

## **SCHOOL BASED COMPLAINTS - PRINCIPLES UNDERPINNING THE ROLE OF THE LOCAL AUTHORITY**

The Education Act 2002 extended previous legislative requirements for all maintained schools and maintained nursery schools to have in place a procedure for dealing with complaints relating to the school to include procedures for handling complaints relating to any community facilities or extended services that the school provides.\*

Almost all Lancashire schools adopted a model complaints procedure that reflected the then current guidance and also the LEA School Relations Code of Practice and did not give a role for the Local Authority (LA) in the investigation and resolution of complaints unless the headteacher, chair of governors or governing body complaints appeals committee requested assistance.

The 'general complaints procedures' only cover those complaints not covered by other statutory procedures, eg statemented special education needs, child protection issues. They cannot be used by teachers and other school staff who must use the grievance process. In the general complaints procedures there is no appeal to the Local Authority, but parents, the community and some LA staff have found this difficult to understand.

With the development of the Every Child Matters (ECM) agenda and the emerging role of the local authority as champion of children, young people and families it is important that we revisit the local authority's role in school based complaints so that there is an understanding of what that role is in the light of the emerging LA role. The Education and Inspections Act 2006 allows for certain parental complaints if they have not been resolved at school level to be referred to Ofsted.

The complaints procedures should set out the relationship between LA, parents and self managing schools. There remains a potential dilemma for parents in understanding them.

In the absence of any DfES guidance on the role of the LA and school complaints procedures in the light of ECM, it is proposed that, in the context of the Lancashire Model School Complaints Procedures, the LA role as champion of children and families embraces the following principles outlined below.

In responding to school based complaints Lancashire's Directorate for Children and Young People in undertaking its role as champion for children and parents will

on behalf of parents:

- use appropriate language and make clear to parents the limits of the Local Authority powers;
- if the complaint is about a school, explain the procedures clearly to parents so they have realistic expectations of the process;

- help parents to work out what they might want as an outcome and how to raise the issues with school; and
- make clear to parents the provisions of the School Based Complaints Procedure, including the role of the LA. (The Local Authority will not promote the complaint on behalf of the parents, but it will signpost potential assistance.)

on behalf of schools:

- recognise that schools are self managing institutions with their own procedures and be available to assist schools in their investigation of complaints;
- in consultation with the Dioceses/Church Authority, develop and recommend model procedures for schools to address the concerns/complaints raised both by parents and other members of the community;
- contact the school to inform them of the complaint and offer advice and assistance as appropriate; and
- provide the advice training and development of headteachers, governors and Local Authority employees on the procedures.

In all communications with the parents and school we will use appropriate language.