

DECEMBER 2023

COMPLAINTS POLICY

SERVE CHALLENGE EMPOWER

Document Control

Member Academies:

Appleton Thorn Primary School
Beamont Collegiate Academy
Bridgewater High School
Broomfields Junior School
Great Sankey Primary School
Meadowside Community Primary and Nursery School
Padgate Academy
Penketh High School
Penketh South Primary School
Priestley College
Sir Thomas Boteler Church of England High School

Version	Date	Action
1	14/12/2023	Policy approved by Trust Board
2		
3		

This policy is a Trust-wide policy and applies without exception to all staff, students, trustees and governors who attend or work at all academies in the Trust or in the central Trust structure.

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Introduction

The aim of this policy is to resolve complaints or concerns about The Challenge Academy Trust (the "Trust", any Academy within the Trust or any individual connected with the Trust), in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future.

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought." The academy will resolve concerns through day-to-day communication as far as possible.
- A **complaint** is defined as "an expression of dissatisfaction about actions taken or a lack of action."

Please note that:

- School days in this policy refers to days when an academy is open to pupils for teaching and does not include INSET days.
- References to 'parents' in this policy include carers
- Where the complaints process has been started (but not completed) whilst parents/carers have children at the Academy, but the children have since left, the procedure for current parents will continue to be used.
- An independent investigator is an individual with no prior knowledge of the complaint.

The aim of this policy is to **resolve complaints** or concerns about [Name of Academy Trust] (the "Trust", any Academy within the Trust or any individual connected with the Trust, in a fair, thorough and transparent way. The Trust takes complaints seriously and views them as a chance to learn and improve for the future. Resolution should remain the core objective throughout the complaints process.

Anyone can make a complaint, but a different process applies depending on whether the person raising the complaint is a parent /carer of a current pupil at an Academy within the Trust. Please refer to page 5 '**Complaints Procedure for parents / carers of current pupils**' if you are a parent of a current pupil, otherwise please see 'Complaints raised by those who are not parents / carers of current pupils'

Please note that complaints about matters where an alternative complaints / appeal process exists will not be generally dealt with under this policy. These are set out below on pages 4 and 5 '**Complaints that will not be considered under this policy**'

Requests for reasonable adjustments to the process set out below will be considered to ensure that complainants can access and complete the process.

Complaints that will not be considered under this policy

Usually, complaints relating to the matters set out in the table below will not be considered under this policy as they have their own appeal or complaint processes. Where necessary the Trust will exercise its discretion.

Note that where complaints relate to staff conduct, these may be dealt with under both this Complaints Policy and the Staff Grievance & Disciplinary Policy. In such circumstances complainants will not be informed of the outcome of any Staff disciplinary investigation or processes.

Matter	Route for raising concern / complaining
Admissions	Admissions Appeal – see Admissions Policy and Statutory Admissions Appeal Code, or complaint to DfE
Exclusions	Statutory review process – see Academy Exclusions Policy
Statutory SEN assessments	SEND Tribunal (and see SEN Code of Practice)
Safeguarding matters where it involves an allegation against a member of staff	Raise with Designated Safeguarding Lead or a direct referral can be made to the Local Authority Designated Officer at Warrington Borough Council - see Child Protection / Safeguarding Policy
Data protection / FOI	Information Commissioner's Office (ICO)
Staff Grievances and Disciplinary matters¹	Staff Grievance & Disciplinary Policy
Whistleblowing	Whistleblowing Policy
Third party contractors / suppliers	Provider concerned

Complaints about fulfilment of early years requirements

In order to comply with the statutory framework, written concerns or complaints relating to the fulfilment of the EYFS Requirements will be dealt with in accordance with the following process:

- a) The written concern/complaint will be acknowledged within **5 school days**
- b) The Academy Headteacher/Principal will investigate the concern or complaint which may include meeting with the Complainant and the Head of Early Years. A written response notifying the Complainant of the outcome of the investigation will be sent within **28 school days** of the complaint being received.
- c) Where the Complainant remains dissatisfied, the Clerk to the Local Governing Body will ensure that a formal Complaints Panel will be convened in accordance with **Stage 3** of this policy.

