

Haringey Tuition Service

Complaints Policy

Introduction

Background

Although complaints are relatively rare, it is important to have procedures in place for those occasions when a child's education is affected. Though we recognise that everyone involved with the Service works hard to ensure that it operates effectively and efficiently, it is important that when complaints do occur, they are resolved satisfactorily.

This is not a disciplinary policy, but intended as a guide to how Haringey Tuition Service deals with any complaints received.

Acknowledgements

The following procedure has been adapted from the guidance provided by the London Borough of Haringey. In turn, their proposed procedure for handling complaints is based on research by the Research and Information on State Education Trust (RISE) as well as documentation from London Borough of Enfield who were kind enough to provide them with their model complaints against Services procedure.

Why complaints matter

We believe that a well-established complaints system can provide valuable feedback, leading to many benefits for the Service and its community:

- a free and continuous source of feedback from the Service's community covering every aspect of the Service;
- it demonstrates that the Service takes complaints seriously and listens to its community;
- it can help to improve the image and credibility of the Service;
- it can lead to improved confidence and satisfaction in the local community;
- it can serve as an early warning sign to identify any areas where things are not running smoothly;
- a good procedure keeps complaints within the Service, preventing dissatisfied members of the community from taking complaints to other, external, bodies and;
- ensures that complaints are handled in a uniform manner, and helps to prevent them getting bounced backwards and forwards, or lost.

Defining a complaint about a Service

The scope of complaints in a Service is far-reaching; it could be the actions of another pupil, a teacher, the curriculum, transport, safety, catering – any number of aspects of Service life. A complaint can be defined as:

“Any expression of dissatisfaction about something which the Service, its students or its Management Committee have, or have not done, or about its policies, and which requires a response.”

However, not all of these areas of complaint are appropriate for the Service to resolve themselves. For the following, there are statutory procedures to be followed:

- complaints against the curriculum;
- admissions and transfers arrangements and appeals;
- appeals against statements of special educational needs;
- appeals about exclusions, and;
- complaints about public examinations.

Appendix A lists statutory procedures, complete with local contact details for information.

Discriminatory incidents

In order to comply with the statutory requirements laid down in the Race Relations (Amendment) Act 2000, the Service has a Race Equality Policy. Should the Service receive a complaint which is construed as a discriminatory incident, we will follow the procedures laid down in the Service’s Race Equality and Equal Opportunities Policies.

Roles and responsibilities at each stage of the process

Teachers, support staff and governors

This complaints procedure has been made available to all teachers, support staff and governors. If any such person is contacted with a complaint, they should know who to refer it to.

All teachers and governors should also understand where statutory procedures apply and local contacts for these. This will enable them to advise any complainants who to contact for further assistance.

Initially, teachers should normally deal with complaints. At this early stage, it is likely that thought, patience and consideration by staff will help diffuse the complaint.

Head teacher

The Head teacher is responsible for implementing the Service’s complaints procedures.

Management Committee

A Management Committee investigates a complaint if the complainant feels that the prescribed procedure in the Service has failed to provide a satisfactory outcome.

Local Education Authorities (LEAs)

The LEA will not usually become involved in a general complaint, unless the Service’s own procedure has been exhausted, and the complainant remains unsatisfied with their response.

Forwarding complaints from the LEA to a Service

When the LEA receives a complaint about the Service, which clearly has not been through the Service's own procedure, it is the LEA's responsibility to relay this complaint back to the Service.

In the event that the LEA receives a complaint by letter, this will simply be forwarded to the Service with a cover note from the Director of Education. If a complaint is received verbally, the details will be recorded in a form, and again, forwarded to the Service.

The Service understand that the role of the LEA in such circumstances is merely to inform the Service of the complaint.

Beyond the LEA

Beyond the LEA, an unresolved complaint can be referred to the Secretary of State for Education, or the Local Government Ombudsman. The Secretary of State for Education will intervene in Service matters in cases of extreme seriousness, and whilst the Ombudsman does not generally investigate internal Service management matters, they will investigate complaints against an LEA concerning maladministration of services.

Local MPs and Councillors

At any stage, complainants may contact their local councillor or local MP, who may in turn raise this with the LEA on behalf of their constituent. This is an alternative avenue for complaints to enter the complaints procedure system and these are subject to standard council procedures.

In these circumstances, the LEA will contact the relevant investigating body (according to stage) directly and ask them to investigate the complaint.

The procedure

The procedure for dealing with complaints about Services is based on five stages of increasing formality; the first three are based within the Service, and it is hoped that most complaints are resolved within these. However, for those rare times when a complainant is not satisfied with the Service's response, stages four and five involve external bodies.

Stage One: Informal

Any member of staff or the Management Committee may be approached with a concern from a member of the Service's community.

If the concern is about a teacher, the complainant will be directed to the Head teacher. If the concern is about the Head teacher, the complainant will be directed to the Management Committee Chair.

The Service will aim to resolve concerns and give feedback to all parties involved within ten Service days. If the matter is not resolved to the satisfaction of the complainant, he/she/they will have twenty days to take their complaint to Stage Two.

Stage Two: Head teacher's Investigation

This stage can be reached if the class teacher has been unable to resolve the problem, or if the complaint is about a teacher. At this stage the complaint will be properly recorded, either in the form of a letter or on the complaints recording form (Appendix B). Assistance will be provided to any person who may have difficulties recording their complaint in writing.

