



## General Complaints Procedures

### **Responsibilities**

Under Section 29 of the Education Act 2002, governing bodies of all schools in England, including academies are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the complaint procedure to be publicised. In addition, the governing body must hear formal complaints from parents and others about the school's curriculum.

If the parents are not satisfied with the response to a written complaint, there is provision for the establishment of a hearing before a panel appointed by the trust of at least three people who have not been directly involved in the matters detailed in the complaint. There is provision that one person on the panel is independent of the management and running of the school.

Parents may be present and accompanied by one person should they wish.

A copy of the findings and recommendations are provided to the complainant and, where relevant, the person complained about and available for inspection on the school premises by the trust and the head of school.

Written records will be kept of all complaints, indicating whether they were resolved at the preliminary stage or whether they proceeded to a panel hearing.

The procedure provides that correspondence, statements and records of complaints are to be kept confidential.

(Please note that this does not apply to the requirement of the school to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, nor to inspectors conducting inspection under section 162A of the Education Act 2002, or to the Secretary of State, should they ask for access to such records.)

Please note that Robinswood Primary School and Waterwells Primary are Academy Schools and the board of directors is the employer of staff, as such it is a state funded independent school and Gloucs LA has no control over this school.

Governors and school managers should note the following recommendations:

- procedures relating to general complaints do not replace the LA's procedures relating to curriculum and collective worship complaints
- certain forms of complaint, e.g. staff grievance or disciplinary procedures, also fall outside the scope of these general complaints procedures
- third parties that use school premises for any purpose should be encouraged to adopt their own complaints procedures

## **General Parental Complaints**

The day to day running of the school is the responsibility of the Head of School and the Academy Board. Initially, parents should put their concerns in writing to the Head of School and then, concerns should be raised with the Academy Board. Should they remain dissatisfied with the response, the complaint may be raised with the Department for Education, setting out their concerns in full and enclosing all previous correspondence. The address is: DfE, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

### **Roles and Actions**

DfE guidance on developing and applying complaints policies and procedures strongly encourages schools and governing bodies to differentiate between concerns and complaints and in both cases to keep procedures for dealing with them as informal as possible.

The guidance recommends that schools:

- establish a member of staff who will act as complaints co-ordinator and who will take the initial responsibility for handling complaints – in the case of the schools within our Trust this will be the head.
- Initially the complaint may be verbal and in most cases dealt with appropriately and informally by the head. This will be recorded however so that the overall level, nature and outcome of complaints can be reviewed and any necessary steps taken to improve policies and procedures. Any complaints will be dealt with within 10 working days.
- Further or more serious complaints may be put in writing. If necessary the head will initially hold a meeting between parties to resolve matters.
- The next stage is a formal meeting where aggrieved parties may bring along appropriate representatives.
- The school will also form a complaints committee of 3 governors to deal with complaints that can not be resolved by the head.

### **Guidance**

DfE has produced extensive guidance, including example policies and procedures. Follow the link in Background Reading below to the Complaints Procedure Toolkit. In addition, brief guidance on general complaints and curriculum complaints can be found in chapters 4 and 6 respectively of the Guide to the Law for School Governors or via the Overview article on the Curriculum

### **The Law**

The Education Act, 2002