



## Complaints Policy February 2019

**Article 12 – I have the right to be listened to, and taken seriously**



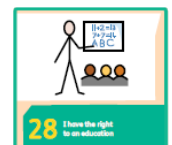
**Article 19 - I have the right to be protected from being hurt or badly treated.**



**Article 23 – If I have a disability, I have the right to special care and education**



**Article 28 – You have the right to a good quality education. You should be encouraged to go to College to the highest level you can.**



## **Key Contact Personnel in College**

**Nominated Member of Leadership Staff Responsible for the policy:  
Richard Dalton**

**Designated Safeguarding Lead: Kirstie Hemingway**

**Date written: February 2019**

**Date Reviewed: September 2021**

**This policy will be reviewed following any concerns and/or updates to  
national and local guidance or procedures.**

## **Grow 19 COMPLAINTS PROCEDURE**

In order to investigate your complaint as fully as possible the Board of Trustees has established a staged process. Most issues are sorted out informally and we would recommend that you try this approach first. If you have any concerns about the college or the education provided, you are encouraged to discuss the matter first with the college tutor and the Head of College at the earliest opportunity.

The college considers any concerns very seriously and most problems can be resolved at this stage. However, if you feel that there is nothing to be gained and you wish to make a formal complaint you have the right to go straight to stage 1 of the complaints procedure.

### **Resolving concerns informally**

- 1.1. Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the college wants to hear about it. Parents should be advised from the outset that there is a complaints procedure that they can use if the matter cannot be resolved. The member of staff may explain to the parent how the situation happened. It can be helpful at this point to identify what sort of outcome the parent is looking for.
- 1.2. If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number.
- 1.3. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been dealt with.
- 1.4. If the matter is brought to the attention of the Head of College s/he may decide to deal with the complaint. If the complaint is against the Head of College the parent will be advised to contact the Chair of the Board of Trustees
- 1.5. The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.
- 1.6. While it is often a helpful way to resolve problems more quickly, a parent or pupil is not required to pursue informal ways to address complaints but has the right to make a formal complaint at any time.

## **Complaints Procedure Stage 1: investigation by the Head of College**

- 2.1 Complaints at this stage need to be recorded in writing. A complainant may wish to write in themselves. Complainants may also make their complaint verbally and can expect help to put their complaint in writing.
- 2.2 The Head of College (or designated person) will acknowledge the complaint in writing within three working days of receiving the written complaint. The acknowledgement will give a brief explanation of the college's complaints procedure and a target date for providing a response to the complaint. This should normally be within ten working days. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date. This will be within a maximum of 20 working days unless it is a particularly complex issue.
- 2.2 The Head of College (or designated person) will provide an opportunity for the complainant to meet them to supplement any information provided previously or to record the complaint in writing if it has been made verbally. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf or to provide support.
- 2.3 If necessary the Head of College (or designated person) will interview other parties and take statements from those involved. If the complaint centres on a pupil, where appropriate and possible, the pupil may also be interviewed unless this is judged not to be in the interests of the pupil's welfare. Pupils that are interviewed should normally have their parents/guardians present. If a member of staff is complained against, they must have the opportunity to present their case.
- 2.4 The Head of College (or designated person) will keep written records of meetings, telephone conversations and other documentation.
- 2.5 Once all the relevant facts have been established as far as possible, the Head of College (or designated person) will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the college will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the Chair of Trustees within 20 working days of receiving the letter.
- 2.6 If the complaint is against the Head of College, or if the Head of College has been closely involved in the issue, the Chair of the Board of Trustees will carry out all the Stage 1 procedures.

## **Stage 2: Review by the Board of Trustees**

- 3.1 The Chair of the Board of Trustees will write to the complainant to acknowledge receipt of the written request for the Board of Trustees to review the complaint. The acknowledgement will inform the complainant that three members of the college's Board of Trustees will hear the complaint within 20 working days of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members.
- 3.2 A meeting of the Trustees' Complaints Panel will be convened. No Trustees with prior involvement in the issues complained about will be included on the panel and it may be necessary to use reserves (previously agreed by the Board of Trustees) to ensure the Panel can meet within the set time. Trustees should bear in mind the advantages of having a parent governor on the panel, and will also be sensitive to issues of race and gender. The Head of College will not sit on the Panel. An experienced governor will chair the panel meeting.
- 3.3 The Chair of the panel will ensure the Panel hears the complaint within twenty working days of receiving the letter. All relevant correspondence relating to the complaint will be given to each Panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to Panel members.
- 3.4 The Chair or clerk will write and inform the complainant, Head of College, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.
- 3.5 The Head of College will be invited to attend the Panel meeting and will be asked to prepare a written report for the Panel in response to the complaint. All attendees including the complainant should receive a set of the relevant documents including the Head of College's report and the agenda, at least five working days prior to the meeting.
- 3.6 Submission of additional documents or requests for additional attendees will be at the discretion of the Chair of the panel.
- 3.7 At the panel hearing:
  - The complainant will have the opportunity to present their complaint.
  - The Head of College will explain the college's position.

