



# Service Children's Education

## Complaints Procedure

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## Document information

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## **A General principles**

1. Survey results show that most parents are very satisfied with the education received by their children in SCE schools. Nevertheless, complaints arise from time to time. This document describes the procedures to be followed in raising and resolving complaints. Separate procedures apply in the case of complaints involving safeguarding issues (see “SCE procedures for dealing with allegations against staff”).
2. When a parent raises an issue with a school it may at first be unclear whether the parent is asking a question, expressing an opinion, seeking information, or making a complaint. It may be helpful to offer a preliminary discussion about an issue to help decide whether s/he wishes to take it further. A concern or issue becomes a complaint only when the parent alleges that the school has acted wrongly in a making a decision, taking action, or failing to take action.
3. Although it is necessary to have formal procedures for dealing with complaints, the aim should always be to resolve complaints informally if at all possible. Formal procedures will need to be used when attempts to resolve complaints informally have proved unsuccessful and the complainant remains dissatisfied.
4. Schools should identify a member of staff who has responsibility for the operation and management of complaints procedures.
5. Complaints procedures should be simple to understand and use. This document sets out the full procedure and guidance. A summary for parents is at Annex 1. This is available as a leaflet for schools. Schools should provide information about pupil complaints procedures in language and format which is accessible to pupils.
6. All stages of the complaints procedure should be investigatory rather than adversarial. Complaints should be handled in a way that facilitates resolution with the minimum of conflict.
7. Complaints should be dealt with promptly and within the specified time limits for action. If the complaint is complex and requires investigation that cannot be completed within the normal timescale, new time limits can be set. The complainant should be informed of the new deadline and the reason for the delay.
8. To allow for a proper investigation, complaints should be brought to the attention of the teacher or headteacher as soon as possible. Any matter raised more than three months after the event complained of will not be considered save in exceptional circumstances.
9. Complaints should be seen as an opportunity to inform future practice and reduce the likelihood of the problem recurring.
10. Anonymous complaints will not be investigated unless there are exceptional circumstances. These might include serious concerns such as child protection issues or bullying allegations where the safety or welfare of children may be at risk.
11. If properly followed, the complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, even though all stages of the procedure have been followed, a complainant remains dissatisfied. If the complainant tries to reopen the same issue, s/he

may be informed that the matter is now closed and will not be reconsidered.

## **B Monitoring of complaints**

12. SCE will monitor the number and nature of complaints made under the procedures described in this document. Schools should keep details of complaints received and provide an annual return to HQ SCE. This information should also be reported annually to the School Governance Committee.

## **C Complaints from parents about actions of a member of staff other than the headteacher**

### Stage 1 - Informal Stage

13. It is preferable to resolve complaints at the informal stage wherever possible. Every effort should therefore be made to achieve a resolution at this level.
14. For complaints about the action of a member of staff other than the headteacher, the complainant should usually communicate directly with the member of staff concerned, by appointment, telephone or letter. In some cases, the complainant may prefer to communicate with another member of staff in the relevant line management chain e.g. the head of department, Key Stage co-ordinator or deputy head. Similarly, the member of staff may feel it helpful in some circumstances to refer the complainant to a more senior colleague or to ask a more senior colleague to mediate with the complainant. Some schools may wish to designate a senior member of staff other than the headteacher to act in this capacity.
15. Complaints at this stage should be resolved in ten school days from the date that the complaint is first raised with the relevant member of staff.
16. If it is not possible to resolve the complaint at the informal stage, the member of staff should provide the complainant with information about the procedure for complaints at Stage 2.

### Stage 2 - Formal Stage

17. If the complainant is dissatisfied with the outcome at Stage 2, the complainant should put the complaint in writing and give or send this to the headteacher. The complaints form at Annex 2 should normally be used for this purpose. The complainant should include all information which might assist the investigation e.g. names of potential witnesses, dates and times of events, and copies of relevant documents. The headteacher should acknowledge the complaint in writing.
18. The headteacher should consider providing an opportunity to meet the complainant to discuss the complaint.
19. The headteacher will investigate and collect such evidence as s/he deems necessary. The headteacher should interview witnesses and take statements from those involved. Where it is necessary to interview a member of staff who is the subject of a complaint, the member of staff may choose to be accompanied by a friend or teachers' association representative. The member of staff will be provided with a copy of the complaint and any additional evidence presented by the complainant.

