



The Parkside School  
Governors Complaints and Appeals

<b>Approved by:</b>	Carolyn Ellis-Gage	<b>Date:</b> June 2022
<b>Signed:</b>		
<b>Next review due: by:</b>	Head Teacher Mrs. Carolyn Ellis-Gage June 2023	

## **General Procedures**

The School will follow the procedures as recommended by the Local Authority Complaints Procedure. It will also use the “Code of practice for Governors Receiving a Complaint from a Parent”, together with other advice that is appropriate to hearing and dealing with complaints.

The Governors keep full records of the procedures they have adopted in relation to any complaint that they have received.

Under the Terms of reference for Governor’s Meetings a “Standing Committee” will hear any complaints directed officially to the Governors as part of the accompanying procedures.

## **Types of Complaint**

### **1. Curriculum, Religious Worship or Exclusions**

As per LA Guidance.

### **2. Admissions or Special Educational Needs**

This refers to such procedures or decisions reached by the LA prior to placement at Parkside.

Should be referred to Special Education Services.

### **0. Educational Support Services**

Complaints about any of the Services supplied by the LA should be referred to the appropriate Department Head at County Hall.

### **4. Complaints about Racism**

Follow procedure recommended by LA.

### **5. Complaints about Misconduct or Capability of Staff**

Follow guidance as set out in the Conduct and Behaviour Policy ([Norfolk.gov.uk](http://Norfolk.gov.uk))

### **0. Other Complaints**

Any complaints of a more general nature not covered specifically by the above sections should be dealt with in the following manner:

- Parents should be advised to make an appointment to discuss the issue directly.
- If this fails to resolve the problem, the parent should be advised to place the issue before the Chair of Governors, who may wish to speak with the Head of School and communicate with the parent.
- If this process fails to resolve the issue, the matter should be brought before the "Standing Committee". The Chairs if involved in earlier attempts at resolution should not be included. Parents can make direct representations to the Standing Committee and be accompanied by a friend if they wish. The Head Teacher may attend. Decisions of the Standing Committee should be sent in writing to the parent within 7 days.
- If during the investigation of the complaint at any stage it is felt that questions of staff competence or discipline are involved then the above no longer applies and should be dealt with under the LA Capability or Disciplinary Procedures, taking advice from an appropriate Senior Officer of the LA or Human Resources. School should let parents/carers know the outcome.

### **Reference:**

"Code of Practice for Governors Receiving complaint from a parent"

"Annex A"

"Advice to a parent of a pupil who wishes to make a complaint."

- School Brochure

## **Appendix A**

### A Procedure for handling concerns and complaints

All schools in Norfolk want their pupils to be healthy, happy and safe, and to achieve. They recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

#### **Level 1 – informal**

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher or a Head of Department about the concern. It is best to resolve issues at this point.

#### **Level 2 - informal**

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher or Head of Department should ask for an appointment to meet with the Head of School, a Deputy Head Teacher or Assistant Head Teacher.

If a resolution to the issue is proving difficult to find, the Head of School, a member of the leadership team, a Deputy Head Teacher or Assistant Head Teacher can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

If everyone involved is unable to resolve the issue then it may be necessary to ask for information or support from a Children's Services Representative. The issue that is the focus of the complaint will determine the person contacted. The Head of School, Deputy Head Teacher or Assistant Head Teachers should know who to ring or the Customer Service Centre will be able to offer information on 0844 800 8001

or e-mail: [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)

**Level 3 – formal complaint letter to Head Teacher**

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Parents, carers or guardians wishing to move to level 3 must write a formal letter of complaint to the Head Teacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

The Head Teacher should consider the complaint and discuss a resolution with the complainant. The Head of School should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

Concerns or complaints specifically about the Head of School or Executive Head.

The decision that the Head of School has made as a result of the complaint does not become a complaint about the Head of School. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

If, the concern or complaint is specifically about the Head of School and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chairs of Governors. The school will provide the Chairs of Governor's name and the complainant should write to them at the school address marking the envelope 'urgent, private and confidential'. The Chairs of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

**Level 4 – formal complaint requesting a Governors' Complaints Panel.**

Time Scales:

Receipt of complainant's letter	Acknowledgement within 5 school days
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Receipt of complainant's letter	Governors' Panel meeting within 15 school days (unless this goes into school holidays)
Written documentation sent to Governors' Panel Members and complainant and Head Teacher	5 school days before meeting.
Governors' Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors' Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the Head of School concerning the issue. The complainant should write to the Chairs of Governors at the school address marking the envelope 'urgent and confidential'.

The letter will need to set out the complaint that has previously been formally discussed with the Head Teacher and show why the matter is not resolved.

### **Before the meeting:**

The chair of governors should appoint a clerk to the Governors' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors' panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.

The Head Teacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The clerk should send both the complainant's letter and the school documentation to the Governors' Complaints Panel members, complainant and Head of School (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and the Head Teacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

**At the meeting:**

The complainant, and Head of School (or their representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After the complainant and the Head of School (or their representative) have provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

**After the meeting:**

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed the school's complaints procedure correctly, he/she can contact a Children's Services Officer for assistance. In this case he/she should ring Customer Services on 0844 800 8001 who will arrange for an officer to get back to him/her.

Chapter 3, paragraph 14 of a Guide to the Law for School Governors states:

Under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education. if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the governing body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education could instruct either party to do to put matters right.

Once a Governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.

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Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Head of School can give information about these issues or advice can be sought from the Customer Service Centre on 0844 800 8001 or e-mail: [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)

Extended Schools: the governing body should ensure that any third party provider offering activities and services through the extended schools programme has their own complaints procedure in place. Governors would need to have a discussion around, and make a decision about, what happens when the third party provider's complaints process is exhausted and the matter is not resolved and whether it should then be referred to a Governors' Complaints Panel. This would ensure that the Governors are kept aware of complaints about provision.

### Flowchart of procedure for handling concerns and complaints:



