



# Tonwell St Mary's CE Primary School

## Complaints Procedure

**Date ratified: September 2016**

**Date of review: September 2017**

## Introduction

Hertfordshire County Council cannot deal with complaints about schools. School Governors are responsible in law for having a published complaints procedure and for responding to complaints.

## Stage One

Most concerns, complaints or potential complaints can be resolved by **talking to the member of school staff** concerned. The school can tell you who you should speak to first. You may wish to request a copy of the school's complaints procedure, available from the school office or website. If the concern isn't resolved by speaking to a member of staff, you should then **request a meeting with the Headteacher**, indicating you wish to make a Stage 1 complaint. The Headteacher will investigate your complaint and aim to inform you of the outcome within 10 school days.

If your first contact is with individual Governors, you may be asked to take up your concerns with the Headteacher or the appropriate member of staff. A Governor should not be made aware of a potential complaint as they may be required to sit on a Panel in the event of a formal hearing (Stage Two) and should be impartial.

If your complaint is about the Headteacher, you should **write to the Chair of Governors** at the school. If your child has a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) you might find it helpful to talk to the Special Educational Needs Co-ordinator (SENCo) at your child's school or your child's named Special Needs Officer. The SEND Information Advice and Support Service (SENDIASS) may also be able to help you.

If you have not yet raised your concerns with the school in question but contact the Local Authority instead, Council Officers will ask you for your written consent to share information regarding your complaint with the school. If you decline to provide your consent, the matter will not be taken any further. If you do provide consent, the Council will pass your concerns onto the school for action by either school staff or governors.

## Stage Two

If you remain dissatisfied following Stage 1 and wish to take your complaint further, the school may ask you to complete a form or write a letter addressed to the Chair of Governors. In the letter you should:

- Make it clear why you are complaining.
- Say who you have spoken to already.
- Explain what you want to happen as a result of your complaint.

The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. This is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns. The Governing Body should give

you full details of how they will carry out any further investigation or formal hearing and keep you up to date with progress.

You and the school must make sure the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish. The Chair of the Panel may invite any person who may help establish the facts of the complaint. The Chair should tell you who this person is before the meeting. If any member of staff is required by the Governing Body to attend a meeting they will have the opportunity to be accompanied or represented as they wish. A member of staff named in a complaint may also choose to attend a meeting, even if not required to do so by the Governors. They may be represented. If this happens, the school will inform you in advance.

When the Panel has fully investigated your complaint, the Chair of the Panel or the Governor in charge of the investigation will write to you to tell you the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. The Governing Body should aim to deal with complaints within 28 school days.

For Academies, Free Schools, Studio Schools and University Technical Colleges, please seek guidance regarding Stage Two from the Education Funding Agency.

## **Stage Three**

**FOR ALMOST ALL COMPLAINTS, THE PROCEDURE ENDS WITH THE GOVERNING BODY AND THERE IS NO THIRD STAGE OF COMPLAINT TO THE LOCAL AUTHORITY**

If the school's complaints procedure has been exhausted and you remain dissatisfied, you can approach the Secretary of State (or the Education Funding Agency if the school is an Academy, Free School, Studio School or University Technical College). Further advice is available from the Children's Legal Centre, the Advisory Centre for Education (ACE) or Family Lives (formerly Parentline Plus).

**However, if your complaint is about the way that a school is providing for your child's Statement of Special Educational Needs or Education Health & Care Plan, you do have a third stage of complaint to the Local Authority (if the school is a Community, Voluntary-Controlled, Voluntary-Aided, Foundation or Trust school).**

In this case, you can write to the Complaints Manager who will acknowledge your complaint within five working days and inform the Chair of Governors and Headteacher. The Complaints Team will aim to investigate your complaint within 25 working days; however the investigation may take longer (up to 65 working days) in complex cases. When your complaint has been fully investigated the Complaints Manager will write to let you know the outcome. S/he will give the reasons for the outcome, any action or proposed action to be taken and any further avenues open to you. S/he will send a copy to the Headteacher, the Chair of Governors and anyone else concerned in the investigation. Parents who remain dissatisfied following further investigation by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation.

You may also wish to contact the relevant diocese in the case of a church school:

***For Roman Catholic schools:***

The Director of the Education Service, Diocese of Westminster, Vaughan House, 46 Francis Street, London, SW1P 1QN. Telephone: 020 7798 9005. Email: [education@rcdow.org.uk](mailto:education@rcdow.org.uk)

***For Church of England schools:***

The Diocesan Director of Education, Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, AL1 1HE. Telephone: 01727 818170. Email: [schools@stalbans.anglican.org](mailto:schools@stalbans.anglican.org)

## **Can I complain to anyone other than the County Council?**

**FOR ALL OTHER TYPES OF COMPLAINT, INCLUDING THOSE REGARDING BULLYING, THE NATIONAL CURRICULUM OR COLLECTIVE WORSHIP IN A COMMUNITY, VOLUNTARY-CONTROLLED, VOLUNTARY-AIDED, FOUNDATION OR TRUST SCHOOL, THERE IS NO THIRD STAGE OF COMPLAINT TO THE LOCAL AUTHORITY**

However, you can complain to the Secretary of State at the Department for Education:

The Secretary of State  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Website: <https://www.gov.uk/government/organisations/department-for-education>

## **Complaints about Academies, Free Schools, Studio Schools and University Technical Colleges**

Whilst they are required to have a complaints procedure in place, these types of schools operate independently of the Local Authority. Accordingly, the Local Authority is unable to investigate complaints regarding these types of schools, even if your complaint relates to Special Educational Needs provision. If you have a complaint about one of these schools which has not been satisfactorily resolved through its complaints procedure, you should contact the Education Funding Agency:

Academies Central Unit (Academy Complaints)  
Education Funding Agency  
Earlsdon Park  
53-55 Butts Road  
Coventry  
CV1 3BH  
Email: [academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk)

## **Useful contact details**

Chair of Governors	Mrs Diana Howarth
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	The school secretary will give further contact details and pass on any written correspondence	
Complaints Team (Children's Services)	<a href="http://www.hertsdirect.org/complaints">www.hertsdirect.org/complaints</a> Email: <a href="mailto:cs.complaints@hertfordshire.gov.uk">cs.complaints@hertfordshire.gov.uk</a>	01992 588542
SEND Information Advice & Support Service	<a href="http://www.hertsdirect.org/parentpartnership">www.hertsdirect.org/parentpartnership</a> Email: <a href="mailto:sendiass@hertfordshire.gov.uk">sendiass@hertfordshire.gov.uk</a>	01992 555847
ACE (Advisory Centre for Education)	<a href="http://www.ace-ed.org.uk">www.ace-ed.org.uk</a>	0300 0115 142
HertsHelp	<a href="http://www.hertsdirect.org/hertshelp">www.hertsdirect.org/hertshelp</a>	0300 123 4044
Family Lives	<a href="http://www.familylives.org.uk">www.familylives.org.uk</a>	0808 800 2222
Carers in Herts	<a href="http://www.carersinherts.org.uk">www.carersinherts.org.uk</a>	01992 586969
Children's Legal Centre	<a href="http://www.childrenslegalcentre.com">www.childrenslegalcentre.com</a>	0345 345 4345
Citizen's Advice Bureau	<a href="http://www.citizensadvice.org.uk">www.citizensadvice.org.uk</a>	03444 111 444

## Summary of the complaints process

