



Parental Complaints Policy

Agreed by Governors on; 05.12.16

Signed by Chair of Governors: Sally Birkbeck

A handwritten signature in blue ink that reads "Sally Birkbeck".

Statutory policy Yes

Frequency of review period; 3 yrs

This policy is based on guidance from the DFE and the Local Authority 2016

Document History

Date	Description
10.04.10	Approved by Governors
28.11.11	Reviewed by Governors
09/12/13	Approved by Governors
01/12/16	Review due
05.12.16	Agreed by governors

Safe Happy Learning

Education Co Location Co operation

Introduction:

The majority of issues raised by parents, the community, other stakeholders or pupils are concerns rather than complaints. Delius Special School is committed to taking concerns seriously and improving the school in response to feedback. We aim to resolve concerns informally. If we are unable to do this you may wish or be asked to follow the school's formal Complaints Procedure. For the school to be able to investigate a complaint, it needs to be made **within three months** of the incident occurring. If a complaint is older than one term it will not normally be investigated.

Delius Special School will attempt to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

Aims

In operating this complaints Policy we aim to:

- encourage resolution of problems by informal means wherever possible
- handle the complaint swiftly with established time limits for action, keeping people informed of progress
- ensure a full and a fair consideration of the complaint
- have due regard for the rights and responsibilities of all parties involved
- respect confidentiality
- address all points at issue and provide an effective response
- provide information to the senior Leadership and Governing body so that policy and practice can be improved

The School Complaints Policy has three main stages.

In summary they are as follows: -

- Stage 1 – A concern is raised informally with a staff member.
- Stage 2 – A Complaint is heard by head teacher.
- Stage 3 – A Complaint is heard by Governing Body's Complaints Appeal Panel.

All meetings from Stage 2 will be recorded.

Stage 1 – Raising a concern with a member of staff

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with the class teacher if the concern is about their child. If the concern is about other issues the school requests in the first instance the parent/stakeholders contacts the school office, who will pass the concern onto the relevant person. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at Stage 1, please write or complete a complaints form and send it to the "Complaints Co-ordinator" within 10 school working days and state what you would like the school to do. The school will then consider your concern as a complaint and move to Stage 2.

Stage 2 – Complaint heard by the Headteacher

If the matter has not been resolved at Stage 1, the Headteacher will arrange further investigation. Please write to the Headteacher of the school telling them why you are still not satisfied and what you would like the school to do.

- The complaint will be logged in the complaints book, including the date it was received.
- The school will acknowledge receipt of the complaint within two working days of receiving it.
- Either you will receive a written response reporting on the actions being taken or a meeting will be convened to discuss the matter further. If possible this meeting will take place within

10 school working days of the receipt of the complaint. The aim will be to resolve the matter as speedily as possible.

Following the investigation, the Headteacher will normally give a written response within 10 school working days.

If you are dissatisfied with the result at Stage 2, you should write to the Chair of Governors at the school address within 10 school working days of getting the response marking the envelope 'Private & Confidential'. This will then be referred directly to the Chair of Governors.

N.B. Complaints against the Headteacher

In cases where the matter concerns the conduct of the Headteacher, a written complaint should be sent 'For the Attention of the Chair of Governors' to the school and marked "Private & Confidential". The Chair will refer the matter directly to a Governing Body Complaints Panel to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. The above procedure will then be followed.

Stage 3 – Complaint heard by the Governing Body's Complaints Appeal Panel

If the matter has still not been resolved at Stage 2, then the Headteacher will pass the matter for consideration to a Governing Body Complaints Panel. The clerk or a nominated governor will convene a panel of usually 3 governors. If at all possible, the hearing will take place within 10 school working days of the receipt of the written request for a Stage 3 investigation. Where this proves impossible for operational reasons, eg governor availability, this will be indicated in a written response within 10 days with the available date given.

The aim of the Appeal Panel Hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the panel's decision in writing within 5 school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

The Governors Appeal Panel Hearing is the last school-based stage of the complaints process.

If you are not satisfied with the outcome of Stage 3, the final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to:

The School Complaints Unit (SCU)
Department for Education
2nd Floor
Piccadilly Gate
Manchester
M1 2WD

What will the Department for Education do?

If a complaint has exhausted the local procedures, School Complaints Unit (SCU) will examine if the school's complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.

If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

Complaints Procedure

This procedure is based on guidance from the DfE and Local Authority.

Procedures

Stage 1 – Raise the concern with a member of staff

Stakeholders must raise their concerns in the first instance with a member of school staff ie class teacher, SENCO, Phase Leader. If the matter is not resolved satisfactorily then stakeholders should write to the school, addressing the envelope “For the attention of the Complaints Co-ordinator, Private and Confidential”, within 10 school working days stating what you would like the school to do. The school will then consider the concern as a complaint and move to stage 2.

Stage 2 - complaint heard by the Headteacher

If the matter is not resolved by Stage 1, the Headteacher will arrange further investigation. Please complete a Delius Special School Complaints Form, available from the school website or ask at the school office.

Following the investigation, the Headteacher will normally give a written response within 10 working days. If stakeholders are dissatisfied with the result of stage 2, they should write to the Chair of Governors within 10 school days of getting the result.

N.B. Complaints against the Headteacher

In cases where the matter concerns the conduct of the Headteacher, a written complaint should be sent 'For the Attention of the Chair of Governors' to the school and marked “Private & Confidential”. The Chair will refer the matter directly to a Governing Body Complaints Panel to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. The above procedure will then be followed.

Stage 3 – complaint heard by the Governing Body’s Complaints Appeal Panel

If the matter is not resolved at Stage 2, then the matter will be considered by the Governing Body Panel, the panel will consist of 3 governors. A hearing will take place within 10 school days of the receipt of a written request from the parent/carers, where this proves impossible for operational reasons, eg governor availability, this will be indicated in a written response within 10 days with the available date given.

All parties will receive a letter within 10 school days stating the panel’s decision and advising what to do next if stakeholders want to take the matter further.

If stakeholders are not satisfied by the outcome of Stage 3 they can appeal in writing to the Secretary of State for Education at:

The School Complaints Unit (SCU)
Department of Education
2nd Floor
Piccadilly Gate
Manchester
M1 2WD

Complaints Process Summary

- **Informal stage - dealing with concerns:**

If a concern is raised by a parent / carer re a pupil:

Initial concerns are heard by a class teacher, head of year or another appropriate member of staff on an informal basis, either in person, by telephone or in writing.

Concerns/ complaints about teachers are referred to the Headteacher/Principal or Senior Leader

If a concern is raised by any other (not staff):

Concerns/ complaints are referred to a nominated person or the Headteacher/Principal /Senior Leader

- **Formal stage 1:**

Where a formal complaint is considered by the headteacher (or representative), or - **if the complaint is about the head teacher** – by the chair of governors or nominated governor.

- **Formal stage 2:**

If stage one has been worked through and the complainant is unhappy with **the way in which their complaint has been handled**, the case can be referred to the Governing Board / Academy Council.

Board Members may agree in their policy to allow the Chair to address Formal Stage 2 complaints in the first instance if the Chair believes that they are able to bring the issue to a satisfactory conclusion and will not lead to further escalation.

If not, the complaint can be referred straight to the Complaints Panel - a panel of usually three governors. The Panel will carry out a **review** of the investigation thus far and consider the way the complaint has been investigated and handled by the school [and the Chair]. This stage **does not** involve a rehearing of the complaint.

It may be useful to have the Vice-chair or other experienced member to chair the panel and leave the chair free to support the Head. This is particularly useful when the complaint is vociferous and the Head could require support.

- **Next Level of Appeal:**

Having exhausted the previous stages, complaints can finally be taken to the Secretary of State for Education for Maintained Schools or the EFA for Academies but only on the grounds that the Governing Board / Trust is acting or proposing to act unreasonably or illegally.



Delius Special School Complaints Form

Please complete and return to Ann Marie Cullen(Business Manager) who will acknowledge receipt and explain what action will be taken.

Your name:	Pupil Name if relevant
Your relationship to the pupil (if relevant):	
Address:	Evening telephone number: Day time telephone number:
Please give details of your complaint:	
What action, if any, have you already 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
Date acknowledgement sent:**

By whom:

Complaint referred to:

Date: