



Lea Valley Primary School

Complaints Policy 2016/17

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1. Introduction

This policy establishes the framework within which complaints will be addressed and the philosophy underpinning the framework. It should be read in conjunction with the school's Equal Opportunities Policy and Teaching and Learning Policy.

It is in the interests of everyone that all parties involved in any complaint conduct themselves in a professional, courteous and respectful manner at all times.

It is in the interests of everyone that complaints and responses are dealt with promptly, at all stages.

2. Definition of a Complaint

A complaint is any expression of dissatisfaction about something which the school, its pupils or its governing body have, or have not done, or about its policies, and which requires a response.

Complaints may be written or verbal. It is not always appropriate to ask for a complaint to be put into writing, as this might unnecessarily formalise the situation, resulting in the involved parties taking more defensive or entrenched positions thus making the conflict more difficult to resolve.

The quality of the complaint increases as more of the following are present:

- It is first hand.
- It relates to recent events.
- The events in question can be dated.
- There is independent corroboration of the allegations.

A complaint will be dismissed if it does not meet at least one of the above criteria.

It is important to bear in mind that every expression of concern is not a complaint. Discretion needs to be applied in determining whether action, over and above the normal day to day discussions on concerns, is needed. All matters must be referred to the Headteacher or Deputy Headteacher.

Problems and expressions of concern should be dealt with as far as is possible, at the point of first contact. Continued dissatisfaction on the part of the third party indicates a need for upward referral.

3. Responsibilities

The articles of Government for all county state schools state that 'the conduct of the school shall be under the direction of the Governing Body' but that 'the Headteacher is responsible for the day to day management of the school'.

- This makes the Headteacher responsible for investigating complaints in the first instance and, if appropriate, referring complaints to other members of staff to deal with.
- The Governing body may be called upon to consider, resolve and/or adjudicate if complaints are referred to them by the Headteacher or by a complainant who is not satisfied with the result of the informal process.
- If the complaint is not resolved at school level, the interested parties have recourse to the LEA or the legal process.

Complaints should be dealt with at the most appropriate level. This will be determined by the nature and seriousness of the complaint.

Under no circumstances should teachers become involved in a discussion about professional performance of a colleague.

The referral structure is given below. In the event of a complaint being made to a member of the Governing Body, the complainant should be advised to speak to the Headteacher, so that an attempt can be made to resolve the matter informally. Governors must not prejudice themselves by discussing the complaint as this would prevent their participating in a panel at a later stage.

4. Aims

- To underpin the school's aims and objectives by giving due consideration to complaints.
- To ensure that all complaints are considered fully, fairly and confidentially, promptly, thoroughly and, in the first instance, on an informal basis.
- To ensure that there is an effective partnership between school, staff and parents.
- To ensure that all members of the school community can have their points of view heard.

In the absence of a resolution to the satisfaction of the complainant to issue a clear decision which will enable the complainant, the Headteacher or the Governing Body to consider how, if at all, the matter should be taken further.

5. The Complaints Procedure

The proposed example procedure for dealing with complaints about schools is based on five stages of increasing formality; the first three are based within a school, and it is hoped that most complaints are resolved within these. However, for those rare times when a complainant is not satisfied with the school's response, stages four and five involve external bodies.

The procedure is outlined on the following pages and summarised in Diagram 1. Following this are example letters to assist where correspondence could be particularly sensitive.

Stage One: Informal

Any member of staff or the Governing Body may be approached with a concern from a member of the school's community. For many concerns at this stage, it is unclear whether a question is being asked, an opinion expressed, or a complaint made. However, following the checklist outlined below will ensure consistency and ensure that details are retained, should the complaint go to subsequent stages.

Note:

If the concern is about a teacher, the complainant must be directed to the Headteacher of the school concerned. If the concern is about a Headteacher, the complainant must be directed to the Governing

Body chair. The Chair is encouraged to arrange for the services of the School Improvement Partner in these cases.