20. Once all the relevant facts have been established, the headteacher should reach a decision about the complaint and communicate this in writing to the complainant and the member of staff whose action is the subject of the complaint.
21. The written response should include a full explanation of the decision and the reasons for it. If the complaint is upheld in whole or in part, it should include what action the school will take to resolve the complaint. This might include:
  - an apology,
  - an explanation,
  - an admission that the situation could have been handled differently or better,
  - an assurance that the event complained of will not recur,
  - an explanation of the steps that have been taken to ensure that it will not happen again,

an undertaking to review school policies in the light of the complaint.

22. If disciplinary or restoring efficiency procedures are invoked as a result of the complaint, the details of the action taken will remain confidential. However, it is permissible for the complainant to be informed that appropriate action has been taken under disciplinary or restoring efficiency procedures.
23. Schools will not pay financial compensation as a response to complaints though money may be spent on a relevant educational purpose (e.g. paying a fee for a repeat examination).
24. If the headteacher does not uphold the complaint, the complainant should be advised that if s/he remains dissatisfied with the response and wishes to take the matter further s/he may appeal to a sub-committee of the School Governance Committee.
25. Stage 2 should be completed in ten school days from the date that the complaint is received by the headteacher. If the complaint is complex and cannot be resolved within this period, the headteacher should write to the complainant giving a revised target date for completion.

#### Stage 3 - Appeal Stage

26. If the complainant is dissatisfied with the outcome at Stage 2, s/he has the right for the complaint to be considered by a sub-committee of the School Governance Committee (SGC). Full details of the complaint should be set out in writing and sent to the chair of the SGC.
27. The sub-committee will comprise two SGC members, joined for this purpose by a senior representative of HQ SCE chosen by the SCE Deputy Chief Executive. The sub-committee will normally include the chair or vice-chair of the SGC, who will chair the meeting.
28. No members of the sub-committee should have had any prior involvement in the case. Staff members at the school may not serve on the complaints sub-committee.
29. For SCE schools outside North West Europe or Cyprus, there may be difficulty in the HQ SCE representative joining the SGC members. In such cases, the possibility of the HQ SCE representative taking part by video conference

should be explored. If this is not possible, the SGC members of the sub-committee should hear the complaint on their own and share the evidence with the HQ SCE representative before the three members of the sub-committee make their collective decision.

30. The complaints sub-committee should invite the person complained about, the complainant and the headteacher to a hearing. The procedure for the hearing should be as described at Annex 3.
31. If the complaint is not upheld, the chair of the sub-committee should write to the complainant notifying him/her of the decision, and confirming that there is no further right of appeal.
32. If the complaint is upheld in whole or in part, the sub-committee will make written recommendations to the SCE Deputy Chief Executive. In the light of such recommendation(s), the Deputy Chief Executive may direct the headteacher to reconsider his/her previous decision and action regarding the complaint. The Deputy Chief Executive will notify the complainant of the outcome.
33. Stage 3 should normally be completed within 20 school days of the complaint being received at HQ SCE.

## **D Complaints from parents about actions of the headteacher**

### **Stage 1 - Informal Stage**

34. It is preferable to resolve complaints at the informal stage wherever possible. Every effort should therefore be made to achieve a resolution at this level.
35. The complainant should speak directly with the headteacher.
36. Complaints at this stage should be resolved in ten school days from the date that the complaint is first raised with the headteacher.

### **Stage 2 - Formal Stage**

37. If the complainant is dissatisfied with the outcome at Stage 1, s/he has the right for the complaint to be considered by a sub-committee of the School Governance Committee (SGC). Full details of the complaint should be set out in writing and sent to the chair of the SGC.
38. The sub-committee will comprise two SGC members, joined for this purpose by a senior representative of HQ SCE chosen by the SCE Deputy Chief Executive. The sub-committee will normally include the chair or vice-chair of the SGC, who will chair the meeting. The HQ SCE representative will normally be at Assistant Director level.
39. No members of the sub-committee should have had any prior involvement in the case. Staff members at the school may not serve on the complaints sub-committee.
40. For SCE schools outside North West Europe or Cyprus, there may be difficulty in the HQ SCE representative joining the SGC members. In such cases, the possibility of the HQ SCE representative taking part by video conference should be explored. If this is not possible, the SGC members of the sub-committee should hear the complaint on their own and share the evidence with the HQ SCE representative before making their collective decision.

41. The chair of the sub-committee should notify the complainant and the headteacher of the arrangements for the hearing. The procedure for the hearing should be as described at Annex 3.
42. After the hearing, the chair of the sub-committee should write to the complainant notifying him/her of the decision. If the complaint is not upheld, the complainant should be informed of his/her right of appeal.
43. Stage 2 should be completed in 15 school days from the date that the complaint is received by the chair of the SGC.

### **Stage 3 - Appeal Stage**

44. If the complainant is dissatisfied with the outcome at Stage 2, s/he should put the complaint in writing and send it to the SCE Deputy Chief Executive. The complaints form at Annex 2 should normally be used for this purpose.
45. The Deputy Chief Executive will nominate a senior member of HQ SCE staff to investigate the complaint. The investigating officer will collect such evidence as s/he deems necessary. Where it is necessary to interview the headteacher, the headteacher may choose to be accompanied by a friend or teachers' association representative. The headteacher will be provided with a copy of the complaint and any additional evidence presented by the complainant.
46. Once all the relevant facts have been gathered, the investigating officer should provide his/her report and recommendations to the SCE Deputy Chief Executive, who will act as the deciding officer.
47. The Deputy Chief Executive will provide a written response to the complainant including a full explanation of the decision and the reasons for it. If the complaint is upheld in whole or in part, the response will confirm what action will be taken to resolve the complaint. This might include:
  - an apology,
  - an explanation,
  - an admission that the situation could have been handled differently or better,
  - an assurance that the event complained of will not recur,
  - an explanation of the steps that have been taken to ensure that it will not happen again,
  - an undertaking to review school policies in the light of the complaint.
48. If disciplinary or restoring efficiency procedures are invoked as a result of the complaint, the details of the action taken will remain confidential.
49. Financial compensation will not be paid as a response to complaints though money may be spent on a relevant educational purpose (e.g. paying a fee for a repeat examination).
50. Stage 3 should normally be completed within 20 school days of the complaint being received by the SCE Deputy Chief Executive.

## **E Complaints from pupils**

51. Pupils have the right:
- to have complaints taken seriously,
  - to be dealt with fairly and consistently,
  - to have complaints resolved at the earliest opportunity and with careful consideration of their interests and welfare.
52. All schools should have a procedure for dealing with complaints from pupils. This should be made known to parents and pupils on admission to the school, and regularly publicised. The procedure should state how a complaint may be raised, who should receive and deal with complaints, how the result of the complaint will be notified, and the timescale for dealing with complaints (which should be no longer than for parental complaints). The procedure should be described and set out in a way which is accessible to pupils. The procedure should also be included in the school prospectus.
53. Where the pupil's complaint is taken up by the parent, the matter will be dealt with according to the parental complaint procedures.
54. The nature of the issue will determine how a pupil's complaint should be handled. For issues that are not restricted to the complainant but concern many pupils, the complainant may wish to seek a resolution of benefit to all pupils through the School Council. Representations might be made, for example, about issues such as: homework, organisation of the school day, school facilities, school rules or school policies. The member of staff with whom the pupil raises this issue might help the pupil raise it at the next School Council meeting by ensuring that the issue is put on the agenda or by helping the pupil to contact his/her School Council representative. It is not appropriate for the School Council to consider complaints relating either to an individual pupil or an individual member of staff.
55. For issues specific to the pupil, the procedure to be used is outlined below.

