



Managing Complaints

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Why do parents complain?

“I can honestly say I never thought I would make it. I’m nine years into a teaching career and the mental exhaustion at times is overwhelming. But this year has been the worst by far. I’ve been constantly under scrutiny and made to feel like nothing I ever do is good enough.”

- *The Secret Teacher, The Guardian*



Parents complain because...

- Many reasons – a few examples...
- They have been to school so they know how it should be done (or not done, depending on their own individual experience).
- They have a lower view of their child.
- They have a higher view of their child.
- They have stress elsewhere in their lives and need their child education to 'go well'
- They care
- They feel their child's voice needs to be heard
- School leaders/teachers have made an error

Complaints - Agenda



1. Cover roles and responsibilities
2. Unpack the new DFE guidance on managing complains (Jan 2019)
3. Look at/share some examples of good practice
4. Scenarios
5. Questions, comments and complaints

A school's statutory responsibility

- In accordance with [Section 29\(1\) of the Education Act 2002](#), all maintained schools and maintained nursery schools **must have and publish procedures to deal with all complaints relating to their school** and to any community facilities or services that the school provides, for which there are no separate (statutory) procedures.
- Your procedures dealing with complaints must be published on your [school's website](#).
- You must also publish any arrangements for handling complaints from parents of children with special educational needs (SEN) about the support the school provides.

What the law actually says...

- (1)The governing body of a maintained school shall—[Section 29\(1\) of the Education Act 2002](#)
- (a)establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
- (b)publicise the procedures so established.
- (2)In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State or (in relation to Wales) by the National Assembly for Wales.



From the 2019 [Governors' Handbook](#)

Maintained Schools:

- 352. The boards of all maintained schools have a duty to establish procedures for dealing with complaints about the school and any community facilities or services that it provides unless alternate statutory procedures apply
- 353. All LA maintained schools must publish their complaints procedures online.

And Academies...

- 354. Academy trusts must ensure they have a procedure that deals with complaints from parents of pupils and that it is effectively implemented. This must comply with The Education (Independent School Standards) Regulations 2014. Part 7 of the regulations, sets out the standard about how the manner in which complaints are handled is met. **The department expects trusts to also respond to complaints from individuals who are not parents of pupils.**
- 355. Academy trusts must make their complaints procedure available on request. The **expectation** is that this should be published online.

DfE School Complaints Procedures

– best practice guidance

- [Updated](#) 11-Jan-19
- Best practice here has been replaced with a new version

Who can make a complaint?

- You must not limit complaints to parents or carers of children that are registered at the school. Anyone can make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). This includes:
 - parents or carers of children **no longer** at the school
 - members of the public
- In accordance with [administrative law principles](#), complainants should be given the opportunity to complete the complaints procedure in full, unless you possess clear evidence that the complaint meets the [serial complaint criteria](#).
- If the complainant contacts you again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and you may choose not to respond.
- You should not mark a complaint as 'serial' before the complainant has completed the procedure.

Who can complain? (Governor's handbook)



- **56. Any individual can complain to the Secretary of State for Education about a school in England.**

For maintained schools, the department considers complaints to determine whether a school board has acted unreasonably in the performance or exercise of its education powers or duties or has failed to perform a duty. Where this is established, the Secretary of State has powers of intervene and give directions to the board

- 124. ESFA handle complaints about academies on behalf of the Secretary of State, in accordance with their terms of the school's funding agreement.

And OFSTED?



- 359. By law, and in certain circumstances, **Ofsted is able to investigate complaints by parents about their child's school to decide whether to use its inspection powers.** It has powers to obtain information to facilitate an investigation.
- 361. Should Ofsted consider it appropriate for the purpose of an investigation that they meet with parents, then the board (or in the case of a school which does have a delegated budget, the LA) must co-operate with Ofsted in arranging the meeting. **This includes allowing a meeting to take place on the school premises,** fixing a date for the meeting and notifying parents and the LA of the meeting. A representative of the board and the LA may also attend the meeting.

The difference between a concern and a complaint

- A 'concern' may be treated as 'an expression of **worry or doubt** over an issue considered to be important for which reassurances are sought'.
- A complaint may be generally recognised as 'an expression or statement of **dissatisfaction** however made, about actions taken or a lack of action'.
- It's in everyone's interest that complaints are resolved at the earliest possible stage. **Many issues can be resolved informally, without the need to follow formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.**
- However, there will be occasions when complainants want to raise their concerns formally. In those cases, your complaints procedure should be followed.



Concern or complaint?

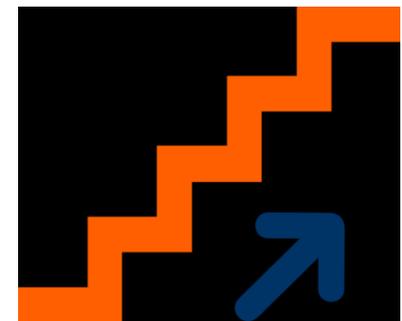
- My child is being bullied.
- My child did not receive the homework.
- My child has not received “Star of the Week” yet
- My child said the TA hit her or him when no-one was looking
- The teaching is not good enough in this school
- My child was excluded from the school and I was not given a reason.

The policy itself

- You're free to adopt your local authority's model policy if one is provided. However, as the duty to establish procedures for dealing with complaints lies with governing bodies, you must tailor the policy to your individual school.
 - Look at other schools
 - Look at 'The Key'
 - **Look at model policies on the DFE guidance page**

Key considerations for your procedures...

- Define concerns and complaints
- **The informal stage**
- Encourage families to raise concerns before they are complaints
- **The correct channel**
- **Escalation procedures**
- What goes where
- Next steps



Documents



[Best practice guidance for school complaints procedures 2019](#)

HTML



[Model complaints procedure](#)

ODT, 35.4KB

This file is in an [OpenDocument](#) format



[Model policy for managing serial and unreasonable complaints](#)

ODT, 15KB

This file is in an [OpenDocument](#) format

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <insert local authority details></p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <insert LADO/MASH details>.</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i></p>

<ul style="list-style-type: none">• Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for <u>whistleblowers</u> in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none">• Staff grievances	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none">• Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

<ul style="list-style-type: none">• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none">• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

You should make sure that your complaints procedure:

- is simple to understand and use
- is impartial
- is non-adversarial (informal)
- **enables a full and fair investigation**
- respects confidentiality (where necessary)
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary
- provides information to the school's senior management team so that services can be improved

To you make sure your complaints procedures are effective (and compliant), it is recommended that

- you ask the complainant at the earliest stage what they think might resolve the issue - **an acknowledgement that the school could have handled the situation better is not the same as an admission of unlawful or negligent action**
- when responding to a complaint, you advise the complainant of any escalation options at each stage of the procedure - for example, when communicating the outcome of the stage 1 process, include the details of the stage 2 process

Complaints outside of this policy

Some complaints fall outside the school's complaints procedure, for example:

- exclusions
- staff grievances
- Staff disciplinary procedures
- [Complaints not in scope](#) lists complaints that are not covered by this procedure.

Complaint campaigns

- Occasionally, you may become the focus of a campaign and receive large volumes of complaints:
- all based on the same subject
- from complainants unconnected with the school
- We recommend you include a separate procedure in your complaints policy to handle complaints of this nature. This could include:

What can you do.

- sending a template response to all complainants
- publishing a single response on the school's website

Timeliness

- Complaints need to be considered and resolved as quickly, and efficiently as possible.



Complaint about governors

- Complaints against the chair of governors or any individual governors are made to the clerk to the governing body (the clerk), the clerk should then arrange for the complaint to be heard. This can be done by a suitably skilled and impartial member of the governing body (stage 1) and then a committee of members of the governing body (stage 2)
- Complaints against the entire governing body or complaints involving both the chair and vice chair should also be sent to the clerk, who should then determine the most appropriate course of action. This will depend on the nature of the complaint
- This may involve sourcing an independent investigator to complete stage 1 and co-opted governors from other schools to hear the complaint at stage 2.
- If appropriate, the clerk could ask for support from the:
 - governor services team at the local authority
 - diocese

A large, dark, irregular ink blot with splatters on a white background. The blot is roughly circular but has jagged, feathered edges. The color is a deep, dark blue or black. There are numerous small, dark splatters and droplets scattered around the main blot, particularly towards the top and right sides. The overall effect is that of a fresh ink spill or a hand-drawn mark.

Disclaimer...

Scenario 1

- You are a governor at a school and are attending a community bat mitzvah. A parent approaches you and says, “I know I shouldn’t discuss school business with you, but my child complains she is being bullied and the staff aren’t doing anything about it. If it doesn’t stop I am going to Ofsted...”
- What could you say to the parent?
- What should you do?



Scenario 2



- All classes have whats app groups in your school, although they are run by parents and not the school. One evening the group is messaging non-stop about the class teacher who allegedly shouts at the children and as a consequence, the children all hate him/her.
- What should you do?
- Should you respond?
- Could you speak with the teacher?
- Are these groups helpful or harmful?

Scenario 3

- A parent sees you in the supermarket and tells you they heard that another parent is abusing their child. Then they see they think they heard it from a really reliable source but cannot say who?
- What is your role here?
- What should you say to the parent?
- What would you do next?

Scenario 4

A group of parents come to you and say that you are going to be presented with a petition to call for the removal of the head because he is rubbish and has ruined the school.

What now?

Scenario 5

- Some parents approach you on the playground. They say that they are 'sick and tired' of the bad teaching in the school and they are going to call Ofsted. You find this a bit strange because the school is currently graded good and the SATs results are high.
- What could you say to them?
- Who should you tell?
- Should you call OFSTED?

Scenario 6

- One day you are on facebook and you see teachers and parents responding to each others messages. The teachers are talking about how annoying some parents were on the most recent parents eve and the parents are joining in, but secretly the parents have all been texting about it on whatsapp and swapping photos?
- What should you do?

Remember...

- 1) Update your policy
- 2) Publicise your policy
- 3) Follow your policy
- 4) Separate concerns and questions
- 5) Start informally

