

CURRICULUM COMPLAINTS PROCEDURE

Paragraph 7(2) of Schedule 6 to the Education Act 1993 requires the Governing Body to have procedures for the consideration and disposal of complaints relating to matters concerning the curriculum followed within the school. They are comprehensive and cover all relevant complaints from the point when informal discussion becomes inadequate to a point where the next step would be complaint to the Local Government Ombudsman. The Local Government Ombudsman will not normally consider complaints on matters covered by the procedures until they have been exhausted.

The procedures do not cover complaints about the actions of individual teachers or the Headteacher. If, in the course of consideration of a complaint, it is decided that disciplinary proceedings should be initiated, separate action will be taken as appropriate. Separate arrangements apply to resolve disagreements about the curriculum requirements specified in statements for children with special educational needs.

The complainant may make his or her representations at each stage of the procedures in person, accompanied by a friend if so desired. Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representations.

The duties covered by the procedure are:

- The provision of a curriculum which meets the general requirements of section 1 and 2 of the Education Reform Act 1988, and sections 240 and 241 of the Education 1993 Act
- The implementation of the National Curriculum and compliance with Orders and Regulations made about its requirements and exceptions to its provision
- Provision of courses leading to external qualification, only if that qualification and the associated syllabus have been approved
- Provision of religious education and worship as required by sections 6, 8-10 of the 1988 act, sections 138-142 and 146-148 of the 1993 Act, and other enactments
- The need to act reasonably in deciding whether to apply to the Secretary of State either with or without The Schools Curriculum and Assessment Authority for exemption from all or part of the National Curriculum in order to carry out developmental work
- Consideration of appeals by parents about the temporary withdrawal of pupils from part, or all, of the National Curriculum
- Operation of charging policies in relation to the curriculum
- Compliance with requirements relating to the provision of information
- Compliance with any other enactments relating to the curriculum

Any concerns expressed by parents and others about the school curriculum and related matters should be dealt with in informal discussion with teachers and/or the Headteacher in the first instance. If dissatisfied, the person concerned may then submit a formal complaint to the Headteacher. He or she must do so in writing, making clear that it is a formal complaint, and specifying its nature as exactly as possible.

If in his/her view the complaint falls outside the scope of the procedures (see paragraphs 3 and 4), the Headteacher will advise the complainant of any other recourse he or she may have. The Headteacher will consider urgent complaints as quickly as possible. In any event the Headteacher will inform the complainant within two weeks of:

- The decision that has been reached, and the reason for it
- Any action taken or proposed, including details of any request made to those complained against to take particular actions to resolve the complaint.

If the complainant is dissatisfied with the Headteacher's response, or has not received a decision within the time limit imposed in paragraph 6, the Headteacher must refer the matter to the Governing Body. The Clerk will write to the complainant with details of how the Teaching and Learning Committee will consider the complaint, and of the complainant's right as explained in paragraph 3 above and in the paragraphs below.

If the complaint appears to be urgent, the clerk will convene a meeting of the Teaching and Learning Committee to consider the complaint within 12 days of the receipt, being days on which the school is normally in session ("school days"). If the complaint is not urgent, the Clerk will convene a meeting to consider the complaint within 20 school days. The clerk will give the complainant a minimum of 7 ordinary day's notice of the date, time and place of the meeting; any reasonable request made by the complainant for an alternative date should result in a mutually convenient alternative date being set at the earliest possible time. If the complainant does not wish to attend the meeting, he or she may present the complaint in writing to the Teaching and Learning Committee. The complainant must submit any such material to the clerk no later than 2 school days before the meeting.

Subject to paragraph 10 and 11, the Headteacher, accompanied by a representative if he so wishes, may be present at the meeting of the Teaching and Learning Committee which is convened to consider a complaint.

Where the complainant chooses to attend in person, the usual order of proceedings shall be as follows:

- The Chairman of the Committee will welcome the complainant and any representative and introduce those present.
- The complainant may, if he or she chooses, restate the nature of the complaint.
- The complainant may be asked questions by members of the Committee and by the Headteacher.
- The Headteacher may be asked to make a statement to the Teaching and Learning Committee, regarding the matter complained of and may be asked questions by them or by the complainant.
- The complainant may, if he or she so chooses, summarise the complaint.
- The Headteacher, complainant and any other person not on the Teaching and Learning Committee will be asked to leave.

The Committee shall consider the complaint at the meeting and any relevant information or factors. They shall only reach a decision after the Headteacher and where relevant, the complainant and any friend or representative or either individual, have withdrawn. The Teaching and Learning Committee shall decide;

- To reject the complaint
- To uphold the complaint
- to investigate the complaint further.

The clerk shall inform the complainant and the Headteacher in writing within 5 school days.

- Of the decision reached by the Committee under paragraph 10 and the reasons for the decision; if the Committee decides that the complaint falls outside the scope of paragraph 4, the clerk will inform the complainant of any further resources he or she may have.
- If the complaint was upheld, of any action taken or proposed, including details of any request to those complained against, to take particular actions to resolve the complaint; he or she may wish to pursue the matter further with the Headteacher or the Teaching and Learning Committee as appropriate.
- Where the Governing Body's response has failed to satisfy the complainant, the fact that further recourse lies in a complaint to the Local Government Ombudsman under section 2 of the Apprenticeship, Skills, Children and Learning act (2009). However, it should be pointed out that the LGO's powers do not extend to reviewing decisions of committees. The LGO only has the power to decide whether the Governing Body concerned has acted unreasonably or is in default of its statutory duties.

Where under paragraph 10 the Teaching and Learning Committee decides to investigate the complaint further, the clerk shall inform the complainant of the steps to be taken and of the progress made. Any subsequent meeting of the Teaching and Learning Committee shall be subject to the provisions described above in so far as they are relevant.

Any questions about the procedures described above should be directed to the Clerk to the Governors.