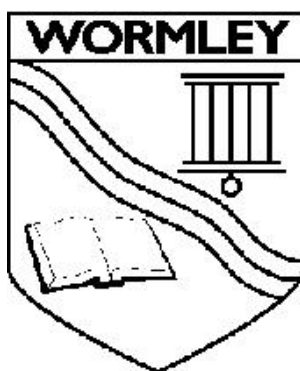


WORMLEY C of E PRIMARY SCHOOL (VC)

Have Faith, Show Respect, Take Responsibility and Achieve



Complaints Policy

Policy last reviewed – Summer 2023
Policy next review – Summer 2025

How to communicate a concern or make a complaint

We care about what you think

Each day this school makes many decisions and tries hard to do its best for all the children. Parental feedback - either positive or negative - is helpful for future planning and school improvement. Parents may wish to communicate with us about a concern, something that is bothering them. Parents might also want to make a formal complaint. If this is the case, then there is a formal process to do so.

Please contact us using the details listed below.

Wormley C of E Primary School (VC)
Cozens Lane East, Broxbourne, Hertfordshire, EN10 6QA
Headteacher: Mrs Tracy Gaiteri
Website: www.wormleyprimary.co.uk Email: admin@wormleyprimary.co.uk
Telephone: 01992 303331

Alternatively, parents may refer to this Complaints Policy.

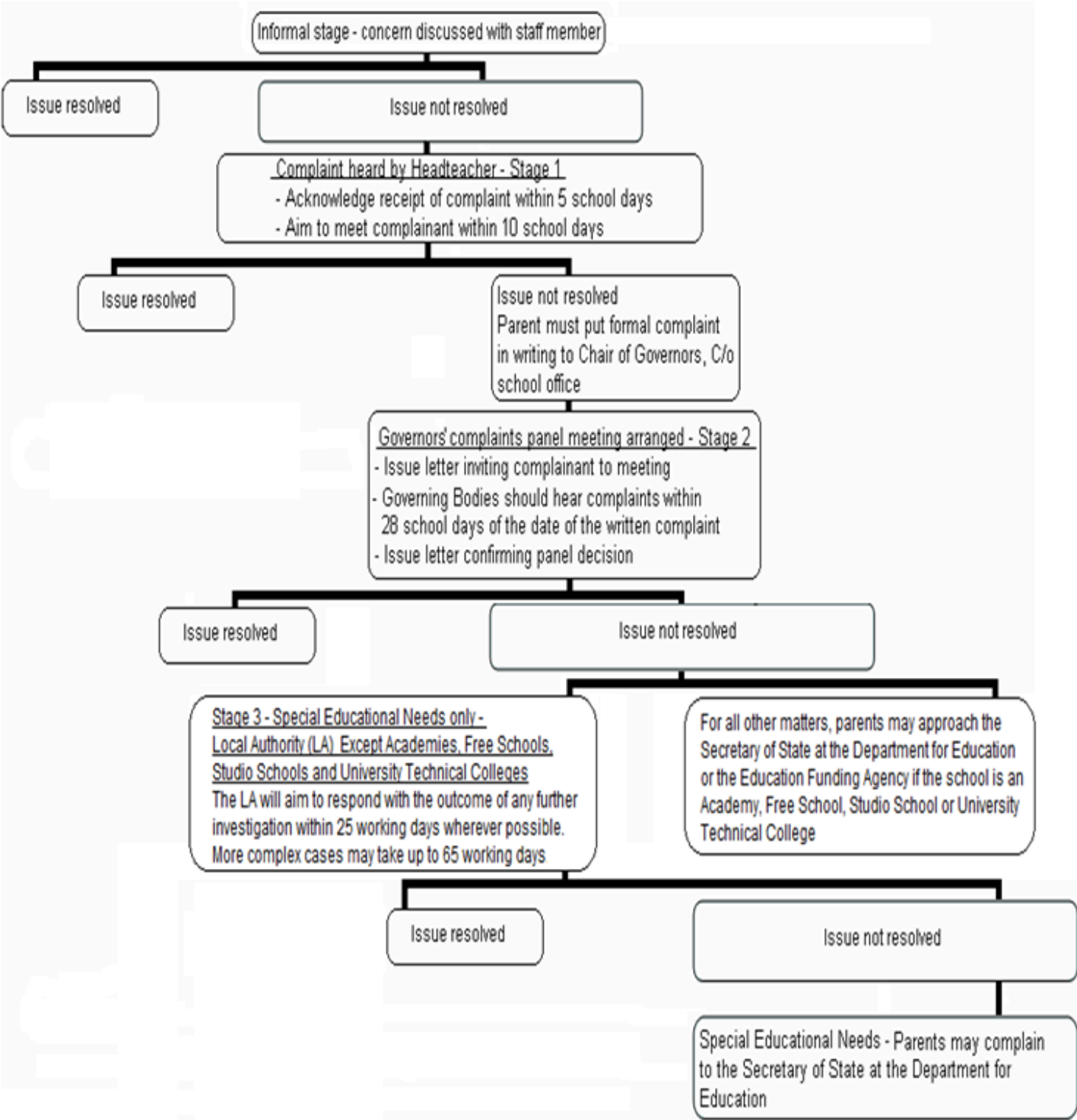
Framework of principles

Our Complaints Procedures will:

