



Grove Road Primary School

COMPLAINTS PROCEDURES

Introduction:

Under Section 29 of the Education Act 2002 (see summary at Appendix 3) Governing Bodies of all maintained schools and maintained nursery schools in England are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. A concern may be defined as *“an expression of worry or doubt over an issue considered to be important for which reassurances are sought”*. A complaint may be generally defined as *“an expression of dissatisfaction however made, about actions taken or a lack of action”*.

This procedure deals with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.

In most cases, the class teacher or the individual delivering the service in the case of extended school provision will be the first to be notified of the concern.

Grove Road Primary School is committed to taking concerns seriously and will endeavor to:

- Treat concerns with courtesy, respect and fairness at all times
- Treat concerns in confidence
- Deal with concerns promptly
- Acknowledge receipt of a written concern within ten working days, and provide a full reply within 20 working days.

Complaints procedures should not be used for appeals and referrals that fall under other procedures and legislation and which are covered by other guidance, including:

- Admissions
- Exclusions

- Special Educational Needs and Disabilities
- Staff Grievances
- Child Protection
- Whistleblowing

There is information on page 17 of this policy if you wish to complain about the above procedures.

This policy will not apply to anonymous complaints unless the school determines that the complaint warrants an investigation.

Raising a concern or complaint.

Dealing with complaints – Initial Concerns

Parents can raise concerns by contacting their child’s class teacher in the first instance or contacting the phase leader. This could be in person by appointment, by letter, by telephone or email via the school office (0208 570 6132 or office@groveroad.hounslow.sch.uk).

Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage. Staff will take notes of any discussion on the school’s “Parent/Carer Record Form” which will be filed confidentially.

The complainant must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this timeframe will only be considered if exceptional circumstances apply.

Dealing with complaints – Formal Procedures

The formal procedures will need to be invoked when initial attempts to resolve the concern prove unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. It is important to note however, that the informal process is not a compulsory step and there may be occasions when the complainant wishes to engage the formal process straightaway.

Investigating complaints

The person investigating the complaint (the headteacher or deputy headteacher) will ensure that they:

- clarify the nature of the complaint and what remains unresolved
- establish what has happened so far, and who has been involved
- 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 so wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview.

The school will offer written feedback (within 10 working days) in response to the complaint received.

Monitoring of complaints

As well as addressing an individual's complaint, 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 Board can be a useful tool in evaluating a school's performance.

Resolving complaints

At each stage in the procedure, schools will keep in mind ways in which a complaint can be resolved. It may suffice 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 reoccur
- 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 issue(s) at any stage. It is useful to 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.

Withdrawal of a complaint

If a complainant wishes to withdraw their complaint, they will be asked to confirm this in writing and the withdrawal will be acknowledged by the school.

If a complainant remains dissatisfied

This procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Board should inform them in writing that the procedure has been exhausted and that the matter is now closed, and provide them with contact details for the Department for Education /Education & Skills Funding Agency.

Complaints Procedures

Stage one: complaint heard by staff member

It is in everyone's interest that complaints are resolved at the earliest possible stage.

The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff should periodically be made aware of the procedures so that they know what to do when they receive a complaint.

Complainants should never feel or be made to feel that a complaint made in a reasonable and appropriate manner will not be taken seriously or that it will reflect adversely on their child and their child's opportunities at the school. The school should try to investigate and try to resolve every complaint in a positive manner and will treat every complaint as an opportunity to improve service.

The school should try to respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In these cases, the matter can be referred to the headteacher who may, if they feel it appropriate, refer the complainant to another member of staff. Alternatively, they may not feel this is necessary.

Where the complaint concerns the headteacher, the complainant must be referred to the Chair of Governors.

Where the complaint is about someone on the governing body the complaint should be addressed to the Clerk of the Governing Body who will then arrange for the complaint to be heard. This can be done by a suitably skilled and impartial member of the governing body (stage one) and then a committee of members of the governing body (stage two).

Complaints against the Chair, Vice chair or entire governing body should also be addressed to the clerk of the Governing Body who will then determine the most appropriate course of action. This will depend on the nature of the complaint.

Where the first approach is made to a Governor, the next step would be to refer the complainant to the appropriate person and advise them about the correct procedure. Here, the Governor must not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they may consider referring the complainant to the Headteacher. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial and the key factor.

The person dealing with the complaint should provide a written acknowledgement to the complainant within 5 working days of receiving the complaint. A copy of this complaints procedure should be provided at the same time.

