

Brookside Primary School

Complaints Procedure



Learn Together, Achieve Together

Introduction

We believe that our school provides a good education for all our children, and that the Headteacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases to encourage a shared approach and confidence in the school.

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

The vast majority of concerns and complaints are dealt with immediately, satisfactorily, and through informal discussions with your child's class teacher. Schools encourage this through their own individual ethos and effective communication systems. When you have concerns about 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 procedure?

The Education Act 2002 requires our Governing Body to publish a procedure to deal with complaints relating to the school, and to any community facilities or services that the school provides. This procedure is approved by the Governing Body and published in the school Prospectus and the school's website. 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 primary schools the first point of contact is usually your child's class teacher. 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 Headteacher 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 within 10 school days 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, you will receive a written response within 15 school days and this will also signify the school's response at stage 2.

- **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 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 school.

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 431 3024

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

The Secretary of State may not consider any national curriculum or collective worship complaints unless they have first been considered under the Local Authority's arrangements for handling complaints. The intention of this provision is that complaints should, if possible, be dealt with and resolved between parties responsible.

- **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.

Complaints to Ofsted about schools: Guidance for Parents or call the 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, Headteacher's 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/carer to follow the correct procedure and raise the issue with the school themselves.