- encourage **resolution** of issues by **informal** means wherever possible;
- mirror our **therapeutic** and **restorative** practices in school;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be non-adversarial;
- allow **swift** handling with established **time-limits** for action and keep people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's Senior Leadership Team so that services can be improved.

The following flowchart sets out the process that parents/carers should follow:

* In this policy the term parent is used to define parents and carers



Investigating Complaints

The Complaints Co-ordinator, which will usually be the headteacher, will make sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

Prior to a complaint being escalated to involve a formal hearing, the aim will be to keep in mind ways in which a complaint can be resolved. It may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

It is useful if complainants state what actions they feel might resolve the issue at any stage. An admission that the school could have handled the situation better is not the same as an admission of liability.

Similarly, the complaint may not have any legitimacy.

The Complaints Co-ordinator will identify areas of agreement between the parties. Any misunderstandings that might have occurred should be clarified, as this can create a positive atmosphere in which to discuss any outstanding issues.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. There are realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Stages of the complaints process

- Informal – Local resolution of the concern with staff member/Complaints Co-ordinator/Headteacher/Chair of Governors
- Stage 1 – complaint heard by Complaints Co-ordinator (usually Headteacher)
- Stage 2 – Governors' Complaint Panel
- Further recourse – Possibly to Department for Education, Local Authority or Diocese

How to make a complaint

In the first instance – informal stage

If parents have a concern about anything, or wish to make a complaint, they can do this by telephone, in person or in writing (by letter or email). We hope that most concerns can be settled quickly and informally, either by putting matters right or by giving an explanation. If there is something that parents are not happy about, or don't understand why we are doing something in a particular way, they are encouraged to 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 a concern about a child's special educational needs.

It can feel uncomfortable to question or challenge something, but unless parents tell us what is concerning them, it is difficult to explain what we are doing or try to put it right. Most concerns, or potential complaints, can be resolved informally through an opportunity for a full discussion with the member of staff who is best able to help. If it is not possible to resolve the matter, there is a next step.

Stage One - first formal stage

Should the informal stage not resolve matters, parents have the option to proceed to Stage One and make a formal complaint in writing to the Complaints Co-ordinator. All complaints should be acknowledged within **5 school days (1 week)**. The Complaints Co-ordinator will meet with parents **within 10 days (2 weeks)** and then carry out an investigation. The aim is to inform parents of the outcome **within 10 school days (2 weeks)** after the completion of the meeting.

Complaints should (usually) be addressed to school staff. If a parent's first contact is with an individual Governor, they should advise parents to take up their concerns with an appropriate member of staff.

The school may, if it thinks appropriate, offer parents an opportunity to meet with a governor to talk through any concerns. An appointment will be given at the governor's earliest availability. Should the complaint go subsequently to the Governing Body, this governor will not sit on a panel (to maintain impartiality) in the event of a formal hearing (Stage Two).

If a complaint is about the Headteacher, parents should write to the Chair of Governors. If a child has a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) it might be helpful to talk to the Special Educational Needs Co-ordinator (SENCo) or the child's named Special Needs Officer at the Local Authority. The SEND Information Advice and Support Service (SENDIASS – formerly Parent Partnership) may be able to help.

Stage Two - second formal stage

If parents remain dissatisfied following Stage 1 and wish to take the complaint further, they may request the school's complaints procedures. Parents will be asked to complete a form from the procedure's documents or write a letter addressed to the Chair of Governors. In the letter parents should:

- Make clear the nature of the complaint.
- State who they have spoken to already and what has been discussed.

- State what actions might resolve any issues.

The Governing Body should deal with and respond fully to Stage 2 formal complaints within **28 school days (5½ weeks)** of the written complaint being received. If this is not possible, parents will be given the reasons for the delay and kept informed of progress.

The Chair of Governors will arrange for the complaint to be investigated and considered under the arrangements approved by the governors for this purpose. This will usually involve a panel of governors appointed to act on behalf of the Governing Body. **In the case of Special Educational Needs complaints, the Chair of Governors will inform the Children's Services Complaints Manager at the Local Authority.**

If the Chair of Governors, or other governors, have been involved in earlier discussions to try and help settle the concerns at Stage 1, then arrangements will be made for another governor with no prior involvement to take charge of the investigation and consideration of the complaint.

Parents will usually be offered an opportunity to talk about the complaint in the course of the investigation, prior to the complaint hearing. This might clarify the outstanding matters of complaint which remain unresolved and what outcome is sought by the complainant. Please note that neither a pre-meeting nor an investigation in advance of the panel are a requirement. They are optional and it is up to governors to decide whether to conduct them.

Parents should make sure that the Governors' Complaint Panel is provided with any written information or evidence they intend to use in a formal hearing. It is possible to bring a friend, representative or interpreter to any meeting if the panel is informed. The Chair of the panel may invite any person who may help establish the facts of the complaint. The Chair should tell the complainant 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, complainants will be informed in advance.

When the panel has fully investigated a complaint, the Chair of the panel or the governor in charge of the investigation will write to parents with the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write confirming the outcome of the complaint and any agreed actions to be taken.

Further recourse

In most cases it is expected that parental complaints will be satisfactorily resolved following a formal complaint to the Governing Body. However, should parents remain dissatisfied, the following explains the circumstances in which complaints can be taken further.

When it is a complaint about the way a school is making provision for a child with a Statement of Special Educational Needs or an Education Health and Care Plan.

Parents may complain further to the LA by writing to the Children's Services Complaints Manager but only once the school's complaints procedure has been exhausted.

The CS Complaints Manager will acknowledge the letter and will notify the Chair of Governors and

the Headteacher. The CS Complaints Manager will arrange for the complaint to be investigated. The investigator will seek the comments of the Governing Body and any other information or advice that they deem necessary.

When the complaint has been fully investigated and considered the CS Complaints Manager will notify parents of the outcome in writing, giving the reasons for it, any action or proposed action to be taken and the further recourse available. A copy of this will be sent to the Headteacher, the Chair of Governors and to anyone else concerned in the investigation. This brings the third stage for Special Educational Needs complaints to a conclusion.

Parents who remain dissatisfied following further investigation of their Special Educational Needs complaint by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation.

For Church of England schools, complainants should write to:

The Diocesan Director of Education, Diocesan Office,

Holywell Lodge, 41 Holywell Hill,

St Albans, AL1 1HE.

Email: schools@stalbans.anglican.org,

Website: www.stalbans.anglican.org. Telephone: 01727 818170.

FOR ALL OTHER TYPES OF COMPLAINT, INCLUDING THOSE REGARDING BULLYING, THE NATIONAL CURRICULUM OR COLLECTIVE WORSHIP IN A COMMUNITY, VOLUNTARY-CONTROLLED, VOLUNTARY-AIDED, FOUNDATION OR TRUST SCHOOL, THERE IS NO THIRD STAGE OF COMPLAINT TO THE LOCAL AUTHORITY

It should be noted that if parents remain dissatisfied following the outcome of their Stage 2 hearing and wish to take their complaint further, they must do so within **20 working days (4 weeks)** of receiving the written outcome of the hearing. After **20 working days (4 weeks)**, neither the school nor the Local Authority (where appropriate) are under any obligation to investigate or progress the complaint any further.

For almost all complaints there is no right of further complaint or appeal to the LA beyond the school's Governing Body.

Any parents who contact the LA will be told there is no right of a further stage of formal investigation or review by the LA.

Parents have the right to complain to the Secretary of State at the Department for Education (under the Education Act 1996), if they believe that the Governing Body or the LA is acting or proposing to act unreasonably (section 496), or is failing to carry out a statutory duty (section 497). This has to mean that the LA or the Governing Body is acting outside its powers, or misusing them. Only then would the Secretary of State follow up the complaint.

The Secretary of State will then contact the Governing Body or LA for information. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings Great
Smith Street London
SW1P 3BT

Website: www.education.gov.uk Telephone: 0370 000 2288

School days are term time only, whilst working days are weekdays throughout the year.

* Please note that the timescales specified in diocesan complaints guidance may differ from those detailed above

Useful contacts

Advisory Centre for Education

Education Advice & Training
72 Durnsford Road
London
N11 2EJ
Web: www.ace-ed.org.uk
Phone: **0300 0115 142**

POhWER

Hertlands House
Primett Road
Stevenage
SG1 3EE
Web: 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
Phone: **0345 345 4345**

National Youth Advocacy Service (NYAS)

Egerton House
Tower Road
Birkenhead
Wirral
CH41 1FN
Web: www.nyas.net
Phone: **0345 345 4345**

Special Educational Needs & Disability Information Advice Support Service (SENDIASS)

Registry Office Block
CHR102
Couny Hall
Hertford
SG13 8DF
Web: www.hertfordshire.gov.uk/sendiaass
Email: SENDIASS@hertfordshire.gov.uk
Phone: **01992 555847**