.co.uk (go to Publications and search for School Complaints Procedure Toolkit) or telephone 08000 722 181.

By following the updated procedures set out here, schools can ensure complaints are handled effectively.

How should schools handle complaints made by:

- A member of Staff about another member of Staff or the Headteacher?
- A member of the Governing Body about a member of Staff?
- A member of Staff about a member of the Governing Body?
- A member of Staff about the action/decision of the Governing Body?
- Members of the public (not Parents)?
- A Parent whose child no longer attends the school?

This model procedure essentially covers complaints made by Parents or Carers of children who attend the school, but it is important that schools do have in place written procedures for the above eventualities. It would not normally be necessary for schools to consider complaints made 12 months or more after the events complained of.

Complaint made by one member of Staff against another (including the Headteacher)

Complaints from members of Staff are not covered by this procedure. They should be dealt with by the Headteacher (where appropriate) or the Chair of Governors informally in the first instance. If this approach fails to resolve the issue, the next step would be for the Staff Grievance Procedure to be invoked (by the person bringing the grievance). A full transcript of the Model Grievance Procedure for Schools is available at the following link:

http://www.thegrid.org.uk/schoolworkforce/human_resources/policies/documents/csf0031_model_grievance_procedure_feb10.doc

The Schools HR Advisory Team can be contacted for advice on (01438) 844875.

Complaint made by a Governor about a member of Staff

This should be dealt with through the complaints procedure outlined in this document. Clearly the Governor concerned would have to withdraw from any meeting at which the complaint or its outcome was being discussed. If the complaint is related to the *conduct* of a member of Staff, it would be more appropriate to invoke the school's Disciplinary Procedures.

Complaint by a member of Staff against an individual Governor acting in a personal capacity

The Chair of the Governing Body (or the Vice-Chair if the complaint is against the Chair) should attempt to resolve the matter informally. If such a resolution is not possible, and with the agreement of the Governor concerned, a Panel of Governors could be set up to consider the matter as under the normal complaints procedure in this document.

Complaint by a member of Staff against the action/decision of the Governing Body

If the decision was taken at a meeting of the full Governing Body the matter would have to be put on the agenda for review at another meeting and if the decision was then confirmed that would be the end of the matter. (For this reason it is important that matters that could potentially lead to a complaint or appeal are routinely dealt with by a committee with delegated authority, in order to allow for an appeal or a rehearing by an unprejudiced second group of Governors). If a committee or individual with delegated authority took the original decision then a Panel of Governors who were not involved in the decision should review the matter, ensuring that the member of Staff concerned was given an opportunity to state his/her case to the Panel. Any decision by the Panel would be final.

Complaint by a member of the public (not a Parent)

Complaints from members of the public are most likely to be dealt with by the Headteacher and beyond that the Chair of Governors.

Complaint by a Parent whose child no longer attends the school

The purpose of this complaints procedure is to ensure that if an error has been made, or an injustice done, some action can be taken to remedy matters for the injured party. Where Parents have removed their child from the roll of a school it is clearly impossible for the Governing Body to put things right for that child. However, the Governing Body has a duty of care to the pupils who remain on roll and it would be advisable for Governors to investigate the circumstances to satisfy themselves that no-one had acted inappropriately and that procedures and policies had been followed correctly. Whilst it is not necessary to convene a Governor's complaint Panel, it would be good practice to inform Parents whether the complaint had been upheld or otherwise and of any changes to practice and procedures which have been agreed by the Governing Body.

What complaint/appeal procedures are NOT covered by this document?

This complaints procedure does not cover:

- Child Protection Procedures - www.hertsdirect.org/childprotection
- Appeals about admissions – <http://www.hertsdirect.org/your-council/hcc/childserv/comments/appealpanels/schadmappeals>
- Appeals to the Governors discipline committee against permanent exclusion from school. Guidance on exclusions is available at the following link - <http://www.hertsdirect.org/your-council/hcc/childserv/comments/appealpanels/schexcapeals>
- Staff Disciplinary Procedures - www.thegrid.org.uk/schoolworkforce/human_resources/policies/documents/csf0030_model_disciplinary_procedures_mar10v2.doc

For further information about these procedures, please contact Children's Services on 0300 123 4043.