Note: If the complaint is about the head teacher, the complainant will be asked to contact the Management Committee Chair.

Once all the facts have been established, the Head teacher or Management Committee Chair (should the complaint be about the Head teacher), will produce a written response to the complainant and all parties involved. This will be done within 15 Service days.

Stage Three: The Service Management Committee

If the complaint has not been satisfactorily resolved at Stage 2, the complainant should write to the Management Committee Chair. Assistance will be provided to those who have difficulty in recording their complaint in writing. Previous letters, associated papers, etc, should be included. If the complainant is unable to provide a written request, they can approach the Chair via telephone, or face-to-face.

When the Management Committee Chair receives a complaint, efforts will be made to resolve this informally. If however, this route is neither advisable or is unsuccessful, the Chair will convene a meeting of the Management Committee Complaints Panel, or secure the services of the Management Committee clerk or substitute to carry through the procedures. The meeting will happen within 15 Service days of the complaint having been received.

Since this process has to be independent and impartial, any governor reviewing a complaint will be impartial and not have had any previous involvement, since this could result in a conflict of interest.

Although complaints at this stage are considered seriously, the Service recognises that many parents are unused to dealing with people in formal situations and so the complaints panel will keep proceedings as informal as possible.

Note: Any complaint about the Management Committee should be directed to the LEA. The convenor of the complaints panel shall invite the other panel members, complainant, Head teacher and any relevant witnesses to the meeting, detailing how the meeting will be conducted and giving at least five days notice.

- The Head teacher and Complainant will be expected to provide all previous paperwork concerning the issues raised in the complaint. All papers will be circulated in advance.
- The Complainant will be informed of their right to be accompanied by a friend/supporter/interpreter.
- The Head teacher should also be informed of their right to be accompanied by, for example, a member of their professional association.

- The Head teacher and Complainant may also invite any other individual who is directly involved in the complaint to attend the meeting, as a witness. However, the involvement of additional staff is at the discretion of the Panel Chair.
- It is the responsibility of the Panel Chair to ensure that the meeting is properly minuted.
- The aim of the meeting is to achieve reconciliation between the Service and complainant.
- The Service recognises that sometimes it will be difficult to establish reconciliation. In such circumstances, the meeting can be used to establish facts, and make recommendations.
- The panel will reply to the Complainant within fifteen Service days after the meeting has taken place, stating:
 - whether the Panel upholds the complaint, in full or in part;
 - the redress that the Panel is recommending, if any;
 - the reasons for their decision;
 - how to move to Stage Four, in case the complainant remains unhappy. Stage Four requires that the Complainant must contact the LEA within twenty days of receipt of the Complaint Panel's letter.
- A copy of the decision letter will be sent to the Complainant and the Head teacher.

Stage Four: Referral to Haringey Local Education Authority (LEA)

Though the LEA has a statutory obligation to deal with complaints against the curriculum, there will be rare times when there are other complaints about a Service, which have exhausted the Service's internal procedures and must be considered by the LEA.

- The complainant must refer their complaint, in writing to the Director of Education.
- The Director will acknowledge receipt of the complaint, detailing who will be reviewing the matter, within ten Service days.
- The Director will copy the acknowledgement letter to the Headteacher and Management Committee Chair.
- The Director of Education will appoint a review officer who has no connection with the complaint.
- The Review Officer will contact the complainant and discuss their desired outcome and possibilities of redress. The officer must explain the limits of the LEA's power to respond and explain processes and timescales.
- The Review Officer will review actions to date by all parties, including communications with the Service and Management Committee and formally record the findings.
- The Review Officer will produce a report attempting to resolve the issues to the satisfaction of the complainant, outlining the following:
 - Recommendations for action;
 - reasons for these, where appropriate;
 - this must be sent to the complainant, the Head teacher and governors within thirty Service days of receipt of the complaint.
- The Director of Education's covering letter to the report will include details of the next stage, should the complainant remain unsatisfied.
- Actions will be recorded throughout.

Stage Five: Beyond the LEA

Beyond the LEA, an unresolved complaint can be referred to the Secretary of State for Education, or the Local Government Ombudsman. The LEA must supply contact details and likely procedures for these if the complainant wishes to pursue their complaint further.

Appendix A

Complaints covered by other statutory procedures

Complaints against the curriculum

Section 409 of the 1996 Education Act required all LEAs to establish a procedure in maintained Services to deal with complaints from parents about the curriculum and religious worship. Parents may use the procedure if they feel that the LEA or Management Committee is failing to:

- provide the National Curriculum in the Service, or for a particular child;
- follow the law on charging for Service activities;
- offer only approved qualifications or syllabuses;
- provide religious education and daily collective worship;
- provide the information that they have to provide;
- carry out any other statutory duty relating to the curriculum, or;
- act unreasonably in any of the above cases.

Arrangements for consideration of complaints against the curriculum are available from:

Haringey Council Education Services
48 Station Road
London, N22 7TY
Telephone: 020 8489 3839

Complaints about public examinations

The appropriate examining board is responsible for complaints about grades but parents have the right to seek the support of the Service if they wish to query a result.

Child protection issues

Should you be concerned about the welfare of any child, please contact the Education Service's designated Child Protection Officer on 020 8489 3150 who will advise you on the next steps.