



## INTRODUCTION

- The Education Act 2002 formalises the requirement for governing bodies to establish an approved procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.
- The law also requires the procedure to be publicised.
- Copies of the DfES guidance can be obtained via [www.governornet.co.uk](http://www.governornet.co.uk).

## BACKGROUND

- Governing bodies of all schools reviewed their procedures for dealing with parental complaints during the autumn term 2001.
- All governing bodies comply with the requirement to have an approved procedure established with the option to use the services of the LEA to resolve formal complaints if they choose to do so.

## INFORMATION

The existing procedures incorporate the principles contained within the recent guidance.

### Informal Stage

Wherever possible parental complaints are referred direct to the head teacher as soon as possible and the majority are resolved informally by discussion between the head teacher and complainant.

### Formal Stage

If the outcome is unsatisfactory, the complainant is advised to write to the chair of governors giving details of the complaint. At this stage the Governing Bodies Complaints Appeal Panel (currently known as the Complaints Committee) would be convened (see attached flowchart of suggested stages).

**The panel must comprise of three or five governors and the panel will need to determine their chair.**

### The remit of the Complaint Appeals Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's system or procedures to ensure that problems of a similar nature do not recur.

## **Roles and Responsibilities**

### ***The Role of the Clerk***

The department strongly recommends that any panel or group of governors considering complaints be independently clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

This role is currently undertaken by the Principal Administrative Officer (Schools Support).

### ***The Role of the Chair of the Governing body or the Nominated Governor***

The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel.

### ***The Role of the Chair of the Panel***

The chair of the panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- Each side is given the opportunity to stage their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

### ***Checklist for a Panel Hearing***

The panel needs to take the following points into account:

- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The head teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

### ***Notification of the Panel's Decision***

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline, which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

### ***Publicising the Procedure***

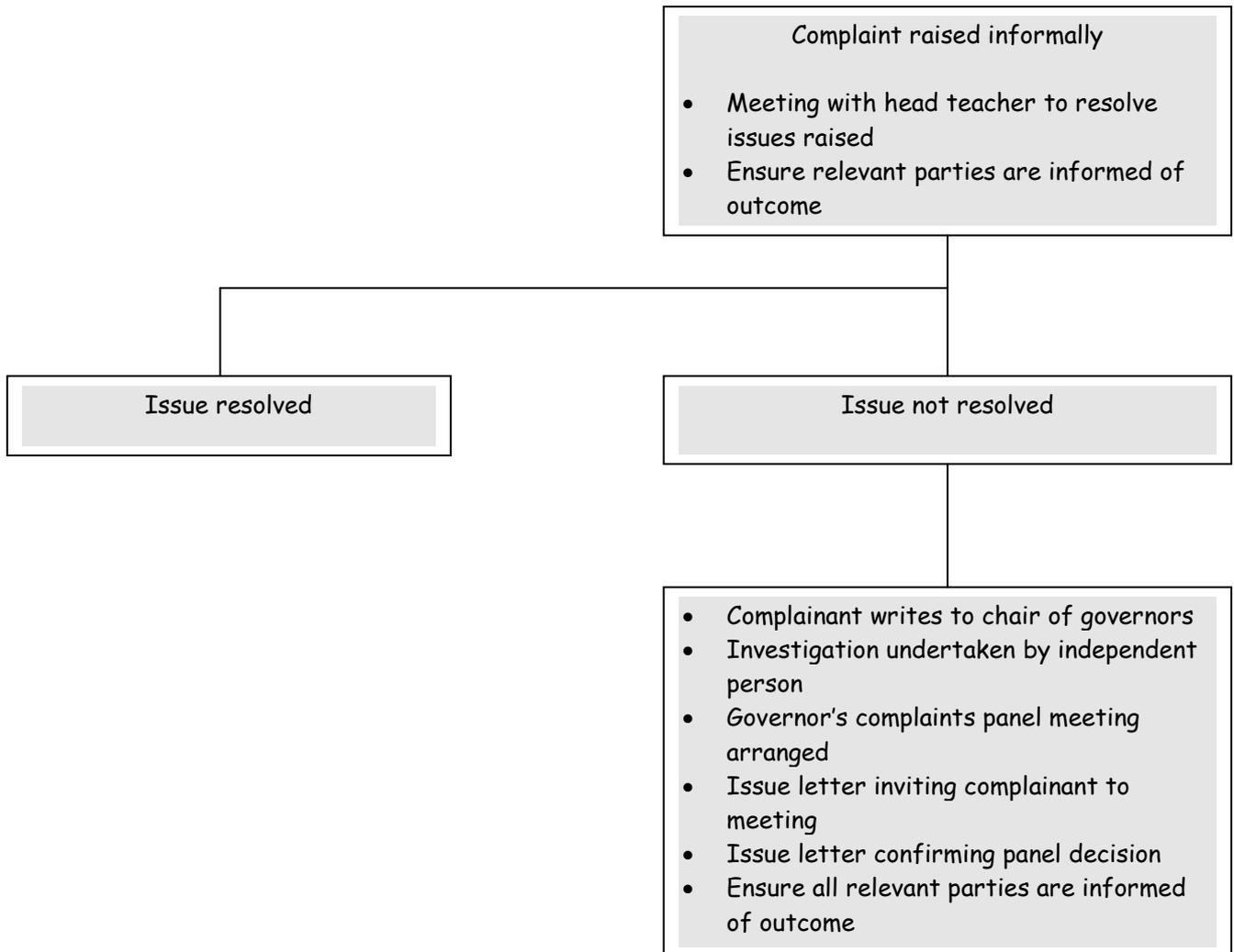
There is a legal requirement for the complaints procedures to be publicised. It is up to the governing body to decide how to fulfil this requirement but details of the complaints procedure could be included in:

- the school prospectus;
- the governors' report to parents;
- the information given to new parents when their children join the school;
- the information given to the children themselves;
- the home-school agreement;
- home school bulletins or newsletters;
- documents supplied to community users including course information or letting agreements;
- a specific complaints leaflet which includes a form on which a complaint can be made;
- posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- the school website.

## SCHOOL COMPLAINTS PROCEDURE

### FLOWCHART

#### Summary of Dealing with Complaints



# COMPLAINT FORM

For the attention of the Complaints Appeals Panel

**COMPLAINANT:**

Mr/Mrs/Ms: \_\_\_\_\_

Address: \_\_\_\_\_

Tel No: Daytime: \_\_\_\_\_ Evening: \_\_\_\_\_

(Where pupil involved – relationship): \_\_\_\_\_

**PUPIL:**

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

School Attending: \_\_\_\_\_

Has the head teacher at the school been consulted? YES/NO

I confirm that on \_\_\_\_\_ at \_\_\_\_\_ am/pm  
I visited the school and discussed this matter with the head teacher.

**NATURE OF COMPLAINT –**

**NATURE OF COMPLAINT –**

**WHAT ACTIONS DO YOU FEEL MIGHT RESOLVE THE PROBLEM AT THIS STAGE?**

**I realise that, to enable this complaint to be investigated, a copy of this statement will be shown to the head and/or teacher as appropriate.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICIAL USE ONLY**

Date acknowledgement sent: \_\_\_\_\_

By who: \_\_\_\_\_

Complaint referred to: \_\_\_\_\_

Date: \_\_\_\_\_