What is the position of Staff complained about?

Under this complaints procedure any member of school Staff who is the subject of a parental complaint will have the opportunity to respond to the complaint during its investigation. They should also be able to see any response sent to the complainant as a result of the investigation.

There is an entirely separate procedure for schools to follow in dealing with Staff disciplinary matters. Therefore, if in the course of considering a complaint the Governing Body or LA concludes that disciplinary procedures should be initiated, they will take separate action.

Where can the school get further help?

There is a "Toolkit" to help Governors with practical arrangements for Stage 2 complaints to the Governing Body contained in Appendix 2. For specific guidance on the materials in the "Toolkit" and for the practical arrangements for carrying out Governor investigations and hearings, please contact School Governance on 01438 843082.

How long should the school take in dealing with concerns and complaints?

Schools should aim to deal with these quickly and efficiently at Stage 1, so avoiding the formal Stage 2 procedure wherever possible. All complaints should be acknowledged within **5 school days**.

The Governing Body should deal with and respond fully to Stage 2 formal complaints within **28 school days** of the written complaint being received. If this is not possible Parents need to be given the reasons for the delay and to be kept informed of progress.

What is the FIRST stage in dealing with a complaint?

Most concerns, or potential complaints, can be resolved informally by offering Parents a full discussion with the member of Staff who is best able to help. This may involve the Headteacher and the Chair of Governors working together to investigate the complaint. This is where the process should start and sometimes Governors approached by Parents informally will need to steer Parents in this direction initially.

Governors need to be aware that if they do become involved closely with complaints at Stage 1, they cannot be involved with Stage 2 of the complaints procedure.

If the complaint is about the provision the school is making for a child's Special Educational Needs, then a Parent might find it helpful to talk to the named SEN Officer where this applies. The Parent Partnership Service will be able to provide advice on the procedures the LA has in place for resolving disputes between schools and Parents over SEN provision.

Schools should give Parents wishing to complain further a copy of the School Complaints Procedure and ask them to set out their complaint in a letter or by completing the complaint form.

What is the SECOND stage in dealing with a complaint?

Please see "Hearing Stage 2 Formal Complaints - A Toolkit for Governors" (Appendix 2) for detailed guidance on all the practical steps for investigating and hearing Stage 2 complaints.

The Chair of Governors will arrange for the complaint to be investigated and considered under the arrangements approved by the Governors for this purpose. This will usually involve a Panel of Governors appointed to act on behalf of the Governing Body. **In the case of Special Educational Needs complaints, the Chair of Governors must inform the Complaints Manager.**

If the Chair of Governors, or other Governors, have been involved in earlier discussions to try and help settle the disagreement at Stage 1, then arrangements should be made for another Governor with no prior involvement to take charge of the investigation and consideration of the complaint.

It may be helpful to offer the Parent an opportunity to talk about the complaint in the course of the investigation, prior to the complaint hearing. This might clarify the outstanding matters of complaint which remain unresolved and what outcome is sought by the complainant. Parents should be provided with full details of how the Governors' Complaint Panel will conduct the further investigation (please see page 12, paragraph 3 entitled 'Complaint by a Parent whose child no longer attends the school' for the exception to this rule). A formal hearing is the best way for both Parents and the Headteacher and Staff to be satisfied they have had a proper opportunity to be listened to by Governors. Everyone should also be informed in advance of the order of proceedings for complaint hearings.

Both parties should make available to the Panel, in advance, any written information they intend to use in the formal hearing.

Who can attend a Stage 2 hearing?

At any meeting Parents may be accompanied by a friend or representative who may speak on their behalf. This person could be an interpreter of their choice and Parents should be encouraged to do this where necessary.

The Chair of the Panel may invite to the meeting any person who may help establish the facts of the complaint. Parents need to be told who this person is before the meeting.

Any member of Staff required by Governors to attend any meeting or the hearing will have the opportunity to be accompanied or represented.

A member of Staff named by Parents in the complaint may also choose to attend even if not required to do so by Governors and may be represented. If this happens, Parents should be told beforehand.

What happens after the investigation/hearing?

When the complaint has been fully investigated and the hearing has taken place, Parents should be notified of the **findings** in writing by the Chair of the Panel hearing the complaint or the Governor responsible for the investigation within 5 school days of the hearing date.

The 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.

The Chair of Governors should write to the Parents to confirm any actions agreed by the Governing Body. Any agreed actions must be implemented by whoever it applies to - this could be the Governing Body as well as the Headteacher. Parents should also be informed whether and how they can take their complaint further.

A copy of the report must be sent to the Headteacher and the Complaints Manager in the case of a Special Educational Needs complaint, where there is a right in law to a third stage of complaint to the County Council.

What can Parents do if they are not satisfied with the outcome of the second stage of investigation?

In most cases it is expected that Parental complaints will be satisfactorily resolved following formal complaint to the Governing Body. However, should Parents remain dissatisfied, the following sections explain the circumstances in which complaints can be taken further.

It should be noted that if Parents remain dissatisfied following the outcome of their Stage 2 hearing and wish to take their complaint further, they must do so within 28 days of receiving the written outcome of the hearing.

After 28 days, neither the school nor the Local Authority (where appropriate) are under any obligation to investigate or progress the complaint any further.

When is there a THIRD stage of complaint to the County Council and how does it work? (THIS APPLIES TO VERY FEW COMPLAINTS AS SET OUT BELOW)

When it is a complaint about the way a school is providing for a child's Special Educational Needs.

Parents can complain further to the LA by writing to the Complaints Manager.

The Complaints Manager will acknowledge the letter and will notify the Chair of Governors and the Headteacher. The Complaints Manager will arrange for the complaint to be investigated. The investigator will seek the comments of the Governing Body and any other information or advice as necessary.

When the complaint has been fully investigated and considered the Complaints Manager will notify Parents of the outcome in writing, giving the reasons for it, any action or proposed action to be taken and the further recourse available. A copy of this will be sent to the Headteacher, the Chair of Governors and to anyone else concerned in the investigation. This brings the third stage for Special Educational Needs complaints to a conclusion.

Parents who remain dissatisfied following further investigation of their Special Educational Needs complaint by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288
Website: www.education.gov.uk

What happens when there is NO statutory third stage of complaint to the County Council?

If the complaint is about Denominational Religious Education in a Voluntary-Aided school or Collective Worship in a Voluntary-Aided school in accordance with the trust deed or previous practice before the school became a Voluntary-Aided school:

There is no formal right of complaint to the LA. This is because the LA has no power to inspect the provision or to influence its content but complaint beyond the second stage may be made to the relevant Diocesan Authority where this applies.

For Church of England schools complainants should write to: The Diocesan Director of Education, Diocese of St Albans Education Centre, Hall Grove, Welwyn Garden City, AL7 4PJ.

IF THE COMPLAINT IS ABOUT BULLYING, THE NATIONAL CURRICULUM, COLLECTIVE WORSHIP IN A COMMUNITY, VOLUNTARY-CONTROLLED, FOUNDATION OR TRUST SCHOOL, OR ABOUT ANY OTHER GENERAL MATTERS: THERE IS NO THIRD STAGE OF INVESTIGATION BY THE COUNTY COUNCIL

For the vast majority of complaints there is no right of further complaint or appeal to the LA beyond the school's Governing Body.

Parents may contact the complaints helpline for further advice but will be told there is no right of a further stage of formal investigation by the LA.

If parents who have not yet complained to their child's school contact the Local Authority, Council Officers will ask the complainant for their written consent to share information regarding their complaint with the school in question. If the complainant declines to provide their consent, the matter will not normally be taken any further. If consent is provided, the Council will pass the complainant's concerns onto the school, whilst ensuring that the complainant is made aware that this will not necessarily result in the complaint against the school being resolved or the complainant achieving the outcome they were seeking.

Can Parents complain to anyone other than the County Council?

Parents have the right to complain to the Secretary of State at the Department for Education (under the Education Act 1996), if they believe that the Governing Body or the LA is acting or proposing to act unreasonably (section 496), or is failing to carry out a statutory duty (section 497). This has to mean that the LA or the Governing Body is acting outside its powers, or misusing them. Only then would the Secretary of State follow up the complaint.

