



# Parents' complaint policy and procedure

**Primary and Secondary Academies**

April 2019

## Introduction

As an Academy forming part of Cuckoo Hall Academies Trust, we have a strong commitment towards working in positive partnership with the whole Academy community. We have an ethos of respecting the rights of all members of the Academy community and we work to instil this in our pupils as part of our curriculum teaching

A school is a busy place where there are many interactions between pupils, parents, carers and staff as part of every day school life. From time to time something may go wrong, or you may think we can do something better.

Where any parental concerns are raised we aim to resolve these as quickly and as efficiently as possible. Usually concerns that are raised can be resolved very quickly through the school's day to day communication between parents and the school staff.

However, where a parent may feel that an issue has not been dealt with appropriately it is important, for all involved, that there is a clear and transparent process for a complaint to be looked into and followed up.

Parents and pupils are stakeholders in the educational system. If they are unhappy about something, there should be a clear system and route for them to make the school aware of their concerns **even if all the response entails is an explanation of why something happens in the way that it does.**

The policy is split into sections and appendices: -

- Section 1 Complaint handling overview and limitations
- Section 2 **The complaint procedure**
- Section 3 Model procedure for a governors' complaints panel at Stage 3
- Section 4 Recording and monitoring
- Section 5 Vexatious complaints
- Section 6 Parental concerns about curriculum
  
- Appendix 1 **Complaints procedure overview**
- Appendix 2 Academy contact details
- Appendix 3 Complaint form (also available separately on our website)

# 1. Complaint handling overview and limitations

## 1.1 The statutory requirement

- 1.1.1 Part 7 of [The Education \(Independent School Standards\) \(England\) Regulations 2014](#) requires academies to have in place a procedure to deal with complaints about services the school provides. Both this and the Freedom of Information Act 2000 require the procedure to be publicised.

## 1.2 What can a complaint be about?

- 1.2.1 The complaints procedure is for parents / carers of pupils. The kinds of issues that might lead to a formal complaint being made may include:

- Bullying
- Discrimination on the grounds of race or gender
- Staff actions or conduct
- The Academy school environment

- 1.3.2 In each case the responsibility for initial action lies with the academy at which the pupil attends. In some cases, a complaint may lead to a disciplinary or an appeal against a decision governed by another process in which case it will be appropriate for the issue to be dealt with separately from the complaints procedure.

- 1.3.3 Depending upon the nature of the complaint and / or who the complainant is, consent<sup>1</sup> may be required from the individual or individuals who have parental responsibility<sup>2</sup> of the child before any action is taken or information disclosed.

- 1.3.4 Our complaints form can be found at [Appendix 3](#), as a separate document on our website or upon request from the academy office. This can be used to assist you providing us with the key information we require to process your complaint.

- 1.3.5 Whilst a form is not essential, we will require all the information the form seeks and especially the 'Desired Outcome'.

## 1.4 What should the parents' complaints procedure not deal with?

- 1.4.1 Existing statutory bodies, personnel or other procedures and processes already exist for dealing with each of the following issues:

- Academy reorganisation proposals
- Admissions and appeals
- Allegations of abuse
- Child Protection matters

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<sup>1</sup> As per the General Data Protection Regulation (GDPR) and the Data Protection Act 2018

<sup>2</sup> As per the Children Act 1989 and subsequent amendments

- Complaints about the statement process for children with SEN
- Curriculum complaints ([See Section 6](#))
- Disciplinary issues relating to members of staff (although sometimes these may come about as a result of a complaint)
- Exclusions
- Provision of collective worship and religious education
- Staff grievances and disciplinary procedures
- Services provided by other providers who may use school premises or facilities.
- Whistleblowing

1.4.2 By virtue of not having a contact to reply to, we will not generally respond to anonymous complaints however the matters raised in any such complaint and how we address them will be assessed on a case by case basis and the information provided.

1.4.3 The complaints procedure is not a legal process. If at any stage the complainant starts legal action in relation to the matters under consideration, the complaints process will automatically cease and all further correspondence will be with the legal representatives of Cuckoo Hall Academies Trust.

## 1.5 Resolving issues and complaints

1.5.1 Most issues and complaints can be successfully dealt with informally and an effective complaints procedure will encourage this. However, for those situations where this is not appropriate, the formal complaints procedure exist which provides the academy with the means to identify an area of concern at an early stage and to tackle it quickly and effectively.

1.5.2 We see it as important to try to reach an early resolution with complainants. This not only promotes closure in the matter but also enables parents and teaching staff to move forward constructively. It might be sufficient to acknowledge that a complaint is valid in whole or in part and it may also be appropriate to offer one or more of the following:

- An apology.
- An explanation.
- An admission that the situation could have been handled better or differently.
- An assurance that the incident complained about will not reoccur – and an explanation of steps taken to ensure this.
- An undertaking to review academy policies in light of the complaint
- Asking the complainant what they feel they would like to see happen may help resolve the situation at any stage.

1.5.3 However, it may also be the case that the outcome, at any stage of the procedure, concludes that:

- There is insufficient evidence to reach a conclusion, so that the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The concern was substantiated in part or full.
- The matter has been fully investigated and that appropriate procedures are being followed.

Whilst the response may explain the actions the academy is taking to resolve your complaint, the disclosure of any details of the investigation must comply with current data protection legislation (for example we will not be able to divulge the details of any disciplinary action that may be taking place as a result of a complaint).

1.5.4 When we receive a complaint we will:

- Discuss the complaint with the complainant if necessary.
- Try to establish what has happened, who was involved and clarify the details.
- Ascertain what the complainant feels would remedy the situation.
- Interview those involved if appropriate **and allow them to be accompanied if they wish.**
- Approach any interview or discussion with an open mind.

1.5.5 A complaint will have a response timescale attached to it. If we are unable to fully respond within the specified time scales, we will inform the complainant before the deadline, giving a reason and a new deadline for reply.

1.5.6 Copies of any notes or statements made during interviews, meetings or conversations used to inform a complaint response at any stage of the complaints procedure are not routinely disclosed to a complainant, neither are they usually kept longer than the duration of the complaint process.

## 1.6 Timing

1.6.1 It is in the interests of all parties that any concerns or complaints are raised as soon as is practicable after the event to which they relate.

1.6.2 Whilst on occasion, and depending on the specifics, it may be reasonable for us to consider complaints up to a year after the event (or a year after the event became known to the complainant), we will not consider significantly historic or previously investigated issues. We are better able to respond to complaints whilst events are recent or relatively fresh.

1.6.3 Whilst there is no requirement for academies to consider parental complaints once their child is no longer a pupil at the academy, considerations may be given should a

complaint have been submitted and the investigation be underway prior to their departure.

- 1.6.4 Parents who wait until after their child has left the academy before making a complaint should be aware that whilst they are still of statutory school age, any pupil records will have been passed onto their next school and we may have a very limited amount of information available on which to pursue the investigation.
- 1.6.5 Complainants are therefore urged to consider how they might best obtain the resolution they desire and if this is indeed possible after considerable time has elapsed.
- 1.6.6 Other than in what the academy may deem as exceptional circumstances, it is not appropriate that the gap between the complaint stages identified in [Section 2](#) below be significant and we will usually expect the complainant to adhere to the timescales provided.

## 1.7 General principles of the procedure

- 1.7.1 A good procedure enables swift handling of the complaint with clear time scales and will also ensure a full and fair investigation that respects the confidentiality of the complainant whilst recognising GDPR and Data Protection Act 2018 requirements.
- 1.7.2 Dividing the complaint process into stages enables complainants to have a clear idea of how to make their concerns known and also where to turn if they are not satisfied with an answer that they may have been given. It also provides our academies with a clear approach to complaint handling.
- 1.7.3 Where the procedure refers to head teacher, he / she may delegate any of their functions to a member of the senior leadership team if appropriate. The final decision will however will rest with the head teacher.
- 1.7.4 In exceptional circumstances the Head teacher or the Chief Executive Officer may commission an independent investigator to undertake an investigation on the academy's behalf.
- 1.7.5 Whilst based in academies, some of our support staff report to a central management team. Should a complaint relate, in whole or in part, to a member of staff over whom they do not have direct line management, the head teacher will liaise with the appropriate member of the senior management team in order to provide a response.
- 1.7.6 Governors personal contact details are not routinely shared with complainants without us first seeking their explicit consent. They can be initially contacted via CHAT Academies central governance team (See [Appendix 1](#)).

## 2. The complaint procedure

### 2.1 STAGE 1

- 2.1.1 This is when a parent or pupil contacts the academy because they are not happy about something that has happened, or is happening in school.
- 2.1.2 At this stage ideally a class teacher, senior manager or other individual responsible for the service can resolve the concerns and this could be via a meeting if the complainant so wishes. It may be helpful to identify at this point what sort of outcome the complainant is looking for in order to tackle minor concerns quickly and effectively.
- 2.1.3 **The response should be provided within a maximum of 15 school days from the date of receipt.**
- 2.1.4 The response can be oral or in writing as deemed appropriate to the situation, however details of the complaint should be retained for monitoring purposes and will be added to the pupil record as a correspondence.
- 2.1.5 If we are unable to respond within the time scale, we will inform the complainant before the deadline, giving a reason for any delay and a new reasonable deadline for reply.
- 2.1.6 As part of the response, the complainant should be advised of the next stage of the procedure in case they are not satisfied with the outcome.
- 2.1.7 A complainant's unreasonable refusal to attempt a local resolution may result in the procedure being terminated and this will be confirmed in writing.
- 2.1.8 Should the complaint be about a class teacher, senior manager or other individual responsible for the service or if it is inappropriate for anyone below the role of head teacher to respond, it may be prudent for the head teacher to escalate the complaint to Stage 2 of the complaints procedure.

### 2.2 STAGE 2 | Formal complaint to the head teacher

- 2.2.1 If the complainant is not satisfied with the response received from the class teacher or senior manager at Stage 1 they should be given the opportunity to take the complaint to Stage 2 of the process in order for the head teacher to investigate. Equally, if the matter is considered to be of such concern, the head teacher may decide to undertake an investigation at Stage 2 immediately.
- 2.2.2 Stage 2 complaints should usually be made in writing to the head teacher and should also include the complainant's desired outcome from the complaint. A complaint form is available at [Appendix 3](#), as a separate document on our website or upon request from the academy office.
- 2.2.3 Where the complaint requests that their complaint be escalated to Stage 2, they should do so **within 10 school working days of the Stage 1 response**. It is not appropriate that the gap between complaint stages be significant.

- 2.2.4 Oral or written acknowledgement of a complaint should be provided by the academy **within 2 school days of receipt of the complaint** and include a target date for response. This should normally be **within 20 school days of receipt of the Stage 2 complaint**.
- 2.2.5 If it is not possible to resolve matters within this timescale an explanation as to why should be provided, with a revised target date.
- 2.2.6 Where appropriate, the head teacher should provide the complainant with the opportunity to meet to discuss the complaint further and it is reasonable to allow a friend or advocate to accompany the complainant to the meeting if they so wish.
- 2.2.7 Complaints need to be considered, and resolved quickly and efficiently. The head teacher should interview any relevant pupils / witnesses as soon as possible. Whilst pupils may wish to be interviewed with parents or carers present this is not always practicable. If appropriate, a member of staff with whom the pupil feels comfortable should be asked to attend.
- 2.2.8 Following the completion of all appropriate investigations, the head teacher will respond in writing to the complainant with all appropriate information in relation to the complaint and information on any outcome(s).
- 2.2.9 As part of the response, the complainant should be advised of the next stage of the procedure in case they are not satisfied with the outcome.
- 2.2.10 If the head teacher has already had extensive involvement by the time the complaint reaches Stage 2, it may be prudent that they refer the matter to the Chief Executive Officer to decide how best the complaint is investigated ahead of Stage 3 of the complaint procedure (as per [Section 2.3.3](#) below).

However, it is obviously desirable for the head teacher to continue to attempt to resolve the issue at this stage if possible.

## 2.3 STAGE 2 | Further considerations

- 2.3.1 If the complainant considers that the decision of the head teacher is perverse, or that the head teacher has acted unreasonably either in considering the complaint or throughout the process, then the complainant may raise a complaint in respect of the investigation carried out by the head teacher.

Complainants should note that this additional investigation will take place ahead of Stage 3.

- 2.3.2 This will provide an opportunity for the evidence that supports such a complaint to be investigated. In this case the complainant should submit, in writing, a complaint to the Chief Executive Officer of Cuckoo Hall Academies Trust **within 10 school days of receiving the head teacher's written response**. This can be submitted to the academy office or by addressing your correspondence to the 'Chief Executive Officer' and marking it 'Strictly Private and Confidential'.



- 2.3.3 The Chief Executive Officer will then decide who is best placed to investigate. This may be: -
- The lead co-opted governor of the academy (or other nominated governor)
  - The lead co-opted governor from one of our other academies
  - A member of the Trust's Senior Management Team
  - The Chief Executive Officer themselves
- 2.3.4 The nominated officer will carry out an investigation and will consider all available evidence. If additional evidence is required, the investigation may include separate interviews with the complainant, the head teacher and relevant members of staff. It would not be appropriate to question any children if they have been part of any previous investigation.
- 2.3.5 When the investigation has been concluded the complainant and head teacher will be informed in writing of the outcome **within 20 school days of receiving the complaint.**
- 2.3.6 Should the complainant remain dissatisfied following receipt of the response, they may request a panel of governors consider the matter at Stage 3. Contact details for the CHAT Central Governance Team can be found in [Appendix 2](#).

## 2.4 STAGE 3 | Formal complaint to the governing body

- 2.4.1 Complaints rarely reach Stage 3, but the academy governors are prepared to deal with them if necessary.
- 2.4.2 Complainants should be advised that complaints at this stage should usually be made in writing and addressed to the '*CHAT Central Governance Team*' **no later than 10 school days following receipt of the written outcome at Stage 2.**
- A complaint form is available at [Appendix 3](#), as a separate document on our website or upon request from the academy office. Contact details for the CHAT Central Governance Team can be found in [Appendix 2](#).
- 2.4.3 If the CHAT Central Governance Team receive a written complaint directly from a parent, they will first consult with the head teacher before taking any action as it is important to ensure that the earlier stages of the procedure have first been exhausted.
- 2.4.4 If it is not appropriate for the matter to be referred back to the head teacher it may be more prudent that the Chief Executive Officer or other nominee first carries out an investigation or review of the issues presented in line with the process described in Stage 2 ahead of the remainder of this process (as per [Section 2.3.3](#) above).
- 2.4.5 The school should arrange for a **written acknowledgement to be sent to the complainant within 3 school days of receiving the complaint** and will inform the complainant how the complaint will proceed.
- 2.4.6 Should the complaint proceed directly to Stage 3, it is important that the governors' complaint panel should not only be independent, but be seen to be so. **Individual**

**complaints should not be considered by all governors** in case the investigation leads to a separate process (e.g. disciplinary hearing) that would need to be heard by a separate group of governors with no prior involvement. Similarly, some governors may have prior knowledge of a problem, which might make them unable to give fair and unbiased consideration to the issue.

- 2.4.7 Once the school has ascertained the complainant's availability, the CHAT Central Governance Team will identify a panel of three governors and communicate their availability back to the school in order that they may continue with the panel arrangements.
- 2.4.8 At least one governor from another academy will be appointed to the panel to ensure it includes one member who is fully independent from the management and running of the school to which the complaint relates. In the rare event that availability prevents this, a person of credibility from the local area and who has no association with the school being complained about will be sourced (for example a governor of a neighbouring school or academy). The third panel member may not be a CHAT Academies Trustee.
- 2.4.9 The acknowledgement (sent under [Section 2.4.5](#) above) should inform the complainant that **their complaint is to be heard by the panel within 20 school days of receiving the complaint**. The complainant's availability will of course be considered which may extend this timescale. Once a mutual date has been agreed the CHAT Central Governance Team will pass the logistical arrangements back to the academy to arrange.
- 2.4.10 The complaint panel meeting should be arranged, with enough notice given so that everyone, including the complainant, can make arrangements to attend. **This notice period is usually at least 5 school days prior to the date of the panel meeting.**
- 2.4.11 At this meeting the issues around the complaint can be discussed, with everyone involved invited to put forward their case. Occasionally, the panel would also need to interview any people involved in order to get a clearer picture of the background. Any parties involved should also be invited to submit any extra evidence that has not been seen during the earlier stages.
- 2.4.12 A full overview of the Stage 3 process is available at [Section 3](#)
- 2.4.13 A written response to the complainant should be made as soon as possible but **within a maximum of 15 school days from the date of the panel meeting.**

## 2.5 Appeal to the Department for Education (DfE)

- 2.5.1 If the complainant is still not happy by this stage, an appeal can be made to the Department for Education.
- 2.5.2 The DfE consider complaints about academies where: -
- There is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.

- The academy is in breach of its funding agreement with the Secretary of State.
- An academy has failed to comply with any other legal obligation.

2.5.3 The DfE will refer any complaint matters back to an academy if it has not first been through its own complaint procedure

## 3. Model procedure for a governors' complaints panel

### 3.1 The panel

- 3.1.1 Should a complaint proceed to Stage 3, the lead co-opted governor should arrange to convene a panel of governors. They may, and it may be necessary to, approach governors from other academies within the Trust to ensure that three independent governors are available to carry out their task within the set time.
- 3.1.2 The panel members should be governors who have had no prior involvement with the complaint and at least one will be fully independent of the school (as per [Section 2.4.8](#) above).
- 3.1.3 The academy's lead co-opted governor should usually chair the panel unless they too have previously been involved in the complaint or is unavailable. On these occasions another panel chair will be appointed.
- 3.1.4 Generally, it is not appropriate for the head teacher to have a place on the panel. It may be helpful to have a governor who is also a parent on the panel. Governors will also want to be sensitive to issues of race, gender and religious affiliation.
- 3.1.5 The chair will make every effort to ensure that the panel will **hear the complaint within 20 school days of receiving the request to move to Stage 3** as indicated in the acknowledgement letter however this may depend upon the complainant's availability.
- 3.1.6 All relevant correspondence regarding the complaint should be given to each panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the panel chair should ensure a thorough summary is prepared for sending to panel members.
- 3.1.7 The panel chair will write and inform the complainant, head teacher, any relevant witnesses, and members of the panel of the date, time and place of the meeting. This should be done as soon as practicable and at **least 5 school days in advance of the panel date**. (See [Section 3.2.3](#) below also)
- 3.1.8 Whilst new documents may be introduced, all panel members and the complainant should have, in advance, copies of all documents to be considered at panel.
- 3.1.9 The notification to the complainant should also inform them of their right to be accompanied to the meeting by a friend / advocate / interpreter. The complainant may not be accompanied by a solicitor acting in a legal capacity.
- 3.1.10 The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.

### 3.2 Who should attend the panel?

- 3.2.1 The chair of the panel should invite the head teacher to attend the panel meeting and who should prepare a written report for the panel in response to the complaint.

- 3.2.2 The head teacher may also invite members of staff directly involved with matters raised in the complaint to respond to the complainant directly either in writing or in person at the panel.
- 3.2.3 Any relevant documents for consideration at the panel (this includes the head teacher's report), should be submitted in order to be received by the panel members and the complainant at least 5 school days prior to the panel meeting date.
- 3.2.4 The involvement of staff other than the head teacher is subject to the discretion of the panel chair although the investigating officer may be invited, should that be someone other than the head teacher (as per [Section 2.3.3](#)).
- 3.2.5 It is the responsibility of the panel chair to ensure that minutes are taken and are properly recorded.

### 3.3 The panel meeting

- 3.3.1 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that their complaint has at least been taken seriously.
- 3.3.2 The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. The panel chair should therefore ensure that the proceedings are as informal as possible.
- 3.3.3 If previously undisclosed evidence or witnesses are introduced at the panel, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

### 3.4 The panel process

- 3.4.1 Any party have the right to call witnesses if applicable (subject to the approval of the panel chair) and all parties have the right to question all the witnesses. However, **witnesses are only required to attend for the part of the hearing for which they give their evidence.**
- 3.4.2 Whilst **the panel may ask clarifying questions of either party at any point**, the process of the complaint panel is as follows: -
  - a. Welcome and introductions from the panel chair
  - b. The panel chair explains the purpose of the meeting, the procedure and that all written evidence has been made available to all parties
  - c. Complainant is invited to explain their complaint, followed by their witnesses
  - d. The head teacher may then question both the complainant and the witnesses
  - e. The panel may then question both the complainant and the witnesses

- f. Head teacher (and investigating officer if applicable) is invited to explain the school's actions, including those taken to address the complaint at previous stages of the complaints procedure, followed by any witnesses for the school.
- g. The complainant may question the head teacher (and investigating officer if applicable) and the witnesses for the school
- h. The panel may then question the head teacher (and investigating officer if applicable) and the witnesses for the school
- i. Any remaining witnesses to leave
- j. The head teacher (and investigating officer if applicable) is invited to make a final statement
- k. The complainant is invited to make a final statement
- l. The panel chair explains to the complainant and head teacher that the panel will now consider its decision, and that a written decision will be sent to both parties within 15 school days
- m. The complainant and the head teacher leave at the same time
- n. Panel deliberations and decisions

### 3.5 The panel decision

- 3.5.1 The panel will then consider the complaint and all the evidence presented. They will: -
- Reach a unanimous, or at least a majority, decision on the complaint
  - Decide upon the appropriate action to be taken to resolve the complaint
  - Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.
- 3.5.2 A written statement outlining the decision of the panel must be sent to the complainant within 15 school days. The letter to the complainant should explain whether a further appeal can be made and, if so, to whom (e.g. Department for Education).
- 3.5.3 A copy of the statement will be made available to those subject to the complaint only where it is appropriate to do so.
- 3.5.4 Generally, this would be the end of the governors' involvement in the complaint process however they may also consider an appeal if a complainant is able to demonstrate that new information or evidence has come to light which was not available at the time of, and directly relates to, the original complaint which might significantly affect the findings of the complaints panel.
- 3.5.5 The school should ensure that a copy of all correspondence and relevant notes are kept on file in the school's records. (See [Section 4](#))

- 3.5.6 A copy of Stage 3 panel findings and recommendations will be kept on the school premises available for inspection by the head teacher, chief executive officer and Trustees (the proprietor)

### **3.6 Summary of timescales of complaint panel process**

- 3.6.1 Written acknowledgement sent within 3 school days of receipt of the Stage 3 request
- 3.6.2 If proceeding with a panel, acknowledgment to inform the complainant that the complaint is to be heard within 20 school days of the complaint receipt date.
- 3.6.3 Once agreed, panel chair to inform relevant parties of the date / time / location of the meeting at least 5 school days in advance of the date
- 3.6.4 Any relevant and / or additional documents to be considered at the panel (including the head teacher's report) should be received by all concerned – including the complainant - prior to the meeting
- 3.6.5 The panel chair will send a written decision to both head teacher and complainant within 15 school days of the panel date

## **4. Recording and monitoring**

### **4.1 Monitoring and recording complaints**

- 4.1.1 The school will monitor and keep a written record of complaints. Details to include in the monitoring will include: -
- name of complainant
  - when the complaint was made
  - details of the complaint
  - the stage at which the complaint was investigated (as per [Section 4.1.2](#))
  - summary of the results and conclusion of any investigation(s)
  - the outcome (as per [Section 4.1.3](#))
  - summary of any action taken as a result of the complaint (regardless of the outcome)
- 4.1.2 Complaint outcomes should be recorded in a manner which indicates which stage(s) of the procedure they have been considered i.e. Stage 1, Stage 2 (and any further considerations at Stage 2) or Stage 3.
- 4.1.3 Complaint outcomes should be listed as either: -
- upheld
  - not upheld or
  - partially upheld

- 4.1.4 One complaint can have several stages each with a different outcome. There should also be an indication as to what the response time scale is (dependent on the stage) and whether or not the response time scales have been met.
- 4.1.5 Gender, ethnicity and any disability of complainants may be anonymously monitored in order to address any possible equality issues.
- 4.1.6 As per the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, all correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the [Education and Skill Act 2008](#) requests access to them. (Stage 3 findings and recommendations will be kept as per [Section 3.5.6](#))
- 4.1.7 Records of complaints will be securely destroyed in line with the pupil record to which they belong.
- 4.1.8 Unless there are ongoing or contentious disputes, records relating to complaints which were considered by governors at Stage 3 will be securely destroyed after 6 years from the complaint response

## **4.2 Publicising the complaint procedure**

- 4.2.1 The complaint procedure and complaints form will be publicised on our website and is available on request from the academy office.



## 5. Vexatious complaints

### 5.1 Overview

- 5.1.1 The term 'vexatious' reaches wider than complaints.
- 5.1.2 It is not appropriate to make personal accusations or attacks on members of school staff, or to raise matters that are not about education or a child's well-being. It is also not appropriate to make unsubstantiated allegations against the school, or to behave unreasonably by not engaging with the school to attempt a joint resolution.
- 5.1.3 A good complaints procedure can help limit the number of protracted complaints. If a complainant attempts to reopen issues that have been dealt with through the complaints procedure it should be explained that the procedure has been exhausted.
- 5.1.4 If a complainant acts unreasonably by continuing to raise similar issues or raising a range of unrelated issues on a repeated basis, then the academy can reserve the right not to respond.

### 5.2 Vexatious complaint handling

- 5.2.1 The school may take steps to limit or in some way ration contact for example:
- Directing the parent to a specific teacher or other member of staff as a contact point.
  - Responding to the complainant at specific intervals.
  - Informal or formal written warnings given as to future behaviour and the consequences of that behaviour.
- 5.2.2 When rationing contact, care should be taken not to dismiss any new complaints that have been raised alongside previous complaints.
- 5.2.3 Any new issues should be addressed separately under the relevant stage of the complaints procedure and a continued dialogue with the academy is seen as extremely important as part of ensuring the best possible outcomes for pupils and a significant benefit of doubt should be given to parents / carers.
- 5.2.4 If a complainant in this category refuses to engage in the school's formal complaints procedures, but continues to complain, then the head teacher chief executive officer or governors will consider informing the complainant that the complaints are vexatious.
- 5.2.5 If a complainant believes that the academy has acted unreasonably then they may appeal to the Department for Education outlined in [Section 2.5](#) above.

## 6. Parental concerns about curriculum

### 6.1 Overview

- 6.1.1 Whilst they must teach a broad and balanced curriculum which includes English, maths, science and religious education, academies and free schools and are not required to follow the national curriculum.
- 6.1.2 The Board of Trustees is ultimately responsible for the curriculum of the academy schools. Should a parent have cause for concern about a curriculum matter the process outlined at Phase 1 and Phase 2 below are available as an informal course of action.
- 6.1.3 All parents are aware of the curriculum prior to registering for a place at the Academy. Neither the academy staff, trustees or governors will enter into discussions about whether a specific subject should or should not be on the curriculum
- 6.1.4 If the concerns raised become personalised or about matters not related to the general curriculum, the head teacher reserves the right to refer the matter to the academy complaints procedure as outlined in [Sections 1 – 5](#) of this policy.

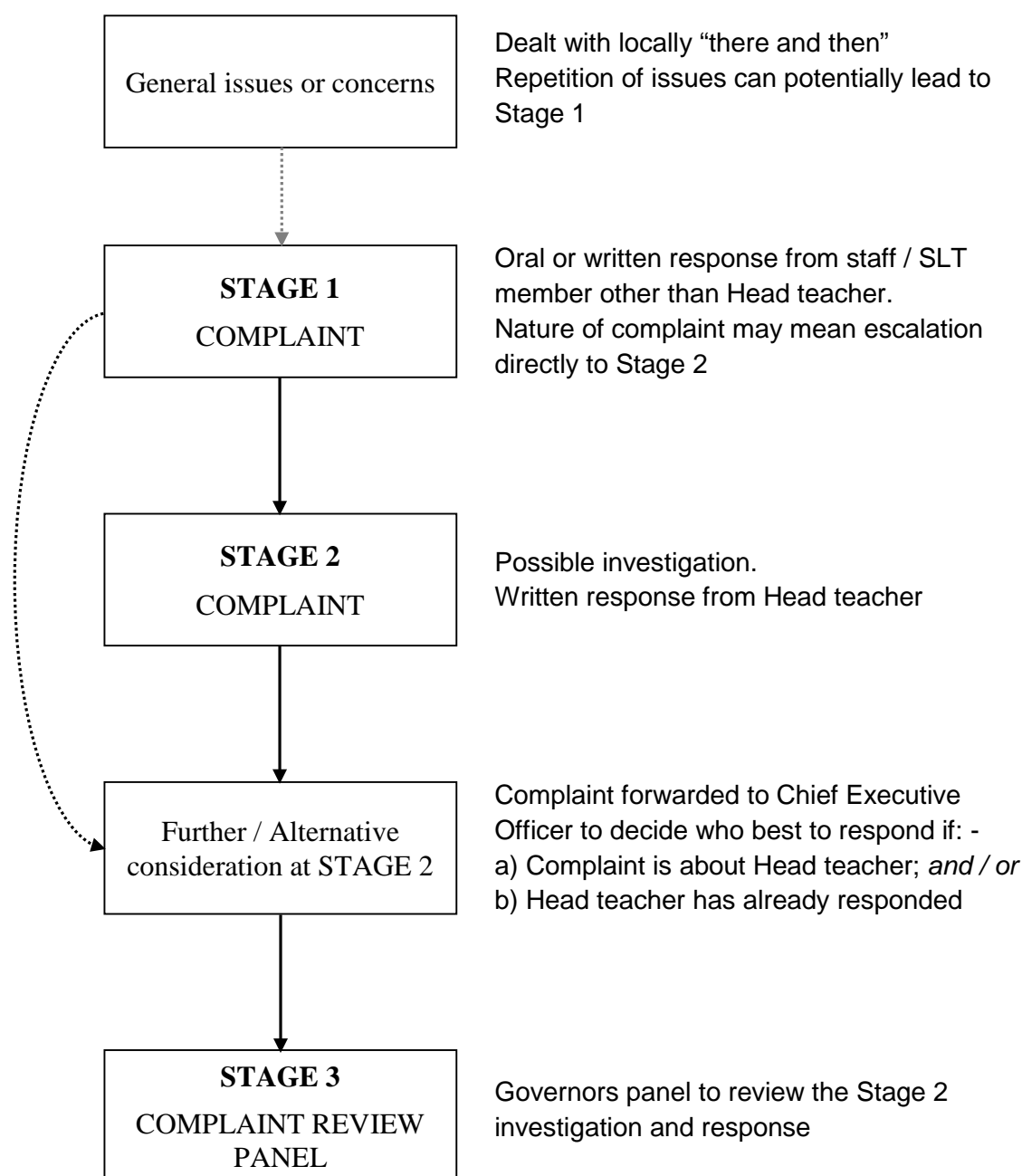
### 6.2 Phase 1 | Informal

- 6.2.1 The initial concern should be raised with the class teacher if it is a specific matter related to the work of the class.
- 6.2.2 The head teacher should be advised if there is a more general concern or the parent feels that the matter has not been satisfactorily addressed.
- 6.2.3 The head teacher may need to gather information before responding to the parent.

### 6.3 Phase 2 | The Chief Executive Officer

- 6.3.1 If the parent feels the matter remains unresolved, they may write to the Chief Executive Officer for further consideration.
- 6.3.2 Should the Chief Executive Officer feel it appropriate, they will refer the matter for consideration by the Board of Cuckoo Hall Academies Trust but there is no requirement for them to do so.
- 6.3.3 The decision of the Chief Executive Officer or the Board of Trustees is final. The decision will be communicated to the parent via the school.

## Complaints procedure overview



### Further action

Complaints about school problems are almost always settled within schools but in exceptional cases it may be possible to refer the problem to an outside body once the 3 Step process is completed such as the Education and Skills Funding Agency.

### Other complaints

Some education matters have their own complaints or appeals policies and procedures (such as curriculum, admissions etc.) and must be addressed via those routes.

## Individual academy contact details



### Cuckoo Hall Academy

Cuckoo Hall Lane, Edmonton, London N9 8DR  
020 8804 4126 | [cuckoo@chat-edu.org.uk](mailto:cuckoo@chat-edu.org.uk)



### Enfield Heights Academy

1-3 Pitfield Way, Enfield, Middlesex EN3 5BY  
020 8805 9811 | [eha@chat-edu.org.uk](mailto:eha@chat-edu.org.uk)



### Heron Hall Academy

46 Queensway, Ponders End, London EN3 4SA  
020 8443 9631 | [heron@chat-edu.org.uk](mailto:heron@chat-edu.org.uk)



### Kingfisher Hall Academy

40 The Ride, Enfield, London EN3 7GB  
020 8344 9890 | [kingfisher@chat-edu.org.uk](mailto:kingfisher@chat-edu.org.uk)



### Woodpecker Hall Academy

51 Nightingale Road, Edmonton, London N9 8BF  
020 8443 0708 | [woodpecker@chat-edu.org.uk](mailto:woodpecker@chat-edu.org.uk)

## Contacting governors / Central governance team



Governors can be contacted via our central governance team who will forward messages directly to them (as per [Section 1.7.6](#) of the complaints procedure).

[governors@chat-edu.org.uk](mailto:governors@chat-edu.org.uk)

# Parental complaint form

## APPENDIX 3

If you run out of space at any part, please use extra paper / attach separately.

Should you instead prefer to email us your complaint, please ensure your message includes all of the details sought by this form.

Your name:

Pupil's name:

Your relationship to pupil:

Your address and postcode:

Your daytime telephone number:

Your evening telephone number:

Please give details of your complaint:

**What action, if any, have you already taken to try to resolve your complaint?**

(Who did you speak to and what was the response?)

**Desired Outcome**

What do you feel we should do to resolve your complaint at this stage?

**Are you attaching any additional paperwork? If so, please give details:**

Your signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Please complete and return to the school office.**

Your complaint will be acknowledged with an explanation of what happens next.