



## COMPLAINTS PROCEDURE

### A statement for users of the Cumbria Education Trust Academies

Cumbria Education Trust (the Trust) very much hope that you and your child will be very happy at our family of academies, and that any concerns that may arise are dealt with swiftly by our staff. However, we recognise that there may be an occasion when you are not entirely happy with an aspect of the service that we provide and that you want the trust to deal with your concern through a more formal process.

This statement sets out what the Trust and/or academy will do if you wish to raise a concern informally, or make a formal complaint.

#### Who can raise a concern or make a complaint?

This procedure can be used by anyone who uses one of our family of academies, whether a pupil/student, a parent/carer, a provider of a service to the academy or a visitor.

If you wish to raise a concern or complain on someone else's behalf, the Trust will only deal with this if the person on whose behalf you are complaining is unable to do so for themselves (for example, they are too young or they have a disability that prevents them from complaining on their own behalf).

#### How will my concern be handled?

Our Complaints Procedure is compliant with The Education (Independent School Standards) Regulations 2010 and has three stages - an informal & formal stage and a panel hearing stage.

#### How will you respond to my concern?

##### Informal Stage

If your concern is about something that a person has or has not done, for example a member of staff including the Headteacher, a member of the Local Advisory Board (LAB) or a volunteer you should first speak to that individual. If it is about an aspect of academy practice or policy, you should contact the Headteacher. We want to resolve any concern as quickly as possible. We can reassure you that most concerns are usually resolved at this stage. A reply will be given, as soon as possible, but within a calendar week.

If the matter is not resolved to your satisfaction by the staff you have contacted, then you should take your concern to the Headteacher.

##### Formal Stage

If you are still dissatisfied with the response from the Headteacher, or your unresolved concern is about the Headteacher, you should put details of your concern in writing to the Local Advisory Board who will arrange for it to be investigated. You should state that you are making a formal complaint. All letters should be sent to the academy's address marked "Confidential", for the attention of Clerk to the LAB. The LAB will ask a nominated member or an independent individual to investigate and respond to you.

If your unresolved concern is about the Local Advisory Board (LAB), this should be put in writing to the Trust. You should state that you are making a formal complaint. Any letters should be sent to the Trust's

address marked “Confidential”, for the attention of Clerk to the Trust Board. The Trust Board will ask a nominated Director or an independent individual to investigate and respond to you.

On receipt of a letter the Clerk will acknowledge in writing receipt of the complaint. The investigator will respond, as soon as possible, bearing in mind the urgency of the situation. After due consideration, and within 10 working school days, the investigator will inform the complainant in writing of; a) decision reached and decision for it; b) any action taken or proposed, including details of any requests made to those complained against to take particular actions to resolve the complaint.

### Panel Hearing Stage

If you are still dissatisfied and wish to appeal against the outcome of the investigation, you should write to the Clerk to the Cumbria Education Trust Board. The Trust Board will arrange for a panel of at least three people to hear your appeal (this will consist of at least three people who are not directly involved in the matters detailed in the complaint, one of which is independent of the management and running of the academy). The complainant can attend this and be accompanied at a hearing panel if they wish. The complainant will be given 7 days’ 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 date being set at the earliest possible time.

Normally this will be dealt within 20 working school days. After this hearing, the panel will notify you of their decision. This will include informing you that the Trust’s procedure has been exhausted and that the matter is now closed.

### **What the Academy/Trust will do in relation to unreasonably persistent, abusive or harassing complainants and vexatious complaints**

A persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents/carers who pursue complaints in an unreasonable manner or insist on pursuing unjustified complaints and/or unrealistic outcomes. The Trust expects anyone who wishes to raise problems with the academy to:

- treat all staff with courtesy and respect;
- respect the needs of pupils/students and staff within the academy;
- recognise the time constraints under which members of staff in academies work and allow the academy a reasonable time to respond to your concern;

Whilst we recognise that some concerns may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour, and will take steps supported by legal action as appropriate to ensure that the Trust staff can continue its work safely and securely.

The Trust will ensure that all academies treat complaints in a sensitive manner. All correspondence, statements and records relating to an individual complaint will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them.

### **Where can I find more information?**

The Education Funding Agency (EFA) has more information, which can be found at: <http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school/how-to-complain>

*Approved by Trust Board – 19 October 2015*