



# CASTLETOWN PRIMARY SCHOOL



## School Complaints Policy

### **SCHOOL – COMPLAINTS PROCEDURE**

#### **Raising a concern or making a complaint about a school**

Most parents and carers have a positive relationship with our schools but sometimes things may go wrong.

#### **Step 1 – Informal Discussion with the School**

It is always useful to talk through your complaint with the person responsible, either by telephone or face to face. The school may request that you make an appointment, as this will ensure they can listen to your concerns fully and allocate an appropriate amount of time.

In a primary school the person to contact may be your child's class teacher.

In a secondary school you may contact the form tutor or head of year.

#### **Step 2 – Formal Complaint to the Head teacher**

You will be asked to confirm the complaint in writing to the head teacher (or chair of governors if the complaint is about the head teacher) and it will be acknowledged in writing.

The Head teacher will then look into the complaint and contact you when it has been investigated.

#### **Step 3 – Complaint to the Governing Body**

The next step would be to make a formal complaint to the governing body. You should contact the school's Chair of Governors by letter and you may wish to send him or her a copy of your original letter as well as giving a reason for your unhappiness.

Letters should be sent to the Chair of School, c/o Governor Support Team, Room 1.62, Corporate Services, Law & Governance, Civic Centre, Sunderland, SR2 7DN. Alternatively you can send a letter via the school.

The responsibility for dealing with your complaint lies with the school and its governing body. Children's Services will, however, investigate any complaints about schools, subject to the governing body's approval, involving allegations of gross misconduct or illegal actions and in the following areas:

- The school curriculum
- Collective worship and religious education and the provision of information required by law
- Appeals about admissions
- Appeals about exclusions
- Appeals about assessments and statements of special educational needs.

## **COMPLAINTS PROCEDURE FOR PARENTS**

### **Introduction**

Most parents have positive relations with schools but on occasions things may go wrong. The guidance in this document aims to make sure that the interests of pupils, parents and school staff are taken into account when dealing with complaints.

Whether you are a parent or a member of the public, the place to start is the school. It is much better if matters can be sorted out within school even if this might feel awkward in the beginning. There is usually more than one side to any dispute or misunderstanding and it is important that all the facts are known so that the best solution can be found.

In the majority of cases, head teachers and/or school governors are responsible for investigating complaints about their services or staff. Initial complaints regarding schools should be directed to the head teacher. If the complaint is about the head teacher or you have not received a satisfactory response from the head teacher, the chair of governors should be contacted.

If you contact the LEA without first having gone through the above procedures, you will be referred back to the school in the first instance and follow its procedures.

Section 39 of the School Standards & Framework Act 1998, states that the Governing Body of a maintained school shall establish procedures for dealing with all complaints relating to the school, other than those to be dealt with in accordance with any other statutory provision.

The guidance in this document does not cover concerns about the following, for which there are separate arrangements laid down by law:

- The school curriculum, collective worship and religious education and the provision of information required by law
- Appeals about admissions
- Appeals about exclusions
- Appeals about assessments and statements of special educational needs

Information about the above procedures is available from the Children's Services Complaints team on 0191 561 1296.

### **Stage 1 – Initial Contact with the School**

Many concerns will be dealt with informally when you make them known to the school. The first point of contact should be your child's form teacher for primary schools and either the subject teacher or Head of Year for secondary schools. The school may request that you make an appointment, as this will ensure they can listen to your concerns fully and allocate an appropriate amount of time.

Occasionally these discussions do not always resolve the concern, and if you are still dissatisfied your concern will become a formal complaint.

### **Stage 2 – Formal Consideration of your Complaint**

You will be asked to confirm the complaint in writing to the head teacher (or chair of governors if the complaint is about the head teacher) and it will be acknowledged in writing.

As part of the school's consideration of your complaint, you may be invited to a meeting to discuss the complaint and raise any further details. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.

The head teacher or chair of governors will, where necessary, talk to witnesses and take statements from others involved.

If the complaint centres on a pupil the school will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. The school will normally talk to pupils with a parent or carer present.

If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures.

The head teacher/chair of governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.

Once the school has established all the relevant facts, they will send you a written response to your complaint. This will give a full explanation of the head teacher's/chair of governor's decision and the reasons for it. If follow-up action is needed, the school will indicate what they are proposing to do.

### **Stage 3 – Consideration by the Governing Body**

If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, the next step is to make a formal complaint to the Governing Body.

You should contact the school's chair of governors by letter enclosing a copy of the written complaint originally submitted, indicating which matters remain unresolved. No new complaint may be included. Letters should be sent to Chair of (name) School, c/o Governor Support Team, Room 1.62, Corporate Services, Law & Governance, Civic Centre, Sunderland, SR2 7DN.

The Chair of Governors has discretion to agree to a complaint review panel if he/she feels it would be helpful in resolving the complaint.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent(s). However, it may sometimes only be possible to establish facts and make recommendations, which will reassure you that your complaint has been taken seriously.

The format of such a meeting would be for you to attend to present your case and allow the governing body to take evidence. A separate meeting will then take place to allow the school staff to do the same.

Should the governing body agree to hold a complaint review meeting, you will be informed of the date, time and place of the meeting by letter. The letter will also explain what will happen at the meeting and inform you that you are entitled to be accompanied to the meeting. With agreement of the chair of the panel, the Head teacher may invite members of staff directly involved in matters raised by you to attend their meeting.

As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meetings by any of the participants.

The clerk will send you and the head teacher a written statement outlining the decision of the panel within two weeks.

#### **Stage 4 – Complaint to the Local Authority**

The governing body's decision will usually be final, however if you wish to pursue the matter further you can ask the LEA whether your complaint is one which can be heard by them. However, in the majority of cases, unless your complaint relates to issues for which there are separate arrangements laid down by law (as previously detailed) there is no right of formal complaint to the Local Education Authority.

If the LEA receives an anonymous complaint, the details will be passed to the school, but it will be at the school's discretion if this is investigated. N.B. This will not apply in relation to issues connected to child protection.

#### **Stage 5 – Complaint to the Secretary of State**

If you wish to pursue the complaint, you have recourse to the Secretary of State or, if the complaint is against action taken, or not taken by the LEA, it is possible for that complaint to be referred to the Local Government Ombudsman. Further details are available from the Education Directorate on 0191 553 1398.

We would advise that, unless the school and/or LEA is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken. This is because governing bodies are empowered to deal with many issues without reference to either the LEA or the Secretary of State.

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