



# PARENTAL COMPLAINTS POLICY

School Staff were consulted on this document and it was accepted by the Trust	January 2017
Review Cycle	3 Years

## CHANGES – October 2015

		<b>NONE</b>

This is a model policy/procedure which reflects legislation, any relevant statutory and non-statutory guidance and best practice. The responsibility for setting policy and procedure resides with the Governing Body/Trust and as such the relevant body must be satisfied that the content of the policy/procedure suits their requirements and must consult their staff/local trade union representatives prior to its formal adoption. In the this context, Education HR does not negotiate and agree its model policies with the Trade Unions/Professional Associations, although they are consulted and their feedback is considered in the development of the documents.

**A model for Schools, Academies & Colleges**

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## **THE TRUST SCHOOLS' PARENTAL COMPLAINTS POLICY**

### **A statement of the purpose**

The purpose of this policy is to outline the arrangements for dealing with parental concerns and complaints. The policy does not cover concerns about the following, for which there are special arrangements laid down by law:

- The school curriculum, collective worship and religious education
- Appeals about admissions
- Appeals about exclusions
- Appeals about assessments and statements of special educational needs

Information about the above procedures is available from the school office.

### **A citation to the legal authority and/or standards**

At the we comply with the legal duties under:

*The Education (Independent School Standards) (England) Regulations 2010 Schedule 1, Part 7*

### **Rationale**

The Governing Body is committed to building and maintaining good relations with parents and to work with them to provide the best possible education for all children. The Governing Body understands that parental concerns can give rise to stressful situations for families and staff and that invoking a complaints procedure can place an unnecessary barrier of formality between the school and the complainant. We therefore encourage parents to bring their concerns to the school in a spirit of positive willingness to seek a solution. Wherever possible the school will work to resolve concerns informally, at an early stage.

### **Guiding principles**

The Governing Body recognises that good relations with parents are crucial in helping us achieve the best possible education for our pupils. Our school will therefore:

- Have clear lines of communication between parents and the school
- Be open with information about school policies
- Publicise our arrangements for handling parental concerns
- To have and maintain effective policies and procedures to deal with possible areas of parental concern
- Regularly seek the views of parents

### **Expected Outcome**

Parents will be provided with a clear procedure for raising their concerns, and feel confident that issues will be dealt with attentively and promptly.

### **Procedures**

The procedural details for carrying out this policy are given in the separate document: "The School's Procedures for Dealing with Parental Complaints"

**The Trust Schools'**  
**Policy for Dealing with Parental Complaints**

Our policy is that **parental concerns and complaints should be dealt with at school level**, wherever possible. This is because we want to build and maintain good relations with parents and to work with them to provide the best possible education for all children.

**If, therefore, parents have any concerns at all about their child's education or welfare at school, they should contact us via the school office to arrange an appointment to discuss their concerns. The school will then explain what action we can take to help to resolve the problem.**

We recognise that parental concerns can give rise to stressful situations for families and the school's staff. We therefore ask parents to bring their concerns to us in a spirit of positive willingness to seek a solution; and we will respond accordingly.

**This document does not cover concerns about the following, for which there are special arrangements laid down by law:**

- The school curriculum, collective worship and religious education
- Appeals about admissions
- Appeals about exclusions
- Appeals about assessments and statements of special educational needs.

Information about the above procedures is available from the school office.

The arrangements for dealing with complaints about the school curriculum are quite tightly defined and it is often possible for us to deal with such concerns without recourse to the statutory procedure.

- Complaints about racist incidents.
- Cases covered by Child Protection arrangements.
- **Allegations of this kind are extremely serious and are treated as such by both the school and the Local Authority.**
- **Parents and others are asked also to acknowledge the seriousness of such cases and the implications when unfounded claims are put forward.**

## Complaints about racist incidents and cases covered by Child Protection arrangements

- We are required by law to report to the Local Authority any apparently racially motivated incidents, and cases that come under child protection legislation.
- Child protection arrangements may apply in cases where children only are involved and such incidents must also be reported in accordance with established procedures of which all schools are aware.
- Special arrangements, underpinned by employment law, apply in the case of concerns about members of staff, including the Headteacher, other teachers and support staff (both teaching and non-teaching) where potential child protection issues may be involved.
- Depending on the exact nature of the concern, the case may be handled under these special personnel procedures, which are confidential in nature.
- Cases involving staff other than the Headteacher would be investigated by the Headteacher; concerns about the Headteacher's conduct (not necessarily in connection with a child protection issue) would be investigated by the Chair of Governors or a Governor designated to deal with complaints (the Designated Governor).
- **Parents are entitled to know that such an investigation has taken place, but under the law the details (what action, if any, has been taken) may not be disclosed.** Where appropriate, however, we do take professional advice from our personnel adviser and so you can be assured that such cases are dealt with thoroughly and, where appropriate, disciplinary action is taken.

## **The School's Procedures for Dealing with Parental Complaints**

The majority of concerns of parents, carers and others are handled under the following general procedures.

Please be aware that the regulations that govern these procedures stipulate that a written record will be kept of all complaints and whether they are resolved at the preliminary stage or proceed to a panel.

The procedures are divided into three stages;

**Stage 1** aims to resolve the concern through informal contact at the appropriate level in school (as described previously).

**Stage 2** is the first formal stage at which written complaints are considered by the Headteacher or the Designated Governor, who has special responsibility for dealing with complaints.

**Stage 3** is the next stage once Stage 2 has been worked through. It involves a Complaints Review Panel of Governors.

These stages operate as follows:

### **Stage 1 – Informal contact with the school**

1. Many concerns will be dealt with informally when parents make them known to the school. The first point of contact should be your child's form teacher/tutor or subject teacher.
2. We will see parents or contact parents by telephone or in writing, as soon as possible after the concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by the parent. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that parents are clear what action or monitoring of the situation, if any, has been agreed. We will confirm this in writing to them.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into the parental concern.
5. We will discuss with parents (normally within ten working days) the progress of our enquiries. Parents will have the opportunity of asking for the matter to be considered further, once we have responded to the concern.
6. If parents are still dissatisfied following this informal approach, the concern will become a formal complaint and we will deal with it at the next stage.

## Stage 2 – Formal consideration of a parental complaint

This stage in our procedures deals with written complaints. It applies where parents are not happy with the informal approach to dealing with their concern, as outlined under Stage 1 above.

1. Normally, a written complaint should be addressed to the Headteacher. If, however, a complaint concerns the Headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors" (the Designated Governor).
2. We will acknowledge the complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement, unless we know that parents already have a copy.
4. Normally we would expect to respond in full within **ten working days** but if this is not possible we will write to explain the reason for the delay and let parents know when we hope to be able to provide a full response.
5. As part of our consideration of the complaint, we may invite the parents to a meeting to discuss the complaint and fill in any details required. If parents wish, they can ask someone to accompany them to help explain the reasons for their complaint.
6. The Headteacher or Chair of Governors (Designated Governor) may also be accompanied by a suitable person if they wish.
7. Following the meeting, the Headteacher or Chair of Governors (Designated Governor) will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in questions.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The Headteacher or Chair of Governors (Designated Governor) will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send parents a written response to their complaint. This will give a full explanation of the Headteacher's or Chair of Governors (Designated Governor's) decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite parents to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with them.
12. Where the parents are not satisfied with the response to the complaint they may request to have the matter heard by a Complaints Review Panel under Stage 3 of the procedure, as described below.

### Stage 3 - Consideration by a Complaints Review Panel

If a parental concern has already been through Stages 1 and 2 and the parents are not happy with the outcome, they may request the matter to be heard by a Complaints Review Panel. This is a formal process, and their ultimate recourse at school level.

The purpose of this arrangement is to give the complainant a hearing in front of a panel of at least three Governors who were not directly involved in the matters detailed in the complaint and someone who is independent of the management and running of the school.

**The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure parents that we have taken the parental complaint seriously.**

The **Complaints Review Panel** operates according to the following formal procedures:

1. The clerk to the Governing Body will aim to arrange for the panel meeting to take place within **20 working days**.
2. The clerk will ask parents whether they wish to provide any further written documentation in support of their complaint. They can include witness statements, or ask witnesses to give evidence in person, if they wish.
3. The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in the complaint will also be asked to prepare reports or statements.
4. The clerk will inform the parents, the Headteacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that parents will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if parents prefer.
5. With the letter, the clerk will send parents relevant correspondence, reports and documentation about the complaint and ask whether they wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform parents that they are entitled to be accompanied to the meeting. The choice of person to accompany them is their own, but it is usually best to involve someone in whom they have confidence but who is not directly connected with the school. They are there to give parents support but also to witness the proceedings and to speak on their behalf if they wish.
7. With the agreement of the Chair of the Panel, the Headteacher may invite members of staff directly involved in matters raised by parents to attend the meeting.
8. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for parents and will do his or her best to put them at their ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The Chair of the Panel will ensure that the meeting is properly minuted. Any decision to share the minutes with the parents, the complainant, is a matter for the panel's discretion and they do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.

11. Normally, the written outcome of the panel meeting, which will be sent to parents, should give them all the information they require. If, however, they feel that they would like to have a copy of the minutes it would be helpful if they could indicate this in advance. If the panel is happy for the minutes to be copied to them, the clerk can then be asked to maintain confidentiality in the minutes.
12. During the meeting, parents can expect there to be opportunities for:
  - Them to explain their complaint;
  - Them to hear the school's response from the Headteacher;
  - Them to question the Headteacher about the complaint;
  - Them to be questioned by the Headteacher about the complaint;
  - The panel members to be able to question them and the Headteacher;
  - Any party to have the right to call witnesses (subject to the Chair's approval) and all parties to have the right to question all witnesses;
  - Them and the Headteacher to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and parents **within two weeks**. All participants other than the panel and the clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
  - Reach a unanimous, or at least a majority, decision on the complaint;
  - Decide on the appropriate action to be taken to resolve the complaint;
  - Recommend, where appropriate, to the Governing Body changes to the school's systems or procedures to ensure that similar problems do not happen again.
15. The clerk will send parents and the Headteacher a written statement outlining the decision of the panel **within two weeks as above**. The letter will explain that they are entitled to have the handling of the complaint reviewed by the Secretary of State.
16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records. The school will also provide that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them.
17. If parents wish to pursue their complaint beyond the LA Review, they can write to the Secretary of State at the address shown below.

Rt Hon Michael Gove MP  
Secretary of State  
Department for Children, Schools & Families  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Parents should enclose with correspondence to the Department of Education a copy of the letter giving the outcome of the Stage 3 Review. This will save time in that the Department for Education will not subsequently need to ask for the Governing Body's view of what has happened.

### **Vexatious Complaints**

Where the nature and/or volume of complaints from a parent/s is regarded as vexatious by the Headteacher **and** the Chair of the Governing Body, the complaint may be dismissed without going through the formal process.