### **Stage 1 - Classteacher or pastoral teacher**

56. At this stage, the pupil's complaint should be dealt with by the classteacher or, in middle or secondary schools, the teacher who has immediate pastoral responsibility for the class or year group e.g. the form tutor. Where the complaint is initially made to another member of staff, that member of staff should refer the matter to the classteacher or teacher with pastoral responsibility.
57. In the majority of cases, the complaint will be easily and immediately resolved by the classteacher or teacher with pastoral responsibility.
58. Where the complaint is about the classteacher or teacher with pastoral responsibility, the pupil may instead raise the complaint with a senior member of staff as specified in the school's pupil complaints procedure.

### **Stage 2 - Headteacher**

59. If the pupil is dissatisfied with the outcome of Stage 1 or if the pupil's complaint is about the headteacher, the complaint should be dealt with by the headteacher in person. The headteacher should meet the pupil to discuss the



complaint. Although it is helpful for the pupil to put the complaint in writing, this is not essential. After considering the pupil's complaint, the headteacher should give the pupil a written response, set out in language which is accessible to the pupil. The headteacher may wish to meet the pupil again to explain the outcome, the reasons for his/her decision, and any action resulting.

### **Stage 3 - School Governance Committee**

60. If the pupil is dissatisfied with the outcome at Stage 2, s/he has the right for the complaint to be considered by a sub-committee of the School Governance Committee. The complaint should be set out in writing and sent to the Assistant Education Officer (PD), HQ SCE, BFPO 40, who will make arrangements for a meeting of the SGC sub-committee. Alternatively, the pupil may give the complaint to the headteacher for onward transmission to HQ SCE.
61. The pupil may be helped in presenting his/her complaint, both in writing and at any hearing of the SGC sub-committee by:
  - a member of the pupil's family,
  - a fellow pupil,
  - a member of staff, so long as this does not involve a conflict of interests.
62. The sub-committee will comprise three members:
  - the chair or vice-chair of the SGC (who will act as chair of the sub-committee),
  - two other members of the SGC.
63. The complaints sub-committee should decide whether there is sufficient information to consider the complaint on the basis only of the written evidence or if a hearing should be arranged to hear both parties. The sub-committee may also decide whether any further enquiries should be pursued prior to the hearing.
64. Where the sub-committee decides that a hearing should take place, the chair of the sub-committee should notify the pupil and the headteacher of the arrangements for the hearing. The procedure for the hearing should be as described at Annex 3.
65. If the complaint is not upheld, the chair of the sub-committee should write to the pupil notifying him/her of the decision, and confirming that there is no further right of appeal.
66. If the complaint is upheld in whole or in part, the sub-committee will make written recommendations to the SCE Deputy Chief Executive. In the light of such recommendation(s), the Deputy Chief Executive will determine what action should be taken regarding the complaint. The Deputy Chief Executive will notify the pupil and the headteacher of the outcome.
67. Stage 3 should normally be completed within 20 school days of the complaint being received by HQ SCE.

## **F Curriculum complaints**

68. Section 409 of the Education Act 1996 establishes arrangements for handling complaints about the delivery of the curriculum, including the National

Curriculum and the provision of collective worship and religious education. Although not bound by this Act in schools overseas, SCE seeks to mirror the provision made in the Act for curriculum complaints.

69. Parents can complain if they have concerns that a school is failing:
- to provide the National Curriculum in the school or for a particular child,
  - to follow the law on charging for school activities,
  - to offer only approved qualifications or syllabuses,
  - to provide religious education and daily collective worship,
  - to provide information that they are required to provide,
  - to carry out any other statutory duty relating to the curriculum.

#### **Stage 1 - Informal Stage**

70. The complainant should raise the matter directly with the headteacher.

#### **Stage 2 - Formal Stage**

71. If not resolved at the informal stage, the complainant should put the complaint in writing and send this to the SCE Deputy Chief Executive, copied to the Director of Education Services.
72. The Deputy Chief Executive will nominate a member of HQ SCE staff to investigate the complaint. The procedure is the same as for parental complaints about the action of the headteacher.

#### **Stage 3 - Appeal Stage**

73. If the complainant is dissatisfied with the outcome at Stage 2, s/he has the right for the complaint to be considered by a review panel comprising the Director of Education Services and two other members of HQ SCE staff at Assistant Director level (other than the original investigating officer).

### **G SAEN complaints**

74. The SCE SAEN policy gives parents the right to request reconsideration of a decision if they disagree with:
- the content of an SCE statement, including the specified special educational provision,
  - a decision, after a statutory assessment, not to issue a statement,
  - a decision not to maintain a statement, whether previously issued by SCE or a UK Local Authority.
75. Such requests will be considered by an internal review panel comprising two senior SCE officers who have not been involved in the decision concerned. There is no right of appeal to a UK SEN Tribunal.
76. Parents also have the right to request reconsideration of a decision that a child cannot be admitted to an SCE school on the grounds that the child's special needs cannot be appropriately met in that school. Special needs admission reviews will be considered by a panel comprising two senior SCE officers and the headteacher of an SCE school in an area different from that under

consideration for the child's admission.

77. Further details of the SEN admissions review procedure can be found at Annex B of the SCE SEN policy.
78. Requests for the review of SEN decisions should be submitted in writing, stating the reasons for the request, to the Assistant Education Officer (Special Educational Needs), HQ SCE, BFPO 40.

## **H Exclusion complaints**

79. The SCE exclusions procedure has provision for parents to make representations about an exclusion to a sub-committee of the School Governance Committee. Further details can be found in the exclusions procedure.

## **I Safeguarding complaints**

80. In place of these procedures, the SCE guidance on dealing with allegations about staff must be followed in the following circumstances:
81. Where it is alleged that a member of staff has harmed, or may have harmed, a child, the SCE and school safeguarding policies should be followed. Any such allegation must be reported immediately to the school's Responsible Person for child protection. If the allegation is against the headteacher, it must be reported to the SCE Assistant Director (Pupil and Family Services) at HQ SCE, BFPO 40.
82. In such cases, the complainant should be informed that the matter will be dealt with in accordance with safeguarding procedures, and that the matter will not be progressed under the complaints procedures until these are concluded.

## **J Complaints about HQ SCE staff**

83. If parents have a complaint about the actions of, or a decision made by, a member of HQ SCE staff and where this is not covered by other procedures (e.g. SEN admission appeals), the first step is to raise the matter informally with the person concerned. If this does not resolve the matter, the complaint should be set out in writing and sent to the SCE Deputy Chief Executive at HQ SCE, BFPO 40.



## **SCE COMPLAINTS PROCEDURE – INFORMATION FOR PARENTS**

If you have comments or concerns, please tell us. We welcome suggestions for improving what we do.

If you want to make a complaint, this leaflet summarises what you need to do. You can get a copy of the full procedure and a complaints form from the school office. These can also be found on the SCE website, [www.mod.uk/sce](http://www.mod.uk/sce).

There are three stages in the complaints procedure.

### **Informal stage**

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher, or, in secondary schools, the relevant subject teacher. The teacher will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

Remember that teachers will mostly be in the classroom during the day, but you can leave messages with the school office and the teacher should get back to you.

### **Formal stage**

If you are not satisfied with the response and want to take the matter further, you should put the complaint in writing and give it to the headteacher. You should include as much information as possible e.g. dates and witnesses. This will help the headteacher to investigate your complaint.

The headteacher will decide whether it is necessary to meet you to find out more from you about the complaint.

When the complaint has been investigated fully, the headteacher will write to you and let you know his/her decision. If the headteacher agrees with your complaint, s/he will let you know what the school will do about it.

### **Appeal stage**

If your complaint is not upheld by the headteacher, you have the right of appeal to a sub-committee of the School Governance Committee (SGC). If you decide to appeal, you should put your complaint in writing to the chair of the School Governance Committee (SGC). You can get the chair's name and address from the school office. You will be invited to attend and speak to the sub-committee. The full SCE complaints document explains what will happen at this meeting.