The person dealing with the complaint will carry out the necessary investigation to establish the facts. This may include meeting with the complainant and interviewing relevant witnesses.

On completion of the investigation, a written response to the complaint should be provided to the complainant within 10 working days of the school's written acknowledgement of the complaint.

The written response should contain an outline of the complaint, the response to the complaint, the decisions reached and the reasons for those decisions.

This can include:

There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld

The concern was not substantiated by the evidence

The concern was substantiated in part or in full. Some details may then be given of the action that the school may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures should not be released

The matter has been fully investigated and that appropriate procedures are being followed which may be strictly confidential (e.g., where staff disciplinary procedures are being followed).

The written response must be endorsed by the Headteacher. It should also inform the complainant that if they remain dissatisfied with the outcome to their complaint, they can progress it to the second stage of this procedure.

If no further communication is received from the complainant within the specified period, it is deemed that the complaint has been resolved and the matter is closed.

Stage Two: Complaint heard by Headteacher

If the complainant is dissatisfied with the outcome at Stage One and wishes to take the matter further, they can escalate the complaint to Stage Two and have the matter considered by the Headteacher. The complainant must send a written request within 10 working days of receiving the Stage One written response stating their reasons for progressing to stage two.

The Headteacher may delegate the task of collating any additional information required (to what has already been done at Stage One) to another staff member but not the decision on the action to be taken.

The same process and timings apply as in Stage One.

The written response to the complainant should inform them that if they remain dissatisfied with the outcome, they can request for the matter to be considered by a Governing Board Complaints Appeal Panel. This request must be made in writing to the Chair of the Governing Board within 10 working days of receiving the outcome of Stage Two stating their reasons why they remain dissatisfied.

If no further communication is received from the complainant within the specified period, it is deemed that the complaint has been resolved and the matter is closed.

Stage Three: Complaint heard by Complaints Appeal Panel

Following a request being received from the complainant for their complaint to be considered at Stage Three, the Clerk to the Governing Board will record the date the complaint is received and acknowledge receipt in writing within 5 working days.

The Chair of the Governing Board, or a nominated Governor, will convene a Complaints Appeal Panel within 4 working weeks of receiving the request. Where this is not possible, the clerk will keep the complainant informed.

The panel will consist of the first three Governors available and most suited in terms of training and experience to hear the complaint. They should have no prior involvement in the complaint and make a declaration to this effect.

Prior to the hearing, the panel will agree on who will act as Chair of the Panel.

The complainant should be given 10 working days' notice of the hearing.

The clerk will write to and inform the panel, complainant and any witnesses of the date and location of the hearing. The notification should inform the complainant that they can bring a friend/relative to accompany them to the hearing, and that they, if they wish to, can submit further written evidence relevant to the complaint for consideration by the panel.

This further written evidence must be received no later than 3 working days before the hearing. The panel will not accept new complaints at this stage or evidence unrelated to the complaint being reviewed.

Where the date offered by the clerk is rejected by the complainant, the clerk can offer two additional dates. If these are also rejected without good reason, the clerk will decide when to hold the hearing which will then proceed in the complainant's absence and based on any written submissions and evidence from both parties.

The Remit of the Complaints Appeal Panel

The panel can: dismiss the complaint in whole or in part, uphold the complaint in whole or in part (if the complaint is upheld in whole or in part) decide on the appropriate action to be taken to resolve the complaint, recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not reoccur.

There are several points which any Governor sitting on an appeal panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- For schools with smaller Governing Bodies who may not have sufficient numbers of Governors to sit on the panel, they can approach the clerk to the Governing Board or the Governor Support Service (where this service is purchased) to source suitable Governors or alternatively, approach another local Governing Bodies
- In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and

sensitive to the issues of gender, race, disability, age and religious affiliation

- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend
- The Governors sitting on the panel need to be aware of the complaints procedure and adequately trained and supported to hear and determine complaints. This training and support can be provided by the Governor Support Service.
- It is recommended that the clerk keeps a record of the training attended by Governors.

Roles and Responsibilities

The Role of the Clerk to the Governing Board

It is essential that any panel or group of Governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to: ensure that all persons involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act 2018, and the General Data Protection Regulation

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

Take a record of the proceedings

Notify all parties of the panel's decision.

The Role of the Chair of the Governing Board or the Nominated Governor

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 presenting 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 state 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.

Hearing the Complaint at the Complaints Appeal Panel Hearing

The aim of the hearing will be to resolve the complaint and achieve reconciliation between the school and the complainant. The hearing should be kept as informal as possible and heard in private.

