



Community First  
Academy Trust

# 2019-2020 Complaints Procedure

**ADOPTED AT THE MEETING OF  
TRUSTEES  
16<sup>th</sup> July 2019  
CHAIR OF BOARD: Mr J Pugh**

## **Document control**

This is a statutory trust-wide policy adopted and reviewed by either the Board of Trustees or its Finance, Audit & Risk Committee and relates to all schools that are partners within the Trust. Specific Academy policies, e.g. curriculum policies will be found on individual school websites.

This policy was updated in July 2019 to add new information on the use of independent governors and management of duplicate complaints. It will be reviewed annually. Next review July 2020.

## Academy Complaints Procedure (Revised July 2019)

### 1. Purpose of the Complaints Procedure

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Community First Academy Trust (CFAT) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

This procedure aims to reassure parents and others with an interest in the Academy Trust that:

- any complaint against the organisation will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution;
- the charitable trust recognises that a willingness to listen to comments and criticism.
- All complaints will be recorded by The Head of Establishment, including informal complaints. The Head of Establishment is responsible for ensuring establishment staff record all complaints and their outcome a record will be kept outlining all complaints raised at the formal stage; whether they are resolved following a formal procedure, or proceed to a panel hearing; and any actions taken by the school because of those complaints (regardless of whether they are upheld).
- 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(1) and (2) of the Education and Skills Act 2008 (the Act) requests access to them or where the Trust is otherwise required by law to disclose them.
- The establishments local Governing Board or Committee will monitor the level and the subject matter of complaints and review outcomes on a regular basis through the mechanism of performance and data reporting back to the trusts Board of Trustees on a termly basis.

### 2. The difference between a concern and a complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints

procedure. Community First Academy Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Community First Academy Trust, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Community First Academy Trust will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Community First Academy Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### **3. Accountability**

Community First Academy Trust hold overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory or Trust framework.

The Trust has delegated day-to-day responsibility for operating the policy to the Head of each establishment with support from its Central Team.

The Local Academy Board (LAB) and Senior Leadership Team at each establishment has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

The Head of each Establishment holds delegated responsibility for discharging the sound application of all establishment policies.

The Head of Establishment should inform CFAT and their Governing Board/Body of all matters relating to serious breaches of this policy including any major incident to be addressed under this policy promptly, preferably prior to action being taken insofar as is reasonably practicable.

### **4. Monitoring, evaluation and review**

This policy will be promoted and implemented throughout all Trust establishments.

The Trust and its Trustees will monitor the operation and effectiveness of arrangements referred to in this policy at each Trust establishment.

The Trust will review this policy annually in consultation with each Trust establishment.

### **5. Scope of the Procedure**

The procedure takes account of The Education (Independent Academy Standards) (England) Regulations 2010 and advice given by the Education Skills Funding Agency in 2018 with regard to dealing with academy complaints

Complainants may be anyone with an interest in the work of the academy e.g. parents, carers, guardians, grandparents, neighbours of the academy. However, it is expected that it will be mainly parents or guardians who will make use of this procedure. The term 'parent' is therefore used throughout the procedure as a generic term but the procedure also applies in relation to any other

type of complainant

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the academy's work.

This procedure covers all complaints about the provision of facilities or services that an academy provides with the **exceptions** listed below, for which there are separate (statutory) procedures:

Exceptions	Who to contact
Statutory assessments of Special Educational Needs (SEN)	<p><b>Wigan Schools:</b> Concerns should be raised directly with local authority SEND team SEND helpline: 01942 486136</p>
Safeguarding	<p>Academies have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. It is not for the academy to investigate or make a judgment about possible abuse or neglect, but they must refer any concerns they may have to the appropriate organisation. Further information on our Wigan establishments safeguarding referrals can be found at:  <a href="https://www.wigan.gov.uk/Resident/Health-Social-Care/Children-and-young-people/Professionalreferralform.aspx">https://www.wigan.gov.uk/Resident/Health-Social-Care/Children-and-young-people/Professionalreferralform.aspx</a></p>
Allegations of professional abuse	<p>Allegations of abuse or inappropriate conduct, or concern, regarding a member of the academy staff must be reported to a Headteacher immediately.</p> <p>Allegations of abuse against the Headteacher or Trust Senior Leader must be reported to the Chief Executive immediately. Further information on safeguarding referrals within our Wigan establishments can be found at:  <a href="https://www.wigan.gov.uk/Resident/Health-Social-Care/Children-and-young-people/Child-protection/Child-protection.aspx">https://www.wigan.gov.uk/Resident/Health-Social-Care/Children-and-young-people/Child-protection/Child-protection.aspx</a></p>
Staff grievances and disciplinary procedures	<p>These matters will be dealt with through the academy's internal disciplinary or grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
Exclusion of children from school	<p>Further information about raising concerns about exclusion can be found at:  <a href="http://www.gov.uk/government/publications/school-exclusion">www.gov.uk/government/publications/school-exclusion</a></p>
Whistleblowing	<p>Our trust has a statutory internal Whistleblowing procedure for our employees, voluntary staff and anyone with an interest in one of our establishments. Other concerns can be raised directly with Ofsted.</p>
Complaints about services provided by other providers who may use academy premises or facilities.	<p>Providers should have their own complaints procedure to deal with complaints about external services. They should be contacted directly.</p>
Expectations	<p><b>Anonymous complaints:</b> We will not normally investigate anonymous complaints. However, the Head of Establishment or Chair, in collaboration with the CFAT Central Team, will determine whether the complaint warrants an investigation.</p> <p><b>Time scales:</b> You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.</p> <p><b>Complaints received outside of term time:</b> we will consider complaints made outside of term time to have been received on the first school day after the holiday period.</p>

<b>6.</b>	<b>Serial or Persistent Complaints</b>
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- 5.1 Community First Academy Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
- 6.2 Community First Academy Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:
- 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 Department for Education
  - 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.
- 6.3 Complainants should try to limit their communication with the school that relates to their complaint, 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.
- 6.4 Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 6.5 If the behaviour continues, the Headteacher will write to the complainant explaining that

their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Community First Academy Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

- 6.6 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 Community First Academy Trust.
- 6.7 More information about dealing with vexatious requests for information is available on the Information Commissioner's Office (ICO) website .

More information about dealing with vexatious requests for information is available on the [Information Commissioner's Office \(ICO\) website](#).

## **7. Banning from School / Trust Premises**

- 7.1 School are private places; the public has no automatic right of entry. If an individual's behaviour is a cause for concern, a school may ask an individual or group of individuals to leave school premises.
- 7.2 In serious cases, the Head of Establishment or Chief Executive can notify the individual in writing that their implied permission to be on Trust premises has been temporarily removed subject to a later review. If this decision is taken, schools are advised to always put it in writing and explain how the decision can be appealed. schools should also give the individual the opportunity to formally express their views on the decision to ban in writing.
- 7.3 The decision should then be reviewed and either confirmed or lifted. If the decision is confirmed the individual should be notified in writing, explaining how long the ban will be in place.
- 7.4 Anyone wishing to complain about being banned can do so, by letter or email, to the Chief Executive or Chair of Trustees. However, complaints about banning cannot be escalated to the Department for Education. Once the Trust procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

## **8. Withdrawal of Complaints**

- 8.1 Complaints may be withdrawn at any stage by the complainant by giving notice in writing.
- 8.2 Anonymous complaints will not be considered.

## 9. Duplicate complaints

- 9.1 After closing a complaint at the end of the complaints procedure, you may receive a duplicate complaint from:
- a spouse
  - a partner
  - a grandparent
  - a child
- 9.2 If the complaint is about the same subject, The Trust will inform the new complainant that the school has already considered that complaint and the process is complete.
- 9.3 The School will advise the new complainant to contact the Education Skills Funding Agency (ESFA) if they are dissatisfied with the school's handling of the original complaint.

## 10. Stage 1 : Informal Stage

- 10.1 On occasions, a parent/carer may raise a concern directly with school staff without any formality. At this stage, it may be unclear whether the parent is making a complaint, seeking information or may have misunderstood a situation. Regardless of this, the school will aim to resolve the concern at this point in a speedy and effective way.
- 10.2 However, if the concern is not resolved immediately and the parent/carer confirms that they wish the matter to be dealt with as a complaint, the opportunity to discuss the matter with an appropriate member of staff will be given e.g. Headteacher, Head of Establishment, Key Stage Leader, or another member of the Senior Leadership Team.
- 10.3 In the case of a complaint against the Headteacher or Head of Establishment, the complainant should, whenever possible, discuss their concerns with the Head of Establishment in the first instance. However, should the complainant be unable to do this, then they may proceed directly to Stage 2 of the procedure by writing to the Chief Executive of the Multi-Academy Trust.
- 10.4 Complaints against the Chief Executive should be directed to the Chair of the Board of Trustees at Stage 2 of the procedure by writing to the Chair of Community First Academy Trust, Rivington Ave, Platt Bridge, Wigan, WN2 5NG, marking the letter "Private and Confidential".
- 10.5 If a parent raises a complaint with a Trustee, then the Trustee should refer the complainant to the Chief Executive immediately and should not be drawn into offering and opinion or solution.
- 10.6 The member of staff will discuss the issue with the parent and those involved in school, with the aim of resolving the complaint as soon as possible. The parent will be informed in writing of the outcome of the investigation and what action, if any, the school

proposes to take.

- 10.7 It is anticipated that the majority of complaints will be resolved at this stage. However, if the informal process has been exhausted and no satisfactory solution has been found, the parent will be informed by the academy of how to progress the matter to Stage 2 of the Complaints Procedure.

## 11. **Stage 2 : Referral to the Chief Executive/Chair of Trustees for further investigation**

- 11.1 If wishing to proceed with the complaint, the parent/carer will be invited to put the complaint in writing to the Chief Executive or Chair of Trustees, via the school using the form attached at Appendix 2. The form should be submitted within ten school days of receiving the written response at Stage 1. A copy of the form should be retained by the parent.
- 11.2 Where the complaint has been addressed by the Headteacher or Head of Establishment at Stage 1, Stage 2 will be undertaken by the Chief Executive.
- 11.3 Complaints against the Chief Executive will be investigated by the Chair of the Board of Trustees.
- 11.4 The Chief Executive or Chair of Trustees will acknowledge the written complaint within **five school days** of receipt and provide an opportunity to meet the parent to discuss the complaint within the following **ten school days**.
- 11.5 Following discussion with the parent, the Chief Executive or Chair of Trustees will investigate the complaint and a written response will whenever possible be made within **fifteen school days** of the meeting. Where the parent refuses the offer of such a meeting the Chief Executive or Chair of Trustees will inform the parent/carer of the outcome of their investigation within **fifteen** school days of receipt of the written complaint. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised date by which they will respond.
- 11.6 The written response will include full reasons for the conclusions reached by the Chief Executive or Chair of Trustees and what action, if any, the Trust proposes to take to resolve the matter. The written response will also inform the parent how to progress the matter to Stage 3 of the Complaints Procedure if they believe that the matter has not been adequately resolved at Stage 2.

## 12. **Stage 3 : Review by the Trustees' Complaints Panel**

- 12.1 If the parent remains dissatisfied, they will be advised that, in order to progress the complaint further to Stage 3, they must notify the Clerk to the Board of Trustees in writing within ten school days of receipt of the written response at Stage 2, enclosing a copy of the original complaint form.
- 12.2 Except in exceptional circumstances, should the parent not inform the Clerk to the Board of Trustees of their intention to proceed to Stage 3 within **ten school days** of receipt of the written response at Stage 2, the complaint will be considered closed.

- 12.3 Complaints only rarely reach Stage 3. However, when the need arises, the **Trustees' General Complaints Panel** will consider complaints at this stage. (See Appendix 3).
- 12.4 A written acknowledgement of the complaint and the request for it to be heard at Stage 3 of the procedure will be sent to the parent by the Clerk to the Trustees within **five school days**.
- 12.5 The letter will inform the parent that the complaint will be heard by the General Complaints Panel (GCP) within **twenty school days** of receiving the complaint. Any request, by either party, to extend this time limit must be put in writing to the Clerk to the Board of Trustees. The letter will also inform the parent of the right to submit any further documents other than the complaint form and that these must be made available to the Clerk within **five school days** of receipt of the acknowledgement letter. The right of the parent to be accompanied by a companion of their choice and the right to call witnesses to the meeting, subject to the approval of the Chair of the GCP, will also be explained in the letter. The Clerk to the Board of Trustees should be informed of the names of any witnesses being called and their relevance to the complaint.
- 12.6 The Clerk to the Governing Board will send a copy of the letter of acknowledgement to the complaint to the Chair of Trustees and/or Head of Establishment and will request that a copy of the written response made at Stage 2, and any other documents for consideration at the hearing be submitted within **five school days** of receipt of the letter. The right to call witnesses to the meeting, subject to the approval of the Chair of the GCP, will also be explained in the letter. The Clerk to the Board of Trustees should be informed of the names of any witnesses being called and their relevance to the complaint.
- 12.7 The Clerk to the Governing Board will then convene a GCP meeting, having consulted with all parties on convenient times. The date, time and venue for the meeting will then be confirmed at least **ten school days** in advance.
- 12.8 The Education (Independent Academy Standards) Regulations 2010 Part 7 stipulates that the appeal panel in academies must comprise of at least three people, one of whom is **independent of the management and running of the academy**.
- 12.9 All relevant documents provided by both parties will be forwarded by the Clerk of the GCP to: the parent; the Chair of Trustees and/or Head of Establishment; and each panel member. These will be provided as soon as possible and, in any event, at least five academy days prior to the meeting.
- 12.10 The meeting will be held following the procedures for hearing a complaint detailed in Appendix 3.
- 12.11 Failure by the parent to attend the hearing without reasonable cause could result in the hearing going ahead and a decision being made in their absence. The decision to proceed with the hearing without the presence of the parent will be at the discretion of the GCP.
- 12.12 A written decision will be sent by the Chair of the GCP within ten academy days of the hearing. The letter will be sent to the complainant and, where relevant, the person that was complained about. The Letter will also be held by the Establishment for inspection on the school premises by the trust and Head of Establishment.

- 12.13 The letter will give details of the decision of the GCP and confirm that the decision of the panel is final.
- 12.14 If a complaint procedure has been exhausted and the complainant remains dissatisfied, they have the right to refer their complaint to the Education Funding Skills Agency (ESFA). ESFA has a duty to consider all complaints raised however will only act where the Board of Trustees has acted unlawfully or unreasonably and where it is expedient or practical to do so.
- 12.15 The Education Funding Agency's powers, in respect of academies in England, are delegated to the Ministerial and Public Communications Division. They will examine if the complaint policy and any other relevant statutory policies were followed in accordance with the provisions they set out. The Ministerial and Public Communications Division also examines policies to determine if they adhere to legislation. However, they will not normally re-investigate the substance of the complaint. This remains the responsibility of the academy.
- 12.16 The ESFA will not overturn an academy's decision about a complaint except in exceptional circumstances where it is clear the academy has acted unlawfully or unreasonably. If the ESFA finds that the academy has not handled a complaint in accordance with its procedure, the academy may be required to re-consider the complaint.

Further information about ESFA's procedure for dealing with complaints about academies can be found at <https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

- 12.17 The Local Authority has no role in reviewing the application by the trust of its complaints procedures.

### **13. Complaints concerning a Trustee**

#### **Complaints concerning a Trustee or the Chair of Trustees**

In the case of a complaint made against a Trustee, the Chair of Trustees will investigate the matter and then decide on any appropriate action. Where appropriate this could include making a recommendation to the Board of Trustees about possible suspension.

Where the complaint is against the Chair of Trustees the Vice-Chair will undertake the investigation and reach a decision. The Chair or Vice-Chair will write to the complainant giving details of their decision within fifteen academy days of receipt of the complaint.

The complainant can appeal against the decision of the Chair or Vice-Chair within a maximum of ten academy days of receipt of the decision letter. The Board of Trustees can either delegate the appeal to the complaints committee, or may, where they think it appropriate, appoint three other Trustees to form a complaints panel to investigate and make a recommendation by majority decision to the Governing Board.

Community First Academy Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the academy. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

*Community First Academy Trust defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the academy, hinder our consideration of their or other people's complaints'.*

A complaint may be regarded as unreasonable when the person making the complaint: -

- 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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 academy's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on academy time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically: -

- maliciously;

- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a academy while a 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.

Whenever possible, the head of establishment or Chair of Trustees will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the head of establishment will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Community First Academy Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Community First Academy Trust.

**Appendix 2 Form to notify formal Academy Complaint (Stage 2 and/or Stage 3)**

**Your name:**

**Pupil's name:**  
(if applicable)

**Your relationship to the pupil:**  
(if applicable)

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**Please give details of your complaint.**(Continue on a separate sheet if necessary)

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?**

**What actions do you feel would resolve the problem at this stage?**

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

**Signature:**

**Date:**

**FOR TRUST USE:**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

**GDPR Statement** PLEASE RESPECT AND ADHERE TO OUR DATA PROTECTION PROCEDURES IN RELATION TO THE COMPLETION OF THIS FORM. CFAT will take all reasonable steps to protect against any unauthorised or unlawful processing of Personal / Sensitive Data but also against any form of accidental loss, or destruction of, or damage to, personal data that might cause harm as a result from the unauthorised or unlawful processing or accidental occurring following any loss, sharing or disclosing of the information contained within this form. Employees must contact a member of the GDPR team before disclosing any form of sensitive or personal data of any kind to any third party in the absence of authority to do so.

**Please complete and return to either the Chief Executive or Chair of Trustees who will acknowledge receipt and explain what action will be taken.**

## Appendix 3 Trustees' Complaints Panel

### Role

The panel has the power to make decisions on behalf of the Board of Trustees and may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint if the complaint is upheld
- where appropriate recommend, to the next meeting of the Board of Trustees, changes to the academy's systems or procedures to ensure that problems of a similar nature do not recur.

### Membership

A pool of Trustees will be named for this purpose from which two Trustees will be appointed. A third member, who is independent of the management and running of the academy must also be appointed.

No member of the General Complaints Panel should have had prior involvement with the complaint or complainant.

The Chair of the General Complaints Panel will be appointed prior to meeting.

The Chief Executive will not be a member of the General Complaints Panel. If the Chair of the Trustees has been involved at an earlier stage in the procedure they also should not be a member of the General Complaints Panel. Their role would be to attend the panel hearing to give evidence of what had been done to address the complaint in earlier stages.

**Introduction**

The aim of the meeting is to resolve the complaint and achieve a satisfactory outcome for the parent and the academy.

The Chair of the GCP will ensure that the meeting is properly managed and minuted.

Although the meeting will follow the structured order below, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease, given potential sensitivities and anxieties.

If new information or witnesses are introduced at the meeting which had not previously been notified to the Clerk, the panel may adjourn the meeting so that everyone has time to consider and respond to the new information.

