



Featherstone Wood Primary
School

Complaints Policy (Dealing with
School Based Complaints)

Reviewed: Spring 2019
Review Date: Spring 2020

Headteacher _____

Chair Standards Committee _____

How we will deal with your concerns

HOW TO COMMENT 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 free to contact us using the details as listed below.

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 (5½ weeks)**.

Featherstone Wood Primary School

Website: www.featherstonewood.herts.sch.uk

Email: admin@featherstonewood.herts.sch.uk

Telephone: 01438 235550



How to make a complaint

In the first instance- informal stage

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 email). 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 something, 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 member of staff you speak to in the first instance is unable to attempt to resolve the matter, you should make an appointment with the Headteacher. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

First- formal stage

Request a meeting with the Headteacher who will investigate your complaint and aim to inform you of the outcome **within 10 school days (2 weeks)**.

If your first contact is with individual Governors, they will advise you to take up your concerns with the appropriate member of staff or Headteacher. 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 (Stage Two) and should be impartial.

If your complaint is about the Headteacher, you should **write to the Chair of Governors**. If your child has a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) you might find it helpful to talk to our Special Educational Needs Co-ordinator (SENCo) or your child's named Special Needs Officer at the Local Authority. The SEND Information Advice and Support Service (SENDIASS – formerly Parent Partnership) may also be able to help you.

Second – formal stage

If you remain dissatisfied following Stage 1 and wish to take your complaint further, you will be asked 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 situation.

Neither the Chair of Governors nor the Governor in charge should sit on the panel themselves and they should instead ensure that a panel is convened in line with the timeframes and guidance set out. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns.

You should make sure that 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 in a 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, we will inform you in advance.

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. Our Governing Body will aim to deal with your complaint **within 28 school days (5½ weeks)**.

Stage 3

Most complaints are resolved by this process. Should your complaint not be resolved, your further options are as follows:

- 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
Website: www.education.gov.uk
Telephone: 0370 000 2288

In the case of complaints about **Special Educational Needs provision**, you may complain further to the Local Authority. This should be done by writing to the Children's Services Complaints Manager.

It should be noted however that if you wish to pursue this route, you must do so within **20 working days (4 weeks)** of receiving the written outcome of the hearing into your complaint. After **20 working days (4 weeks)**, 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

POhWER

Education Advice & Training
72 Durnsford Road
London
N11 2EJ
Web: www.ace-ed.org.uk
Phone: **0300 0115 142**

Hertlands House
Primett Road
Stevenage
SG1 3EE
Web: www.pohwer.net
Phone: **0300 456 2370**

Children's Legal Centre
Riverside Office Centre
Century House North
North Station Road
Colchester
Essex
CO1 1RE
Web: www.childrenslegalcentre.com
Phone: **0345 345 4345**

National Youth Advocacy Service (NYAS)
Egerton House
Tower Road
Birkenhead
Wirral
CH41 1FN
Web: www.nyas.net
Phone: **0345 345 4345**

SENDIASS (Special Educational Needs & Disability Information Advice Support Service – formerly Parent Partnership)
Web: www.hertfordshire.gov.uk/sendias
Email: SENDIASS@hertfordshire.gov.uk
Phone: **01992 555847**

Staff complaints

Members of school staff who wish to make a complaint should refer to the school's Grievance policy

Freedom of Information and Subject Access Requests

The Freedom of Information Act 2000 provides public access to information held by public authorities.

Subject Access Requests, commonly referred to as subject access, is created by section 7 of the Data Protection Act. It is most often used by individuals who want to see a copy of the information an organisation holds about them.

For more information about the above, please visit the following website:
<https://ico.org.uk/>

Complaints regarding children no longer on school roll

Please be aware that the school will not consider complaints about children who are no longer on the school roll.

