



# COMPLAINTS POLICY



## Canterbury Cross Primary School Complaints Policy

### Guidance for anyone with a concern or a complaint

Our school wants to deal with any issues, concerns and complaints that you have as promptly and effectively as we can, and if you have any concerns we encourage you in the first instance, to go directly to the person who is most appropriate – this will usually be the class teacher, member of staff or the Headteacher.

If you are **not a parent or a guardian of a child attending the school**, you should contact the Headteacher.

The school is required by law to have a complaints procedure that aims to ensure that concerns and complaints are handled in a fair and non-adversarial manner.

The procedure is intended to deal with complaints relating to the actions of staff and the application of school procedures where they affect individual pupils **except** in matters relating to:

- Curriculum
- A particular exclusion,
- A particular child protection issue
- A special needs EHC plan issue
- An admission issue

All of which are dealt with under separate procedures. Details of these procedures are available at school.

**The school encourages any complainant to make every effort to resolve any concerns informally – please help us to resolve any concerns or complaints that you may have by following these steps.**

Please note:

- Any concern or complaint should be brought to the attention of the school at the earliest opportunity; any matter raised more than 3 months after the event will only be considered in exceptional circumstances.
- An anonymous complaint will not be dealt with unless there are exceptional circumstances

### Step One – Raising your concern – the informal- Stage 1

It is expected that in most cases the class teacher or member of staff concerned will be able to resolve your concerns without the need to go any further. You can help them to resolve your concerns by arranging to meet him or her at a convenient time, discussing your

concerns in a positive atmosphere and allowing them any time that they require in order to investigate the matter further themselves.

If having raised your concern with the class teacher or member of staff concerned, you are still dissatisfied, or if the class teacher or member of staff concerned is the subject of your complaint, then you should move on to step two, contacting the Headteacher.

In the case of you having a complaint about the support your child with SEND has then please speak to the SENCO before moving to step 2.

### **Step Two – Involving the Headteacher – Formal Stage 2a**

The Headteacher may ask you to put your concerns in writing, but will usually be able to deal with your concerns face-to-face. The Headteacher will attempt to resolve your concerns using any reasonable means that he feels are appropriate: this may involve meeting with you to discuss the matter further, or delegating another senior member of staff to investigate.

The headteacher should be allowed reasonable time to investigate the concern or complaint and gather any information that he requires. On this basis you should expect to receive feedback no later than 10 school days after giving the details to the headteacher.

If you are dissatisfied with the feedback from the headteacher, or if the headteacher is the subject of your concern or complaint, then you should move on to step three, contacting the Chair of Governors.

### **Step Three - Formally Notifying the Trust/Trustees – Formal Stage 2b**

The Trustees have responsibility for ensuring that any complaints formally notified to them are addressed. If you have not raised your concern or complaint with the Headteacher, the Chair may advise you to do so. If you feel your complaint has not been addressed to your satisfaction and you wish to escalate the matter to the school trust board, you can contact the chair in the first instance on: **[i.mogra\\_trustee@cantcros.bham.sch.uk](mailto:i.mogra_trustee@cantcros.bham.sch.uk)**

In cases that require urgent consideration the Chair may deal with the matter exclusively and without delay, but usually a designated panel of 3 members will be convened to hear your complaint. The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member.

The designated panel will hear your complaint on an impartial basis via a **panel hearing** that must be held in private, and will aim to resolve the complaint and reconcile any differences between you and the school.

The complainant will be given the opportunity to have a friend or representative, and / or a translator present at the hearing if you wish.

The panel will:

- Dismiss the complaint in whole or in part, or

- Uphold the complaint in whole or in part, or
- Where appropriate decide action to be taken, or
- Recommend changes to the school systems or procedures to seek to ensure that problems of a similar nature do not recur.

However, it is recognised that you might not be satisfied with the outcome if the hearing does not find in your favour, and therefore it may only be possible for the hearing to establish the facts and make recommendations.

Following the investigation you will receive written feedback from the clerk including any decisions, recommendations and the reasons for them and, if appropriate, the next steps. This should be issued within ten working school days after the investigation has concluded.

**Please note:** if the outcome might lead to action under another procedure or is an internal management issue for the school and therefore the responsibility of the Head Teacher, you may only be told that appropriate action will be taken.

**This is the final step of the process for the school** (except for carrying-out agreed actions) and there is no more that the school can do – trying to raise the issue further through the school may force us to treat your complaint as vexatious.

If, despite all stages of the procedure having been followed, you remain dissatisfied, you may take your complaint to the EFA, a department that oversees Academies, by following the link here:

[https://form.education.gov.uk/fillform.php?self=1&form\\_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form\\_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1](https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1)

Please note that the EFA will only look into a matter if steps 1-3 have been followed and a hearing with the appropriate body has taken place, you will be required to provide evidence of the panel hearing date and enclose copies of the written feedback from the panel.

## **The role of the EFA and guidance for parents**

The responsibility of the EFA is to ensure academies comply with their funding agreements.

If a complaint comes to the EFA they will check whether the complaint has been dealt with properly by the academy. They will consider complaints about academies that fall into any of the following three areas:

1. Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
2. Where the academy is in breach of its funding agreement with the Secretary of State
3. Where an academy has failed to comply with any other legal obligation

They will not overturn an academy's decision about a complaint. However, if they find an academy did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

If the academy's complaints procedure does not meet the Regulations, they will ask the academy to put this right. The EFA may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

### **Complaints about the whole school**

If there is a complaint about the whole school such as: the quality of education or poor management, OFSTED can be contacted using the link below

<https://contact.ofsted.gov.uk/online-complaints>

OFSTED should respond to the complainant within 30 working days, explaining if they intend to investigate or not, and why.