

Chulmleigh Academy Trust Complaint Policy

Policy approved: July 2026
Next review due: July 2029

[Best practice guidance for academies complaints procedures - GOV.UK](#)

1. THE AIM OF THIS POLICY

Chulmleigh Academy Trust (the Trust) is committed to providing the highest quality education to the children and young people in its care at every stage and considers its relationship with the parents and carers of those children of the Trust to be essential to delivering that education. The Trust endeavours to enjoy a productive and open relationship with all parties with whom it deals, based on mutual respect and understanding. However, if you, as a parent/carer have any concerns you can expect the Trust to deal with those concerns in accordance with this policy.

For the avoidance of doubt, this policy is intended solely for the use of parents, carers or other persons with parental responsibility of a child currently attending a school in the Trust, where the complaint pertains to their own child's education or welfare.

Please note: like all employers, the Trust has obligations of confidentiality in relation to its employees. If you have a complaint about the conduct of a member of staff, the Trust will follow its internal disciplinary procedures as appropriate but will not be able to discuss those procedures or the outcomes of those procedures with you. This should not discourage you from raising concerns, but please be aware that it may not be possible to discuss the outcomes with you.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

We will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. LEGISLATION AND GUIDANCE

This document meets the requirements set out in part 7 of the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written

procedure to deal with complaints from parents/carers of pupils at the school.

It is also based on [best practice guidance for academies complaints procedures](#) published by the Education and Skills Funding Agency (ESFA).

It also refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage (EYFS) requirements.

3. SCOPE

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- Withdrawal from the curriculum (parents and carers can withdraw their child from any aspect of religious education, including the daily act of collective worship).

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. ROLES AND RESPONSIBILITIES

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures and submitting complaints via:
 - Phone 01769 580215
 - Email: company.secretary@chulmleigh.devon.sch.uk
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly

- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual governors/trustees about the complaint
- Do not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

4.3 The complaints co-ordinator

The complaints co-ordinator can be carried out by any number of roles within the organisation from the headteacher, a designated complaints governor/trustee or any other staff member providing administrative support.

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the headteacher, chair of governors/board of trustees, and the governance professional
- Keep records
- Be aware of issues relating to:
 - Sharing third-party information
 - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person

4.4 Governance Professional

The governance professional will be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings. They will arrange any complaint hearings and record the minutes and circulate the outcome of the hearing. Minutes will be available to the complainant on request.

4.5 Committee chair

The committee chair will ensure that everyone is treated with respect throughout. They will also make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

5. PRINCIPLES FOR INVESTIGATION

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right. If a parent is complaining on behalf of a pupil, the pupil should also be asked to share their concerns.

5.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

5.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage (EYFS) requirements and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see **section 10**) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by:

- Calling 0300 123 4666
- Emailing enquiries@ofsted.gov.uk
- Using the online contact form available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

6. PROCEDURE (excluding complaints against the Headteacher or Governors/Trustees)

The complaints procedure consists of three stages:

1. informal (usually a meeting with the complainant)
2. formal (the complaint is put in writing)
3. a panel hearing, with an independent panel member

The Procedure detailed under this **Section 6** shall apply unless the complaint is (1) an Exempt Complaint, in which case **Section 7** ("Exempt Complaints") shall apply or (2) an Excluded Complaint, in which case **Section 9** ("Excluded Complaints") shall apply.

Please note that complaints must be raised within three months of the incident, which gives rise to the complaint, and the Trust will not usually consider complaints raised after this timeframe.

A flowchart for the complaint process can be found in appendix A

Stage 1 – Informal Resolution

The Trust would hope that almost all concerns can be dealt with quickly and informally, and the following procedure will usually apply in the first instance:

1. Your concerns should be raised in person, in writing or via a phone call, with the appropriate member of staff, the
 - Class Teacher (Primary Schools)
 - Class Teacher or Tutor (Secondary Schools)

who will, if it is possible and appropriate to do so, attempt to deal with the matter to your satisfaction immediately.

2. If the member of staff in question does not feel they can deal with the matter, they may discuss your concern with a more senior member of staff.

The member of staff dealing with your complaint will contact you as soon as possible and attempt to resolve the concern.

Primary Schools Only: If the Head of School does not feel they can deal with the matter, they may discuss your concerns with the Head of Primary Education, who will attempt to resolve the concern.

3. If the concern is not resolved to your satisfaction within a reasonable time period (usually 10 school days of raising your concern) you should proceed to Stage 2 of this policy (Formal Resolution).

If the complaint has been dealt with by the Executive Headteacher at stage 1, then stage 2 of the complaint will be considered an exempt complaint and will follow the process for exempt complaints.

Stage 2 – Formal Resolution

If Stage 1 of this policy does not resolve your concern, you should put your concern in writing and state your desired outcome (at which point it will be considered a formal complaint) and send it to the Company Secretary, who is based at Chulmleigh Community College, marked "confidential". If you wish to email the complaint, please email: company.secretary@chulmleigh.devon.sch.uk. Complaints can also be made over the phone or in person.

The Company Secretary may act as the Complaints Officer, or may delegate this role to another person, which may include a third party retained by the Trust.

The Complaints Officer will coordinate the complaint. This will involve ensuring that this policy is complied with, including the timescales stipulated, but the Complaints Officer will not be involved with the decision-making process or assessing the merits of your complaint.

The Trust will endeavour to comply with all timescales given in this policy, but the procedure will not be invalidated if a timescale given in this policy is not met.

The procedure for Formal Resolution shall be as follows:

1. The Complaints Officer will acknowledge your complaint as soon as reasonably practicable, usually within **5 school days** of receipt of your complaint, and if necessary, will seek clarification from you as to the nature of the complaint and the outcome being sought.
2. The Complaints Officer will then refer your complaint to the Executive Headteacher or delegated senior member of staff.
3. The Executive Headteacher will contact you, usually within **5 school days** of receipt of the complaint from the Complaints Officer, to discuss the matter and if appropriate will attempt to resolve the complaint at that stage.
4. If it is necessary to carry out investigations, the Complaints Officer will notify you of a date by which the investigations should be completed, which will usually be within **10 school days** from the date of acknowledgement of the complaint. If it is not possible to conclude investigations within this period, the Complaints Officer will inform you of the date by which investigations should be completed.
5. The Executive Headteacher will carry out such investigations as he or she considers necessary and will ensure that the Complaints Officer is provided with a written record of any meetings or interviews held in relation to the complaint.
6. When the Executive Headteacher is satisfied that all relevant facts have been established insofar as it is reasonably practicable to do so, a decision will be made and the Executive Headteacher will write to you and will provide the Complaints Officer with a copy of the letter. The letter to you will include reasons for the decision. The decision will set out whether the complaint has been upheld, partially upheld or not upheld. It will also state any actions that will be taken as a result of the complaint.
7. If you are not satisfied with the decision, you should request to proceed to Stage 3 of this policy (Panel Hearing) within **20 school days** of the decision given. If you wish to escalate

your complaint after this period has passed, we may take exceptional circumstances into account when deciding whether to accept or progress the complaint.

The Executive Headteacher may delegate his or her role under paragraphs 3, 5 and 6 above to another member of the Senior Leadership team.

Stage 3 – Panel Hearing

You have a right of appeal, and you should email the Complaints Officer if you wish to appeal, at company.secretary@chulmleigh.devon.sch.uk, or such other email address as may have been provided to you by the Complaints Officer, stating clearly the grounds upon which you wish to appeal, and why you believe they apply. The grounds for appeal are:

- a) Illegality (the decision was unlawful, discriminatory or outside of the scope of the Trust's legal powers)
- b) Procedural Impropriety (there was a material failure to follow the complaints procedure detailed above); and/or
- c) Irrationality (The decision reached was so irrational that no reasonable person would have reached that decision on the facts); and/or
- d) A Failure of Natural Justice (you were not given an opportunity to present your case and/or the person making the decision was biased and/or the decision was not based on the evidence presented)

The role of the complaints appeals panel (the Panel) is (1) to determine whether any of the above grounds apply, and (2) if so to determine whether the decision is likely to have been materially affected as a result. It is not the role of the appeals panel to re-hear the complaint and substitute their own decision.