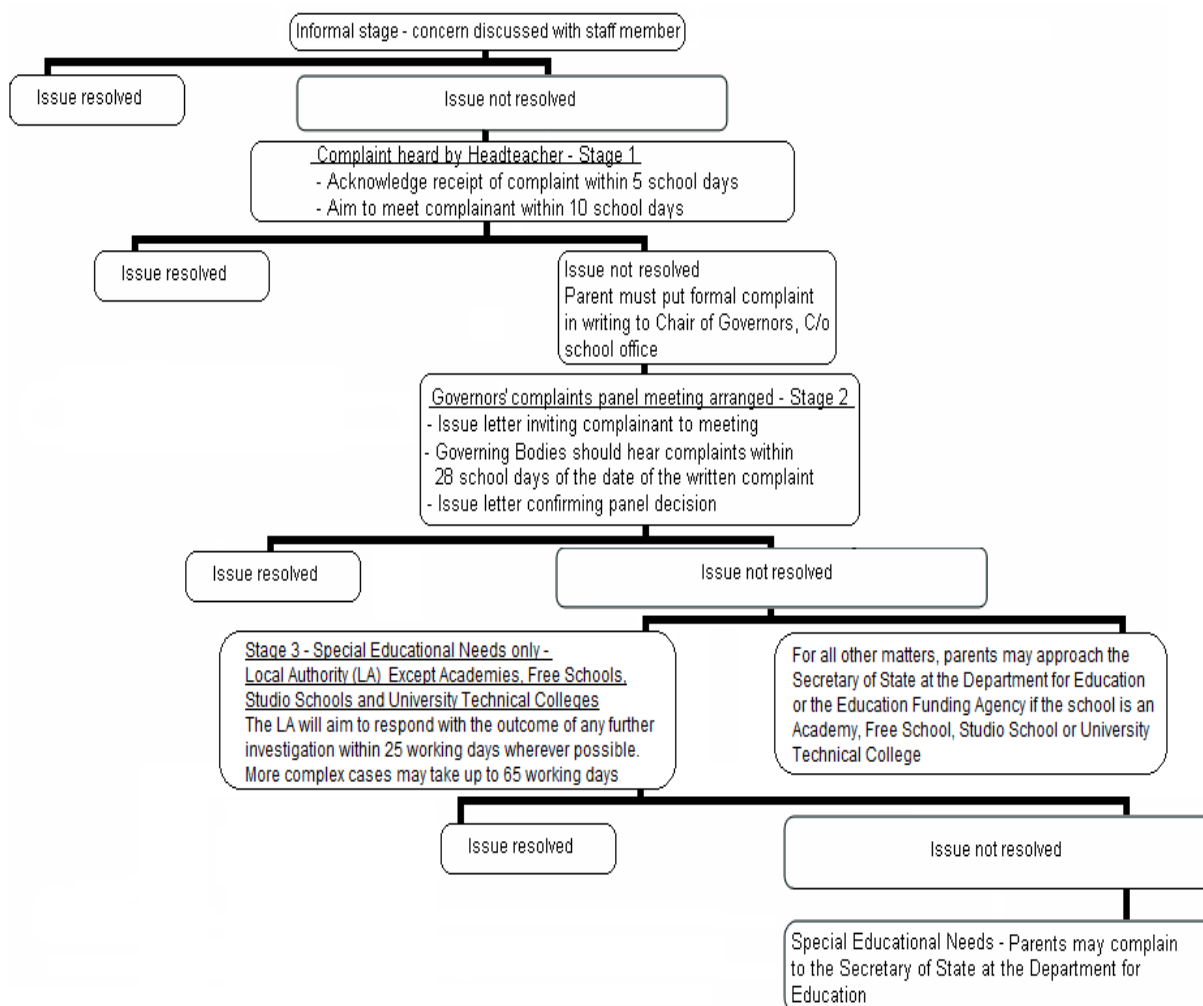
Appendix 1

.Useful contact details

Chair of Governors	The school secretary can tell you who this is and pass on any written correspondence
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Complaints Team (Children's Services)	www.hertsdirect.org/complaints Email: cs.complaints@hertfordshire.gov.uk	01992 588542
SEND Information Advice & Support Service	www.hertsdirect.org/parentpartnership Email: parent.partnership@hertfordshire.gov.uk	01992 555847
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0300 0115 142
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	0345 345 4345
Citizen's Advice Bureau	www.citizensadvice.org.uk	03444 111 444

Summary of the complaints process



Please note that the timescales specified in diocesan complaints guidance may differ from those detailed above. School days are term time only, whilst working days are weekdays throughout the year.

