

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/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 of SEN. A Parent Partnership supporter may also be able to help you.

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 of the date of the written complaint.

Is there a third stage of complaint?

For most 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 Parentline Plus.

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 this may be longer for 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 Local Government Ombudsman who may decide to conduct an additional investigation: Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH. Tel: 0300 061 0614. Email: advice@lgo.org.uk

If your complaint is about the national curriculum or collective worship in a community or voluntary-controlled school, you do have a third stage of complaint to the local authority.

In this case, you can complain further by writing to the complaints manager who will acknowledge your complaint within five working days and inform the chair of governors and headteacher. S/he will make sure your complaint is investigated and will ask the governing body for further information or advice as necessary. Following this investigation, a panel made up of the complaints manager and three members of the local authority will consider your complaint. You may talk to the investigating officer about your complaint and present your case personally to the panel. You may bring a friend, representative or interpreter to any meeting if you wish. Up to two representatives of the governing body may speak at the meeting.

When the panel has fully investigated your complaint the complaints manager will write and let you know the decision. S/he will explain the reasons for the decision, any action taken or proposed to be taken and any further avenues open to you. S/he will send a copy to the clerk and chair of governors and the headteacher. The aim will be to complete this process within 25 working days (this may be longer for complex cases).

If your complaint is about denominational religious education or collective worship in a voluntary-aided school you do not have a third stage of complaint to the local authority.

This is because the local authority has no power in voluntary-aided schools to inspect the provision or to influence content. You may complain beyond the second stage to the relevant Diocesan authority where this applies:

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, Diocese of St Albans Education Centre, Hall Grove, Welwyn Garden City, AL7 4PJ. Tel: 01707 332321. Website: www.stalbans.anglican.org

Can I complain to anyone other than the County Council?

Yes, you can complain to the Secretary of State at the Department for Education:

The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT. Tel: 0870 000 2288. Web: 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

Whilst they are required to have a complaints procedure in place, Academies operate independently of the local authority. As such, the local authority is unable to investigate complaints regarding Academies even if the complaints relate to Special Educational Needs provision, the national curriculum or collective worship. If you have a complaint about an Academy which has not been satisfactorily resolved through the Academy's complaints procedure, you should contact the Young People's Learning Agency. Write

to: The Young People's Learning Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT. Tel: 0845 337 2000. Email: enquiries@ypla.gov.uk

Useful contact details

Chair of Governors	The school secretary can tell you who this is and pass on any written correspondence (all correspondence must be through the school)	
Complaints Team Children Schools and Families	www.hertsdirect.org/csfcustomerfocus Email: cft.csf@hertscc.gov.uk	01992 588542
Parent Partnership Service (SEN)	www.hertsdirect.org/parentpartnership Email: parent.partnership@hertscc.gov.uk	01992 555847
Minority Ethnic Curriculum Support Service (MECS) If your complaint is about racial harassment or discrimination	www.thegrid.org.uk	01438 844752
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0808 800 5793
POhWER (advocacy service)	www.pohwer.net	01438 740162 (North Herts) 01438 846010 (South Herts)
ParentlinePlus	www.parentlineplus.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	

Summary of the complaints process

