Complaints Policy

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1. Aims

At the Bolton Impact Trust we:

Believe everyone can achieve

Inspire a love of learning

Transform potential into long lasting success

Our Trust and its schools aim to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school, and others.

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
- Treat complainants with respect and courtesy
- Ensure 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 and trust improvement evaluation processes

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

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the Trust website, and on the websites of our schools.

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 schedule to 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 in our Trust.

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

This policy complies with our funding agreement and articles of association.

3. Scope

3.1 Definitions

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

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistleblowing

- 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. They do not have to explain why)

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

Complaints about services provided by other providers who use trust 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
- Co-operate with the school or trust 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 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, Deputy CEO or complaints committee, which includes the facts and potential solutions

4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- The Headteacher
- Deputy CEO
- CEO
- The designated complaints governor
- 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/Trustees, Clerk and CEO, Deputy CEO and Chair of Trustees
- 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

- Keep records

4.4 Clerk to the Local Governing Body and Trust Board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- 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

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

6. Stages of complaint (not complaints against the Central Leadership Team or Trustees)

We have adopted a 4-stage process for dealing with complaints:

- Stage 1 – informal resolution
- Stage 2 – formal investigation
- Stage 3 – local governing body panel hearing
- Stage 4 – review by the Trust Board

6.1 Stage 1: informal

The Trust will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Headteacher, either in person or by letter, telephone or email, within the timescales set out in section 5.1. If the complainant is unclear who to contact or how to contact them, they should contact the Headteacher:

School	Headteacher	Contact Number	Email
Egerton	Mrs S Prince	01204 333530	office@egerton.bolton.sch.uk
Forwards Centre	Mrs N Berry	01204 333660	Office.FCA@boltonimpacttrust.org.uk
Park School	Mr G Webb	01204 937115	Office.PSA@boltonimpacttrust.org.uk
Lever Park	Mr M Taylor	01204 332666	Office.LPA@boltonimpacttrust.org.uk
Smithills School	Miss C Dewse	01204 842382	Office@smithillsschool.net
Youth Challenge	Miss V Sutton	01204 333872	Office.YCA@boltonimpacttrust.org.uk

The school will acknowledge informal complaints within **5 school days**, which will confirm how the school intends to proceed, including an indication of the anticipated timescale.

The informal stage will involve a meeting between the complainant and the Headteacher and/or subject of the complaint, if appropriate. A written response will be provided within **10 school days** following the informal meeting.

The vast majority of concerns can be resolved informally. There are many occasions where the class teacher, office staff, or the Headteacher, can resolve concerns straight away. It is in everyone's best interests that complaints are resolved at the earliest possible stage. Complainants must feel able to raise their complaint with members of staff without any formality, either in person, by telephone or in writing.

If the complaint involves the Headteacher or a member of the local governing body, stage 1 will be completed by the chair of the local governing body.

If the complaint involves the chair of the local governing body, stage 1 will be completed by the CEO or chair of the board of trustees.

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

6.2 Stage 2: formal

The formal stage involves the complainant putting the complaint in writing (unless the complainant has a sufficient reason to request a reasonable adjustment be made to amend this). This letter should provide details such as:

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

The letter should be submitted alongside copies of any relevant documents.

If complainant needs assistance raising a formal complaint, they can contact the relevant school office:

School	Contact Number
Egerton	01204 333530
Forwards Centre	01204 333660
Park School	01204 937115
Lever Park	01204 332666

School	Contact Number
Smithills School	01204 842382
Youth Challenge	01204 333872
Head Office	01204 471358

Addressing the complaint

Complaints not involving the Headteacher or a member of the local governing body should be made in writing to the Headteacher. This can be done by:

- Email.
- Letter addressed to the Headteacher, delivered to the school office.

School	Headteacher	Contact Number	Email
Egerton	Mrs S Prince	01204 333530	office@egerton.bolton.sch.uk
Forwards Centre	Mrs N Berry	01204 333660	Office.FCA@boltonimpacttrust.org.uk
Park School	Mr G Webb	01204 937115	Office.PSA@boltonimpacttrust.org.uk
Lever Park	Mr M Taylor	01204 332666	Office.LPA@boltonimpacttrust.org.uk
Smithills	Miss C Dewse	01204 842382	Office@smithillsschool.net
Youth Challenge	Miss V Sutton	01204 333872	Office.YCA@boltonimpacttrust.org.uk

Complaints involving the Headteacher or a member of the local governing body should be made in writing to the chair of the local governing body. This can be done by:

- Letter addressed to the chair of the local governing body C/O School address

School	Chair of Local Governing Body	School address
Egerton	Mr S Skolosdra	Cox Green Road, Egerton, Bolton, BL7 9RE
Forwards Centre	Mrs R Driver	Stephens Street, Bolton, BL2 5DX
Park School	Mrs E Fletcher	31-35 Chorley New Road, Bolton, BL1 4QR
Lever Park	Mr N Hockenhull	Stocks Park Drive, Horwich, Bolton, BL6 6DE
Smithills School	TBC	Smithills Dean Road, Bolton, BL1 6JS
Youth Challenge	Mr M Hilton	Smithills Dean Road, Bolton, BL1 6JT

- Complaints involving the chair of the local governing body should be made in writing to the chair of the board of trustees, Mr K Davies. This can be done by:
- Letter**: C/O Bolton Impact Trust 97-99 Chorley Street Bolton BL1 4AL**

If complainant needs assistance raising a formal complaint, they can contact the relevant school office.

Investigation

The complainant will receive written acknowledgement of their complaint within **5 school days**.

The Headteacher or the chair of the local governing body will then conduct their own investigation.

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire local governing body or
- The majority of the local governing body

The CEO, Deputy CEO or the Trust Board will conduct the investigation.

The written conclusion of this investigation will be sent to the complainant within **10 school days**.

If the Headteacher/Chair of the local governing body/Deputy CEO/CEO/Trust Board is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to be taken to resolve the complaint.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within **10 school days**.

6.3 Stage 3: review panel

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The panel will be appointed by or on behalf of the trust and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school. The panel cannot be made up solely of local governing body members, as they are not independent of the management and running of the school.

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire local governing body or
- The majority of the local governing body

The panel will be made up of trustees and an independent panel member.

The panel will have access to the existing record of the complaint's progress (see section 10).

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within **10 school days** of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least **5 school days** before the date of the meeting.

The board will ensure that the hearing is properly minuted.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless required as part of reasonable adjustments. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trust and Headteacher.

The outcome

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within **5 school days**.

6.4 Stage 4: review by the Trust Board

Where the school-based complaints procedure has been completed, and the complainant does not feel their complaint has been addressed to their satisfaction, they may contact the Trust in writing to request a review of the complaint investigation.

They can do this by:

- Post: C/O Bolton Impact Trust 97-99 Chorley Street Bolton BL1 4AL

The written request should include a summary of the complaint, along with any relevant dates, times and evidence.

The Trust cannot overturn decisions on complaints made during the school's complaints procedure. However, it can assess whether the school considered the complaint appropriately. If the school is found not to have considered the complaint appropriately, the Trust will request that the complaint is reconsidered within **10 school days.**

7. Complaints about the trust, CEO or trustees

7.1 Stage 1: informal

We make every effort to address any concerns or complaints early through informal measures.

The complainant should raise any concerns as soon as possible within the timescales set out in section 5.1.

The complaint should be addressed to the relevant member of the Trust's central team, or the Chief Executive Officer (CEO).

If the concern regards the CEO, the complainant should contact the chair of the board of trustees.

If the complainant is unsure who to contact, or needs to contact the chair of the board of trustees, they should contact the trust office by telephone 01204

471358.

The process for responding to and investigating an informal complaint about the trust or central staff is the same as that set out in section 6.

7.2 Stage 2: formal

If the complaint is not resolved satisfactorily at the informal stage, the complainant must submit a formal complaint in writing.

The complainant will receive written acknowledgement of their complaint within **5 school days**.

The investigating officer will then conduct an investigation, in line with the process set out in section 6 above, providing a written response to the complainant within **5 school days**.

7.3 Stage 3: panel hearing

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

A panel will be appointed by the trust, and will consist of 3 members of the board not involved in investigating the complaint in the formal stage.

If the complaint is:

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

The panel will be entirely made up of independent members.

The complainant will have reasonable notice of the date of the review panel. The clerk will aim to find a date within **10 school days** of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least **5 school days** before the date of the meeting.

The complainant and representatives from the trust, as appropriate, will be present at the panel hearing. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

The board will ensure that the hearing is properly minuted.

At the meeting

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the trust representative(s) will be given the chance to ask and reply to questions. Once the complainant and trust representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the trust.

The panel will inform those involved of the decision in writing within **5 school days**.

8. Referring complaints on completion of the school and trust procedures

If the complainant is unsatisfied with the outcome of the school or trust complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly. The ESFA will not overturn the school or trust's decision about a complaint but will intervene if a school or trust 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 complaints procedure is found not to meet regulations, the trust will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

www.gov.uk/complain-about-school

We will include this information in the outcome letter to complainants.

9. Unreasonable and persistent complaints

9.1 Unreasonable complaints

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

- Has made the same complaint before, and it's already been resolved by following this complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner
- 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 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

- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- 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 ESFA
- 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 trust what is deemed to be unreasonable.

Complainants should try to limit their communication with the school/trust 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.

Steps we will take

We will take every reasonable step to address the complainant's comments, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the school/trust will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the school/trust will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school/trust premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

9.2 Serial/persistent complaints

If the complainant contacts the school/trust again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school/trust repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school/trust with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

9.3 Duplicate complaints

If the school/trust has resolved a complaint under this procedure and received a duplicate complaint on the same subject from a partner, family member or other individual, the school/trust will assess whether there are aspects that we hadn't previously considered, or any new information that needs to be taken into account.

If the school/trust is satisfied that there are no new aspects, it will:

- Tell the new complainant that the issue has already been investigated and responded to, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with the original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in section 6 or 7 (as appropriate) will be repeated.

9.4 Complaint campaigns

Where the school/trust receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school/trust may respond to these complaints by:

- Publishing a single response on the school/trust website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's/trust's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record-keeping and confidentiality

The school/trust will record the progress of all complaints, including information about:

- Actions taken at all stages
- The stage at which the complaint was resolved
- The final outcome

The records will also include copies of letters and emails, and notes related 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.

In the case of complaints about the trust or central staff, these records will be managed by the company secretary, and will be stored securely in the trust's offices under restricted access.

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 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 record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole local governing body of the school (or the entire trust board) in case a review panel needs to be organised at a later point.

Where the local governing body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the local governing body, who will not unreasonably withhold consent.

11. Learning lessons

The local governing body will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school/trust can make to its procedures or practice to help prevent similar events in the future.

The Trust Board/CEO will receive regular reports on the types of complaints received in each school in order to support the development of appropriate support structures, and to inform any improvements to procedures or practice.

12. Monitoring arrangements

The local governing body will monitor the effectiveness of the school complaints procedure in ensuring that complaints are handled properly.

The local governing body will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

The complaints records are logged and managed by the respective Headteacher.

The Deputy CEO will monitor the effectiveness of the complaints procedure trust-wide.

This policy will be reviewed by the Deputy CEO every 2 years.

At each review, the policy will be approved by the Trust Board.

13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- Special educational needs policy and information report
- Privacy notices

Appendix A - Complaint Referral Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and sent it to the Headteacher. (If your complaint is against the Headteacher, you should send the form to the Chair of the Local Governing Body).

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Daytime telephone number:** **Evening telephone number:** **Email address:**
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:
Action taken: Date: