



FOREST OAK AND MERSTONES SCHOOLS COMPLAINTS PROCESS

Complaints Process

The informal stage

The informal stage aims to resolve the concern through informal contact at the appropriate level in school.

- Concerns or complaints can be made to the school in person, in writing or by telephone.
- Schools need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. People may wish to ask questions or express an opinion, and schools should aim to create an environment that supports, welcomes and respects the involvement of others.
- Initial concerns should be raised with either the class teacher or an appropriate member of staff and dealt with promptly.
- Being able to resolve issues on the spot, including apologising or expressing regret, where appropriate is often the best approach. This is preferable to immediately invoking a complaints procedure which can place an unnecessary barrier of formality between the school and its parents or the wider community.

Stage one

Stage one is the first formal stage at which written complaints are considered by the headteacher.

- Stage one complaints should normally be addressed to the headteacher unless:
 - the complaint is about the head teacher – in this case it should be sent to the chair of governors; or
 - the complaint is about a member of the governing body – these should go to the clerk to the governors, usually via the school office.
- The complaint should be recorded and receipt acknowledged before an investigation takes place – this may involve a meeting with the complainant

- The head teacher should then respond in writing with their findings, within the published timescale
- The response should detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it
- Where appropriate, it should also include details of the action the school will take to resolve the complaint
- The headteacher should advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage One - i.e. notify the governors (via the clerk) that they wish to proceed to Stage Two, and the timescale in which to do this

Stage two

Appeal stage

- This stage results in a meeting of the complaints committee – consisting of the first three impartial governors available.
- If there are not three suitable governors available from your own school, then the clerk can source additional independent governors from other schools
- Having a committee ensures that decisions are not taken in isolation and there is always a mechanism by which decisions are considered independently
- The clerk will co-ordinate panel members and liaise with the complainant to arrange the panel meeting date and for relevant papers to be circulated.

Complaints committee

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant

- The meeting will be held in private
- the meeting must be independent and impartial, and should be seen to be so
- Both the complainant and the school are given the opportunity to make their case and seek clarity
- The complainant and school representative may be accompanied by a relative or friend to provide support

Stage two outcome

The Committee can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the committee will:

- Decide on the appropriate action to be taken to resolve the complaint.
- Where appropriate, recommend changes to the school's systems and procedures to prevent similar issues in the future

The chair of the committee should provide the complainant and school with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

If the issue is still not resolved, you should notify the complainant that they can refer their complaint to the Department for Education:

- online at www.education.gov.uk/contactus
- by telephone **0370 000 2288**
- in writing to: **Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD**

Ofsted cannot respond to or resolve individual complaints but it is still possible to tell Ofsted about a problem with a school. They can use the information provided to decide when to inspect and what areas to focus the inspection on. There is an online form available at: <https://contact.ofsted.gov.uk/online-complaints>.

Complaints Process – Roles and Responsibilities

Headteacher

- Keep a record of all complaints received and how they have been handled
- Ensure the availability and publication of a complaints policy
- Ensure concerns raised are dealt with efficiently and informally where possible

- Deal with formal complaints at stage one (delegation possible for part)
- Provide information for and attend stage two panels as appropriate
- Act on complaint outcomes, if there are actions for school

Governors

- Need to be familiar with school complaints policy (and ideally serial complaints policy)
- Review the school complaints policy regularly and ensure it is up to date and fit for purpose.
- Carry out stage one if a formal complaint is made about the headteacher.
- If suitably qualified, attend stage two complaints committee if requested

Solihull Council (as the local authority)

- Provides guidance and advice to all parties in relation to complaints about schools.
- Directs school staff, clerks and governors to relevant specialist departments if required, such as information governance, admissions, legal services and communications.
- School advisers can liaise with schools on behalf of complainant where appropriate; but is not in our remit to investigate schools

Clerk to the governing body

- Act as the point of contact between the complaints committee and complainant
- Ensure appropriate information is received by all parties in a timely fashion
- Minute the committee meeting
- Keep records of all Stage Two complaints, the action taken and the decisions reached.

The clerk should only administer complaints regarding the headteacher and/or governors and stage 2 panels.

Role of the clerk in a complaints panel

The clerk to governors should:

- Be the point of contact for everyone involved
- Make sure all people involved are aware of their legal rights and duties relating to the complaints procedure (including education law, the [Equality Act 2010](#), the [Freedom of Information Act 2000](#), and the GDPR)
- Set the date, time and venue of the meeting, making sure it's convenient to all parties and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint and send it to the parties before the meeting within an agreed timescale
- Record the proceedings
- Circulate the minutes of the meeting afterwards
- Notify all parties of the committee's decision