



## Alderman Pounder Infant and Nursery School

# Policy for Dealing with Complaints

**Document Owner:** Head Teacher

**Issue Date:** Summer 2016

**Version:** 1.3

**Review frequency:** Annual

### REVISION HISTORY

Version	Revision Date	Next review due	Summary of Changes (and author)
1.0	Autumn 2013	Spring 2014	Policy revised (Julie Hemsley)
1.1	Spring 2014	Spring 2015	Contact details updated. Agreed Resources Committee meeting 03.02.14
1.2	Summer 2015	Summer 2016	No changes made. Agreed Resources Committee 15.06.15
1.3	Summer 2016	Summer 2017	No changes made. Agreed Resources Committee 16.05.15

The school's designated complaints governor is:  
Mrs Janet Kennedy

**NOTTINGHAMSHIRE COUNTY COUNCIL  
EDUCATION DEPARTMENT**

**COMPLAINTS PROCEDURE : CURRICULUM, COLLECTIVE WORSHIP AND  
RELIGIOUS EDUCATION**

**Introduction**

1. Section 409 of the Education Act 1996 requires the Local Authority (LA) to establish procedures to deal with complaints about the **school curriculum, collective worship and religious education**. The Education Act 2002 (paragraph 47 Schedule 21) determines that these arrangements are no longer subject to approval by the Secretary of State.
2. The procedures described in this document have been drawn up in consultation with head teachers and governors of Nottinghamshire LA schools. Representatives of the recognised teacher associations in Nottinghamshire have also been consulted as have the (Church of England) Southwell Diocesan Education Committee and Roman Catholic Diocesan Education Commission.

**Scope of the procedures**

3. All Nottinghamshire LA community, voluntary, foundation and special schools are covered by these procedures, with the exception of nursery schools or nursery classes in schools.
4. These procedures apply only to complaints which fall within the following categories:
  - (a) complaints about the provision of a curriculum, including religious education, collective worship and sex education, but not complaints about the process of statutory assessment for, or the content of, a statement of special educational needs, for which other arrangements exist;
  - (b) complaints about the implementation of the National Curriculum and exemptions from it, including the temporary withdrawal of pupils from part or all of the provisions of the National Curriculum;
  - (c) complaints about the provision to pupils of courses leading to an external qualification, but only if that qualification and the associated syllabus or syllabus criteria have been approved;
  - (d) complaints about the establishment of a Standing Advisory Council on Religious Education (SACRE) and the review of an agreed syllabus for religious education if required by the SACRE;
  - (e) complaints about the operation of charging policies but only in relation to the curriculum in the school;

- (f) complaints about the provision of information required by law on the curriculum, educational achievements and assessment;
- (g) complaints about compliance with any enactments which relate to the curriculum.

**Any complaints not covered by the definitions set out above (such as complaints about discipline, admissions or provision for pupils with special educational needs) do not come within the scope of these arrangements but are covered by separate procedures. The only difference between these procedures relates to how a complaint is investigated and the LA's powers of intervention, if the complaint cannot be resolved at school level.**

- 5. In most cases it should be possible to resolve any complaints at an informal level. If this is not possible, there are various stages in the formal procedure set out in this document, leading eventually to the Secretary of State. However, the Education Act 1996 precludes the Secretary of State from looking at a complaint unless all the stages have first been followed.

#### **General principles**

- 6. All complaints will be dealt with as quickly and efficiently as possible. The length of time it will take to deal with a complaint will vary depending on the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, the intention is that all complaints should be settled within a timescale which is reasonable in all the circumstances.
- 7. Urgent complaints will be identified as such and given priority.
- 8. All complaints will be investigated fully, fairly and carefully. Complainants will be kept informed of progress at each stage and notified of the outcome.

#### **Preliminary discussion**

- 9. Many complaints or potential complaints or concerns can best be resolved informally in discussion with the head teacher or other staff of the school. Unless there are exceptional circumstances, there should be full discussion at the informal stage as a first step. Complainants will, therefore, normally be advised to seek to resolve their complaint through informal discussion before pursuing the formal procedures set out in this document.
- 10. Similarly, complaints or potential complaints about the actions of the LA should, if possible, be resolved by informal discussion with the appropriate LA officers before the formal procedures are pursued.

#### **Complaints relating to LA decisions**

- 11. If the complaint is about issues covered by these procedures and which relate to decisions by the LA (rather than the policy or practice of an individual school), the complaint will be referred to the LA. Procedure will follow local authority guidelines.

#### **Complaints relating to school decisions**

If a complaint relates to a school the following stages apply:

## Stage 1 – Concern

20. A concern is raised when an issue is brought to the attention of the school for the first time. This will be dealt with by the most appropriate member of staff. Many complaints or potential complaints can best be resolved at this stage.

## Stage 2 - The Informal Stage

21. If the complaint isn't resolved at the concerns stage then it will be passed to the head teacher. This is where the recording process will start. The head teacher will meet with the complainant and the member of staff who has already dealt with the concern. Evidence will be collected and the head teacher will come to a conclusion about the complaint.
22. If attempts to settle the complaint informally have failed, the complainant will be asked to put the complaint in writing to the Chair of Governors.

## Stage 3 - Formal stage - governing body

23. Once the complaint has been received in writing by the Chair of Governors they will meet with the designated complaints governor.
24. The designated complaints governor will:
  - a) arrange for the complaint to be acknowledged promptly in writing within 5 working school days. A date for the initial meeting will be set
  - b) decide whether the complaint falls to be considered within the terms of Section 409 of the Education Act 1996
  - c) identify whether the complaint is urgent and should be given priority attention
  - d) chair the initial meeting with the head teacher and complainant. At this meeting the complainant will be given an outline of the complaints procedure. A date and time for the formal meeting will be set.
  - e) make arrangements for the governors' complaints panel to meet to consider the complaint. The panel will be selected on advice from the designated complaints governor. If necessary a temporary designated complaints governor will be appointed
  - f) arrange a clerk for the meeting
  - g) investigate and gather evidence relating to the complaint
  - h) inform the complainant that he/she has the right to attend the governors' complaints panel meeting, make an oral presentation to supplement the written complaint and to be accompanied by a friend, representative or interpreter
25. The clerk to the governors will request any correspondence, reports or other papers relating to the complaint. All the papers for the meeting will be sent to members of the governors' complaints panel, the head teacher and the complainant, **at least 3 working days** before the date of the formal meeting.

26. The formal meeting will be attended by the complainant, the head teacher, the designated complaints governor and the governors' complaints panel. The panel may request other people to attend, to provide information to the meeting, if appropriate.
27. The governors' complaints panel will consider the complaint and keep a record of the meeting.
28. The governors' complaints panel will notify the complainant and the designated complaints governor, in writing, **within 5 working days** of the meeting, of the panel's conclusions, the reasons for them and any action taken or proposed.

#### **The role of the Secretary of State**

29. A complainant who is still dissatisfied after this procedure has been exhausted will be able to complain to the Secretary of State.
30. If the Secretary of State upholds a complaint under these arrangements, he/she may give directions as to the performance of duties or exercise of powers by the governing body as the case may be.

#### **Complaints requiring particularly urgent action**

31. The majority of complaints will be accommodated within the timescale set out in these procedures. There may, however, exceptionally, be occasions where complaints may need to be dealt with more urgently: for example, when a pupil is potentially being denied the opportunity to take part in an approved external examination which has a set deadline.
32. It is expected that such complaints will be identified from the outset by the head teacher and the formal meeting will take place within 10 days of being received.

#### **Support for Parents**

33. Parents can be supported through a complaints procedure by calling Parentline on 0808800222

#### **Contacts**

Martin Heathfield **Chair of Governors.** C/o Alderman Pounder Infant School

Janet Kennedy **Designated Governor for Complaints.** C/o Alderman Pounder Infant School

**Secretary of State for Education and Skills,** Department for Education and Skills, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT [tel: (0171) 925 5000]

## Complaints Process at Alderman Pounder – A 4 Stage approach

<p><b>Stage 1- Concern</b> The complaint will be dealt with by the most appropriate member of staff.</p>	<p><b>Stage 2- Informal Stage</b> If the concern is not resolved at Stage 1 it will be passed to the Head Teacher (HT). A meeting will be arranged between HT/ Complainant and the member of staff who dealt with the concern.  HT concludes the complaint.</p>	<p><b>Stage 3 – Formal Stage</b> If the complainant isn't satisfied with the conclusion they will be asked to put their complaint in writing to the Chair of Governors (COG).  The COG meets with the schools designated complaints governor (DCG) to discuss the complaint.  The DCG acknowledges the complaint in writing and arranges an initial meeting.  An initial meeting takes place with DCG/ HT and Complainant.  The Complaint is then heard by a panel of Governors and the DCG presents the evidence.  DCG writes to inform the complainant of the conclusion.</p>	<p><b>Stage 4 – Secretary of State</b> Once all other stages have been completed the complainant is invited to write to the Secretary of State with their complaint.</p>
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At any stage the complainant is free to withdraw their complaint.