Framework of Principles

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

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

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.

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.

An effective complaints 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.

Time-Limits

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.

Recording Complaints

Schools should 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 (GB) Review

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 Governing Body will not name individuals.

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.

Formal Complaint Form

Annex A

Name		

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

Signed
Date

Please return this form to the Chair of the Governing Body

Letter of acknowledgement to Parent on receipt of complaint

Dear

COMPLAINT ABOUT.....

I am writing to acknowledge receipt of your complaint dated
.....

I shall arrange for a Panel of Governors to consider your complaint. Communication hereafter will be from a member of the Panel once they have been appointed. They will make contact with you to introduce themselves shortly to offer a couple of suggested dates for the formal hearing to take place.

Once the date has been established, you will receive a further letter which will confirm all of the details as well as any requests the Panel may have for you.

Or

There is no record of you raising this matter with the school in the first instance. Please note the process in the enclosed complaints procedure.

I have passed the paperwork to the Headteacher to give the school the opportunity to respond and seek resolution. The Governing Body cannot intervene before this process has been applied.

I enclose a copy of our complaints procedure.

Yours sincerely,

Chair of the Governing Body

Enc.

Cc. Headteacher

Letter to Headteacher on receipt of Parent's complaint

Dear

COMPLAINT ABOUT

I have received a letter of complaint from(name of Parent) dated I enclose a copy of the complaint for your information.

In line with our complaints procedure, I shall arrange a Panel of Governors to investigate the complaint.

The Panel will meet to decide what it needs to do to ensure it has all the relevant evidence and to plan a realistic timetable for investigation.

When this planning is complete, we shall write to you again with further details. You should receive that letter by.....

You will appreciate that the Governing Body must be equally fair to both sides in investigating this complaint.

I would be grateful if you could send me a written statement responding to the complaint. You will have an opportunity to expand on the statement but it would be very helpful if you can submit your initial statement before the Panel meets to plan its investigation on (Amend or delete as applicable).

Yours sincerely,

Chair of the Governing Body

Enc.

**Letter to Complaints Team informing about a complaint concerning
SEN**

Complaints Team
Customer Service Team
County Hall
Hertford
SG13 8DF

Date

Dear

COMPLAINT CONCERNING SEN

The Governing Body has received a complaint from name
..... dated concerning
.....

I enclose a copy of the complaint.

The Governing Body will investigate the complaint and report the outcome to
you as soon as the investigation is complete.

Yours sincerely,

Chair of the Governing Body

Enc.

Considering the evidence
A suggested format for clarifying issues and seeking information

What is the complaint?

What facts are not disputed?

-
-
-
-
-

What facts do we need to establish?

How?
*(documentation from
questioning of)*

Comments

Letter to Parent inviting them to clarify the complaint

Dear

COMPLAINT ABOUT

The Chair/Clerk has passed your complaint to me as the Chair of the Complaints Panel. The Panel of Governors has met to plan our investigation of your complaint. Members of the Panel are (named Governors)

We would like to get a clearer understanding of your complaint before we start the investigation. The questions we would particularly like to ask are:

(Fill in here)

We think it would be helpful if you could meet with the Panel to clarify your complaint. We have arranged a meeting on(date) and hope that you will be able to attend. If you cannot attend on that date please contact me (telephone) and we shall try to arrange another time. You may prefer to write with more details. If so, please reply by(the day before the suggested meeting date).

Your daughter/son(name) may also be able to help us clarify some points. We should be very pleased if you are able to bring her/him with you to this meeting. We cannot insist that she/he attends. Please note that the Panel reserves the right to decide whether or not to hear representations from your child. For example, if the Panel considers that your child may become distressed as a result of the process, it may exercise its discretion not to hear from your child.

The meeting we suggest is not a formal hearing of your complaint. The Panel would not come to a decision at this stage.