- Those present will have the opportunity to ask questions.
- Panel members will have the opportunity to ask questions of the complainant and the Head of College.
- The Head of College will be given the opportunity to make a final statement to the panel.
- The complainant will be given the opportunity to make a final statement to the panel.
- The chair will ask the complainant if he or she feels they have had a fair hearing.

The Chair of the Panel has responsibility to ensure that the meeting is properly minuted.

3.8 The Chair of the Panel will explain to the complainant and Head of College that the Panel will consider its decision and that a written decision will be sent to both parties within 15 working days. The complainant, Head of College, other members of staff and witnesses will then leave.

3.9 The Panel will then consider the complaint and all the evidence presented and

- Agree a decision on the complaint;
- Decide upon the appropriate action to be taken to resolve the complaint; and
- Where appropriate, suggest recommended changes to the college's systems or procedures to ensure that problems of a similar nature do not recur.

3.10 A written statement clearly setting out the decision of the Panel must be sent to the complainant and Head of College. The letter to the complainant should also advise how to take the complaint further.

3.11 The college should ensure that a copy of all correspondence and notes are kept on file in the college's records. These records should be kept separately from the pupil's personal records.

### **Stage 3: Education and Skills Funding Agency (EFSA)**

4.1 If a complainant wishes to go beyond the Trustees' complaints panel, they can contact the EFSA. More information is available at <https://www.gov.uk/complainfurthereducationapprenticeship>

The following appendices provide further information which support the delivery of this policy:

Appendix 1: Flowchart of complaints.

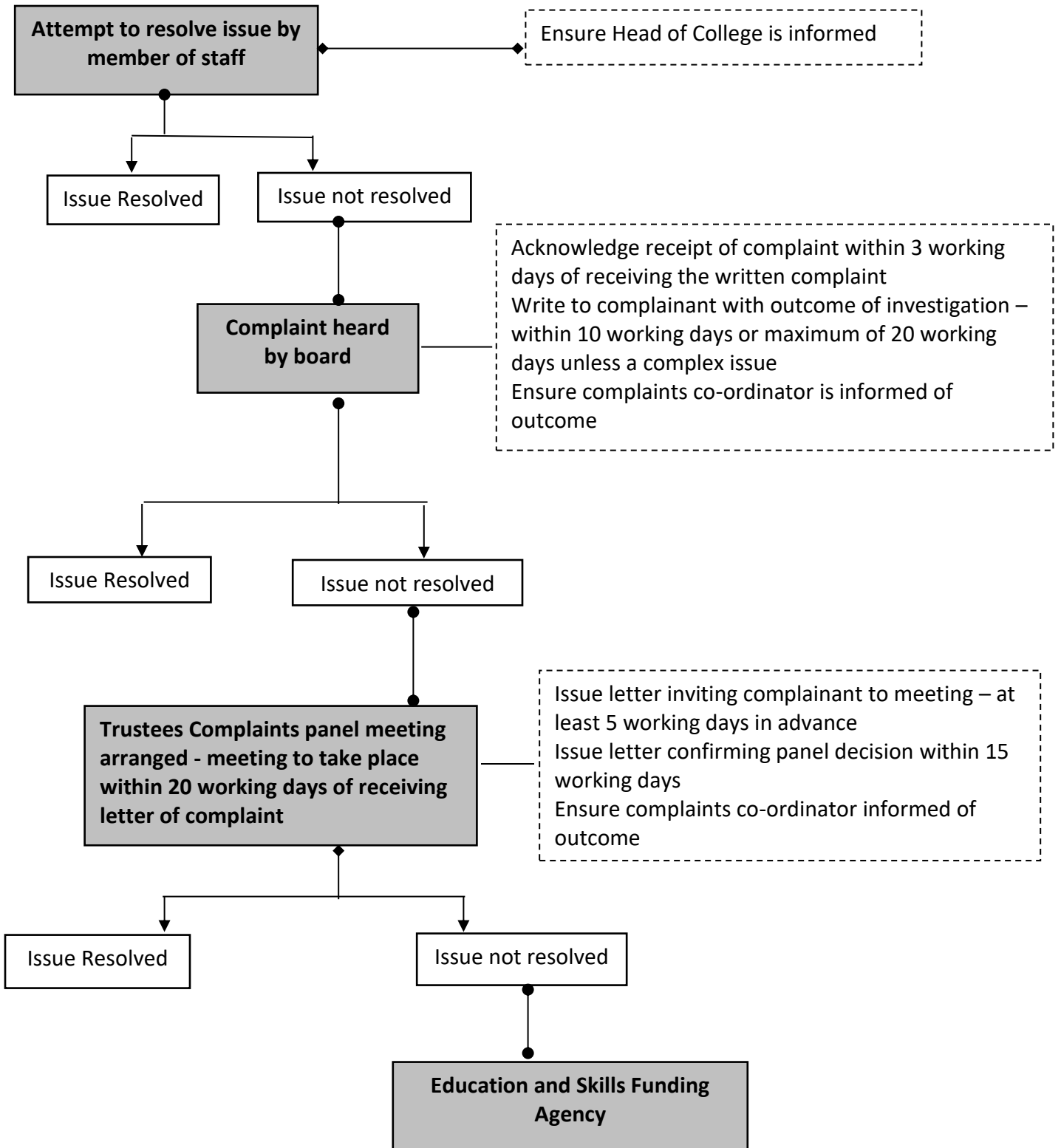
Appendix 2: Staff awareness – how to listen to complaints

Appendix 3: Parent Leaflet – how problems

Appendix 4: Complaints Form

# Appendix 1

## Flowchart of complaints





## Appendix 2 - How to Listen to Complaints

When you realise that you are listening to a complaint, try to remember these points:

<b>Don't pass the buck</b>	<i>Try not to keep transferring an angry person from one place to another. Take the responsibility to ensure the right person deals with it if you cannot deal with it yourself.</i>
<b>Don't be flippant</b>	<i>First impressions count. You and the college may be judged on your immediate reaction.</i>
<b>Treat all complaints seriously</b>	<i>However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain. Access to the procedure is a right which should not be restricted by a judgement as to the seriousness of the issue.</i>
<b>Treat every complaint individually</b>	<i>Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say.</i>
<b>Be courteous and patient</b>	<i>Be sympathetic and helpful, but do not blame other colleagues.</i>
<b>Say who you are</b>	<i>If you are unknown to the other person, introduce yourself.</i>
<b>Ask for their name and use it</b>	<i>Anonymous complaints are acceptable only where there are special circumstances.</i>
<b>Take time to find out exactly what the problem is</b>	<i>It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed. Asking what outcome the complainant seeks is a good way to find out what it is really all about and will help you to know if you can resolve it</i>
<b>Don't take the complaint personally</b>	<i>To an angry or upset person, YOU are the college, and the only one they can put their feelings to right now.</i>
<b>Stay cool and calm</b>	<i>Do not argue - be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong.</i>
<b>Check you are being understood</b>	<i>Make sure that the person understands what you are saying. Don't use jargon - it can cause confusion and annoyance to someone 'not in the know'.</i>
<b>Don't rush</b>	<i>Take your time. Let people have their say, and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step.</i>
<b>Communicate</b>	<i>Ensure that you make the Key Stage / Phase Leader aware of the issue, as soon as possible.</i>

## **Appendix 4**

### **How to raise concerns or to make a complaint about the college**

#### **If you have a concern or complaint**

We would like you to tell us about it. We welcome suggestions for improving our work in college. Be assured that no matter what the problem is, our support and respect for you and your child in college will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

#### **What to do first**

Most concerns and complaints can be sorted out quickly by speaking with the college tutor or the Head of college.

If you have a complaint that you feel should be looked at by the Head of College in the first instance you can contact them straightaway if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the college office to speak to the Head of College's PA. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

#### **What to do next**

If you are dissatisfied with the initial response, or if you do not want to discuss the matter informally, you can make a complaint to the Head of College. This will need to be in writing. Contact the school office if you would like some help putting your complaint in writing.

If your complaint is about an action of the Head of College personally, then you should refer it to the Chair of Trustees now. Contact details can be obtained from the school office.

You will be offered a meeting to discuss the problem. You may bring a friend or someone else for support. The Head of College will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

**If you are still unhappy**

The problem will normally be solved at this stage. However, if you are still not satisfied you may wish to contact the Chair of the Board of Trustees to ask for a referral of your complaint to a Trustees' Complaints Panel. It will then be heard by a group of three Trustees who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Head of College will also attend. The Complaints Procedure sets out in more detail how these meetings operate.

**Further Action**

Complaints about school problems are almost always settled within schools but if they remain unresolved they can be referred to the Secretary of State for Education. The Department for Education will expect the complaint to have been considered by the school Trustees first. There is more detail in the full Complaints Procedure, on the school's website or on the Department for Education website ([www.education.gov.uk/schoolcomplaints](http://www.education.gov.uk/schoolcomplaints)).

**Complaints Form****Appendix 4**

Please complete and return to The Head of College who will acknowledge receipt and explain what action will be taken	
Your Name	
Learners's Name	
Your relationship to the Learner	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here	
What actions, if any have you taken to try and resolve your complaint	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork?	
Signature	
Date	
<b>For Office Use only</b>	
Date acknowledgement sent	By Whom
Complaint referred to:	Date: