

## Coronavirus (COVID-19) (/coronavirus)

Latest updates and guidance

1. [Home \(https://www.gov.uk/\)](https://www.gov.uk/)
2. [Childcare and parenting \(https://www.gov.uk/browse/childcare-parenting\)](https://www.gov.uk/browse/childcare-parenting)
3. [Schools and education \(https://www.gov.uk/browse/childcare-parenting/schools-education\)](https://www.gov.uk/browse/childcare-parenting/schools-education)

# Complain about a school

## 1. Types of complaints

There are different ways to complain in England depending on whether your child:

- attends a [state school \(https://www.gov.uk/complain-about-school/state-schools\)](https://www.gov.uk/complain-about-school/state-schools)
- attends a [private school \(https://www.gov.uk/complain-about-school/private-schools\)](https://www.gov.uk/complain-about-school/private-schools)
- has [special educational needs \(https://www.gov.uk/complain-about-school/sen-complaints\)](https://www.gov.uk/complain-about-school/sen-complaints) (SEN)

Schools may not consider complaints about behaviour that happens outside the school's hours or premises – check the school's behaviour policy.

There are different ways to complain about schools in:

- [Scotland](#)
- [Wales](#)
- [Northern Ireland](#)

## Other types of complaint

For some types of complaint you need to contact a different agency.

Complaint	Who to contact
Child protection	<a href="https://www.gov.uk/report-child-abuse-to-local-council">Local council (https://www.gov.uk/report-child-abuse-to-local-council)</a>
Criminal behaviour	<a href="https://www.gov.uk/contact-police">Police (https://www.gov.uk/contact-police)</a>
Data protection	<a href="#">Information Commissioner's Office</a>
Discrimination	<a href="#">Equality Advisory and Support Service</a>

Complaint	Who to contact
Employment	<a href="https://www.gov.uk/courts-tribunals/employment-tribunal">An employment tribunal (https://www.gov.uk/courts-tribunals/employment-tribunal)</a>
Exam malpractice or maladministration (SATs)	<a href="https://www.gov.uk/guidance/how-to-report-maladministration-at-key-stage-1-and-key-stage-2">Standards and testing agency (https://www.gov.uk/guidance/how-to-report-maladministration-at-key-stage-1-and-key-stage-2)</a>
Exam malpractice or maladministration (secondary school)	<a href="https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure">Ofqual (https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure)</a> and the awarding body

## Legal advice

You can get free legal advice about schooling and education from [Child Law Advice](#).

## 2. State schools

State schools include:

- maintained schools
- academies and free schools

Contact [your local council \(https://www.gov.uk/report-child-abuse-to-local-council\)](https://www.gov.uk/report-child-abuse-to-local-council) or call your local police on 101 if you think a child is at risk. Call 999 if a child is in immediate danger.

## How to complain

Contact the school to discuss the problem first - most problems can be solved this way.

Follow all the steps in the school's complaints procedure to make a formal complaint. Every school in England must have one. It's often on the school's website and should tell you the kind of complaints the school deals with.

You may not be able to complain to academies or free schools if you do not have a child at the school.

You can [complain to the Department for Education \(DfE\)](#) directly if:

- a child is at risk
- a child is missing school
- the school is stopping you from following its complaints procedure

## If you think your complaint was not dealt with correctly

You can [ask DfE to consider your complaint](#) if you've followed all the steps in the school's complaints procedure.

## Tell Ofsted about a problem

Ofsted cannot respond to or resolve individual complaints but you can still [tell Ofsted about a problem with a school](#). They can use the information you provide to decide when to inspect and what areas to focus the inspection on.

## 3. Private schools

Contact your local council (<https://www.gov.uk/report-child-abuse-to-local-council>) or call your local police on 101 if you think a child is at risk.

Call 999 if a child is in immediate danger.

### Make a complaint

Follow the school's complaints procedure - every school in England must have one. It should be published on the school's website.

It should tell you what kind of complaints the school will deal with, such as bullying or bad behaviour.

You cannot complain directly to a private school if you do not have a child at the school.

### Further complaints

The Department for Education (DfE) cannot investigate individual complaints about private schools. But it has certain powers as a regulator if the school is not meeting standards set by DfE for:

- education
- pupil welfare and health and safety
- school premises
- staff suitability
- making information available to parents
- spiritual, moral, social or cultural development of students

DfE will consider any reports of a major failure to meet the standards. It can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure serious failings are dealt with.

DfE can ask the school inspectorates to take minor complaints into account when the school is next inspected.

You can complain to the DfE by filling in the [school complaints form](#).

## 4. Special educational needs (SEN)

If you want to complain about a school's [SEN support](#) (<https://www.gov.uk/children-with-special-educational-needs>), you should do it while your child is still registered at the school.

This includes complaints that the school has not provided the support required by your child's [SEN statement](#) or education, health and care (EHC) plan.

## Make a complaint

Follow these steps in order. Move on to the next step if your complaint is not resolved.

1. Talk to the school's special educational needs co-ordinator (SENCO).
2. Follow the school's complaints procedure.
3. Complain to your [local authority \(https://www.gov.uk/find-local-council\)](https://www.gov.uk/find-local-council).

[Complain to the Education and Skills Funding Agency \(ESFA\)](#) instead of the local authority if both the following apply:

- the school is an academy or free school
- your complaint is not about an [SEN](#) statement or an [EHC](#) plan

There's a different process if you disagree with a decision your local authority has made about an [SEN statement \(https://www.gov.uk/appeal-sen-statement-decision\)](https://www.gov.uk/appeal-sen-statement-decision) or an [EHC plan \(https://www.gov.uk/appeal-ehc-plan-decision\)](https://www.gov.uk/appeal-ehc-plan-decision).

## 5. Disability discrimination

Follow the school's complaints process [if you believe a school has discriminated against someone because of their disability \(https://www.gov.uk/rights-disabled-person/education-rights\)](https://www.gov.uk/rights-disabled-person/education-rights).

If this does not solve the problem, or you do not want to complain to the school first, you may be able to complain to the Special Educational Needs and Disability ([SEND](#)) tribunal.

### Who can complain to the [SEND](#) tribunal

You can complain to the tribunal if you're:

- someone with parental responsibility for a young person, or their foster parent or carer
- a young person over [school leaving age \(https://www.gov.uk/know-when-you-can-leave-school\)](https://www.gov.uk/know-when-you-can-leave-school) but under 18

You can complain to the tribunal about:

- a school, nursery or pupil referral unit maintained by a local authority
- an independent school
- a free school, including an academy

You cannot complain to the tribunal about:

- a private nursery, unless it's part of a school
- a further education college
- an organisation using a school's premises

### Complain to the [SEND](#) tribunal

You must send your complaint to the tribunal within 6 months of the discrimination taking place. If you send your complaint more than 6 months later, you'll be asked to explain why.

Your complaint can include events which happened more than 6 months ago, as long as these directly relate to events that have taken place in the last 6 months. The tribunal must be able to treat events as a single complaint about one ongoing issue.

For example, if your child was permanently excluded from school after a series of fixed-term exclusions which you believe were all because of the child's disability, the tribunal could treat them as a single complaint.

It's free to make a complaint to the **SEND** tribunal.

Download and fill in:

- [form SEND4A](https://www.gov.uk/government/publications/form-send4a-disability-discrimination-claim-by-a-parent) (https://www.gov.uk/government/publications/form-send4a-disability-discrimination-claim-by-a-parent) if you're a parent making a complaint on behalf of a child
- [form SEND4B](https://www.gov.uk/government/publications/form-send4b-disability-discrimination-claim-by-young-person) (https://www.gov.uk/government/publications/form-send4b-disability-discrimination-claim-by-young-person) if you're a young person above [school leaving age](https://www.gov.uk/know-when-you-can-leave-school) (https://www.gov.uk/know-when-you-can-leave-school) making a complaint for yourself

The address to send it to is on the form.

You can include details of up to 5 witnesses who you'd like to bring to the hearing on your form.

Contact the tribunal if you have any questions about completing the form. They cannot give you legal advice.

## Special Educational Needs and Disability Tribunal

[sendistqueries@justice.gov.uk](mailto:sendistqueries@justice.gov.uk)

Telephone: 01325 289 350

Fax: 0870 739 4017

[Find out about call charges](https://www.gov.uk/call-charges) (https://www.gov.uk/call-charges)

## Help you can get

Check if you can [get legal aid](https://www.gov.uk/check-legal-aid) (https://www.gov.uk/check-legal-aid).

You can also get free help and advice from:

- the [Independent Parental Special Education Advice \(IPSEA\)](#)
- your local Parent Partnership Service through the [Information, Advice and Support Services \(IASS\) Network](#)

Information, Advice and Support Services (IASS) Network

[iassn@ncb.org.uk](mailto:iassn@ncb.org.uk)

## After you make your complaint

Once the tribunal has registered your complaint, it will ask you and the school you're complaining about if you agree to the complaint being decided without a hearing.

If you both agree, the tribunal will make a decision about your complaint.

If you do not agree, the tribunal will send you a letter telling you if they'll hold a hearing, and when and where it'll take place.

You can [complain to the Department for Education \(DfE\)](#) about a school if the SEND tribunal will not handle your case.

## Attending the hearing

You may be able to attend the hearing by video link. If you do need to attend in person, the hearing will be close to your home.

## Change or withdraw your complaint before the hearing

Download and fill in:

- [form SEND7](https://www.gov.uk/government/publications/form-send7-request-for-change) (https://www.gov.uk/government/publications/form-send7-request-for-change) to change your complaint, for example to ask for a different hearing date or add more witnesses
- [form SEND8](https://www.gov.uk/government/publications/form-send8-withdrawal-of-appeal-or-claim) (https://www.gov.uk/government/publications/form-send8-withdrawal-of-appeal-or-claim) to withdraw your complaint

## What happens at the hearing

The hearing will usually be attended by:

- up to 3 tribunal members
- a clerk
- someone representing the school or local authority you're complaining about
- witnesses

You do not have to go to the hearing, but if you do you can ask questions and present the case yourself. If you're complaining as a young person, your parents can come to the hearing.

Fill in the [attendance form](https://www.gov.uk/government/publications/form-send11-attendance-form-parents) (https://www.gov.uk/government/publications/form-send11-attendance-form-parents) if you want to bring:

- someone to represent you
- someone to support you
- witnesses

You can [ask to have an interpreter](https://www.gov.uk/get-interpreter-at-court-or-tribunal) (https://www.gov.uk/get-interpreter-at-court-or-tribunal) at the hearing. They'll translate what happens but they cannot represent you or give you legal advice.

You might be asked questions by:

- your legal representative (if you have one)
- the local authority's representative
- the tribunal

You'll usually get a letter with the tribunal's decision within 10 working days of the hearing.

## Claiming expenses

You might be able to [claim travel expenses \(https://www.gov.uk/government/publications/send-tribunal-expenses-parents-can-claim-send15\)](https://www.gov.uk/government/publications/send-tribunal-expenses-parents-can-claim-send15) for going to the hearing.

Your witnesses might also be able to [claim expenses for travel and loss of earnings \(https://www.gov.uk/government/publications/form-send16a-expenses-claim-form-witnesses\)](https://www.gov.uk/government/publications/form-send16a-expenses-claim-form-witnesses).

If you bring a friend or relative to the hearing, you might also be able to claim for their travel costs.

## If your complaint is successful

The school or local authority must act on the tribunal's decision within a set amount of time.

You can [complain to the Local Government Ombudsman](#) if a local authority does not keep to the decision.

## Local Government Ombudsman

Telephone: 0300 061 0614

[Find out about call charges \(https://www.gov.uk/call-charges\)](https://www.gov.uk/call-charges)

PO Box 4771  
Coventry  
CV4 0EH

## If your complaint is not successful

The letter giving the tribunal's decision will tell you how to apply to:

- get the decision 'set aside' (cancelled) if you think there's been a mistake in the process
- ask the tribunal to 'review' the decision, for example if your circumstances have changed since you got the decision or the decision contains a mistake

You can also ask for permission to appeal to the Upper Tribunal (Administrative Appeals) Chamber if you think the ~~SEND~~ tribunal has made a mistake and acted against the law.

You must [ask for permission to appeal \(https://www.gov.uk/government/publications/form-ut5-application-for-permission-to-appeal-to-an-upper-tribunal-judge-and-notice-of-appeal-form-for-care-standards-and-primary-health-lists-cases\)](https://www.gov.uk/government/publications/form-ut5-application-for-permission-to-appeal-to-an-upper-tribunal-judge-and-notice-of-appeal-form-for-care-standards-and-primary-health-lists-cases) within 28 days of the date on the tribunal's decision letter.

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