You may be accompanied at the meeting, if you wish, by a friend, or representative who may speak on your behalf. *(You may also bring an interpreter of your choice, if you need one.)*

Please let me know, as soon as possible, whether you will attend the meeting on (date).

Yours sincerely,

Chair of Complaints Panel

To member of Staff required to give evidence

Dear

COMPLAINT ABOUT

The Governing Body has received a complaint from and a Panel has been convened to consider the complaint comprising (named Governors).

The Panel is keen to establish all the relevant facts and it would be very helpful if we could interview you to ascertain (what are the questions you wish to ask?).

We are therefore asking you to attend(the arrangements that you have decided).

This meeting is not a formal hearing of’s complaint but you are entitled to be accompanied by a friend or representative, if you wish. I should be grateful if you would confirm your attendance at this meeting and let me know the name and status of any friend or representative who will accompany you.

I enclose a copy of the school’s complaints procedure for your information.

Yours sincerely,

Chair of Complaints Panel

Enc.

Letter to member of Staff named in the complaint

Dear

COMPLAINT ABOUT

The Governing Body has received a complaint from
(named Parents) in which you are named. I enclose a copy of the complaint
and the school's complaints procedure for your information.

We have arranged a formal hearing of the complaint on
.....(date and time) at (venue).

As a member of Staff named in the complaint you are entitled to attend
although we do not wish to call you as a witness. You are entitled to be
accompanied by a friend or representative, if you wish.

I should be grateful if you would let me know whether you wish to attend this
hearing and inform me of the name of any friend or representative who will
accompany you by (date, at least 9 school days ahead of
formal hearing). It would help us to know in which capacity the additional
person is attending - legal representative, union representative, friend etc).

I shall write to you by(date, at least school 7 days
ahead of formal hearing) to let you know the names of everyone attending the
formal hearing and enclosing copies of all the written evidence provided by
the Parents, the Headteacher and any witnesses.

Yours sincerely,

Chair of Complaints Panel

Format of Hearing

Stage A	Introductions of everyone present and clarification of the complaint lodged and conduct of the hearing. Panel Chair checks that everyone has a copy of this Format of Hearing on the table.
Stage B	Parents present summary of complaint highlighting points made in their written complaint and other documentation. Witnesses are called as and when required. Panel questions Parents to clarify the points they make.
Stage C	Headteacher/respondent presents the facts as s/he perceives them - highlighting points made in the written response and other documentation. Witnesses are called as and when required. Panel questions Headteacher/respondent to clarify the points s/he has made.
Stage D	Parents summarise their case highlighting evidence including anything that has emerged in the questioning.
Stage E	Headteacher/respondent summarises the case for the school highlighting evidence. This should include the school's response and actions in relation to the complaint before the hearing and anything that has emerged in the questioning.
Close	Panel Chair thanks Parents and Headteacher for attending and gives an indication of when they can expect to hear the outcome. Parents and Headteacher leave the room together. Panel considers all the evidence and comes to its conclusion.
NB. Parents and Headteacher /respondent are not invited to question each other. If you have adopted a Diocesan complaints policy, please check the guidance contained as it may differ from these model procedures.	

➤ The Panel also needs to take the following points into account:

- The hearing should be as informal as possible.
- Witnesses should only be required to attend for the part of the hearing in which they give their evidence.
- The Panel may ask questions at any point or adjourn the meeting.

Letter to Parents and Headteacher enclosing papers

Dear

COMPLAINT ABOUT

Thank you for providing the information we asked for in our letter of date (Annex G)

I am now in the position to give you full details about how we propose to conduct the hearing of your complaint on (date) and to enclose all the statements and other evidence we shall use to consider your complaint.

The hearing will start at (time). You are asked to report to the school office. You will be shown to a waiting area. The Clerk will collect the Headteacher and the Parents from the waiting area and you will be introduced to the Panel at the same time (amend as appropriate).

The hearing will be attended by: *(insert names)*

- * *Members of Panel*
- * *Clerk/Notetaker*
- * *Parents*
- * *Friend/Representative (indicating status)*
- * *Headteacher*
- * *Head's Representative (indicating status)*
- * *Witnesses (if required)*
- * *Additional named Staff (who are entitled or have expressed an intention to attend).*

The following written statements and evidence is enclosed:

- * *Statement of Complaint*
- * *Headteacher's statement*
- * *Statements from witnesses*
- * *Any other evidence*

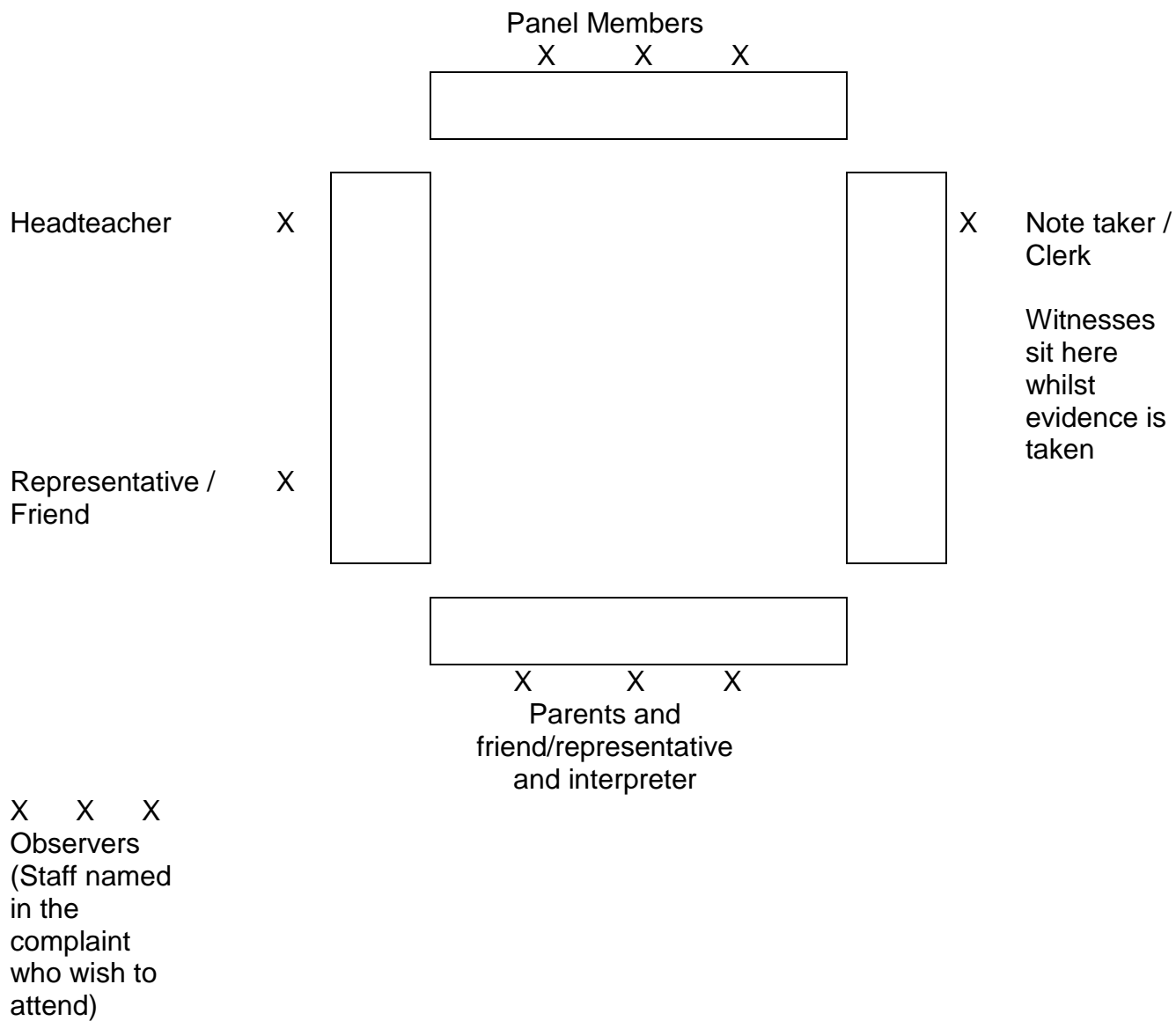
The Panel will refer to the enclosed documents and seek answers to questions to help them come to a decision. The format of the meeting is described on the attached sheet. *(enclose Annex J amended as required)*. I wish to remind you that the Panel will investigate the process by which any decisions which are the subject of your complaint were arrived at.

