



**Governing Body**  
**SCHOOL COMPLAINTS POLICY**

**Date last reviewed 5.12.17**

**Next review - See policy review list**

**Important**

**Allegations of abuse** against a member of the school staff must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately. In all cases, without exception, the Headteacher or Chair must, without delay, follow the current procedure prescribed by the Children's Services Department of the Local Authority

**Complaints concerning the conduct of school staff including the Headteacher** may fall to be dealt with under other School policies in accordance with other statutory requirements and terms and conditions of service. Where this is the case the Headteacher/Chair of Governors shall advise the parent etc and explain how his/her complaint will be dealt with

**Some complaints regarding admissions, the curriculum or special educational needs** are covered by statutory regulations. The Headteacher shall provide information to parents etc about these issues or advice can be sought from the Customer Service Centre on 0844 800 8001 or e-mail: [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)

1. In accordance with Section 29 of the Education Act 2002 the Governing has agreed the following procedure

**The Procedure**

2. The Governing Body and Staff of our School want pupils to be healthy, happy and safe, and to achieve. We recognise that parents, guardians or carers (Parents etc) play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared

sense of purpose and a good atmosphere in the school. This procedure is designed to offer the opportunity for concerns and complaints to be resolved as quickly as possible

### **3. Level 1 - informal**

- 3.1. Every effort should be made when an issue of complaint or concern is raised, to resolve it quickly and informally.
- 3.2. Where the Complaint or concern is not about the Headteacher -Parents etc, should, in the first instance, make an appointment to speak to the class teacher or the deputy head to discuss and resolve the concern. Where the child is currently identified as 'special needs' the SENCO may also be involved in these discussions
- 3.3. Where the complaint or concern is about the Headteacher - Parents etc should, in the first instance, make an appointment to see the Headteacher to discuss and resolve the complaint/concern
- 3.4. Whilst it is recognised that the School is a busy organisation and it may not be possible for a meeting to be arranged immediately, every effort must be made to arrange a meeting to discuss the issue as quickly as possible
- 3.5. The meeting should be a private meeting held in an environment which allows both parties time to talk about the issue calmly and politely without being interrupted.

### **4. Level 2 - Informal**

- 4.1. Where the complaint or concern is not about the Headteacher - parents etc dissatisfied with the result of the discussions with the class teacher/Deputy Head/SENCO should ask for an appointment to meet with the Headteacher who shall arrange a meeting to discuss and resolve the issue as soon as possible
- 4.2. Where the complaint or concern is about the Headteacher or it has not been possible to resolve the issues raised with the Headteacher under paragraph 4.1 - In either case if a resolution to the issue is proving difficult to find, the Headteacher can speak to the Chair or Vice Chair of Governors who may be willing to offer

informal intervention by a governor. However, there is no obligation on any governor to become involved at this level.

- 4.3. If everyone involved is unable to resolve the issue then it may be necessary to ask for information or support from a Children's Services' Department's representative. The issue that is the focus of the complaint/concern will determine the person contacted and the Headteacher, must advise the parties as soon as possible who to contact within Children's Services
- 4.4. The Children's Services representative will attempt to facilitate a resolution to the problem as soon as possible
- 4.5. At the conclusion of the informal stage, **whether or not the issue has been resolved to the satisfaction of all concerned**, the relevant teacher (in relation to Level 1 Paragraph 3.2) or Headteacher (in relation to Level 1 Paragraph 3.3 and Level 2) shall write to the Parent etc summarising what has been agreed and, where the issue has not been resolved advise the Parent etc of her/his rights to move to Level 3 / 4 and the procedure for doing so

## 5. Level 3 - Formal

### If the complaint or concern is not about the Headteacher

- 5.1. Parents etc wishing to move to level 3 must, write a formal letter of complaint to the Headteacher. The letter must set out clearly the issues which have previously been discussed and why the Parent etc considers the issue to be unresolved.
- 5.2. The Headteacher shall consider the complaint and discuss a resolution with the complainant.
- 5.3. The Headteacher shall offer a resolution to the complainant in writing within 10 school days of receipt of the letter.
- 5.4. The decision that the Headteacher has made as a result of the complaint does not become a complaint about the headteacher.

- 5.5. If the complainant feels the complaint has not been resolved he/she may proceed to Level 4 - a *Governors' Complaints Panel*.
- 5.6. Parents etc wishing to move to level 4 must write a formal letter of complaint to the *Chair of Governors* within 10 school days of the last meeting with the *Headteacher* concerning the issue. The letter must:- set out clearly the issues which have previously been discussed; the reasons why the parent etc considers the issue to be unresolved and a request for a *Governors' Complaints Panel* to consider the matter
- 5.7. The School shall provide the *Chair of Governor's* name and the *Complainant* should write to him or her at the school address marking the envelope '*urgent, private and confidential*'
- 5.8. The *Chair of Governors* shall acknowledge the *Complainant's* letter in writing within 5 school days of receipt and may contact a *Governor Support Service Officer* for advice as necessary.

If the complaint or concern is about the Headteacher

- 5.9. Parents etc wishing to move to level 4 must write a formal letter of complaint to the *Chair of Governors* within 10 school days of the last meeting with the *headteacher* concerning the issue. The letter must:- set out clearly the issues which have previously been discussed; the reasons why the parent etc considers the issue to be unresolved and a request for a *Governors' Complaints Panel* to consider the matter
- 5.10. The School shall provide the *Chair of Governor's* name and the *Complainant* should write to him or her at the school address marking the envelope '*urgent, private and confidential*'.
- 5.11. The *Chair of Governors* shall acknowledge the *Complainant's* letter in writing within 5 school days of receipt and may contact a *Governor Support Service Officer* for advice as necessary.

**6. Level 4 - Formal - Governing Body's Complaints Panel**

**6.1** The following timescales are applicable to procedures under this level

Receipt of Complainant's letter	Acknowledgement within 5 school days
Receipt of Complainant's letter	Governors' Complaints Panel meeting within 15 school days, excluding school holidays. It must be recognised that if the letter is received at the end of term it may not be possible to organise a meeting. In this case the matter shall be dealt with at the next meeting. Reopening.
Written documentation sent to Governors' Panel Members and complainant and headteacher	No later than 5 school days before meeting.
Governors' Panel members decision communicated to all concerned	As soon as possible but no later than 10 school days after meeting.

**Prior to the hearing:**

- 6.2** The Chair of Governors shall liaise with the Headteacher and Complainant to arrange a hearing before the Panel within the timescales
- 6.3** The Chair of Governors shall appoint a clerk for the Panel hearing
- 6.4** The Clerk shall provide the Headteacher with a copy of the Complainant's letter and any accompanying documentation no later than 5 school days before the hearing
- 6.5** The Clerk shall, no later than 5 school days before the hearing, provide the Complainant with a copy of any School documentation which the Headteacher intends to refer to at the hearing including any letters written to the Complainant in connection with the issue
- 6.6** The Clerk shall provide the papers referred to in Paragraphs 6.4 and 6.5 to members of the Panel no later than 5 school days before the hearing
- 6.7** The Clerk shall invite the Complainant and Headteacher to attend the hearing to provide any verbal statement in support of their case
- 6.8** The Clerk shall advise the Complainant and Headteacher that they have the right to be accompanied by a representative or

supporter at the hearing and may ask the Panel to hear from others to support the grounds for or against the complaint

**At the hearing:**

- 6.9 The Complainant and Headteacher in turn will be invited by the Chair to make a verbal statement in support of their case and to provide all the relevant information they wish
- 6.10 Either party may invite the Panel to ask questions to test or clarify the points put by the other party and to provide further information. It shall be at the Panel's absolute discretion as to whether it asks such questions or seeks such further information
- 6.11 The Panel may of its own volition ask questions of the parties and seek further information
- 6.12 When all the information has been received the Panel shall consider the matter in private and the parties may be permitted to leave the hearing. The Clerk to the Panel may be invited to be present during the Panel's deliberations but only for so long as is necessary to offer advice on practice and procedure and to record the Panel's decision. The Clerk must not under any circumstances take part in the Panel's deliberations and decision

**After the hearing:**

- 6.13 The Clerk shall record the Panel's decision and advise the Headteacher and Complainant in writing of this as soon as possible and in any event no later than 10 school days after the hearing
- 6.14 The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed this procedure correctly, he/she can contact a Children's Services Officer for assistance. In this case he/she should ring Customer Services on 0844 800 8001 who will arrange for an officer to get back to him/her.
- 6.15 Chapter 3, paragraph 14 of a *Guide to the Law for School Governors* states: under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory

duties properly. However, intervention can only occur if the governing body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right

## **7 General**

- 7.1 The Governing Body's Complaints Panel shall be comprised of 3 governors who shall not be staff governors or other governors employed by the School
- 7.2 The Panel shall appoint a Chair for the hearing
- 7.3 The Clerk to the Panel shall:-
  - 7.3.1 Take notes of the meeting which incorporates a list of the names of Panel members (identifying the Chair) and any other person who is present.
  - 7.3.2 Agree and record the Panel's decision in writing
- 7.4 Once the Governing Body's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Governors shall inform the Complainant that the matter is closed.

## **8 Monitoring**

The governing body will receive a termly report from the Headteacher setting out:-

- Number of complaints received during previous term and year to date broken down into informal/formal
- General nature of complaints received and outcomes

### **Additional Information**

Our Complaints Policy is also available on our website or printed on request.

Where parents/carers are not satisfied that their child is receiving the Early Education Funding , free entitlement in the correct way (as set out in this funding agreement and in Early Education and Childcare Statutory guidance for local authorities), a complaint can be submitted directly to the Local Authority