

How to complain to your child's school - information for parents

Introduction

School Governors are responsible in law for having a published complaints procedure and for responding to complaints. These complaints arrangements are well-established and were made following consultation with Headteachers, Governors, the Diocesan Authorities, Teacher Associations and Representatives of Parent Groups. For Church of England schools the Diocese of St Albans commends the adoption of this procedure. For Roman Catholic schools, the Diocese of Westminster provides its own guidelines to schools for dealing with complaints.

What happens at the first stage?

Most concerns, complaints or potential complaints can be resolved by talking to the member of school staff concerned. The school can tell you who you should speak to first. You may wish to request a copy of the school's complaints procedure, available from the school office or website. If the concern isn't resolved by speaking to a member of staff, you should then request a meeting with the Headteacher who will investigate your complaint and aim to inform you of the outcome within 10 school days.

If your first contact is with individual Governors, you may be asked to take up your concerns with the Headteacher or the appropriate member of staff. 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 (2nd stage) and should be impartial.

If your complaint is about the Headteacher, you should write to the Chair of Governors at the school. If your child has Special Educational Needs (SEN) you might find it helpful to talk to the Special Educational Needs Co-ordinator (SENCo) at your child's school or your named Special Needs Officer if your child has a Statement. A Parent Partnership Supporter may also be able to help you.

If parents who have not yet complained to their child's school contact the Local Authority, Council Officers will ask the complainant for their written consent to share information regarding their complaint with the school in question. If the complainant declines to provide their consent, the matter will not be taken any further. If consent is provided, the Council will pass the complainant's concerns onto the school.

What happens at the second stage?

The school may ask you to complete a form or 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 is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns. The Governing Body should give you full details of how they will carry out any further investigation or formal hearing and keep you up-to-date with progress.

You and the school must make sure 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 by parents in the 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, the school will inform you before the meeting.

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. The Governing Body should aim to deal with complaints within 28 school days.

Is there a third stage of complaint?

FOR ALMOST ALL COMPLAINTS, THE PROCEDURE ENDS WITH THE GOVERNING BODY AND THERE IS NO THIRD STAGE OF COMPLAINT TO THE LOCAL AUTHORITY

If the school's complaints procedure has been exhausted and you remain dissatisfied, you can approach the Secretary of State. Further advice is available from the Children's Legal Centre, the Advisory Centre for Education (ACE) or Family Lives (formerly Parentline Plus).

However, if your complaint is about the way that a school is providing for your child's Statement of Special Educational Needs you do have a third stage of complaint to the Local Authority.

In this case, you can write to the Complaints Manager who will acknowledge your complaint within five working days and then inform the Chair of Governors and Headteacher. The Complaints Team will aim to investigate your complaint within 25 working days, however the investigation may take longer in complex situations. When your complaint has been fully investigated the Complaints Manager will write to let you know the decision. S/he will give the reasons for the decision, any action or proposed action to be taken and any further avenues open to you. S/he will send a copy to the Headteacher, the Chair of Governors and anyone else concerned in the investigation.

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

If you wish to contact the relevant diocese, the contact details are as follows:

For Roman Catholic schools:

The Director of the Education Service, Diocese of Westminster, 46 Francis Street, London, SW1P 1QN. Tel: 020 7798 9005. Email: education@rcdow.org.uk

For Church of England schools:

The Diocesan Director of Education, Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, AL1 1HE. Tel: 01727 818720. Email: schools@stalbans.anglican.org

Can I complain to anyone other than the County Council?

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

However, you can complain to the Secretary of State at the Department for Education. 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,
Telephone: 0870 000 2288, Website: www.education.gov.uk

Please note that the Department for Education will only follow up your complaint with the school or the Local Authority if they believe either might have acted unreasonably or failed to carry out a statutory duty.

Complaints about Academies and Free Schools

Whilst they are required to have a complaints procedure in place, Academies and Free Schools operate independently of the Local Authority. Accordingly, the Local Authority is unable to investigate complaints regarding Academies and Free Schools, even if your complaint relates to Special Educational Needs provision. If you have a complaint about an Academy or Free School which has not been satisfactorily resolved through its complaints procedure, you should contact the Education Funding Agency. The contact details for the Education Funding Agency are as follows:

Academies Central Unit (Academy Complaints), Education Funding Agency
Earlsdon Park, 53-55 Butts Road
Coventry, CV1 3BH
Email: academyquestions@efa.education.gov.uk

Useful contact details

Chair of Governors	The school secretary can tell you who this is and pass on any written correspondence	
Complaints Team (Children's Services)	www.hertsdirect.org/your-council/hcc/childserv/comments/ Email: cs.complaints@hertfordshire.gov.uk	01992 588542
Parent Partnership Service (SEN)	www.hertsdirect.org/parentpartnership Email: parent.partnership@hertfordshire.gov.uk	01992 555847
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0300 0115 142
HertsHelp	www.hertsdirect.org/hertshelp	0300 123 4044
Family Lives	www.familylives.org.uk	0808 800 2222
Carers in Herts	www.carersinherts.org.uk	01992 586969
Children's Legal Centre	www.childrenslegalcentre.com	01206 873820
Citizen's Advice Bureau	www.citizensadvice.org.uk	08444 111 444

Summary of the complaints process