Parents who have concerns should raise them through the complaints process. Where they are not satisfied having exhausted the Complaints Process, parents are further advised that where they have concerns regarding the academy meeting EYFS requirements they may contact Ofsted.

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

Complaints Procedure for parents / carers of current pupils

Complaint Process

Stage 1 – Informal Resolution

Any matter of concern or complaint should be raised, and attempted to be resolved, on an informal basis. Generally, it is expected that where the matter relates to a pupil it will have been raised with relevant staff in the academy before a request is made to deal with it under the formal stages of this policy.

The concern or complaint should be raised with the academy or Trust within **3 months** of the incident or, where a series of associated incidents have occurred, within **3 months** of the last of these incidents. Complaints made outside of this time frame may not be considered unless exceptional circumstances apply.

The academy or Trust will seek to resolve matters at the informal stage within **15 school days** of the issue being raised by the parent.

Where the matter is not resolved at the informal stage, it may be elevated to the formal stage as set out below.

Stage 2 – Formal Resolution: Investigation by a Nominated Individual

Stage 2 complaints must be set out in writing, ideally using the form available at Appendix 1, within **10 school days** of the Stage 1 response. It must be addressed to the Principal/Headteacher of the Academy (unless the complaint relates to the Principal/Headteacher in which case please refer to section headed '**Complaints against specific role-holders**' below). The complaint should set out briefly the grounds of the complaint, stating what it is that the parent considers should have been done or where the Academy or Trust has not met reasonable expectations and confirming the outcome sought.

An investigation will be carried out by a nominated individual identified by the Chair of the Local Governing Board/ Principal/ Headteacher as appropriate, who will acknowledge the complaint within **5 school days** and may offer the parent a meeting. The investigator will speak to others involved. Whenever reasonably possible, any meeting with the parent will take place within **15 school days** of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within **15 school days** of any meeting with the parent; if no meeting is arranged it will be within **25 school days** of the written complaint being received.

Where the parent remains dissatisfied, he or she may request the complaint is escalated to Stage 3.

Stage 3 – Formal Resolution: Complaints Panel Meeting

Stage 3 complaints must be set out in writing, stating where the parent remains dissatisfied and the outcome sought, and lodged with the Trust Compliance and Information Manager within **10 school days** of the Stage 2 response.

The Compliance and Information Manager will acknowledge the Stage 3 complaint within **5 school days** and will inform the Clerk to the Trustees who will convene a Complaints Panel.

The Complaints 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 academy.

The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the academy. The independent panel member may however be a member of a Local Governing Body from another academy within the Trust if they have no conflict, no prior knowledge of the complaint and no apparent bias.

The Complaints Panel may include, but is not limited to, one or more persons from the following categories:

- (i) a member of the Local Governing Body of the Academy where the complaint emanated from;
- (ii) a member of a Local Governing Body from another Academy within the Trust;
- (iii) a member of the Board of Trustees from the Trust; and/or
- (iv) a member of a Local Governing Body or Trustee of another Academy Trust.

None of the members of the Complaints Panel will have been directly involved in the matters detailed in the complaint.

The Clerk will invite the Academy to put in writing its response to the Stage 3 complaint within **15 school days** of receiving the request. Whether or not the Academy has responded, the Clerk will convene a meeting of the Complaints Panel. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the parent, the Academy and the members of the Complaints Panel. Whenever possible, the meeting will be held within **15 school days** of the end of the Academy's response time. The meeting date, time and location will be confirmed to all parties at least **10 school days** in advance.

The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. For this reason, electronic recordings of meetings or conversations are not permitted unless a parent's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before the recording of the meeting takes place. Consent will be recorded in any minutes taken.

The parent will have the opportunity to put forward her/his reasons for dissatisfaction and to expand upon on them but may not introduce reasons that were not previously put in writing. The Complaints Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The parent and the Academy/Trust will have the opportunity to put forward their respective version and views of events and each side, and the Complaints Panel members will be able to ask questions. The parent will have the opportunity to make final comments to the Complaints Panel.

The Complaints Panel aim to reach conclusions and make recommendations and a copy of those conclusions and recommendations will be:

- a) sent by electronic mail or otherwise provided in writing to the parent and, where relevant, the Academy or person complained about; and

- b) available for inspection on the Academy premises by the Trust, the Principal and the Chief Executive Officer.

The Complaints Panel will formulate its response as quickly as reasonably possible, aiming to do so within **10 school days**, and the Clerk will notify all concerned.

At any meeting, the parent will be entitled to bring a companion along to provide support. Legal representation will only be permitted in exceptional circumstances.

If the parent fails to attend the Complaints Panel Meeting on the day without compelling reasons, the Complaints Panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the "Serial or persistent complainants" section as set below.

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a request for a Stage 3 Complaints Panel Meeting within the time stated in the policy) the matter is closed.

If the Complainant is still not satisfied, they may contact the Department for Education (DfE). There is an online procedure at:

https://form.education.gov.uk/service/Contact_the_Department_for_Education

the Complainant may write to the DfE at:

The School Complaints Unit (SCU)
Department for Education
2nd Floor, Piccadilly Gate
Manchester M1 2WD

Complaints against specific role-holders

Complaints against the Principal/Headteacher

Any complaint relating to the Principal/Headteacher of the Academy must be raised in the first instance with the Trust's Chief Executive Officer who will aim to resolve the matter through dialogue. If resolution cannot be reached, the Chief Executive Officer will designate an independent Investigating Officer who may be a senior member of the Trust, a member of a Local Governing Body or the Trust Board or an external individual if required to investigate the complaint as per **Stage 2 – Formal Resolution** process.

Complaints against the Local Governing Body

Where a complaint is brought against a member of the Local Governing Body, it should be raised with the Chair of the Local Governing Body who will investigate the complaint (or appoint another member of the Local Governing Body to do so) as per **Stage 2 – Formal Resolution** process.

If the complaint is against the Chair of the Local Governing Body, then the Vice Chair of the Local Governing Body will investigate the complaint (or appoint another member of the Local Governing Body to do so) in the same way as per **Stage 2 – Formal Resolution** process.

In exceptional circumstances the Chair of Trustees may at his or her absolute discretion determine that a complaint against a member of the Local Governing Body should be dealt with at Trust Board level and, if so determined, the Chair of Trustees will oversee Stage 2.

Complaints against individual Trustees / the Board of Trustees

If the complaint is against a Trustee, then it should be raised with the Chair of Trustees by writing to the Clerk to the Board of Trustees. In the case of a complaint against the either Chair or the Board of Trustees as a whole, then it should be put in writing to the Clerk to the Board of Trustees who will refer it to the Members.

In such cases the Chair of Trustees / the Members will investigate the complaint or appoint an appropriate person to do so in the same way as per **Stage 2 – Formal Resolution** process.

Complaints against the Chief Executive Officer or other Trust office staff

If the complaint is against a member of Trust staff, then it should be raised with the Chief Executive Officer, (or in the case of a complaint against the Chief Executive Officer, the Chair of Trustees) who will investigate the complaint (or appoint another member of the Board of Trustees to do so) in the same way as per **Stage 2 – Formal Resolution** process.

Complaints received outside of term time

The Academy/Trust (as appropriate) will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Withdrawal of a Complaint

If a Complainant wants to withdraw their complaint, they will be asked to confirm the withdrawal in writing.

Record keeping and confidentiality

A written record will be kept of all complaints that reach the formal stage, whether they are resolved following Stage 2, or proceed to a panel hearing (Stage 3) and any action taken by the school as a result (regardless of whether they are upheld). Complaint records will be maintained securely and in line with the Trust Data Protection Policy and Document Retention Policy by the Trust Compliance and Information Manager working with the Academy Principals/ Headteachers.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests access to them.

Anonymous Complaints

Where an anonymous complaint is received, the Academy/Trust will use its reasonable endeavours to consider the complaint as best as it reasonably can. However, the Academy/Trust will not be required to consider the complaint pursuant to any specific process and will handle anonymous complaints on a case-by-case basis.

Complaint Campaigns

Where the Academy/Trust receives a number of complaints all based on the same subject which in its reasonable opinion may be deemed a 'complaint campaign', it will deal with the complaints in the following way:

Individual responses will not be sent to complainants in such cases. Instead, either a template response will be sent to all complainants, or a single response will be published on the Academy/Trust's website at the discretion of the Chief Executive Officer and/or Chair of Trustees.

Where the complaint campaign involves complainants who are parents they will be entitled to escalate the complaint to a panel hearing if they are dissatisfied with the Academy/Trust's response. The Academy/Trust will consider how best to manage panel hearings in such circumstances.

Serial or persistent complaints

If at any level a Complainant or connected party attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Trustees may write to the Complainant to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the Trust will not respond to any further correspondence on this issue or a closely related issue.

Vexatious complaints

Complaints with the following characteristics may be deemed to be vexatious:

- obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress that lack any serious purpose or value.

In such cases, the Chair of Trustees may write to the Complainant to inform him/her that the complaint is deemed to be vexatious and that the Trust will not respond to any further correspondence on this issue or a closely related issue.

Complaints raised by those who are not parents / carers of current pupils

Complaints made by those who are not parents of current pupils, which includes complaints made by parents of former pupils after they have left the Academy, will be dealt with as follows:

- a) Complainants should first attempt to address their complaint to the relevant Academy or the Trust (as appropriate) informally by raising the matter with a relevant member of Academy or Trust staff, within **3 months** of the incident or, where a series of associated incidents have occurred, within **3 months** of the last of these incidents. The Academy/Trust (depending on the nature of the complaint) will seek to resolve the matter informally within **15 school days**.
- b) If it is not possible to resolve the matter informally, the complaint may be submitted in writing, using the form available at Appendix 1 or through the complaint form on the Trust/ Academy website, to the Chief Executive Officer, or where the complaint relates to the Chief Executive Officer, to the Chair of Trustees.
- c) The complaint will be acknowledged within **5 school days** and a final written response will be issued within **15 school days**.

With the exclusion of the section outlining the “**Complaints Procedure for parents / carers of current pupils**” the remainder of the policy applies.

Note: Where the complaints process has been started (but not completed) whilst parents/carers have children at the Academy, but the children have since left, the procedure for current parents should continue to be used.

Monitoring Arrangements

The Trust board/ local governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Trust Board/ local governing body will track the number and nature of complaints, and review appropriately.

The complaints records are logged and managed by the clerk to the Trust Board/ local Governing Body

This policy will be reviewed by the Operations Director every 2 years. At each review, the policy will be approved by the Trust Board.

Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- Staff absence procedures
- SEN policy and information report
- Data Protection Policy and Privacy notices

Appendix 1 – The Challenge Academy Trust Complaints Form

This form should be used to raise a formal complaint only after a matter has been raised informally under either section 4 or section 12 of the Complaints Policy and you are not satisfied with the response. Please refer to the Complaints Policy when completing this form.

Your details	
Name	
Email	
Address	
Name of pupil, year group and your relationship to them <i>(if applicable)</i>	
Complaint details	
Academy name <i>(if complaint relates to a specific Academy)</i>	
Grounds of complaint	
What steps have been taken to resolve the complaint informally <i>(including details of who the matter was raised with, when and what solution was offered)</i>	
Why have the steps taken so far failed to resolve the complaint? <i>(including what you consider should have been done / where the Academy or Trust has not met reasonable expectations in its response)</i>	
Outcome sought	
What action would you like taken to resolve the matter?	

Signed Date

Please send completed forms to relevant email address stated in Appendix 2 or hand in to the school office in a sealed envelope marked for the attention of the relevant addressee (generally this will be the Principal for complaints about a specific Academy or the Compliance and Information Manager for complaints about the Trust, however please refer to the Complaints Policy and in particular section 4.2, complaints about specific role-holders, for further information.

Appendix 2 Trust and Academy Contacts

The Challenge Academy Trust

Address:	TCAT Centre c/o Bridgewater High Academy, Broomfields Rd, Appleton, Warrington, WA4 3AE
Phone no:	01925 263919 x375
Email:	admin@tcat.uk.com
CEO	Mr A Moorcroft
Clerk to the Trust Board	Contact via A Laing, Operations Director at the TCAT Centre
Chair of the Trust Board	Contact via A Laing, Operations Director at the TCAT Centre

Appleton Thorn Primary School

Address:	Arley Rd, Appleton Thorn, Warrington, WA4
Phone no:	01925 266764
Email:	office@appletonthorn.tcat.uk.com
Principal	Mrs Zoe Jones
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Beamont Collegiate Academy

Address:	Long Lane, Warrington, WA2 8PX
Phone no:	01925 579500
Email:	mail@bca.warrington.ac.uk
Principal	Mr G Harris
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Bridgewater High School

Address:	Broomfields Rd, Appleton, Warrington, WA4 3AE
Phone no:	01925 263919
Email:	enquiries@bridgewaterhigh.com
Principal	Mr K. Powell
Headteacher – Lower Academy	Mrs T. Hatton
Clerk to the Local Governing Body	Mrs J. Stanton
Chair of the Local Governing Body	Contact via the academy

Broomfields Junior School

Address:	Bridge Lane, Appleton, Warrington, WA4 3AH
Phone no:	01925 265297
Email:	reception@broomfieldsjunior.tcat.uk.com
Headteacher	Mrs R Morris Brown
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Great Sankey School

Address:	Liverpool Rd, Warrington, WA5 1SB
Phone no:	01925 728176
Email:	admin@greatsankeyprimary.tcat.uk.com
Headteacher	Ms L Wilding
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Meadowside Community Primary and Nursery School

Address:	Clough Avenue, Warrington, WA2 9PH
Phone no:	01925 632705
Email:	office@meadowside.tcat.uk.com
Headteacher	Mr S Wright
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Padgate Academy

Address:	Insall Rd, Warrington, WA2 0LN
Phone no:	01925 822632
Email:	info@padgateacademy.co.uk
Principal	Mr A McMillan
Clerk to the Local Governing Body	Ms J Steed
Chair of the Local Governing Body	Contact via the academy

Penketh High School

Address:	Heath Rd, Warrington, WA5 2BY
Phone no:	01925 722298
Email:	admin@penkethhigh.org
Principal	Mr J Carlin
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Penketh South School

Address:	Finlay Avenue, Penketh, Warrington, WA5 2PN
Phone no:	01925 722298
Email:	office@penkethsouth.tcat.uk.com
Headteacher	Mrs A Grace
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy

Priestley College

Address:	Priestley College, Loushers Lane, Warrington, WA4 6RD
Phone no:	01925 633591
Email:	enquiries@priestley.ac.uk
Principal	Mr J Gresty
Clerk to the Local Governing Body	Contact via the college
Chair of the Local Governing Body	Contact via the college

Sir Thomas Boteler Church of England High School

Address:	Grammar School Rd, Warrington, WA4 1JL
Phone no:	01925 722298
Email:	info@boteler.org.uk
Principal	Mrs B Scott-Herron
Clerk to the Local Governing Body	Contact via the academy
Chair of the Local Governing Body	Contact via the academy