



**Ancaster**  
Church of England Primary School

***"Be the Best You Can Be!"***

***Concerns and Complaints Policy***

**This document has been created as the Governing Body of Ancaster Church of England Primary School believe that constant feedback is an important ingredient in self-improvement and raising standards in our school**

Signed by Chair of Governors:  Signed by Headteacher:	Approved by the Governing Body and Headteacher at a meeting held on:
Next Date of Review:	Associated policies: Whistleblowing Child Protection/Safeguarding

## Rationale

### Introduction

All maintained schools in England are required to have a procedure in place for dealing with complaints relating to the school and any community facilities or services that the school provides. There are certain complaints which fall outside of this procedure because there are established statutory or other prescribed procedures available, for example, staff grievances or disciplinary procedures; school admissions; exclusions; statutory SEN assessments; Child Protection procedures ;public examinations; school reorganisation proposals

In this school all staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents/carers and believe that school and parents/carers must work together in partnership, each carrying out our own particular responsibilities to help pupils gain the most from their time in school. We also desire to have good relations with our neighbours and the wider community.

The school's values are concerned with meeting the needs of pupils, parents, carers and other stakeholders of the school. The Governing Body believes that constant feedback is an important part of self- improvement and raising standards for the children of Ancaster Church of England Primary School.

If you feel that something is not going quite as you would like, that we are doing something that you are unhappy with, or not doing something that you feel we should, please tell us about it.

Pupils, parents, carers or other adults who have concerns or complaints should feel that these can be voiced and be confident that they will be considered seriously in a sympathetic, efficient manner and at the appropriate level.

## Application

This policy applies to all sections of the school. The policy applies to current parents or legal guardians and may, at the school's discretion apply to a parent/carer whose child has recently left the school. Separate procedures apply in the event of a child protection issue or in relation to admissions or in relation to admissions or exclusions.

Please let us know if you have any cause for concern or dissatisfaction as soon as possible. We recognise that a difficulty which is not resolved quickly and fairly can soon become cause for resentment which would be damaging to relationships and to our school culture.

If you are concerned about the safety of your child, you should immediately notify the person you believe is best placed to take urgent action and confirm this in writing to the Headteacher.

## Four Stages

This policy sets out a four stage concerns and complaints procedure:

- Stage 1 – informal (appointment with class teacher)
- Stage 2 – informal (appointment with the Head teacher or Deputy Head Teacher)
- Stage 3 – formal complaint letter to the Headteacher
- Stage 4 – formal complaint requesting a Governors' Complaints Panel

## Timescales

We aim to resolve any concerns or complaints in a timely manner. The timescales for each stage of the procedures are set out below. When this policy refers to working days, we mean Monday to Friday, when the school is open during term-time. Some of the procedures are therefore likely to take considerably longer during the holidays when personnel are likely to be on holiday. The dates of terms are published on the school's website.

## **Stage 1 – Informal concern or complaint**

### **Initial concerns or difficulties**

We expect that most concerns or difficulties can be resolved informally. Certain serious complaints such as discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1. If you are not a parent or carer at the school, please start at stage two and request a meeting with the Headteacher.

Notification – in the first instance and if appropriate, please raise your concern or difficulty with the class teacher.

Acknowledgement – We will acknowledge a written notification by telephone, e-mail or letter within 2 working days of receipt during term-time and as soon as practicable if receiving during the holidays. A concern raised orally will not necessarily be acknowledged in writing but a written record will be made.

Unresolved concerns – A concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2.

Complaints regarding the Headteacher should be dealt with at Stage 3.

### **Stage 2 – informal complaint**

If, after speaking to your child's teacher, and having allowed sufficient time to deal with the issue, you do not feel that your concern has been properly dealt with, or if your concern is about the conduct of a particular teacher, then you should discuss the matter with the Headteacher.

In almost all cases we can sort things out satisfactorily at this informal stage.

### Stage 3 – reference to the Chair of the Governing Body

Notification: If you are dissatisfied with the Headteacher's decision under Stage 2 of the procedure, or if your complaint is about the Headteacher, your complaint may be made in writing to the Chair of the Governing Body. This is an optional stage and it may be more appropriate for your complaint to be referred to Stage 4. If you do wish to invoke Stage 3 then please write to the Chair within five working days of receiving the Headteacher's decision at Stage 2. Your letter should include full details of your complaint and enclose all relevant documents as well as your full contact details.

If your complaint is about the conduct of the Headteacher, you should make a formal written complaint to the Chair of Governors, addressing your envelope to the Clerk to Governors, care of the school's address. If for some reason you do not feel able to put your complaint in writing, please contact the school office to arrange an alternative means of capturing your complaint.

Acknowledgement: You will receive an acknowledgement within five school working days. The acknowledgement letter will also indicate the date by which you can expect to receive the Chair of Governors written response to your formal complaint letter. This will normally be within ten school working days from the date of the acknowledgement letter.

Your letter will normally be acknowledged by telephone or letter within four working days of your letter being received during term time. The Chair will indicate the action that is being taken and the likely time-scale.

Action by the Chair: The Chair will usually arrange for your complaint to be investigated. When the Chair is satisfied that he/she has established all of the material facts, so far as is practicable, he/she will notify you of his/her decision and the reasons for it.

Timeframe: The Chair will aim to provide you with a response within ten working days of receiving your letter during term time.

## **Taking Matters Further – Governors’ Review**

If you are dissatisfied with the Headteacher’s response to your formal complaint letter, or if your complaint is about the conduct of the Headteacher and you are dissatisfied with the Chair's written response’, then you will need to contact the Clerk to Governors who will convene the Governors’ Complaints Committee.

You should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address. If, for some reason, you do not feel able to do so, you should contact the Clerk, via the school, who will record your complaint as a statement for you to sign. The Clerk to Governors will write to acknowledge receipt of your complaint within five school working days. The acknowledgement letter will explain the process which is to be followed and the expected timescale for that process. Where your complaint is considered under written representations, this process may take up to twenty-eight school working days to allow for the collection of representations and evidence.

The Governors' Complaints Committee will consider your complaint and write to advise you of the outcome within the timescale provided by the Clerk to Governors.

### Stage 4 – reference to the Complaints Panel

Overview: A Complaints Panel Hearing is a review of the decisions taken by the Headteacher and where relevant, the Chair. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

### **Complaints against Individual Governors**

For complaints against the Chair of Governors, or any other individual governor, you should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address. If, for some reason, you do not feel able to do so, you should contact the Clerk, via the school, who will record your complaint as a statement for you to sign.

The Clerk to Governors will acknowledge receipt of your complaint and initiate the correct process. The Chair of Governors will consider complaints against an individual governor and the Vice Chair will consider complaints against the Chair of Governors. The appropriate governor will consider your complaint and write to advise you of the outcome within ten school working days. There will be no further internal right of appeal, for complaints against individual governors.

### **Complaint Procedure Timescales**

We will use our best endeavours to address complaints in a timely and efficient manner; however, there will be times when timescales may need to be adjusted. If, at any stage of the process, we believe we are unable to meet the timescales which have been provided to you, the Clerk will contact you to explain the reasons for any delay and to provide you with a new timescale for the conclusion of that part of the process.

### **External Appeal**

The decision of the Governors' Complaints Committee is normally final; however, if you are dissatisfied with their response, you may be able to take your complaint to an external body. For certain complaints about schools maintained by the Local Authority, complainants can write to the Secretary of State for Education. You must do this in writing, either by post to:

School Complaints Unit  
Department for Education  
2nd Floor, Piccadilly Gate  
Manchester  
M1 2WD

Or, by using the online School Complaints form. This can be accessed at:

<https://www.gov.uk/complain-about-school>

You should be aware that the School Complaints Unit (SCU) will usually only consider a complaint once the school's internal processes have been exhausted. The SCU will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out. The SCU will also examine whether the school's policies adhere

to education legislation. The SCU will not usually re-investigate the substance of the complaint.

**Please note that, unless your complaint is about the governors' response or lack of response, your complaint will generally have to be considered first by the governing body of the school.**

## **GOVERNORS COMPLAINTS COMMITTEE PROCEDURE**

### **General Principles**

If a person is not satisfied with the response from the Headteacher regarding a complaint or if a complaint is about the Headteacher, then he/she is entitled to take the complaint to the Governing Body's Complaints Committee. For schools adopting an additional stage of referring complaints against the Headteacher to the Chair of Governors, use the following wording: 'If a person is not satisfied with the response from the Headteacher, or from the Chair of Governors if the complaint is about the Headteacher, then he/she is entitled to take the complaint to the Governing Body's Complaints Committee.' All complaints to the Governing Body's Complaints Committee must be in writing and should include full details of the complaint, along with any supporting evidence. This should be sent to the Clerk to the Governors, care of the school. The Clerk will then ensure the complaints process is started as soon as practicable. If for some reason you do not feel able to put your complaint in writing, please contact the Clerk to arrange an alternative means of capturing your complaint.

A minimum of three governors should be selected from a bank of nominated governors to form the Complaints Committee to consider the complaint. The Chair of Governors will not usually sit on this committee. Those governors chosen should ideally have no knowledge whatsoever of the details surrounding the complaint or of the complainant themselves. The Complaints Committee can choose its own Chair.

It is appreciated that it may not always be possible to find governors with no knowledge at all. However, the Governing Body should use their best endeavours to find governors who are as impartial as can be. If this proves particularly difficult in any given case, the Clerk to Governors should contact the School Liaison Officer for further advice on how to proceed.

Once the Complaints Committee has been formed, members of the Complaints Committee must ensure they are familiar with the school's complaints procedure. They must then decide how they wish to consider the complaint.

Governors effectively have two options available. They can choose to deal with the complaint by means of an oral hearing or through written representations, but in making their decision they must be sensitive to any needs the complainant has. The LA advises that, wherever possible and appropriate, it should be through written representations.

### **Oral Hearings**

If the governors choose to have an oral hearing, the Clerk to Governors will invite the complainant to attend a meeting where they will be able to put their complaint personally to the Governors' Complaints Committee. The complainant should receive not less than ten days' notice of the meeting. The complainant should also be advised that they have the right to submit any further information or documentation relevant to the complaint and that this information should be received in sufficient time so it can be provided to the Committee at least five working days before the hearing. They should also be informed that any written materials will be provided to the Headteacher in advance of the hearing.

The Clerk to Governors should inform the Headteacher of the time and date of the meeting, invite him/her to attend and provide all the details of the complaint available at that time, so that the Headteacher can provide a written report in response to the complaint. This report should be provided at least five working days before the meeting so it can be shared with all parties.

The Headteacher should attend the oral hearing to respond to the complaint.

Teachers should not attend. If their evidence is needed, it should either be obtained via the Headteacher, or where this is not appropriate, by a governor either before or after the meeting with the complainant. Written evidence should generally be made available to all parties at least five school working days in advance of the hearing, subject to any data protection constraints. Governors should seek advice from the Legal Services Officer with responsibility for Data Protection matters if there are concerns as to what materials can be

shared. The governors will only make a decision about the complaint once they have heard the complainant's and the school's evidence.

The structure of such a meeting should be flexible. However, it is anticipated it will follow a similar process to admission appeals. The Chair of the Committee should outline the procedure. The complainant will then present his/her case. The Complaints Committee should have familiarised themselves with the written complaint before the meeting opens and will then have an opportunity to ask any questions, as will the Headteacher. The complaint should then be responded to by the Headteacher and both the complainant and the Committee will have the opportunity to ask questions. Each party can then be asked to summarise their position in brief. Both parties will then leave to allow the Committee members to make their decision in private. The complainant and the Headteacher should enter and leave the room at the same time; neither should be alone with the Committee. Both the complainant and Headteacher are entitled to bring a representative with them if they wish. Although it would not normally be necessary, either party may bring a legal representative if they wish. Either party intending to bring a representative would be expected to contact the Clerk to the Governors before the hearing to notify them.

The hearing should be clerked and the DfE advise that it is best practice to share copies of the minutes with all parties involved in the hearing; affording them a reasonable opportunity to agree and if necessary challenge their content.

### **Written Representations**

If the governors do not wish to hold an oral hearing - that decision being at the discretion of the Complaints Committee - the consideration will proceed by way of written representations.

Should the governors choose to adopt this procedure, the Clerk to the Governors will write to the complainant, outlining the procedure.

The complaint will be forwarded to the Headteacher who will then have 7 working days in which to respond.

That response will then, in turn, be sent to the complainant for comment, any responses to be provided within 7 working days. A copy of the Headteacher's final response should be

sent to the complainant. with the advice that it is only for their information and that any further response will not be considered except in exceptional circumstances. All the responses are then put before the Complaints Committee for consideration.

For the avoidance of doubt, all communication should be through the Clerk to the Governors, neither party should send their response to the other directly.

### **Adjudications**

Regardless of which method is adopted, the Complaints Committee should take a robust approach and not simply endorse the decision of the Headteacher without any consideration of the evidence.

The Complaints Committee must have all the necessary evidence they feel is necessary for them to make their decision. If they are not satisfied and require further evidence from either party, they should adjourn and request that information. The Complaints Committee should only make their decision if they are satisfied they have sufficient evidence with which to make a final decision. The decision of the Complaints Committee should be given to the complainant in writing within 5 working days of the decision. Providing the procedures as laid down in the complaints policy are followed then there is no right of appeal following this decision. The decision letter should outline the nature of the complaint, the factors taken into consideration and the decision of the Complaints Committee. In the case of written representations, the decision letter should be sufficiently thorough so as to obviate the need for minutes to include any other information.

Under the Data Protection Act, complainants can request to have sight of all documents relating to their complaint, subject to restrictions as detailed in 'Section A06 – Disclosure of Information to Parents and Others' of the *School Administration Handbook*.

**It is important that the complaint and associated papers are not attached to a child's file as they do not relate to the child.** However, schools are advised to keep a central register of

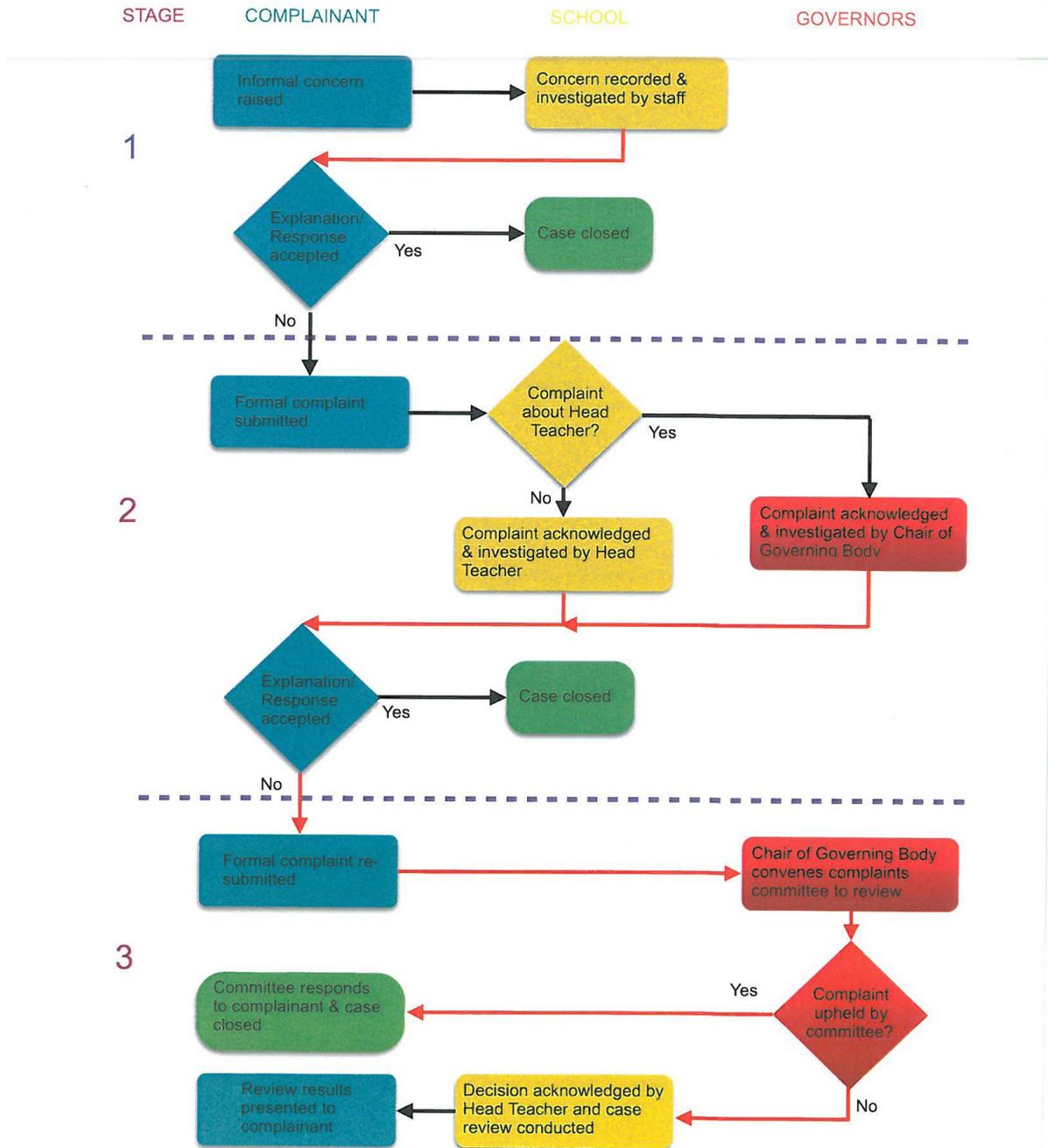
complaints received. The DfE advise that the monitoring and review of complaints can be a useful tool in evaluating a school's performance.

#### **FORMAL COMPLAINT TO GOVERNORS**

**This action should only be taken once the Headteacher has responded in writing to a formal complaint OR if the complaint is about the Headteacher / if the Chair of Governors has responded in writing to a complaint about the Headteacher.**

### Complaints Process

The procedure for handling complaints is indicated in the flowchart below:



## **Safeguarding Referrals**

Schools have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. Where members of staff have a concern about the welfare of a child, they have a duty to make a referral to the appropriate organisation, usually Local Authority Children's Social Care Services. It is not for the school to investigate or make a judgment about possible abuse or neglect but they must refer any concerns they may have. As such, complaints about safeguarding referrals made in accordance with a statutory duty will not be considered under this procedure.

## **Time Limits for Raising Complaints**

You should make the school aware of your complaint as soon as possible after the matter or incident has occurred that you wish to complain about. Usually, we would expect you to do this within three months of the incident occurring and if you do not contact the school within that time, we will not usually consider your complaint.

If your complaint relates to a continuing act, then occurrences outside of the three month time limit will usually be considered alongside the more recent occurrence.

If you feel there are exceptional circumstances that have prevented you from meeting the time limit, you can provide an explanation of these circumstances along with your complaint so that Governors can take them into account.

The final decision rests with Governors as to whether your complaint will be considered when it is raised outside of the three month time limit. In addition, where your child is no longer on roll at the school and your complaint is considered exceptionally, it will usually only be possible to have your complaint considered under the final stage of the school's procedure.

## **Unreasonable Complainant Behaviour**

Staff and Governors are keen to ensure that all genuine complaints are dealt with fairly and promptly and in accordance with our agreed procedures. We would again emphasise that most matters can be resolved by discussing issues with our staff at the informal stages of our procedure.

Regrettably, there are times when complainants raise issues with or about staff in ways which are unacceptable. This can cloud the concern at the heart of the complaint, which

may result in the delay or hindrance of a resolution. It can also have an adverse effect on pupils, staff and the effective running of the school.

Examples of behaviours that we consider to be unacceptable are as follows:

Refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance; making excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with. Introducing trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales. Making unjustified complaints about staff who are trying to deal with the issues and/or harassing individual staff members in a way which appears intended to cause personal distress rather than to find a resolution; Refusing to cooperate with the complaints procedure as set out in this policy; while still wishing their complaint to be resolved; Refusing to accept that certain issues are not within the scope of a complaints procedure; Changing the basis of the complaint as the consideration proceeds and/or making unjustified complaints about those trying to deal with the complaint; Pursuing unreasonable outcomes which are disproportionate to the nature of the matters in hand; Persisting in repetitious complaints when these have been previously determined under the school complaints procedure; Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved; A complainant's behaviour may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. In addition, the school expects that any person wishing to raise a concern or complaint will:

- Follow the school complaints procedure.
- Treat all members of the school community with courtesy and respect.
- Recognise the time constraints that staff operate under and allow them a reasonable amount of time in which to respond / address any issues.

Where a complainant raises a complaint in a manner which the school feels is unreasonable, actions may be taken to remedy this. The actions will be proportionate to the nature of the behaviour and may include:

- An informal approach to inform the person that the behaviour is unacceptable and needs to be modified.
- A formal written communication advising the person that the behaviour is unacceptable and appropriate action may be taken if the behaviour is not modified.
- A tailored communications strategy such as limiting the method and/or frequency of contact with staff / school personnel.
- A refusal to register and process further complaints about the same or similar subject matter where the matter has already been determined, or where complaints are vexatious, or where complaints are personally harassing, or deliberately targeted at one or more members of staff without good cause.
- Setting restrictions on the person's access to the school site.

In respect of the last point, it should be noted that parents/carers and members of the wider community do not have an automatic right to enter school grounds and may be barred from entering the school site with immediate effect following any incident where behaviour has been verbally and/or physically aggressive.

In the event of such behaviour, the school will write to the person concerned to advise that his/her licence to enter the school premises has been temporarily revoked, subject to a review of the decision. The letter will invite the individual to put forward his/her views as to the ban and also advise how he/she can appeal the decision. The decision will then be

reviewed and the ban either confirmed or lifted. If the decision is confirmed, the person will be notified in writing and advised how long the ban will be in place.

Any restrictions placed on a person as a result of this policy will be time limited, with a specified date as to when the restrictions will be reviewed and potentially lifted.

The period of review will usually be three months; however, for more serious breaches, this may extend to a period of six months.

**Again, we would emphasise that the Headteacher and Governing Body are committed to ensuring a full and fair consideration of all legitimate complaints and we recognise that the majority of parents/carers and members of the wider community will conduct themselves in accordance with this policy. However, we reserve the right to take any necessary actions under this policy in those rare cases where a person does not.**

(Note: No complaint should be summarily dismissed as vexatious, but should be carefully assessed first. Caution should be exercised before taking any of the actions outlined above and responses must be proportionate. Further advice and support is available from the LA)

## **B02 – APPENDIX 2**

### **COMPLAINTS NOT IN SCOPE OF THE PROCEDURE**

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the exceptions listed below, for which there are separate (statutory) procedures.

#### **Exceptions - Who to contact**

- Admissions to schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation

Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.

- Exclusion of children from school

Further information about raising concerns about exclusion can be found at:

[www.gov.uk/schooldiscipline-exclusions/exclusions](http://www.gov.uk/schooldiscipline-exclusions/exclusions).

- Whistleblowing

Schools have an internal whistleblowing procedure for their employees and voluntary staff.

Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or by writing to:

WBHL,

Ofsted Piccadilly Gate

Store Street

Manchester M1 2WD.

The Department for Education is also a prescribed body for whistleblowing in education.

## Staff grievances and disciplinary procedures

These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.

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 direct.

Source: DfE - *Best Practice Advice for School Complaints Procedures 2016:*

*Departmental advice for maintained schools, maintained nursery schools and local authorities - January 2016*

**B02 – APPENDIX 3**

**COMPLAINTS ABOUT MAINTAINED SCHOOLS – COMPLAINT FORM**

Please complete and return to the Headteacher or the Clerk to Governors depending on the stage of your complaint. You will receive an acknowledgement and an explanation of the process.

Your name:

Pupil's name:

Your relationship to the pupil:

Your address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you taken to try and resolve your complaint?  
(Who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details:

Signature:

Date

**Official use only**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date of referral:

## **B02 – APPENDIX 4**

### **THE ROLE OF THE DFE SCHOOL COMPLAINTS UNIT**

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools. The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, we may request that the complaint is looked at again.

If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Schools may wish to contact the SCU for advice on whether they have acted reasonably; for example: in closing down a complaint from a serial complainant before the local procedure has been completed. However, the SCU will not be able to advise on how to resolve the complaint.

Further information can be obtained from the SCU by calling the National Helpline on **0370 000 2288** or going online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus) or by writing to:

Department for Education School Complaints Unit

2nd Floor, Piccadilly Gate

Store Street

Manchester

M1 2WD

Source: *Best Practice Advice for School Complaints Procedures 2016: Departmental guidance for maintained schools, maintained nursery schools and local authorities* – DfE, January 2016

## **B02 – APPENDIX 5**

### **COMPLAINTS ABOUT MAINTAINED SCHOOLS – MODEL LETTERS**

Letter 1- Written Representations – Maintained Schools

(Sample letter of acknowledgement from Clerk to Governors to Complainant)

Dear

#### **Reference: Your complaint against Ancaster Church of England Primary School**

I write to acknowledge your letter dated (insert date) and to confirm that your letter is being considered under our school complaints procedure.

The Governors' Complaints Committee will now be convened to consider your complaint and, in line with the Local Authority's guidance, their adjudication will proceed by way of written representations.

Your letter has been forwarded to the Headteacher, who will have 7 working days in which to provide a response.

The Headteacher's response will then be sent to you for your further comments, any response to be provided within 7 working days.

Finally, your further comments/response will go to the Headteacher who has 7 working days in which to respond.

A copy of the Headteacher's final response will be sent to you for information only.

No further submissions or responses will be considered except in exceptional circumstances.

All the responses will then be put before the Complaints Committee for consideration.

For the avoidance of doubt, all communication should be through me, as the Clerk to Governors; neither party should send responses to the other directly.

I will forward the Headteacher's first response to you in due course.

Yours sincerely

(Clerk to Governors is the signatory)

Letter 2 - Written Representations – Maintained Schools

(Sample covering letter from Clerk to Governors to Complainant when forwarding Headteacher's 1st response)

Dear

**Reference: Your complaint against Ancaster Church of England Primary School**

I write further to my letter dated (insert date).

As detailed in my previous letter, please find enclosed a copy of the Headteacher's response for your information and further comment. Should you wish to submit any comments and/or provide further supporting evidence to support your complaint, you have 7 working days from receipt of this letter to provide these. Please address your envelope to the Clerk to Governors, care of the school address.

If a submission is received from you within 7 working days, then the Headteacher will have 7 working days in which to provide a further response. If no response is received from you, then the Committee will consider your complaint based on the information submitted.

I look forward to receiving your additional comments by (enter date of 7th working day from their receipt of your letter).

Yours sincerely

(Clerk to Governors is the signatory)

Letter 3 - Written Representations – Maintained Schools

(Sample covering letter from Clerk to Governors to Complainant when forwarding Headteacher's 2nd/final response)

Dear

**Reference: Your complaint against Ancaster Church of England Primary School**

I write to acknowledge receipt of your additional comments / supporting evidence, received on (insert date).

As detailed in my previous correspondence, I now enclose a copy of the Headteacher's final response to your additional comments. This is provided for information purposes only and no further contributions will be accepted except in the most exceptional of circumstances. All the papers concerning your complaint will now be put before the Committee for consideration. It is anticipated the meeting will take place on /during the week commencing (insert date).

The Committee will write to inform you of the outcome of your complaint within five working days of this meeting having taken place.

Yours sincerely

(Clerk to Governors is the signatory)

Letter 4 – Invitation to a Hearing – Maintained Schools

(Sample letter from the Clerk to Governors inviting the Complainant to a hearing)

Dear

**Reference: Your complaint against Ancaster Church of England Primary School**

I write to acknowledge your letter dated (insert date) and to confirm that your letter is being considered under our school complaints procedure. The Governors' Complaints Committee has been convened to consider your complaint and the Committee has decided that their adjudication will proceed by way of an oral hearing.

For this purpose, you are invited to attend the meeting of the Complaints' Committee at (time) on (date) at (place).

At this meeting you will be given the opportunity to present your case to the Complaints Committee. The Headteacher will also attend to present the school's case. You will present your complaint first and the Headteacher and the Committee may then ask you questions. The Headteacher will then present the school's case and both you and the Committee may then ask the Headteacher questions. You will then both be given an opportunity to present a brief summary of your respective positions and after this you will both leave the hearing. The Committee will write to you within five school working days to inform you of their decision.

You may bring a representative with you to the meeting if you wish. If you do intend to bring a representative, please notify me so that I can make necessary arrangements.

If you have any written evidence which you intend to use to support your complaint, please forward copies to me by (date) so that these can be shared with the Complaints Committee and the Headteacher in advance of the meeting.

Meanwhile, I am enclosing the Headteacher's supporting documents for your information.

Please note that if materials are presented for the first time at the hearing itself, the meeting may have to be adjourned to allow the other party time to consider it.

For the avoidance of doubt, all communication should be through me, as the Clerk to Governors; neither party should send responses to the other directly.

Please confirm your attendance by (date).

Yours sincerely

(Clerk to Governors is the signatory)

## Letter 5 – Written Representations Decision Letter – Maintained Schools

(Sample decision letter from Chair of the Governors' Complaints Committee to Complainant - to be used as a model only, **not** verbatim)

**Dear**

**Reference: Your Complaint against Ancaster Church of England Primary School**

I write further to your letter dated xx/xx/xx, which outlined in detail your complaint regarding the (Name of school).

I confirm that the Governors take any complaint extremely seriously and a complaints committee comprised of three governors was convened in order to fully consider this matter.

The Committee also wish to take this opportunity to thank both yourself and the school for providing detailed paperwork. The Committee thoroughly considered all the documentation submitted and spent some considerable time discussing your complaints before reaching a decision.

To assist with the adjudication and for the purpose of clarity for all concerned, the Committee thought it best to assess each complaint against headings broadly stipulated in your original written complaint. Where it is meaningful and helpful to do so, the complaints have been grouped under a common heading.

1. (Use appropriate heading to summarise the relevant element of the complaint)

Briefly outline this element of the complaint

Summarise your findings in relation to this element of the complaint

Clearly state whether this element is upheld, dismissed or upheld in part.

Identify any recommendations for the Governing Body

Please see the following sample:

### **1. Failure to address bullying**

The Committee considered your complaint that the school had failed to take any action when you reported that XXX was being bullied by an older child within the school.

The Committee carefully reviewed all of the documentation relating to this issue and found that the school had taken numerous actions, both to deal with the behaviour of the perpetrator and to safeguard your child. We note that the Headteacher met with you and

provided detailed information as to the safeguarding measures, but refused to discuss the sanctions applied to the perpetrator. The Committee recognise that this has caused you considerable frustration. Whilst the Committee would concur with the Headteacher's view that it is not appropriate to share confidential details relating to a child for whom you have no parental responsibility, we feel that a timely assurance that sanctions had been applied in line with our behaviour policy may have provided you with the necessary confidence that matters were being dealt with appropriately.

The Committee cannot uphold your complaint that the school failed to address the bullying of your child. However, we do recommend a review of the school's practice in keeping parents informed of actions taken in response to reports of bullying.

(All final decision letters must include details of a complainant's right to refer a complaint to the Department for Education)

### **Right of Appeal**

The Committee has reached its decision after a careful and thorough consideration of all the documents associated with your complaint and this decision letter now concludes the school's internal complaints procedure. However, should you remain dissatisfied, you may refer your complaint to the School Complaints Team within the Department for Education.

Referrals must be made in writing, either by post to:

School Complaints Unit

Department for Education

2nd Floor, Piccadilly Gate

Manchester, M1 2WD

Or, by using the online School Complaints form. This can be accessed at:

<https://www.gov.uk/complain-about-school>

You should be aware that the School Complaints Unit (SCU) will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out. The SCU will also examine whether the school's policies adhere to education legislation. The SCU will not usually re-investigate the substance of the complaint.

(Your letter should end on a positive note.)

It remains to thank you for bringing your concerns to our attention. It is important to the effective running of any school to have a process whereby parents can raise concerns in a

constructive manner. Indeed, it is through such processes that potential improvements are often identified and delivered, contributing significantly to school improvements and safety for the benefit of all.

Yours sincerely

(Signatory is usually the Chair of the Complaints Committee)