- In most cases, the complainant should be directed to the class teacher who should try to resolve the issues. He/she could discuss the complainant's desired outcome. This often helps to diffuse anger and makes the complaints system more effective for both parties, who can then work towards achieving the desired outcome.
- It is important that concerns can be raised at this time without any formality, and be expressed in any manner – verbally, by letter, by telephone, fax or email. Translation services should also be made available to the school's community for this purpose. The Council has a translation service from which such a service can be purchased. Their contact details can be found in **Appendix C**.
- The complainant should be informed as soon as possible if their complaint is covered by statutory procedures and given contact details as on **Appendix A**.
- Attempts must be made to resolve any issues straight away or through discussion with appropriate teachers and/or support staff.
- Where an issue cannot be resolved immediately, the person receiving the complaint should make a clear note of the complainant's contact details and refer these to the Headteacher, who can deal with the concern.
- Staff should be encouraged to record full details of the complaint, including any action that has been taken. This provides crucial information as to the nature of concerns, a school's ability to resolve them, and also provides a record should the concern remain unresolved and continue to Stage Two.
- The deadline for resolving concerns and giving feedback to all parties involved is ten school days.
- The complainant should be advised that they have twenty days to take their complaint to Stage Two.

Stage Two: Headteacher's Investigation

This stage can be reached if the class teacher has been unable to resolve the problem, or if the complaint is about a teacher. At this stage the complaint should be properly recorded, either in the form of a letter or on the complaints recording form. Assistance should be provided to any person who may have difficulties recording their complaint in writing. Contact details for the Council's translation service can be found in Appendix C.

Note:

If the complaint is about a Headteacher, the complainant should be asked to contact the Governing Body Chair.

The following checklist will ensure transparency and consistency at this stage:

- The Headteacher should copy the details of the complaint to any member of staff named in the complaint.
- Upon receipt of complaint, the Headteacher should acknowledge the letter in writing/verbally (but recorded in a record of the complaint) within three days. This acknowledgement will give a brief explanation of the school's complaints procedure and target date for a response.
- It is important that all paperwork, telephone calls and meetings relating to the complaint are carefully recorded and filed.
- Depending on the nature of the complaint, the Headteacher may want to consider a mediation procedure. This could involve for example, a Deputy Headteacher or other senior member of staff, or the School Improvement Partner, who can help to try to resolve the complaint swiftly.
- Once all the facts have been established, the Headteacher or Governing Body Chair (should the complaint be about the Headteacher), should produce a written response to the complainant and all parties involved. This letter should contain:
 - 1) a full explanation of the decision and the reasons for it;
 - 2) where appropriate, the action the school will take to resolve the complaint;
 - 3) advice on how to take the issue to Stage Three if the complainant remains unhappy;
 - 4) advice that this should be done within twenty days of receipt of the response letter from the Headteacher.
 - 5) The deadline for resolving concerns at this stage is fifteen school days.

Stage Three: The School Governing Body

It is rare for complaints to reach this stage; when they do, it is important that the Governing Body is prepared.

When the Governing Body Chair receives a complaint, efforts should be made to resolve this informally. The Chair is encouraged to seek the advice of the LEA, particularly the school's Senior School Improvement Partner. If, however, this route is neither advisable, or is unsuccessful, the Chair should convene a meeting of the Governing Body Complaints Panel, or secure the services of the governing body clerk or substitute to carry through the procedures. If a complaints panel has not been established, the convenor should arrange for a panel of three or five governors to consider the complaint.

It is important that this process is independent and impartial. Therefore, any governor reviewing a complaint must be impartial and *not* have had any previous involvement, since this could result in a conflict of interest. The Governing Body may also wish to seek the advice of external bodies such as the LEA, and in particular the schools Senior School Improvement Partner.

Although complaints at this stage are to be considered seriously, it is important to remember that many parents are unused to dealing with people in formal situations, and it is recommended that a complaints panel keep proceedings as informal as possible.

Note:

Any complaint about the Governing Body should be directed to the LEA.

The following checklist will ensure transparency and consistency at this stage:

- The complainant should write to the Governing Body Chair. Assistance should be provided to those who have difficulty in recording their complaint in writing. Previous letters, associated papers etc. should be included.
- If the complainant is unable to provide a written request, they must be able to approach the Chair via telephone, or face to face. In these circumstances, it is important that details are properly recorded by the Chair (e.g. on the form in **Appendix B**).
- The Chair should seek to acknowledge the complaint within three school days of receipt. The Chair must try to make a judgement about trying to resolve the matter informally, and should seek the advice of the LEA in such circumstances.
- If it is neither advisable, or an attempt at informal resolution is unsuccessful, the Chair should arrange for a meeting of the

Governing Body Complaints Panel. Model letters to involved parties are attached at **Appendices D and E**.

- If moving to the formal stage, it is recommended that the services of a professional clerk be secured. The Chair may wish to delegate the arrangement of the Panel meeting to the clerk. This meeting will take place within fifteen school days of receipt of the complaint.
- The convenor of the complaints panel shall invite the other panel members, complainant, Headteacher, and any relevant witnesses to the meeting, detailing how the meeting will be conducted and giving at least five days notice.
- The Headteacher and Complainant will be expected to provide all previous paperwork concerning the issues raised in the complaint. All papers will be circulated in advance.
- The Complainant will be informed of their right to be accompanied by a friend/supporter/interpreter.
- The Headteacher should also be informed of their right to be accompanied by, for example, a member of their professional association.
- The Headteacher and Complainant may also invite any other individual who is directly involved in the complaint to attend the meeting, as a witness. However, the involvement of additional staff is at the discretion of the Panel Chair.
- It is the responsibility of the Panel Chair to ensure that the meeting is properly minuted.
- The aim of the meeting should be to achieve reconciliation between the school and complainant. The complainant should be asked what redress they are seeking. An example agenda for a complaints panel meeting is attached at **Appendix F**.
- It must be recognised that sometimes it will be difficult to establish reconciliation. In such circumstances, the meeting can be used to establish facts, and make recommendations.
- The panel will reply to the Complainant within fifteen school days after the meeting has taken place, stating:
 - Whether the Panel upholds the complaint, in full or in part;
 - The redress that the Panel is recommending, if any;
 - The reasons for their decision;
 - How to move to Stage Four, in case the complainant remains unhappy. Stage Four requires that the Complainant must contact the LEA within twenty days of receipt of the Complaint Panel's letter.

Example letters to involved parties is attached at **Appendix G**.

- A copy of the decision letter should be sent to the Complainant and the Headteacher.

Stage Four: Referral to Haringey Local Education Authority (LEA)

Though the LEA has a statutory obligation to deal with complaints against the curriculum, there will be rare times when there are other complaints about a school, which have exhausted the school's internal procedures and must be considered by the LEA.

The following checklist will ensure transparency and consistency at this stage.

- The Complainant must refer their complaint in writing to the Director of Education.
- The Director will acknowledge receipt of the complaint, detailing who will be reviewing the matter, within ten school days.
- The Director will copy the acknowledgement letter to the Headteacher and Governing Body Chair.
- The Director of Education will appoint a review officer who has no connection with the complaint.
- The Review Officer will contact the complainant and discuss their desired outcome and possibilities of redress. The officer must explain the limits of the LEA's power to respond and explain processes and timescales.
- The Review Officer will review actions to date by all parties, including communications with the school and governing body, and formally record the findings.
- The Review Officer will produce a report attempting to resolve the issues to the satisfaction of the complainant, outlining the following:
 - Recommendations for action;
 - Reasons for these, where appropriate;
 - This must be sent to the complainant, the Headteacher and governors within thirty school days of receipt of the complaint.
- The Director of Education's covering letter to the report will include details of the next stage, should the complainant remain unsatisfied.
- Actions will be recorded throughout.

Stage Five: Beyond the LEA

Beyond the LEA, an unresolved complaint can be referred to the Secretary of State for Education, or the Local Government Ombudsman. The LEA must supply contact details and likely procedures for these if the complainant wishes to pursue their complaint further.

Appendix A

Complaints covered by other statutory procedures

Complaints against the Curriculum

Section 409 of the 1996 Education Act required all LEAs to establish a procedure in maintained schools to deal with complaints from parents about the curriculum and religious worship. Parents may use the procedure if they feel that the LEA or governing body is failing to:

- Provide the National Curriculum in the school, or for a particular child.
- Follow the law on charging for school activities.
- Offer only approved qualifications or syllabuses.
- Provide religious education and daily collective worship.
- Provide the information that they have to provide.
- Carry out any other statutory duty relating to the curriculum, or;
- Act unreasonably in any of the above cases.

Arrangements for consideration of complaints against the curriculum are available from:

Haringey Council Education Services
48 Station Road
London N22 7TY
Telephone: 0208 489 3839

Admission Appeals

The school has an Admissions Policy.

If parents or carers are unhappy with the school place allocated to their child, for whatever reason, they have a right to appeal against the decision to an independent panel.

Full details about the appeals procedure, including a leaflet entitled 'Appealing for a place at a community of voluntary controlled school – A Guide for Parents' are available from:

Haringey Council Education Services
48 Station Road
London N22 7TY
Telephone: 0208 489 3881

Voluntary-aided schools deal with admissions appeals themselves.

Special Educational Needs (SEN)

If you require information regarding disputes about special educational needs, advice can be sought from the Head of Inclusion at:

Haringey Council Education Services
48 Station Road
London N22 7TY
Telephone: 0208 489 3848

Appeals against Exclusions

Advice on how to appeal against exclusions is available from:

The Pupil and Family Mediation Officer
Haringey Professional Development Centre
Downhills Park Road
London N17 6AR
Telephone: 0208 489 5026

Advice can also be obtained from the Advisory Centre for Education's (ACE) helpline: 0207 704 9822 (weekdays 2.00 – 5.00 p.m.).

Complaints about Public Examinations

The appropriate examining board is responsible for complaints about grades, but parents have the right to seek the support of the school if they wish to query a result.

Child Protection Issues

Should you be concerned about the welfare of any child, please contact the Education Service's designated Child Protection Officer on 0208 489 3150, who will advise you on the next steps.

Appendix B

Complaints recording form

School:			
Details of Complainant			
Date:		Staff Name:	
Complainant's Name:		Relationship to pupil:	
Pupil's Name:		DoB:	
Complainant's address:			
Complainant's phone no:			
Complainant's email:			
Nature of complaint (please 'X' and describe)			
About school		About Headteacher (Action: refer complaint to the governing body)	
About a teacher		About support staff	
About governing body (Action: refer complaint to the LEA)		About SEN, admissions, exclusions, public examinations etc. (Action: refer complainant to correct procedure)	
Another matter			
Description:			

Action taken and advice given (please 'X' and describe)		
Complaints leaflet offered:		
Complaints procedure followed:		
Additional Information		
Summarise outcome here		

Appendix C

Useful organisations and their contact details

Local Addresses

Advice from the LEA

Communication and Complaints Officer
Haringey Council Education Services
48 Station Road
London N22 7TY
0208 489 3279

Citizens Advice Bureaux

Turnpike Lane Citizens Advice Bureau
14a Willoughby Road
London N8 0JJ
0208 352 0202

Tottenham Citizens Advice Bureau
Tottenham Town Hall
Town Hall Approach Road
London N15 4RY
0208 376 3700

Haringey Citizens Advice Bureau
6Hatherley Gardens
London N8 9JH
0208 374 3704

Translation Services

Haringey Council's Translation Service provides interpreters, translations, Braille translations and sign language services:

Haringey Council's Translation Service
Chief Executive's Service
High Road
London N22 8LE
0208 489 2922

National Addresses

Local Government Ombudsman

The Local Government Ombudsman
21 Queen Anne's Gate
London SW1H 9BU
0207 915 3210

London Diocesan Board for Schools (Church of England)

Diocesan House
36 Causton Street
London SW1P 4AU
0207 392 1100

Catholic Education Service

39 Eccleston Square
London SW1V 1BX
0207 828 7604

The Advisory Centre for Education

1B Aberdeen Studios
22 Highbury Grove
London N5 2EA
0808 800 5793 (general advice, weekdays 2 -5 p.m.)
0207 704 9822 (exclusion help line, weekdays 2-5 p.m.)

The Secretary of State for Education and Skills

Department for Education and Skills
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Appendix D

Convening a complaints panel

(Name 1) (Name 2)
(Address 1)

(Name 1) (Name 2)
Chair (or other)

(Address 2)
(Postcode)

(Name of School)
(Address 1)
(Address 2)
(Postcode)

(Date)

Dear (Name)

Thank you for your letter dated (date), received by me on (date).

I understand that you are unsatisfied with the response from (name of Headteacher) and that you would now like the Governing Body to consider your complaint.

As the convenor of the Governing Body Complaints Panel, I shall arrange a meeting comprising yourself (name of Headteacher), and (three or five) Governors from the school, who have no connection to your complaint.

I shall arrange for the meeting to take place within the next fifteen school days and shall notify you of arrangements in the next few days. Please contact me as soon as possible if there are any dates within the next fifteen school days when you cannot attend.

You are welcome to bring a friend or support with you, as well as any witnesses, who may support your case, though please let me know in advance.

Please also send me any papers to support your case. A copy of papers received by all parties will be distributed prior to the meeting. Should you require any translation service either for these papers, or at the meeting, please let me know as soon as possible so that I can arrange this.

I can be contacted by telephone on 0208 801 6915 via Lea Valley Primary School, Somerford Grove, Tottenham, London N17 0PT).

Yours sincerely

(Name of Chair of Governors/Convenor of panel meeting). (Position)

c.c. (Name of Headteacher), (School)
(Name of any other involved party), (Position)

(Director of Education)

Appendix E

Letter from convenor of complaints panel confirming date of panel meeting

(Name 1) (Name 2)
(Address 1)
(Address 2)
(Postcode)

(Name 1) (Name 2)
Chair (or other)
(Name of School)
(Address 1)
(Address 2)
(Postcode)

(Date)

Dear (Name

Further to my correspondence to you dated (date), I am writing to confirm that a meeting to consider your complaint has been arranged for (time) on(date) (date). This will be held at (location), directions for which are enclosed. Please ask for me when you arrive at reception.

An agenda for the meeting is attached. Should you have any queries, please do not hesitate to contact me on (arrangements for contacting Chair to be added here).

Yours sincerely

(Name of Chair of Governors/Convenor of panel meeting) (Position)

c.c. (Name of Headteacher), (School)
(Name of any other involved party), (Position)
(Director of Education)

Appendix F

Agenda for a complaints panel meeting

Note:

- All attendees to receive all paperwork prior to the meeting.
- Convenor to ensure that venue has enough space for a hearing room, and separate waiting rooms for witnesses from all involved parties.
- Convenor to ensure that arrangements for refreshments have been made since panel meetings can be lengthy.
- Convenor to ensure that any interpreters required are present.

Agenda:

1. Chair to introduce all attendees and explain their roles and responsibilities.
2. Complainant to present their case.
3. Witnesses to be called to support the Complainant's case (called to the room to give evidence and be questioned, and then to leave).
4. Questions to complainant from Panel and Headteacher.
5. School to present their case.
6. Witnesses to be called to support the School's case (called to the room to give evidence and be questioned, and then to leave).
7. Questions to School from Panel and Complainant.
8. Summary statement from School.
9. Summary statement from Complainant.
10. Exit of all present except Panel Members and Clerk.
11. Decision.

Appendix G

Decision letter to complainant, after panel meeting

(Name 1) (Name 2)
(Address 1)
(Address 2)
(Postcode)

(Name 1) (Name 2)
Chair (or other)
(Name of School)
(Address 1)
(Address 2)
(Postcode)

(Date)

Dear (Name)

Further to our recent meeting to consider your complaint, the panel of governors has come to the following conclusion.

In light of the evidence produced, we conclude that (state whether the complaint is upheld or not). The reasons for this decision are:

- (State reasons in bullet point)
- (State reasons in bullet point)
- (State reasons in bullet point)

Furthermore, we recommend that (no further action is taken/the following action is taken.....).

I hope you feel that this is a satisfactory resolution. Should you remain unsatisfied, you should contact the Director of Education Services by (date of this letter, plus twenty days). Please write to the Director at:

The Director for Education Services
Haringey Council
48 Station Road
London N22 7TY

Yours sincerely

(Name of Chair of Governors/Convenor of panel meeting) (Position)

c.c. (Name of Headteacher), (School)
(Name of any other involved party), (Position)
(Director of Education)