The Secretary of State will then contact the Governing Body or LA for information. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288
Website: www.education.gov.uk

Where can Parents get help?

Parents who remain dissatisfied following the Stage 2 consideration of their complaint by the Governing Body may seek advice from the Children's Services Complaints helpline on 01992 588542.

Appendix 3 is a model leaflet for schools. It also shows other sources of help which Parents can be signposted to.

What kind of record will be kept about complaints?

The County Council will formally monitor Special Educational Needs complaints escalated to it under the statutory third stage of the complaints procedure.

Schools should, as good practice, formally record and monitor all Stage 2 complaints to the Governing Body.

Statistics may be published from time to time about the number and nature of complaints about individual schools. Publications will not include reference to any named individual. This is used to identify complaint trends and whether individual schools need particular guidance or support.

How to complain to your child's school - information for parents

Introduction

School Governors are responsible in law for having a published complaints procedure and for responding to complaints. These complaints arrangements are well-established and were made following consultation with Headteachers, Governors, the Diocesan Authorities, 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.

What happens at the first stage?

Most concerns, complaints or potential complaints can be resolved by talking to the member of school Staff concerned. The school can tell you who you should speak to first. You may wish to request a copy of the school's complaints procedure, available from the school office or website. If the concern isn't resolved by speaking to a member of Staff, you should then request a meeting with the Headteacher who will investigate your complaint and aim to inform you of the outcome within 10 school days.

If your first contact is with individual Governors, you may be asked to take up your concerns with the Headteacher or the appropriate member of Staff. A Governor should not be made aware of a potential complaint as they may be required to sit on a panel in the event of a formal hearing (2nd stage) and should be impartial.

If your complaint is about the Headteacher, you should write to the Chair of Governors at the school. If your child has Special Educational Needs (SEN) you might find it helpful to talk to the Special Educational Needs Co-ordinator (SENCo) at your child's school or your named Special Needs Officer if your child has a Statement of SEN. A Parent Partnership Supporter may also be able to help you.

If parents who have not yet complained to their child's school contact the Local Authority, Council Officers will ask the complainant for their written consent to share information regarding their complaint with the school in question. If the complainant declines to provide their consent, the matter will not be taken any further. If consent is provided, the Council will pass the complainant's concerns onto the school.

What happens at the second stage?

The school may ask you to complete a form or write a letter addressed to the Chair of Governors. In the letter you should:

- make it clear why you are complaining
- say who you have spoken to already

- explain what you want to happen as a result of your complaint.

The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. This is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns. The Governing Body should give you full details of how they will carry out any further investigation or formal hearing and keep you up-to-date with progress.

You and the school must make sure the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish. The Chair of the Panel may invite any person who may help establish the facts of the complaint. The Chair should tell you who this person is before the meeting.

If any member of Staff is required by the Governing Body to attend a meeting they will have the opportunity to be accompanied or represented as they wish. 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. They may be represented. If this happens, the school will inform you before the meeting.

When the panel has fully investigated your complaint, the Chair of the Panel or the Governor in charge of the investigation will write to you to tell you the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. The Governing Body should aim to deal with complaints within 28 school days.

Is there a third stage of complaint?

For most complaints, the procedure ends with the Governing Body and there is no third 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 Family Lives (formerly 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 third 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 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.

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.

If your complaint is about Denominational Religious Education or Collective Worship in a Voluntary-Aided school you do not have a third stage of complaint to the Local Authority.

This is because the Local Authority has no power in Voluntary-Aided schools to inspect the provision or to influence content. You may complain beyond the second stage to the relevant Diocesan Authority where this applies:

For Church of England schools:

The Diocesan Director of Education, Diocese of St Albans Education Centre, Hall Grove, Welwyn Garden City, AL7 4PJ. Tel: 01707 332321. Website: www.stalbans.anglican.org

Can I complain to anyone other than the County Council?

For all other types of complaint, including those regarding Bullying, the National Curriculum or Collective Worship in a Community, Voluntary-Controlled, Foundation or Trust school, there is no third stage of complaint to the Local Authority.