The Complaints Officer will acknowledge your appeal, usually within **5 school days** of receipt. The Complaints Officer will then arrange to convene a hearing of the Panel, usually within **20 school days** of receipt of your appeal, which shall consist of at least three persons, including one person who is independent of the management and running of the Trust. The other members of the Panel will usually be drawn from the Board of Trustees, Local Governing Boards or Senior Leadership Team of the Trust. The Complaints Officer will ensure that no member of the Panel has previously been involved in the complaint. The procedure will then be as follows:

1. The Complaints Officer will provide the Panel with all available and relevant information in relation to the complaint.
2. You will be notified of the date and time of the hearing and will be invited to attend. You may be accompanied by one other person, who may be a relative, friend or teacher. Legal representation will not normally be appropriate or permitted. The hearing may be held in person, or remotely, or using a combination of personal and remote attendance.
3. At the hearing, the Panel will discuss the complaint with you and/or the person who considered your complaint and will consider all relevant evidence. The Panel's main role is:
 - a. to determine whether any of the grounds detailed above apply, and if so,
 - b. whether the decision is likely to have been materially affected as a result.

4. Once the evidence has been heard and considered, all parties save for the Panel and the Complaints Officer (if present) and the governance professional (if present) will be excused from the meeting and the Panel will consider the evidence available and reach a decision.
5. The Panel may decide to:
 - a. uphold your appeal in full or in part and decide the appropriate action to resolve the complaint. Where appropriate, the panel may also recommend changes to the Trust's systems or procedure to prevent similar issues in the future.
 - b. reject the appeal in full;
 - c. adjourn the hearing to conduct further investigation or to consider the matter further, in which case the Complaints Officer shall re-convene the hearing as soon as reasonably appropriate, usually within 10 school days.
6. As soon as reasonably practicable and usually within 5 school days after the hearing the Panel's decision and the reasons for it will be confirmed to you in writing (which may include email).
7. The Panel's decision will be final and will be subject to no further appeal within the Trust.
8. The governance professional shall keep an electronic record of the decision and recommendations of the Panel where it will be available for inspection by the Executive Headteacher and the Members and the Board of Trustees.

The governance professional shall maintain an electronic record of complaints, including a note of whether they were resolved at a preliminary stage or were the subject of a Panel hearing. Correspondence, statements and records relating to individual complaints shall be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 requests access to them, or where the Trust otherwise has a legal obligation to disclose the same.

7. EXEMPT COMPLAINTS

If the Complaints Officer believes a complaint received is not an excluded complaint (see **section 9**) but falls into a category of exempt complaints (as detailed below), the Complaints Officer will refer the complaint directly to

the governance professional to determine whether the complaint is an exempt complaint.

The following are exempt complaints:

1. Complaints about decisions of the whole Board of Trustees
2. Complaints about Trustees or Committees of the Board of Trustees acting under their delegated powers
3. Complaints against the Executive Headteacher

If the governance professional determines that the complaint **is not** an exempt complaint, the complaint will be referred back to the Complaints Officer, and **Section 6** shall apply. The complainant will be kept updated of any changes to the categorization of their complaint.

If the governance professional determines that the complaint **is** an exempt complaint, they will respond directly to the complainant within 10 school days of the complaint being received, explaining that the complaint is an exempt complaint and that the complaints procedure detailed below will apply. The governance professional will coordinate the complaints as per the procedure set out below:

Stage 1: informal

Complaints made against the Executive Headteacher or any individual member of the Board of Trustees (including the chair or vice-chair) should be directed to the governance professional in the first instance.

A suitably skilled and impartial Trustee/Governor will then carry out the steps at stage 1 (informal) set out in **section 6** above.

If the complaint is not resolved informally, it will be escalated to a formal complaint (stage 2).

Complaints about the whole Board of Trustees/Local Governing Board will be resolved at stage 2 below and will not go through stage 1, informal process.

The governance professional will need the details of the complaint as set out above, as well as details from the complainant on how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

Stage 2: formal

Complaints that involve or are about the Executive Headteacher, the chair of Trustees, any individual Trustee or the whole Board of Trustees/Local Governing Board should be addressed to the governance professional, marked as private and confidential.

If the complaint is about the headteacher or an individual Trustee, a suitably skilled and impartial Trustee will then carry out the steps at stage 2 set out in **section 6** above.

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire Board of Trustees or
- The majority of the Board of Trustees

An independent investigator will carry out the steps in stage 2 set out in **section 6** above. They will be appointed by the Board of Trustees and will write a formal response at the end of their investigation.

The written conclusion of this investigation will be sent to the complainant within 5 school days of it being received by the Trust.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the governance professional in writing within 20 school days. Requests received outside of this timeframe will be considered in exceptional circumstances. The governance professional will acknowledge receipt of the request within 5 school days.

Stage 3: review panel

If the complaint is about the headteacher or an individual trustee, the steps outlined in stage 3 of **section 6** above will be followed.

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire Board of Trustees, or
- The majority of the Board of Trustees

A committee of independent governors / trustees will hear the complaint. They will be sourced from local schools / local academies or the local authority and will carry out the steps at stage 3 (set out in **section 6** above).

8. REFERRING COMPLAINTS ON COMPLETION OF THE SCHOOL'S PROCEDURE

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Department for Education (DfE). The DfE will check whether the complaint has been dealt with properly by the school. The DfE will not overturn a school's decision about a complaint, but will intervene if a school has:

- Breached a clause in its funding agreement
- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage: [Complaint about a school to the Department for Education - GOV.UK](#)

9. EXCLUDED COMPLAINTS

If the Complaints Officer believes a complaint received may fall into a category of excluded complaints (as detailed below), the Complaints Officer will refer the complaint directly to the Chair of Trustees to determine whether the complaint is an excluded complaint (or to the Vice Chair if the complaint is a complaint about the Chair of Trustees).

If the Chair of Trustees (Vice Chair) determines that the complaint **is not** an excluded complaint, the Chair of Trustees (Vice Chair) will refer the complaint back to the Complaints Officer, and **Section 6** shall apply.

If the Chair of Trustees (Vice Chair) determines that the complaint **is** an excluded complaint, the Chair of Trustees (Vice Chair) will respond directly to the complainant within **2 school weeks** of the complaint being received, explaining that the complaint is an excluded complaint and that the complaints procedure will not apply.

The complainant shall not be entitled to appeal against the decision under the terms of this policy but may write to the Board of Trustees (c/o the Complaints Officer) objecting to the decision of the Chair of Trustees (Vice Chair) and the governance professional shall bring this to the attention of the Board of Trustees at the next convened meeting of the Board, who shall then take such action as they consider appropriate.

The following are excluded complaints:

a. Complaints about matters outside of the Trust's control

This means a complaint about the activities of persons or organisations not under the direct control of Chulmleigh Academy Trust (for example, complaints by one parent against another).

b. Complaints previously dealt with

This means a complaint raised by a complainant which has already been dealt with using the procedure under **Section 7** of this policy, and which raises no new matter and presents no new information. This may include a duplicate complaint raised by a different person with parental responsibility, or a complaint which differs slightly from the original complaint, but which is substantially the same as the complaint previously dealt with.

c. Complaints about the handling of complaints

This means a complaint about the way in which a prior complaint has been handled.

d. Complaints in relation to which other procedures exist

This means a complaint in respect of matters which are properly dealt with by way of alternative procedures in place (for example: complaints relating to pupil exclusions should be dealt with under the relevant legislative process).

e. Complaints by a Persistent or Vexatious Complainant

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the DfE

- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Complainants that fall into this category may be dealt with in line with our reasonable behaviour policy. **The complainant will be written to, explaining the decision that has been made and any restrictions that may be introduced as a result of the behaviour will be set out. This may include restricted contact with the school, or an assigned single point of contact.**

10. **RECORD KEEPING AND CONFIDENTIALITY**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and stored securely, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our data retention policy.

Appendix A – Complaints flow chart