In the interest of natural justice, the introduction of previously undisclosed evidence or witnesses would be a reason to adjourn the hearing so that both sides have time to consider and respond to the new evidence.

The recommended conduct of the hearing is as follows:

- The Chair of the Panel (“Chair”) will welcome the complainant, introduce the panel members and explain the procedure
- The Chair will invite the complainant to explain the complaint
- The panel members may question the complainant about the complaint and the reasons why it has been made
- The Chair will invite the Headteacher to ask any questions of the complainant relevant to the complaint
- The Chair will invite the Headteacher to make a statement in response to the complaint. At the discretion of the Chair, the Headteacher may invite members of staff directly involved in the complaint to supplement the Headteacher’s response; the Headteacher may ask them questions
- The panel may ask questions of the Headteacher and the members of staff called about the response to the complaint
- The Chair will allow the complainant to ask questions of the Headteacher and members of staff about the response to the complaint
- Either party has the right to call witnesses, subject to the approval of the Chair. Witnesses are only required to attend for the part of the hearing in which they give their evidence
- The panel, the Headteacher and the complainant may question any such witnesses
- The Chair will invite the Headteacher to make a final statement to sum up their case
- The Chair will invite the complainant to make a final statement to sum up their case
- The Chair will explain to the complainant and the Headteacher that the panel will now consider all the information available to them and reach a decision
- The Chair will then ask all parties to leave except the members of the panel
- The panel will then consider the complaint and all the evidence presented and reach a decision on the complaint and the reasons

for it; and decide upon the appropriate action to be taken to resolve the complaint.

A written decision will be sent to both parties (and where appropriate, to the specific individual against whom the complaint was made). This should include notification of any recommendations made.

Notification of the Complaints Appeal 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 within 10 working days of the date of the hearing. The letter should inform the complainant that this was the last stage of the Complaints Procedure and that the Complaints Appeal Panel's decision is final. They should be informed of what they need to do if they wish to pursue the matter further externally.

The findings and recommendations of the panel must be available for inspection on the school premises by the Proprietor and the Headteacher.

Next Steps

Complaint to the Department for Education/Education & Skills Funding Agency

If the complainant remains dissatisfied with the outcome of the appeal hearing, they can take the matter to the Department for Education [DfE].

Unless there are exceptional circumstances, the DfE will not deal with a complaint unless they are satisfied that the school has first had the proper opportunity to consider it and respond.

The DfE will not normally re-investigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

Complaints about schools/academies can be made to the DfE using this online form or calling 0370 000 2288.

For further information about making a complaint about a school please visit <https://www.gov.uk/complain-about-school>

Serial, Persistent, Unreasonable and Vexatious Complainants

There will be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, the school can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the on the same issue, the correspondence may then be viewed as 'serial' or 'unreasonable' or even 'vexatious' and the school may choose not to respond.

In these circumstances, the Guidance set out in Appendix 1 should be followed.

POLICY FOR DEALING WITH UNREASONABLY PERSISTENT COMPLAINTS, HARASSMENT OR AGGRESSION

The headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the school's complaints procedure.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. The school is extremely committed to promoting positive relationships with all members of the school community, regardless of age, sex, religion, ability or culture and it welcomes the opportunity to address and resolve issues that may arise.

However, there are rare occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

1. What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- avoid any aggression or verbal abuse;
- recognise the time constraints under which members of staff in school's work and allow the school a reasonable time to respond to a complaint;
- recognise that resolving a specific problem can sometimes take time;
- follow the school's complaints procedure (and for staff members to follow the appropriate internal staff procedure).

2. What do we mean by 'unreasonably persistent complainants'?

For the purpose of this policy, an unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include the following (not an exhaustive list):

- actions which are obsessive, persistent, harassing, prolific, repetitious;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- uses freedom of information requests excessively and unreasonably;
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.
- making what appears to be groundless complaints about staff dealing with the complaint and seeking to have them replaced.
- abusive or threatening behaviour or language towards school staff.
- failing to specify grounds of the complaint, despite offers of assistance from the school.

3. What is harassment?

We regard harassment as including the unreasonable pursuit of issues or complaints particularly if the matter appears to be pursued in a way intended to cause personal distress, rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issue is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has an unjustifiably significant and disproportionate adverse effect on the school community.

4. What are the school's responses to unreasonably persistent complaints or harassment?

This policy is intended to be used in conjunction with the school's complaints procedure.

Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the unreasonably persistent complaints/ harassment policy;
- require any future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channeled through a third party chosen by the school, for example the local authority or legal team;
- inform the complainant that, with the exception of urgent communication regarding their child in school, the school will respond to their correspondence on a 6 weekly basis only;
- take legal advice on pursuing a case under anti-harassment legislation.

5. What if I have a new complaint to make?

Legitimate new complaints will always be considered in an appropriate time frame, even if the person making them is (or has been) subject to the unreasonably persistent complaints/ harassment policy. The school nevertheless reserves the right not to respond to communications from individuals whose conduct falls within the scope of this policy.

6. Physical or verbal aggression

The governing body will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect (please also see Parental Conduct Policy)
- request an anti-social behaviour order (ASBO);
- take legal advice on pursuing a case under anti-harassment legislation;

- call the police to remove the individual from the premises, under powers provided by The education act 1996.

7. Right of appeal

All persons who are notified by the school that they are being dealt with under this procedure have the right of appeal. Appeals must be addressed to the chair of governor under confidential cover, care of the school. The chair of governors will consider each appeal on its merits, consulting with the headteacher as appropriate. The outcome of the appeal should be notified to the appellant and copied to the headteacher within 10 working days of receipt.

COMPLAINTS NOT COVERED BY THIS POLICY.

| EXCEPTIONS | WHO TO CONTACT |
|---|---|
| <ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals • Matters likely to require a Child Protection Investigation | <p>Concerns should be raised direct with local authorities (LA). 0208 583 2711</p> <p>SEN Complaints should be made directly with the Local Authority SEN team on: 0208 583 2672</p> <p>Contact the Local Authority: 0208 583 2000</p> <p>Contact children's services on: 0208 583 6600</p> |
| <ul style="list-style-type: none"> • Exclusion of children from school | <p>Initially to the Chair of Governors: mike7.313@lgfmail.org</p> <p>You may wish to contact Mrs Hilary Baker, Principal Case Officer, Exclusions & Fair Access at London Borough of Hounslow on 0208 583 2784. Alternatively, you can write to her at Access & Inclusion, Children's Services & Lifelong Learning, London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow, Middlesex TW3 4DN or by email to exclusions@hounslow.gov.uk</p> |
| <ul style="list-style-type: none"> • Whistleblowing | <p>The school has its own whistleblowing procedure for staff and voluntary staff to follow. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p> |
| <ul style="list-style-type: none"> • Staff grievances and disciplinary procedures | <p>The school has a Staff Code of Conduct and Disciplinary Policy which sets out clearly the process for dealing with these complaints.</p> <p>Complainants will <u>not be informed</u> of the outcome of any investigation.</p> |

| | |
|--|--|
| <ul style="list-style-type: none">Complaints about services provided by other providers who may use school premises or facilities. | Providers should have their own complaints procedure to deal with complaints about service. They should be contacted directly and you can obtain their details from the school office. |
|--|--|

SUMMARY OF SECTION 29 OF THE EDUCATION ACT 2002

Section 29 of the Education Act 2002 requires that:

(1) The governing body of a maintained school (including a maintained nursery school) shall –

a. establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and

b. publicise the procedures so established.

(2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 (1) of the Education Act 2002 provides the following:

“maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;..”

“maintained nursery school” means a nursery school which is maintained by a local education authority and is not a special school;...”

SUMMARY OF PART 7 OF THE EDUCATION (INDEPENDENT SCHOOL STANDARDS) REGULATIONS 2014

“Manner in which complaints are handled”

Part 7 of the Education Regulations 2014 requires that:

A complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils which –

(a) is in writing;

(b) is made available to parents of pupils;

(c) sets out timescales for management of the complaint;

(d) allows for a complaint to be made and considered initially on an informal basis;

(e) where the parent is not satisfied with the response to the complaint made in accordance with (d) above, establishes a formal procedure for the complaint to be made in writing;

(f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e) above, makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;

(g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;

(h) allows for a parent to attend and be accompanied at a panel hearing if they wish;

(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

- *provided to the complainant and, where relevant, the person complained about; and*

- *available for inspection on the school premises by the proprietor and the head teacher;*

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—

- *whether they are resolved following a formal procedure, or proceed to a panel hearing; and*
- *action taken by the school as a result of those complaints (regardless of whether they are upheld); and*

(k) provides 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 109 of the 2008 Act requests access to them.

FLOWCHART – SUMMARY OF DEALING WITH COMPLAINTS