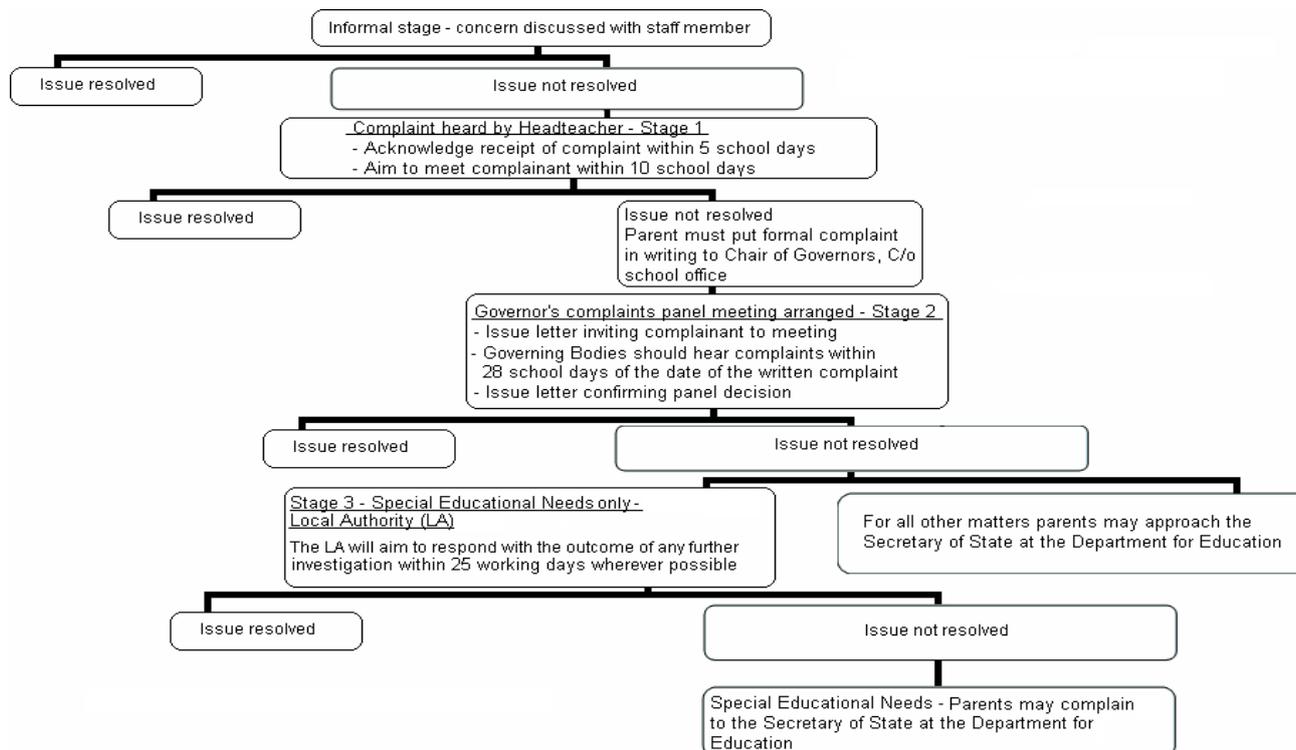
However, you can complain to the Secretary of State at the Department for Education. The contact details for the Secretary of State are as follows:

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

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	www.hertsdirect.org/your-council/hcc/childserv/comments/ Email: cs.complaints@hertsgov.uk	01992 588542
Parent Partnership Service (SEN)	www.hertsdirect.org/parentpartnership Email: parent.partnership@hertsgov.uk	01992 555847
Black Minority Ethnic (BME) Achievement Team - If your complaint is about racial harassment or discrimination	www.thegrid.org.uk	01438 844752
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0808 800 5793
HertsHelp	www.hertsdirect.org/hertshelp	0300 123 4044
Family Lives	www.familylives.org.uk	0808 800 2222
Carers in Herts	www.carersinherts.org.uk	01992 586969
Children's Legal Centre	www.childrenslegalcentre.com	01206 873820
Citizen's Advice Bureau	www.citizensadvice.org.uk	08444 111 444



Information for Parents

How to comment, compliment or complain



All Saints C of E (VA) Primary School
Datchworth

Tel: 01438 812381
admin@datchworth.herts.sch.uk
www.datchworth.herts.sch.uk

How to comment, compliment or complain

We care about what you think

Each day this 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'.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel able to contact us using the details listed above.

Our aims

- 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

All Saints C of E (VA) Primary School
Hollybush Lane
Datchworth
Knebworth
Hertfordshire
SG3 6RE



Telephone: 01438 812381
e-mail: admin@datchworth.herts.sch.uk
Website: www.datchworth.herts.sch.uk

How to make a complaint

First

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 (by letter or e-mail). 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 another appropriate member of Staff, such as the Special Educational Needs Co-ordinator (SENCo) if it is about Special Needs.

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. If the first person you talk to cannot help you then speak to the Headteacher. Make an appointment with the school secretary to make sure the Headteacher is available. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

Second

If you are not satisfied you can complain formally by filling in a form, which is available from the school office and online. Address the form to the Chair of Governors. The school secretary will tell you who this is and pass on any written correspondence. The Chair will then arrange for your complaint to be investigated and considered and will reply within 10 working days to give you a progress report and tell you what will happen next. This is likely to involve a Panel of Governors. When your complaint has been fully investigated you will be told of the outcome in writing.

Third

Most complaints are the responsibility of the Governing Body of the school and will be resolved by them. A small number of complaints may not be resolved by this process.

In the case of complaints about **Special Educational Needs**, you can complain further to the Local Authority. This should be done by writing to the Complaints Manager in the Customer Service Team at the address on the back page.

It should be noted however that if you wish to pursue this route, you must do so within 28 days of receiving the written outcome of the hearing into your complaint. After 28 days, neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

Useful contacts

Advisory Centre for Education (ACE)

1C Aberdeen Studios, 22 Highbury Grove, London, N5 2EA

Free Advice Line 2-5pm, Monday to Friday

Web: www.ace-ed.org.uk

Email: enquiries@ace-ed.org.uk

Phone: **0808 800 5793**

Children's Legal Centre

University of Essex, Wivenhoe Park, Colchester, Essex, CO4 3SQ

Free Advice Service, 2-5pm

Web: www.childrenslegalcentre.com

Email: clc@essex.ac.uk

Phone: **01206 873820**

Complaints Team

Customer Service Team, Room 164, County Hall, Hertford, SG13 8DF

Web: www.hertsdirect.org/your-council/hcc/childserv/comments/

Email: cs.complaints@hertsc.gov.uk

Phone: **01992 588542**

Parent Partnership Team (Special Educational Needs)

Room 152, County Hall, Hertford SG13 8DF

Web: www.hertsdirect.org/parentpartnership

Email: parent.partnership@hertsc.gov.uk

Phone: **01992 555847**

The Parent Partnership service provides impartial information and offers guidance on Special Educational Needs to Parents, Carers and Professionals. There are four Parent Partnership Supporters in the county and you can contact your local Supporter directly and confidentially. Their contact details are as follows:

- **Irene Holland - 01462 634488**
(Stevenage/Hitchin/Letchworth/Baldock/villages)
- **Dawn Owen - 01920 411152**
(Hertford/Ware/Bishops Stortford/Waltham Cross/Hatfield/WGC/villages)
- **Kären Edwards - 01442 453316**
(Watford/Rickmansworth/Potters Bar/Borehamwood/villages)
- **Helena Marks - 01442 217143**
(St Albans/Hemel Hempstead/Tring/Harpenden/Berkhamsted/villages)

ParentlinePlus

520 Highgate Studios

53-79 Highgate Road

Kentish Town

London, NW5 1TL

Web: www.parentlineplus.org.uk

Phone: **0808 800 2222**



Formal Complaint Form

Please complete and return to (Complaints Co-ordinator)
who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

e-mail address:

Daytime telephone number:

Evening telephone number:

Mobile number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)

Have you spoken to the Headteacher about this matter? YES / NO

When did you do this? Date:

What happened when you complained to the Headteacher?

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

What would you like us to do to put things right?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Please return this form to the Chair of the Governing Body
Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: