

TITLE: COMPLAINTS PROCEDURE
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MAIN AUDIENCE: STAFF, PARENTS, GOVERNORS
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TITHE BARN PRIMARY SCHOOL COMPLAINTS PROCEDURE

INTRODUCTION

1. Tithe Barn School has long recognised that we can only achieve the very best education for our children if the whole School community – Governors, Headteacher, staff, parents and carers, and Local Authority – is working closely together. We seek to foster the closest possible relationships between home and School through a variety of mechanisms: regular discussions, including Parents Evenings, about children's progress; easy and quick access for parents to staff, the Headteacher and Chair of Governors, and a general 'open door' policy; parents working in School as volunteers; parental questionnaires; informal events, such as Christmas productions, the Summer Fair, Harvest, etc; ready access to Governing Body minutes; and so on. Whilst respecting personal information about children, parents and staff, we try to be open, accessible and transparent in all that we do.
2. But, as in all institutions, we don't always get it right. Things go wrong, and parents may have a concern, either about their own child or perhaps about the School more generally - that is the reason we have a Complaints Procedure.
3. A procedure like this one is common to all schools in Stockport (and further details are attached). It is the sincerest hope of all those involved in the running of Tithe Barn School that, if you have a concern, you will come into School at the earliest possible opportunity and discuss it with the staff and/or the Headteacher. We will listen carefully to you, and seek to find solutions as quickly as possible.

THE PROCEDURE IN OUTLINE

Stage 1 – Informal – Class Teacher and/or Headteacher

4. In the first instance, please raise any concern with your child's class teacher and/or the Headteacher. It will often prove possible to do this informally, especially at the beginning or end of the School day. However, if you feel this may need more than a few minutes, it would be sensible to agree an appointment in advance; this can either be arranged directly with the member of staff concerned or the Headteacher, or via the School office. Alternatively, if you wish to put your concern in writing to the Headteacher, they will aim to respond within 10 working days.

Stage 2 – Informal – Chair of Governors

5. If you remain dissatisfied, or if your concern is about the Headteacher, you should contact the Chair of Governors (details on next page). The Chair is always willing to talk on the phone and/or meet with parents, either with or without staff present, to discuss their concerns. Alternatively, if you wish to put your concern in writing, the Chair, will aim to respond within 15 working days.

Stage 3 – Formal

6. If you still remain dissatisfied, you can appeal to the Governing Body Complaints Panel. In the first instance you should contact the Stockport Council Complaints Resolution Service, who will make the necessary arrangements. The Governing Body Complaints Panel will be composed of three Governors not previously involved in the issue, who will hear the concerns afresh and reach a view. Such a meeting will be convened within 20 working days of the request, and you will be notified of the outcome within 15 days of the meeting.

External Appeals

7. This is as far as the School's Complaints Procedure goes. If you remain dissatisfied, and wish to take the matter further, you can contact: -
 - a) The Secretary of State for Education
 - b) OFSTED
 - c) The Local Government Ombudsman.

Special Circumstances

8. If your complaint is about the Headteacher, and you are dissatisfied with the response of the Chair of Governors at Stage 2, you should contact Stockport Council's Corporate Director – Services to People, who will conduct a further review.
9. If your complaint is about the Chair of Governors, you should write to the Vice Chair c/o the School, and he will conduct an investigation on behalf of the Governing Body.

Personnel as at 1st September 2016

Headteacher: Katherine Muncaster

Chair of Governors: Trudy Mclindon (T: 0791 399 6092; E: trudymclindon@gmail.com)

Vice Chair of Governors: Steve Inch (T: 0794 833 0030; E: stevej.inch@gmail.com)

Complaints about Schools – Parental Summary

The vast majority of concerns and complaints are dealt with immediately, satisfactorily, and through informal discussions with your child's class/subject teacher or, Head of year. Schools encourage this through their own individual ethos and effective communication systems. When you have concerns about a school, it is important that you raise them as soon as possible with the relevant members of staff in order to try to resolve any issues.

What do we mean by 'complaint'?

Generally, a school complaint is an expression of dissatisfaction about the standards of teaching, how a particular incident was handled or about the conduct of members of staff employed at the school. A complaint can be made using any form of communication including: in person, in writing or, by telephone/fax/e-mail, and by a parent or carer or, other person with a legitimate interest in the school. This includes a range of people such as community facility users, neighbours, students and visitors.

It is important to understand that the initial information both parties may have about an incident may not be the full picture which is why it is important to share, listen and try to understand all perspectives until the matter has been fully investigated and the facts are known. Working with parents and others in resolving complaints, helps schools to identify ways to further improve the service they provide to children, young people and their families.

Do all schools use the same complaints process?

The Education Act 2002 requires Governing Bodies of all maintained nurseries and maintained schools to have in place, and publish a procedure to deal with complaints relating to the school, and to any community facilities or services that the school provides. The procedure should be approved by the Governing Body and published in the school Prospectus and other publications or, the school's website. Parents and carers should have access to the procedure. In Stockport the Governing Body of every school has adopted the same complaints process.

What the complaints procedure does not cover?

There are certain complaints that fall outside the remit of the Governing body's complaints procedure for which there are specific statutory regulations and other local authority mechanisms, such as:

- Decisions relating to Special Educational Needs assessments and school placements
- School admissions and transfers
- Exclusions
- Employment
- Staff disciplinary matters
- Financial impropriety or other criminal activity
- Child protection concerns

The Complaints Procedure

In order to protect the rights of all parties it is important that the various stages of the procedure are adhered to as far as possible. Should a complaint, therefore, be reported to a governor, chair of governors or Local Authority, the complainant will be directed to the school for the matter to be considered by the appropriate member of staff.

There are three stages to the complaints process.

Stage 1 (informal)

It is always useful in the first instance to raise your concern/complaint with an appropriate member of school staff. In nursery and primary schools the first point of contact is usually your child's class teacher, and in secondary schools you may contact your child's form tutor or head of year. Schools place great emphasis on this informal approach to achieving a satisfactory outcome at the earliest opportunity. Due to the teacher's first-hand information about your child many concerns can be resolved at this point.

Whilst most complaints are successfully resolved using this approach, there are occasions when the member of staff first contacted cannot resolve your concern, or the matter warrants the immediate involvement of the headteacher. At this point the school may request you make an appointment to discuss the matter with the head in order to ensure sufficient time is set aside to listen to your concerns. For procedural purposes, the results of any such meeting will signify the school's response at stage 1. Alternatively, if your complaint is made in writing and you do not wish to meet with the headteacher, you will receive a written response and this will also signify the school's response at stage 1.

Stage 2 (informal)

Should you remain dissatisfied with the outcome of stage 1, you can progress the matter to stage 2. Ideally, you should do this by writing to the Chair of Governors, and within a maximum of 15 school days of receipt of the school's response at stage 1, outlining your complaint, the reasons for your dissatisfaction and your preferred outcome. This will help to ensure the chair of governors fully understands the issues when investigating the matter.

Stage 3 (formal)

Should you remain dissatisfied with the outcome of stage 2, you can request the matter progress to the formal appeal stage of the process. Ideally, you should do this by writing to the Complaints Resolution Service, and within a maximum of 15 school days of receipt of the Chair of Governor's response at stage 2, outlining your complaint, the reasons for your dissatisfaction and your preferred outcome. You should also include any documentation from stages 1 and 2. A meeting of the Governing Body Complaints Panel will be held within twenty school days following receipt of the request (not including school holidays) and a written decision will be sent to both the parent and the headteacher by the Chair of the Complaint Panel within fifteen school days of the appeal meeting.

It should be noted that, whilst this is the formal stage of the school's complaint procedure, the appeal process does not, in itself, duplicate such formal appeal or investigational procedures such as those generated under police or Court processes. The Governing Body Complaints Panel bases its judgements on the premise of the balance of probability.

