



Reviewed: November 2012
Next Review due: Autumn 2015

COMPLAINTS PROCEDURE

Introduction

This document sets out the school's procedure for addressing complaints. *It should be used only when informal attempts to resolve problems have been unsuccessful.*

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by school staff. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the school.

All other complaints are handled by the school according to the arrangements set out below.

The School also recognises that from April 2007 Ofsted's powers to respond to complaints about the school, including those from parents, as inserted into the Education Act 2005 Sections 11A to 11C by the Education and Inspection Act 2006 (outlined in the Ofsted Briefing Sheet attached at Appendix 1).

We at Hyde Heath are committed to communicating fully with our parents and they are seen as our partners. We hope to create an ethos in which any parent can feel that the class teacher or Headteacher is available as soon as is reasonable - certainly that day either by telephone or in person.

Aims and Objectives

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Framework of Principles

- Be easily accessible and publicised
- Be simple to use and understand
- Be impartial
- Be non-adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- Address all points of issue, providing an effective response and appropriate redress, where necessary
- Provide information to the school's Headteacher so that services can be improved

Complaints Procedure

Most complaints are best dealt with informally. If you have any concerns about the school or the education provided, please discuss the matter with your child's class teacher or the Headteacher at the earliest opportunity.

Stage 1 - informal

If you feel that a concern has not been addressed through discussion with the class teacher, or that the concern is of a sufficiently serious nature, please make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint very seriously and most complaints can be resolved at this stage.

Please phone the school office and an appointment will be made for the earliest possible opportunity.

Stage 2 - Formal Complaints Procedure

If the matter cannot be resolved, or your complaint is about the Headteacher then it may be appropriate for you to contact the Chairman of Governors to make a formal complaint using the form available (shown at Appendix 2). If you would like help to complete the form the school will be happy to provide the assistance of someone unconnected with the complaint. Please state the nature of the complaint, the steps

taken to resolve it and the action you would like to see taken to remedy your concerns.

The Chairman of Governors will review the way in which the complaint has been handled by the school and ensure that the issues have been dealt with properly and fairly. He/she will normally inform you of the outcome of this process within 15 working days of receiving the complaint.

If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

Stage 3 - Formal Complaints Procedure

If you are not satisfied with the result from Stage 2, you may ask to refer your complaint to Stage 3 of the procedure. *This must be done in writing within 15 working days of receiving the letter stating the outcome of the process at Stage 2.* At this Stage, a panel of 3 governors will meet to consider the complaint and make a final decision about it on behalf of the governing body. The panel will consist of governors who have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 working days of your request.

You will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend part of the meeting, accompanied by a friend/partner if wished, to put your case. The Headteacher will be given the same opportunities. The panel will write to you with its conclusion within five working days of the meeting.

The decision of the panel is final. If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education and Skills.

Monitoring and review

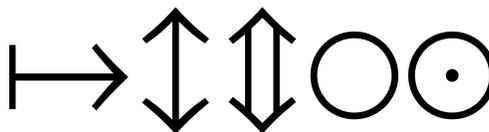
The governing body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the school and records how they were resolved. The Chair of Governors will examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

A copy of this procedure is available to all parents on request *and is also contained in the Policies File held in the School Office.*

Attachments:

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| Appendix 1 | Ofsted's powers to investigate complaints about maintained schools, including those from parents |
| Appendix 2 | Complaints Form |



School Improvement Service
Ofsted powers to investigate complaints about maintained schools, including those from parents

Ofsted's powers to respond to complaints about schools, including those from parents, came into effect in April 2007.

The powers are inserted into the Education Act 2005 at sections 11A to 11C, by the Education and Inspections Act 2006. They allow Ofsted to investigate certain complaints (known as **qualifying complaints**), if it is about one or more of the following areas:-

- a. the quality of the education provided in the school;
- b. how far the education provided in the school meets the needs of the range of pupils at the school;
- c. the educational standards achieved in the school;
- d. the quality of the leadership in and management of the school, including whether the financial resources made available to the school are managed effectively;
- e. the spiritual, moral, social and cultural development of the pupils at the school; and
- f. the contribution made by the school to the well-being of those pupils.

Section 11A gives the Chief Inspector the power to respond to a complaint made in writing about the work of a school as a whole from any person by:

- bringing forward the inspection of the school under section 5 of the Education Act 2005
- conducting an inspection under section 8 of the Education Act 2005.

The complainant will normally be expected to have followed local complaints procedures before Ofsted will consider the complaint.

Where a complaint is about any of the matters inspected during a section 5 inspection, and is from the registered parent of a pupil who attends the school, Ofsted can investigate by:

- requiring the school and, where appropriate, the local authority to provide further information
- requiring the school to arrange a meeting of parents at the school
- reporting the outcome of any investigation to the school and parents.

The criteria for qualifying complaints are described in detail in the revised policy, procedures and guidance.

Where it is decided that a qualifying complaint will be investigated, the initial investigation under section 11A is informal; the issue raised in the complaint will be considered in the context of other available evidence, for example the most recent inspection report. In some cases, this may be followed by informal telephone contact with the headteacher, to check their knowledge of the issue.

Where a qualifying complaint is made by a registered parent of a registered pupil at the school that is the subject of the complaint, Ofsted has further powers to investigate the complaint under section

11B, by requiring the governing body (or for maintained schools the local authority) to provide Ofsted with information relating to the complaint, or to assist Ofsted in arranging a meeting of all registered parents. If either of the section 11B powers are used, Ofsted may prepare a report on the outcome of the overall investigation of the complaint, under section 11C.

Ofsted expects section 11B and 11C powers to be used rarely. Some complaints will be most effectively dealt with by the school itself and will be referred to them where this is felt appropriate. Schools will be informed by HMI of all qualifying complaints made against them, initially by telephone to the headteacher, followed by a letter to the governing body.

Inspectors have been reminded that care must be taken to act within Ofsted's powers, by following the guidance and consulting with their duty desk for complaints in all cases. Similarly, inspectors must ensure that responses to complainants accurately reflect what Ofsted may and may not do under the legislation; the toolkit provides relevant resources, and regional complaints teams will be able to provide additional help with this.

Ofsted may retain qualifying complaints on file where the whole school issue raised will usefully inform any of Ofsted's functions. Care must be taken in the decision to retain a complaint and complaints must not be retained by default. This is covered in detail in the policy section of the revised guidance. Schools should **always** be informed when Ofsted retains a complaint about them.

Where a complaint is retained to inform a school's next inspection, inspectors should not investigate the complaint itself during the inspection. However, the whole school issues that it raises may be triangulated with other available inspection evidence.

Lead inspectors will receive data on the number of complaints about a school, the nature of the complaints, the outcomes and whether each complaint has been closed or resolved. This is intended to provide contextual intelligence about the school, and again may be weighed-up against other evidence.

Inspectors should note that Ofsted has no power to investigate non-qualifying complaints; contact with schools and complainants in relation to these is strongly discouraged. Similarly, contact must not be made with schools or local authorities regarding complaints which do qualify until the investigating HMI has decided that an investigation under section 11A will be undertaken. Where contact is made under 11A, it will be undertaken by HMI by telephone to the headteacher,

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COMPLAINT FORM

Please complete and return to the Chair of Governors who will acknowledge receipt.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:
Evening telephone number:

Please summarise your specific complaint/s in the space below:

1.

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?

Signature:

Date:

For official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

