



# How Wood Primary School and Nursery

## Complaints Policy

Reviewed: JANUARY 2020  
To be reviewed annually by Resource Committee  
Next Review: JANUARY 2021



How we will deal with your concerns

How Wood Primary School and Nursery, Spooners Drive, Park Street, St Albans,  
Hertfordshire AL2 2HU

email: [admin@howwood.herts.sch.uk](mailto:admin@howwood.herts.sch.uk)

[www.howwood.herts.sch.uk](http://www.howwood.herts.sch.uk)

Telephone: 01727 768885 Fax: 01727 768884

## **HOW TO COMMENT OR COMPLAIN**

### **We care about what you think**

Each day this school makes many decisions and tries hard to do the best for all the children. Your comments - either positive or negative - are helpful for future planning.

You may want to talk to us about a particular aspect of this school, though not actually make a complaint - you just want to get something 'off your chest'.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel free to contact us using the details listed above.

### **Our aims**

- Your complaint will be dealt with honestly, politely and in confidence.
- Your complaint will be looked into thoroughly and fairly.
- If your complaint is urgent we will deal with it more quickly.
- We will keep you up to date with progress at each stage.
- You will get an apology if we have made a mistake.
- You will be told what we are going to do to put things right.
- You will get a full and clear written reply to formal complaints within **28 school days (5½ weeks)**.

## How to make a complaint

### In the first instance – informal stage

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing (by letter or email). We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation.

#### Initial concern

If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the **class teacher** or another appropriate member of staff, such as the Special Educational Needs Co-ordinator (SENCo) if it is about Special Needs.

We know that it can feel uncomfortable to question or challenge something, but if you don't tell us what is worrying you we cannot explain what we are doing or try to put it right. If the member of staff you speak to in the first instance is unable to attempt to resolve the matter, you should make an appointment with the Head teacher. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

#### First - formal stage

**Request a meeting with the Head teacher** who will investigate your complaint and aim to inform you of the outcome **within 10 school days (2 weeks)**.

If your first contact is with individual Governors, they will advise you to take up your concerns with the appropriate member of staff or Head teacher. 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 Head teacher, you should **write to the Chair of Governors**.

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 our Special Educational Needs Co-ordinator (SENCo) or your child's named Special Needs Officer at the Local Authority. The SEND Information Advice and Support Service (SENDIASS – formerly Parent Partnership) may also be able to help you.

#### Second - formal stage

If you remain dissatisfied following Stage 1 and wish to take your complaint further, you will be asked to complete a form and 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 will involve a Panel of Governors. The panel will consist of 3 members of the Governing Body who have not been involved in discussions to help settle the disagreement at Stage 1. Members of staff who are on the Governing Body cannot sit on the panel. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns.

You should make sure that 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, we 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. Our Governing Body will aim to deal with your complaint **within 28 school days (5½ weeks)**.

### **Further recourse**

Most complaints are resolved by this process. Should your complaint not be resolved, your further options are as follows:

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

Telephone: 0370 000 2288

In the case of complaints about **Special Educational Needs provision**, you may complain further to the Local Authority. This should be done by writing to the Children's Services Complaints Manager.

It should be noted however that if you wish to pursue this route, you must do so within **20 working days (4 weeks)** of receiving the written outcome of the hearing into your complaint. After **20 working days (4 weeks)**, neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

### **Vexatious Complaints and unreasonable behaviour**

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

- Treat all members of the school community with respect and courtesy
- Respect all the needs of pupils and staff within the school
- Avoid violence, or threats of violence, towards people or property
- Follow the school's complaints procedure

Unreasonable behaviour may include:

#### **Actions which are:**

- Out of proportion to the nature of the complaint
- Persistent even when the complaints procedure has been exhausted
- Personally harassing

#### **An insistence on:**

- Pursuing unjustified complaints
- Unrealistic outcomes to justified complaints
- Making complaints in public or via social networking sites such as Facebook
- Refusing to attend appointments to discuss the complaint

In cases of unreasonable persistent complaints or harassment, the school may take some 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
- Require all future meetings with a member of staff to be conducted with a second/member of staff present. In the interests of all parties, notes of these meetings may be taken.
- Inform the complainant/parent that, except in emergencies, the school will respond only to written communication and that they may be required to go through the Local Authority.

## **Procedures for Dealing with Complaints from Pupils**

If pupils have a complaint, problem or worry related to any aspect of school, they should be encouraged to take any of the following steps:

1. Talk to their parent/guardian who can then approach the school on their behalf as outlined above.
2. Talk to their class teacher who will be able to deal with the issue at first hand. The class teacher should inform the Head teacher and other staff, if appropriate, as a matter of courtesy, providing confidentiality is not broken. In the case of a safeguarding issue confidentiality may be broken. The school will follow guidelines set out in its Safeguarding/Child Protection policies.
3. Talk to the Head teacher who can then liaise with all parties involved to solve the problem quickly.
4. Talk to the Pastoral Support Worker (Nikki Oliver) who can then approach the Head teacher or class teacher on their behalf.
4. Talk to a member of staff who they feel able to approach and this member of staff can then approach the Head teacher or class teacher on their behalf.
5. Talk to a friend who can then approach the Head teacher or member of staff on their behalf.

## **Procedure for Dealing with Complaints from Staff**

If members of staff, teaching or non-teaching, have a complaint, problem or worry related to an aspect of school, they should be encouraged to take the following steps:

1. Arrange a meeting with the Head teacher to discuss the issue, as soon as possible, so that it can be dealt with fairly and quickly in an appropriate manner.
2. If the issue is felt by the Head teacher to be of significance to the Governing Body, then the Head teacher will notify the Chair of Governors in the first instance and appropriate action will then be taken. The member of staff must consent to the issue being taken to the Governing Body.
3. If it is an issue relating to the Governing Body, or an individual governor, then the Head teacher will inform the Chair and/or the Vice Chair of Governors, who will take the appropriate action to resolve the problem.
4. If it is an issue relating to the Head teacher, then the member of staff should first speak informally to the Deputy Head teacher, if appropriate. If the issue remains unresolved, the member of staff should then contact the Chair of Governors.

## **Procedures for Dealing with Complaints from the Wider Community**

If members of the wider community have a complaint, problem or worry related to an aspect of school, they should be encouraged by whomever they approach to contact the Head teacher to discuss the matter. The Head teacher will seek to resolve this matter, after consultation with all relevant parties as appropriate. If the matter is not resolved after this first stage, a further meeting should be arranged with the Head teacher and, if necessary, the Chair of Governors, to discuss the issue further.

## **Procedures for Dealing with Complaints from Governors**

If members of the Governing Body have a complaint, problem or worry related to an aspect of the school, they should be encouraged to take the following steps:

1. Take the opportunity at the Full Governing Body meetings, or Committee meetings, to voice their concerns so that issues can be dealt with openly and quickly.
2. If the issue is of a more sensitive nature, then they should approach the Chair and/or Vice Chair of Governors, who will take any necessary action to resolve the problem.

## **Complaints regarding compliance with Data Protection and Freedom of Information legislation.**

All schools are responsible for their own compliance with the Data Protection and Freedom of Information Acts, regardless of their status. Should the school receive a complaint concerning Data Protection or Freedom of Information compliance, the complaints process outlined in this document should be followed. The school will follow guidance from the Local Authority on such matters.

**The above procedures, do not replace any correct and agreed procedures set out in other school policies e.g. Staff Disciplinary and Grievance Policies, Whistleblowing Policy.**

## Complaints not within the scope of the procedure:

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special educational Needs (SEN)</li> <li>• School re-organisation proposals</li> <li>• Matters likely to require A Child Protection Investigation</li> </ul>	<p>Concerns should be raised directly with local authorities (LA)</p> <p>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</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school</li> </ul>	<p>Further information about raising concerns about exclusion can be found at:</p> <p><a href="http://www.gov.uk/schooldiscipline-exclusions/exclusions">www.gov.uk/schooldiscipline-exclusions/exclusions</a></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on: 0330 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD</p>
<ul style="list-style-type: none"> <li>• Staff grievances and disciplinary procedures</li> </ul>	<p>These matters will invoke the school's internal grievance procedure. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities.</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted directly.</p>

## Guide to the Complaints Procedure

<p><b>Initial concern</b></p>	<p>Speak to the Class teacher</p>
<p><b>Stage 1</b></p>	<p>If not resolved at this stage, consider contacting the Head teacher to arrange a meeting to discuss the concern. The SENCO should attend if the matter concerns SEN.</p> <p>If the matter concerns the Head teacher, request an informal meeting with the Chair of Governors.</p>
<p><b>Stage 2</b> <b>FORMAL</b></p>	<p>If unresolved, consider whether to move to a formal complaint. A formal complaint must be put in writing to the Chair of Governors.</p> <p>The form, attached to this policy, must be completed by the complainant.</p> <p>A Panel will be convened to hear the complaint.</p> <p>The findings will be communicated to the complainant in writing.</p> <p>This is the end of the matter as far as the school is concerned.</p>
<p><b>Stage 3</b></p>	<p>For further recourse, a parent/complainant can contact:</p> <p>The Secretary of State for Education Sanctuary Buildings Bridge Street London SW1P 3BT</p> <p>Or if SEN: The Complaints Team, County Hall, Hertford, Herts, SG13 8DF</p> <p>*This must be done within 20 school days of receipt of the findings from the Complainants Panel.</p>

## **How Wood School Complaint form**

**Please complete and return to the Chair of the Governing Body, who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Pupils name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**Email address:**

**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 who:**

**Complaint referred to:**

**Date:**

## Useful contacts

### **Advisory Centre for Education**

Education Advice & Training  
72 Durnsford Road  
London

Web: [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Phone: **0300 0115 142**

### **POhWER**

Hertlands House  
Primett Road  
SG1 3EE

Web: [www.pohwer.net](http://www.pohwer.net)

Phone: **0300 456 2370**

### **Children's Legal Centre**

Riverside Office Centre  
Century House North  
North Station Road  
Colchester

Essex

CO1 1RE

Web: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Phone: **0345 345 4345**

### **National Youth Advocacy Service (NYAS)**

Egerton House  
Tower Road  
Birkenhead

Wirral

CH41 1FN

Web: [www.nyas.net](http://www.nyas.net)

Phone: **0345 345 4345**

### **SENDIASS** (Special Educational Needs & Disability Information Advice Support Service – formerly Parent Partnership)

Registry Office Block

CHR102

County Hall

Hertford

SG13 8DF

Web: [www.hertsdirect.org/parentpartnership](http://www.hertsdirect.org/parentpartnership)

Email: [parent.partnership@hertfordshire.gov.uk](mailto:parent.partnership@hertfordshire.gov.uk)

Phone: **01992 555847**

### **Family Lives**

#### **(Formerly Parentline Plus)**

15-17 The Broadway

Hatfield

Hertfordshire

AL9 5HZ

Web: [www.familylives.org.uk](http://www.familylives.org.uk)

Phone: **0808 800 2222**