

Marshland High School



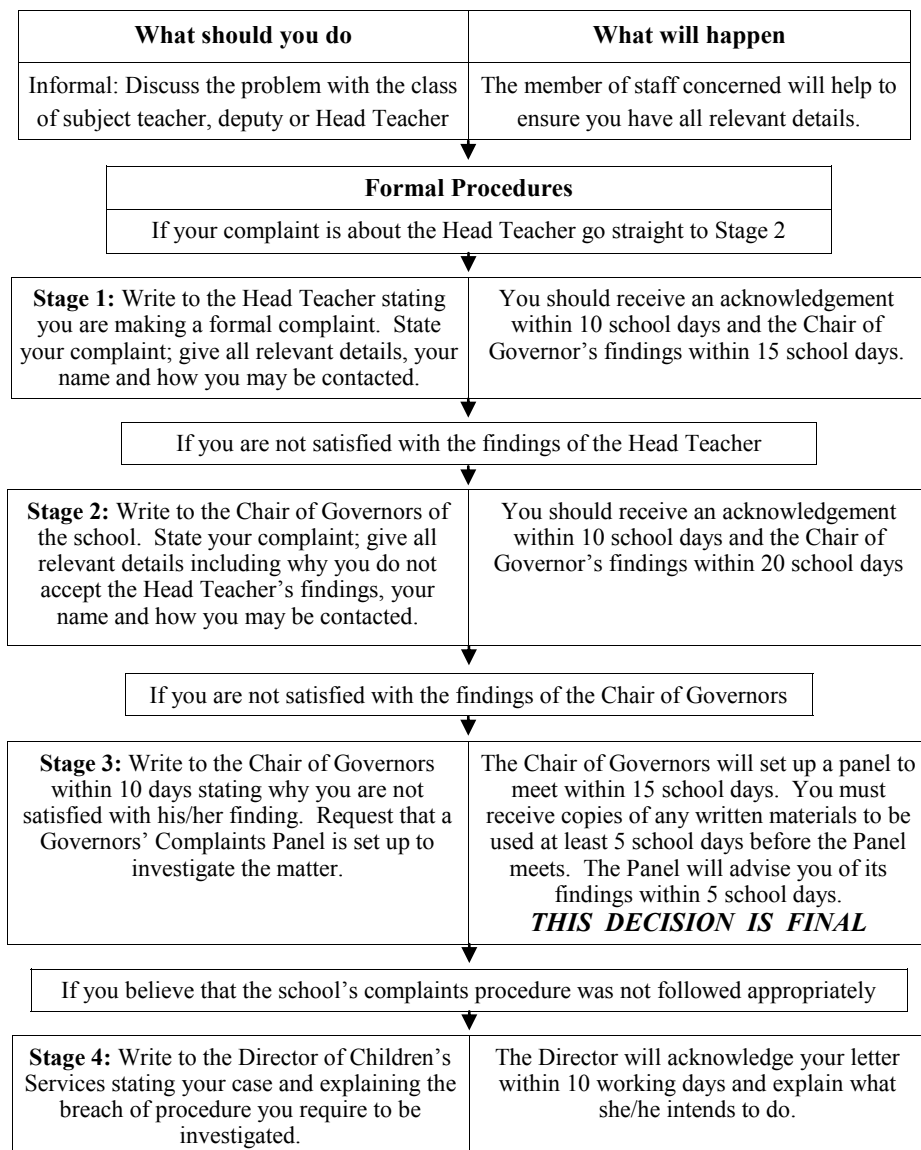
Complaints Procedure

You have a complaint about our school?
This is what you should do
This document details our school's Complaints Procedure

Approved - November 2016

A summary of the stages in this school's complaints procedure

The diagram below provides a summary of the procedures detailed in this booklet. Because this is only a summary you are advised to ensure you have read the relevant section of the guidance in detail before starting out on any of the stages. Please remember that it is normal and expected that each stage will be followed in sequence. It is also expected that there will be good reason to move on to the next stage in the procedures.



* These timescales are advisory only in recognition of the voluntary nature of the work of Governors.

You may withdraw your complaint at any time. If possible, you should write to the person who was last dealing with the matter. You will then be sent a written acknowledgement of the withdrawal of the complaint.

Useful addresses:

For complaints about a school, the first contact point is the Headteacher of the school.

For complaints about an LA service, the contact points are:

Write to: Director of Children's Services

County Hall
Martineau Lane
Norwich NR1 2DL

☎ (01603) 222146. Please explain the nature of your complaint to the person answering your call.

Fax (01603) 222119

E-mail enquiries.edu@norfolk.gov.uk

For complaints about maladministration:

Complaints Department
Department for Education
Piccadilly Gate
Saw Street
Manchester
M1 2WD

There is an online form at www.gov.uk/df

The Ombudsman will not investigate specific complaints about service quality. S/he will only investigate issues of maladministration, that is unfairness caused by inappropriate procedures, the non-adherence to procedures or conflicts in procedures.

If you have a complaint about an LA service it is likely that someone in school will be able to give you background information and they may be able to resolve the matter there and then. If this is not possible call in person, write, e-mail, fax or telephone the Education Department at County Hall (*see the address list at the end of this booklet*).

Every effort will be made to deal with your complaint immediately but if this is not possible you will be able to speak to someone who will investigate your complaint, let you know when you will get a response (normally within 10 working days) and what you can do if you are not happy with the outcome. Please keep a record of the name of the person you have spoken to.

My complaint is about an officer of the LA. What should I do?

Write to the Director of Children's Services (address at the end of this booklet). He/she will get back to you within 10 working days.

A leaflet detailing the LA's complaints procedure is available from the County Council's Education Department, contact details are at the end of this booklet.

NOTE: The LA cannot, and will not, investigate complaints about the internal organisation and running of a school. This is a matter for the school's Governing Body. Please see the section above entitled "I have a complaint about the school".

General Issues

Anonymous complaints: Anonymous complaints cannot be dealt with by the formal procedure detailed in this booklet.

Confidentiality: All complaints are dealt with in confidence, with information only being given to those people who need to know.

Lobbying: No one should lobby or put pressure on a person responsible for investigating a complaint. The investigating officer and/or panel may count this against you.

Special circumstances: At times it may be necessary to change the way a complaint is dealt with. This could be because of the nature of the original complaint or because additional information comes to light. Other ways of dealing with a complaint include:

- staff disciplinary action
- criminal investigation
- child protection investigation

If this is the case, when it is

- a complaint to schools: the Governors must let you know in writing with the minimum of delay.
- a complaint to the LA: the person dealing with it must let you know in writing with the minimum of delay.

In both cases you should be told what the procedure will be and what the outcomes might be.

Withdrawal of Complaints

I have a complaint about the school

Who can complain?

Anyone with parental responsibility for a student at the school can complain if they are not satisfied with the service they receive.

From time to time other people may have a complaint about the school. In this case, it is best to contact the Head Teacher first, as s/he will almost always be able to deal with the problem. However, everyone is entitled to have his or her complaint heard as detailed below.

I have a complaint, what should I do first?

Before making a complaint, check the details of the cause of your concern with either your child's class or subject teacher. This can often resolve the problem.

You may wish to take your concern straight to the Head Teacher (the Head of House or Deputy Head teacher). S/he may ask if you have talked to the relevant teacher, and may want you to arrange a meeting to do that. The main priority is to resolve the matter quickly and calmly. It is likely that a problem will become more difficult to solve as more people become involved. Try to involve just the people who you feel may help to solve the problem.

If you are uncertain how to present your concern you can ask one of the school's parent Governors or school Senior Manager for advice. They can only offer general advice and Governors can't become directly involved in the process at this stage in case they have to play a formal role later. Parent Governor details are available from school.

Some issues about admissions, exclusions, religious education and special educational needs are the responsibility of the Local Authority (LA) and not the school. The school will advise you and support you if these issues should arise.

I still can't resolve my concern. What should I do next?

The issue will now become a formal complaint.

At this level it is important that everyone involved is clear about the procedures and the nature of the complaint, so you should make important points in writing.

There are four possible stages to the formal complaints process, with a view to solving problems at the earliest possible stage.

With the exception of a complaint against a Head Teacher (when you should start at Stage 2), you should complete one stage before moving to the next.

Important note: These procedures are provided as a framework in which all schools can operate. Some schools may have their own complaints procedure, based on this framework.

The Formal Complaints Procedure for schools

Stage 1

Write to the Headteacher saying that you are making a formal complaint. Say what your complaint is, with all relevant details, your name and how you can be contacted. If your complaint is about the Headteacher go straight to Stage 2.

If you involve a Governor to help you, that Governor must tell the other Governors and may not take part in any more of the formal procedures.

The Headteacher should acknowledge your letter within 5 school days . S/he will look into your complaint and decide the best way of solving the problem. Hopefully you will be able to accept the Headteacher's guidance.

If this does not resolve your complaint, or if the Headteacher has not offered a way forward within 15 school days of your writing to the school, you should go to Stage 2 of this procedure.

Stage 2

If Stage 1 of the complaints procedure did not solve the problem or if the Headteacher did not respond, or if your complaint is about the Headteacher, you should do the following:

Write to the school's Chair of Governors. The school will advise you how to contact him/her. Include in your letter all relevant details about your complaint, why (if relevant) you are dissatisfied with the Headteacher's findings, your name and how you may be contacted. If it is more convenient, you can include copies of any previous letters about the problem.

It is likely that the Chair of Governors, will be using the school address as his/her point of contact, so make sure you seal your envelope and mark it "Urgent and Confidential".

Your letter must be acknowledged within 10 school days .

The Chair of Governors will speak with everyone involved and will give you a written reply to your complaint within 20 school days . S/he should be aiming for a solution that everyone is happy with.

In the unlikely circumstance that Stage 2 does not provide a result that you can agree to, you should consider the next Stage.

Stage 3

If Stage 2 did not give a satisfactory result a Governors' Complaints Panel can investigate your complaint. The decision of this Panel is binding on all parties.

To start Stage 3 you must write to the Chair of Governors within 10 days of receiving the letter telling you about the result of Stage 2. Your letter must explain why you do not agree with the Chair of Governors findings and ask that a Governors Complaints Panel is set up to consider your case.

The Panel will be made up of three members of the Governing Body who should have no detailed knowledge of the matter. This means that the Panel cannot include the Chair of Governors, any other Governor who may have advised you, or staff Governors who may be involved in the complaint.

The Chair of Governors will arrange for the Panel to meet no later than 15 school days after this request. During this 15-day period the following should happen:

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- A letter sent close to the start of a school holiday may not be dealt with until school re-opens.
 - A letter sent close to the start of a school holiday may not be dealt with by the Chair of Governors until school re-opens. Please remember that Governors are volunteers and have personal commitments. The timescales stated for the action of Governors, including the Chair of Governors are advisory only. The personal circumstances of Governors must be taken into account.

- The school will give you and the panel copies of all papers about the complaint. You can provide extra written material if you wish by sending a copy to the Chair of the Complaints Panel, c/o the school, with a copy to the Headteacher. All papers for the Panel must be with you, the Panel and the Headteacher at least 5 school days before the Complaints Panel meets.

- The Panel will question everyone involved until they are satisfied that they have all the information they need. You and/or the Headteacher may choose to be there, and you can take along a relative, friend or another adult if you wish. If you do this you must explain who the person is to the Panel.

- Normally, children cannot attend. If the Panel thinks a child has to be interviewed, they need to get the permission of the parents and must be sensitive to the needs of the child by letting a known and trusted adult go along with the child.

- Only Panel members are allowed to question people.

- The Panel must be fair and can take any action they wish to ensure fairness.

- Advisers or officers called to the Panel to answer factual questions are not allowed to take part in the decision and the Panel must tell you who they are and why they are there.

- Sometimes the Panel may realise that they need further information that is not available straight away. They can then agree to halt the meeting and meet again at another time. This time must be convenient to you, the Panel and any other people involved. Everybody must try to deal with the complaint as quickly as possible.

- The Panel will reach its decision privately and will either support the earlier decision of the Chair of Governors (Stage 2) or decide something different.

- You must be told what the decision is within 5 school days.

The decision of the Panel is final, unless there is evidence of inappropriate procedure. If this happens, you may consider Stage 4.

Stage 4

All schools must investigate complaints fairly. If you have evidence that your complaint was not handled fairly according to the school's complaints procedure, you can write to the Director of Children's Services (the address is at the end of this booklet). In your letter you must explain your complaint, confirming that each stage of the school's complaints procedure has been completed and giving evidence that shows the school did not follow the procedure. The Director will acknowledge your letter within 10 working days and will tell you of what s/he will do.

The Director can only investigate inappropriate procedure. S/he cannot consider the complaint itself.

If there was a breach of procedure a new Complaints Panel will have to meet and re-investigate the complaint as in Stage 3.

As Stage 4 is under the control of the Local Authority it is covered by the local Ombudsman (see overleaf).

I have a complaint about the Local Education Authority (LA)

Who can complain?

Anyone who is entitled to a service provided by the LA.

My complaint is about a service provided by the LA. What should I do?