We look forward to meeting you on

Yours sincerely,

Chair of Complaints Panel

Suggested layout for Complaints Hearing



Questions for the hearing
A suggested format for the Panel to agree lines of questioning and to
record evidence provided at the hearing.

**What is the
complaint?**

**What facts are not
disputed?**

*

*

*

*

*

*

**What facts do we
need to establish?**

**What questions
do we need to
ask of whom?**

Conclusions

The Panel's Conclusions about the Complaint

Dear

COMPLAINT ABOUT.....

Thank you for attending the hearing on The Panel considered the evidence very carefully and we have come to the following conclusion(s).

Complaint Upheld / Partially Upheld / Not Upheld / etc

Optional addition:

As a result of our investigation there are a number of recommendations that we shall be making to the Governing Body. We shall write to you again to inform you of any action the Governing Body decides to take as a result of this incident.

Yours sincerely,

Chair of Complaints Panel

Cc. Headteacher
Any Staff Member named in the complaint
Complaints Team (SEN only)

Letter to Headteacher with the Panel's conclusions

Dear

COMPLAINT ABOUT.....

Thank you for attending the hearing on The Panel considered the evidence very carefully and we have come to the following conclusion(s).

Add a paragraph about any action that you propose to take or recommendations you will make as a result of these conclusions.

I enclose a copy of the letter that we have sent to the Parents.

Yours sincerely,

Chair of Complaints Panel

Enc.

(Please ensure that a copy of this letter is shared with the member of staff named in the complaint – if applicable)

STRICTLY CONFIDENTIAL

Report from the Complaints Panel

Report on a complaint:
(give brief summary of complaint – no personal details)

Hearing date

Panel membership

- *
- *
- *

The Panel reached the following findings (exact wording from letter to the Parent(s))

The Panel asks that the following recommendations be considered by the full Governing Body meeting on

- (a)
- (b)
- (c)
- (d)
- (e)

Copy to Complaints Team (if complaint concerns the provision of SEN)

Complaints Team
Customer Service Team
County Hall
Hertford
SG13 8DF

Dear

MR AND MRS
COMPLAINT ABOUT.....

Please find enclosed the letter which we have sent to
(named Parents) with the Panel's conclusions following a hearing of their
complaint on (date).

Yours sincerely,

Chair of Complaints Panel

Enc.

**Letter to Parents following discussion of any recommendations
by the Governing Body.**

Dear.....

COMPLAINT ABOUT

When we wrote to you with our findings following the investigation of your complaint we told you that we would be making some recommendations to the Governing Body. The Governing Body has discussed our recommendations and has agreed the following action(s).

(List actions and timescales for completing them here)

Yours sincerely,

Chair of the Governing Body

Letter to Parents not satisfied with the Panel's conclusions

Dear.....

Complaint about

I am sorry to hear that you are not satisfied with the conclusions we reached in respect of your complaint. The Panel made every effort to be scrupulously fair in hearing your complaint and taking account of all the evidence presented to it.

I can confirm that the school's complaints procedure has now been exhausted and there is nothing further that neither I nor any other member of the Governing Body can add.

Since this is a complaint about the provision of Special Educational Needs, you may lodge a third stage complaint with the Local Authority. You may write to the Children's Services Complaints Team, County Hall, Hertford, SG13 8DF (Delete as appropriate).

Or (if not an SEN provision complaint)

You may make a complaint to the Secretary of State at the Department for Education if you believe the Governing Body has acted unreasonably or unlawfully. The Secretary of State's address is: Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

Yours sincerely,

Chair of Complaints Panel

Linked policies

Grievance policy

Anti-bullying policy

Whistleblowing

Preventing and Dealing with Racist Incidents

Harassment and Bullying policy

Code of Conduct

Acceptable Behaviour