### **Complaints against the headteacher**

As with complaints against teachers, there are three stages in the procedure. If you have a complaint about what the headteacher has done or not done, the first stage is to raise it directly with the head. If you remain dissatisfied, the second stage is to put your complaint in writing to the chair of the School Governance Committee (SGC). The complaint will then be considered by a sub-committee of the SGC. If your complaint is not upheld, the third stage is to appeal to the SCE Deputy Chief

Executive. If you decide to appeal, you should put your complaint in writing and send it to the SCE Deputy Chief Executive at HQ SCE, BFPO 40.

### **Special types of complaint**

There are different procedures for some special types of complaint. These include complaints about the curriculum, collective worship and religious education, about statements and assessments of special educational needs, and about exclusions from school. Details can be found in the full SCE complaints procedure.

### **Timetable for dealing with complaints**

Complaints should be dealt with in the following periods:

<b>Informal stage</b>	10 school days
<b>Formal stage</b>	10 school days, or 15 school days for complaints against the head teacher
<b>Appeal stage</b>	20 school days

### **Complaints from pupils**

Pupils also have a right to make a complaint. Each school should have its own procedure for dealing with complaints from pupils, and make this known to them in language that they will understand. More information can be found in the full SCE complaints procedure.

### **Complaints against HQ SCE staff**

If you have a complaint about the actions of, or a decision made by, a member of HQ SCE staff, the first step is to raise the matter informally with the person concerned. If you remain dissatisfied, you should put your complaint in writing and send it to the SCE Deputy Chief Executive at HQ SCE, BFPO 40.

### **Compliments**

It is helpful also to know when things go well. If you wish to compliment a member of staff, please write to the head teacher of your child's school or, in the case of a member of HQ SCE staff, to the SCE Deputy Chief Executive.

**COMPLAINTS FORM**

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response?)

What action(s) would resolve your complaint?

Are you enclosing any paperwork? If so, please give details.

Signature:

Date:

For complaints about actions of a member of staff other than the headteacher, send or give this form to the headteacher.

For complaints about actions of the headteacher, send this form to the Chair of School Governance Committee.



**PROCEDURE FOR SCHOOL GOVERNANCE COMMITTEE COMPLAINTS  
SUB-COMMITTEE HEARINGS**

The hearing should be as informal as possible.

Witnesses are only required to attend for the part of the hearing in which they give their evidence.

If either party to the complaint wishes to be accompanied by a friend, colleague, or a representative of his/her professional association, this should be allowed.

After introductions, the complainant is invited to explain their complaint, and be followed by his/her witnesses (if any).

The headteacher may question the complainant and the witnesses after each has spoken.

The headteacher is then invited to explain the school's actions and be followed by the school's witnesses. The complainant may question the headteacher and the witnesses after each has spoken.

The panel members may ask questions at any point.

The complainant is then invited to sum up his/her complaint.

The headteacher is then invited to sum up the school's actions and response to the complaint.

The chair explains that both parties will hear from the panel within a set time scale.

Both parties leave together while the panel decides on the issues.



## TIMETABLE FOR DEALING WITH COMPLAINTS

The following are the recommended timetables for dealing with complaints. If it is not possible to complete a stage within the specified timescale (e.g. where the complaint requires extensive investigations) the complainant should be notified of the reasons for the delay and given a revised timescale for completion.

### Complaints from parents

#### Complaints about actions of a member of staff other than the headteacher

**Stage 1            Informal Stage**

10 school days from date that complaint first raised with relevant member of staff

**Stage 2            Formal Stage**

10 school days from date that complaint received by headteacher

**Stage 3            Appeal Stage**

20 school days from the date that complaint received by the Deputy Chief Executive

### Complaints about actions of the headteacher

**Stage 1            Informal Stage**

10 school days from date that complaint first raised with headteacher

**Stage 2            Formal Stage**

15 school days from date that complaint received by Deputy Chief Executive

**Stage 3            Appeal Stage**

20 school days from date that complaint received by Deputy Chief Executive

### Complaints from pupils

Timetable to be specified in school policy but no longer than timetable for dealing with complaints from parents