This is the final school-based stage of the complaint procedure.

The Role of the Parent Partnership Service

The Parent Partnership Service helps parents/carers whose children have difficulties with learning, medical needs or mental health problems, from pre-school age to school leavers. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.

The service can help parents consider what their complaint is about and the options available to them to resolve it, including more informal measures that can be explored in the first instance. If a parent wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings with the parent to offer support but doesn't speak on behalf of or make decisions for the parent.

The service can be contacted at: 12a School Lane, Heaton Chapel, Stockport SK4 5DG
Tel: 0161 474 3842

What if I remain dissatisfied after I have been through each stage of the school's complaints process?

Complainants have a lawful right to approach a number of external bodies if they believe that the Governing Body is acting, or proposing to act unreasonably:

The Secretary of State – would follow up a complaint if they believed the school had either acted unreasonably or, failed to carry out a statutory duty. This should be a last resort, and you should highlight the steps you have already taken to resolve the problem. The address to write is:

Secretary of State for the Department of Education (DfE)
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

From 1st August 2012 under section 45 of the Education Act 2011 the duty on local authorities to consider complaints about the curriculum, sex education and religious worship in maintained schools will be removed and the Local Government Ombudsman's (LGO) schools complaints service will also close. Local authorities and the LGO will continue to be responsible for considering complaints about local authority services.

If a parent is not satisfied with the school's response and wishes to pursue a complaint because they feel the school has acted unreasonably in respect of the above areas, they should write to the Secretary of State who will follow up a complaint if they believe the school has either acted unreasonably or, failed to carry out a statutory duty.

This does not affect the current arrangements for schools in dealing with, and resolving general non-curricular parental complaints.

OfSTED – The Education and Inspections Act 2006 gives OfSTED powers to investigate certain types of complaints from parents about schools. Whilst you should raise any issues with the school first, the types of complaints to which OfSTED can respond include:

- The school is not providing a good enough education
- The pupils are not achieving as much as they should, or their needs are not being met
- The school is not well led or managed, or is not using its resources efficiently
- The pupils' personal development and well-being are being neglected

OfSTED can require the school or local authority to provide information, or require the school to arrange a meeting of parents to seek their views. It can record parents' concerns for consideration during the school's next inspection.

Where a complaint is considered serious, OfSTED can arrange an immediate inspection of the school but are not in a position to judge how well the school investigated or responded to a complaint, or to mediate between a parent and a school to resolve a dispute. See the OfSTED website at [Complaints to Ofsted about schools: Guidance for Parents](#) or call their helpline on 08456 40 40 45.

Local Government Ombudsman - The Local Government Ombudsman's current role is to look at any maladministration, or potential maladministration, on the local authority's part. This includes the way in which it handles complaints and its adherence to procedures.

Why are complaints referred to the school and Governing Body rather than the Local Authority?

Under the Local Management of Schools legislation, headteachers are directly accountable to the governing body of the school, and not to the Local Authority.

Complaints and concerns must therefore be dealt with by the governors of a school, with guidance and advice from the relevant officers within the Local Authority/Diocese where they request it. The local authority has no power to direct a school in relation to a complaint from a parent or pupil, unless there is a statutory basis for doing so.

If a written complaint is received into the Local Authority 'prematurely' this will be forwarded to the school to deal with under their own procedures by the Complaints Resolution Service.

Anyone making a complaint to the local authority about a specific school will be transferred to the Complaints Resolution Service who will clarify the correct procedures. Although the Complaints Resolution Service will inform the school about the contact received, the responsibility remains with the parent/carers to follow the correct procedure and raise the issue with the school themselves.

For further information on how to complain, please do not hesitate to contact the Complaints Resolution Service on:

Tel: 0161 474 3938 /3898

Minicom: 0845 644 4306

Email: talktous@stockport.gov.uk

Website: <http://www.stockport.gov.uk/services/educationlearning/schoolsmanagementorganisation/complaintsaboutschoools?view=Standard>