

TANNERS WOOD JMI SCHOOL



SCHOOL BASED COMPLAINTS POLICY

Adopted by Governing Body:	Date September 2020	Review Date November 2020
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How we will deal with your concerns

Tanners Wood School Contact Details

01923 262229

HOW TO COMMENT OR COMPLAIN

We care about what you think

Each day Tanners Wood School makes many decisions and tries hard to do the best for all the children. Your comments - either positive or negative - are helpful for future planning.

You may want to talk to us about a particular aspect of this school, though not actually make a complaint - you just want to get something 'off your chest'.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel free to contact us using the details listed above.

Our aims

- Your complaint will be dealt with honestly, politely and in confidence.
- Your complaint will be looked into thoroughly and fairly.
- If your complaint is urgent we will deal with it more quickly.
- We will keep you up to date with progress at each stage.
- You will get an apology if we have made a mistake.
- You will be told what we are going to do to put things right.
- You will get a full and clear written reply to formal complaints within **28 school days (5½ weeks)**.

How to make a complaint

In the first instance – informal stage

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing (by letter or email). We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the class teacher or another appropriate member of staff, such as the Special Educational Needs Co-ordinator (SENCo) if it is about Special Needs.

We know that it can feel uncomfortable to question or challenge something, but if you don't tell us what is worrying you, we cannot explain what we are doing or try to put it right. If the member of staff you speak to in the first instance is unable to attempt to resolve the matter, you should make an appointment with the Headteacher. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

First - formal stage

Request a meeting with the Headteacher who will investigate your complaint and aim to inform you of the outcome **within 10 school days (2 weeks)**.

If your first contact is with individual Governors, they will advise you to take up your concerns with the appropriate member of staff or Headteacher. 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 (Stage Two) and should be impartial.

If your complaint is about the Headteacher, you should **write to the Chair of Governors**. If your child has a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) you might find it helpful to talk to our Special Educational Needs Co-ordinator (SENCo) or your child's named Special Needs Officer at the Local Authority. The SEND Information Advice and Support Service (SENDIASS – formerly Parent Partnership) may also be able to help you.

Second - formal stage

If you remain dissatisfied following Stage 1 and wish to take your complaint further, you will be asked 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.

You should make sure that 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 in a 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, we will inform you in advance.

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 then, at a later date, any agreed actions to be taken. Our Governing Body will aim to deal with your complaint **within 28 school days (5½ weeks)**.

If you remain unhappy

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
Website: www.education.gov.uk

Telephone: 0370 000 2288

In the case of complaints about **Special Educational Needs provision**, you may complain further to the Local Authority. This should be done by writing to the Children's Services Complaints Manager.

It should be noted however that if you wish to pursue this route, you must do so within **20 working days (4 weeks)** of receiving the written outcome of the hearing into your complaint. After **20 working days (4 weeks)**, neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

Is it vexatious?

There will be some complainants who are reluctant to accept the outcome of the process. In such cases, the person should be encouraged to refer the matter to the Secretary of State. This option should be included in the school's complaints policy.

The Secretary of State's powers are delegated to the school complaints unit (SCU). The SCU will only consider cases where the governing body has acted unlawfully or unreasonably. It will only overturn a decision in extreme circumstances. If it decides a school has not followed its published procedures, it has the power to direct the process is re-visited.

Telephone
0370 000 2288

Online
www.education.gov.uk/help/contactus

Letter
DfE, School Complaints Unit, Second Floor, Piccadilly Gate, Store Street, Manchester M1 2WD.

Should the complainant continue to make contact on the same issue, the chair of governors has the power to inform them that the process is complete and the matter is closed.

In the context of Freedom of Information requests, 'vexatious' is defined as the 'manifestly unjustified, inappropriate or improper use of a formal procedure.' It is not, however, a term the DfE employs - preferring the terms 'serial' or 'persistent' complaints. We advise that these criteria may be used in determining whether the situation may be defined as 'serial' or 'persistent'.

What criteria may be applied to decide whether it is 'manifestly unjustified, inappropriate or improper'?

- All reasonable steps have been taken to address matters
- A clear statement has been provided of the school's position
- The school is being repeatedly contacted with the same points being raised
- The school has reasonable grounds for believing the intention is to cause inconvenience
- Communications are aggressive in tone or content. Abusive, derogatory and / or threatening comments are made.

Requests for information

Complaints are sometimes accompanied by requests for information pertaining to the circumstances underpinning the complaint. The term 'vexatious' is more properly deployed in this context. We advise you to consult the guidance issued by the Information Commissioners Office in the first instance and seek advice from the school's provider of legal services

<https://ico.org.uk/media/for-organisations/documents/1198/dealing-with-vexatious-requests.pdf>.

It's important to understand that in dealing with persistent complaints and vexatious requests for information, it is the request and not the individual that is so labelled. Schools should not fail to respond to a complaint on the grounds that an individual has a track record of such behaviour.

Is it harassment?

The DfE's guidance suggests schools should seek legal advice if they think persistent contact by a complainant constitutes harassment.

Useful contacts

Advisory Centre for Education

Education Advice & Training
72 Durnsford Road
London
N11 2EJ
Web: www.ace-ed.org.uk
Phone: **0300 0115 142**

POhWER

Hertlands House
Primett Road
Stevenage
SG1 3EE
Web: www.pohwer.net
Phone: **0300 456 2370**

Children's Legal Centre

Riverside Office Centre
Century House North
North Station Road
Colchester
Essex
CO1 1RE
Web: www.childrenslegalcentre.com
Phone: **0345 345 4345**

National Youth Advocacy Service (NYAS)

Egerton House
Tower Road
Birkenhead
Wirral
CH41 1FN
Web: www.nyas.net
Phone: **0345 345 4345**

SENDIASS (Special Educational Needs & Disability Information Advice Support Service – formerly Parent Partnership)

Registry Office Block
CHR102
County Hall
Hertford
SG13 8DF
Web: www.hertsdirect.org/parentpartnership
Email: parent.partnership@hertfordshire.gov.uk
Phone: **01992 555847**

Family Lives

(Formerly Parentline Plus)

15-17 The Broadway
Hatfield
Hertfordshire
AL9 5HZ
Web: www.familylives.org.uk
Phone: **0808 800 2222**