**Order of Meeting**

1. The Chair welcomes the parent and his/her companion and introduces the GCP.
2. The Chair explains the purpose of the meeting, the procedure, and asks for confirmation that all written evidence has been made available to all parties.
3. The parent/companion explains the complaint, calling in witnesses if appropriate.
4. The GCP may ask questions of the parent/companion and any witnesses.
5. The parent and companion leave the meeting.
6. The Chair welcomes the Head of Establishment and Chief Executive (or Chief Executive and Chair of Trustees where the complaint has been addressed by the Chair at Stage 2).
7. The Chair explains the purpose of the meeting, the procedure, and asks for confirmation that all written evidence has been made available to all parties.
8. The Head of Establishment and Chief Executive present a response to the complaint, including describing the action taken to address the complaint at Stages 1 and 2 of the procedure and calling witnesses, if appropriate.
9. The GCP may ask questions of the Head of Establishment and Chief Executive.
10. The Head of Establishment and Chief Executive leave the meeting.

11. The parent, together with his/her companion, is invited back into the room to make a final statement, then leaves the meeting.
12. The Head of Establishment and Chief Executive, are invited back into the room to make a final statement, then leaves the meeting.
13. In exceptional circumstances the panel may decide at any stage to adjourn the hearing pending further investigation.
14. The panel will then consider the information that has been presented. The Clerk will remain for this part of the meeting in order to clarify anything if necessary, but the Trustees' deliberations will not be minuted.
15. The GCP will consider the complaint and must reach a majority decision. The GCP will also decide what action (if any) to take to resolve the complaint and, if appropriate, recommend to the Board of Trustees changes to ensure similar complaints are not made in future.
16. When a decision has been made, the Chair first recalls the parent, then the Head of Establishment and Chief Executive and each is informed of the outcome and any recommended action to be taken.
17. The Clerk will confirm all outcomes in writing to both parties, in accordance with paragraphs 9.12 of the Complaints Procedure.

**Introduction**

The aim of the meeting is to resolve the complaint and achieve a satisfactory outcome for the parent and the academy.

The Chair of the GCP will ensure that the meeting is properly managed and minuted.

Although the meeting will follow the structured order below, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease, given potential sensitivities and anxieties.

If new information or witnesses are introduced at the meeting which had not previously been notified to all parties, the panel may adjourn the meeting so that everyone has time to consider and respond to the new information

**Order of Meeting**

1. The Chair welcomes the parent and their companion, and the Head of Establishment and Chief Executive (or Chief Executive and Chair of Trustees where the complaint has been addressed by the Chair at Stage 2). to the meeting and introduces the GCP.
2. The Chair explains the purpose of the meeting, the procedure, and asks for confirmation that all written evidence has been made available to all parties.
3. The parent (or his/her companion) will outline his/her complaint and explain why they are dissatisfied with the academy's response to date. The parent may call any witnesses in support of their complaint who will attend the meeting only for the time that they are providing information. Witnesses may be questioned by all parties.
4. The GCP and Head of Establishment and Chief Executive will have the opportunity to ask questions of the parent.
5. The Head of Establishment and Chief Executive will explain their involvement in the complaint and the reasons for their decisions at Stages 1 and 2. The Head of Establishment and Chief Executive may call any witnesses who will attend the meeting only for the time that they are providing information. Witnesses may be questioned by all parties.
6. The Trustees and parent will have the opportunity to ask questions of the Head of Establishment and Chief Executive.

7. The Head of Establishment and Chief Executive then the parent will be given the opportunity to sum up their statements. No new information may be introduced at this stage.
8. In exceptional circumstances the panel may decide at any stage to adjourn the hearing pending further investigation.
9. Both parties will leave the meeting and the panel will then consider the information that has been presented. The Clerk will remain for this part of the meeting in order to clarify anything if necessary, but the Trustees' deliberations will not be minuted.
10. The GCP will consider the complaint and must reach a majority decision. The GCP will also decide what action (if any) to take to resolve the complaint and, if appropriate, recommend to the Board of Trustees changes to ensure similar complaints are not made in future.
11. When a decision has been made, the Chair first recalls the parent, then the Head of Establishment and Chief Executive and each is informed of the outcome and any recommended action to be taken.
12. The Clerk will confirm all outcomes in writing to both parties, in accordance with paragraphs 9.12 of the Complaints Procedure.

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**Contact list:**

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**Appeals should be directed to:**

<https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy#contacting-esfa>