



## **Complaints Policy and Procedure**

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**Publication:**

Staff area of Intranet

Y

Student and Public area of Intranet

Y

## COMPLAINTS POLICY AND PROCEDURE

The College is committed to maintaining the high quality of its provision and the satisfaction of all those who use the College or who are members of its wider community. We welcome comments and suggestions and will take any complaints or concerns that are raised seriously.

### Aims

The College aims to:

- Have a clear, easily accessible Complaints Policy and Procedure which is understood and accepted as a Code of Practice by all members of the College community, and which operates consistently across the organisation;
- Deal with formal complaints fairly and efficiently, with an acknowledgement and an initial response made within a period of ten working days of receiving the complaint;
- Ensure that the complainant is kept fully informed of the procedure and the outcome of their complaint;
- Maintain confidentiality wherever reasonable;
- Compile a recording system for all formal complaints which is reliable and comprehensive. This informs the appropriate managers so that improvements can be made in the future.

### Definitions

The College defines:

- **Concerns:** - as issues where a person wishes to register unease about a situation without (at least initially) proceeding to make a formal complaint. Concerns will normally be raised with the teacher, tutor or the appropriate manager.
- **Complaints:** - as issues which are formally documented, with a written record of the complaint and a written response to the complainant. All complaints are reported to the Senior Management Team and to the Quality and Standards Committee of the Corporation.

### Sources of Concerns/Complaints

Concerns/Complaints may be made by any member of the College, a parent/guardian, a member of the public, visitor or contractor.

### Dealing with a Concern/Complaint

#### Concern

It is the policy of the College to encourage all concerns to be resolved informally in discussion with the relevant person or persons.

In every case, the concern will be treated seriously and wherever possible, to the satisfaction of all parties. Where a concern cannot be resolved informally a complaint can be made.

## Student Concerns

It is hoped that in most instances student concerns can be dealt with informally through discussions with the member of staff directly involved in the issue which has given rise to the student's concerns.

However there might be cases where the student does not feel comfortable in approaching the member of staff involved or where, after such discussions, the student feels that the problem has persisted. *All the examples in the following paragraphs would only apply if the student has not been able to resolve the issue with the member of staff involved.*

In these instances students should contact the member of staff's immediate line manager. If the issue arises through subject teaching then this will be the Head of Department or if the member of staff is the Head of Department then the senior manager who oversees that department (the Vice Principal Teaching and Learning or one of the Assistant Principals for the Curriculum.)

If the issue arises through tutorial then it will be the relevant Support Manager for that tutor group (the Assistant Principal Support and Welfare, the Senior Student Support Manager or the Student Support Manager).

Members of support staff have Team Leaders who are in turn responsible to senior managers.

If the issue involves a Vice Principal, Assistant Principal or the Senior Student Support Manager then the student's next line of reference is the Principal.

If the issue involves the Principal then the student should contact the Secretary to the Corporation who will inform the Chair of Governors.

*If a student speaks about an issue to a member of staff who is not the relevant member of staff's line manager then the member of staff approached will refer the matter to the appropriate manager.*

The student will have an opportunity to discuss his/her concerns with the relevant manager who will try to resolve the matter through discussions with the member of staff involved, further discussions with the student and, where this is helpful, bringing the member of staff and student together.

***The College manager dealing with the concern will lodge a written summary of the concern and outcome with the Principal's PA. Where a number of similar concerns have been raised then the Principal and the relevant member of staff's line manager will need to consider whether the issue might need to lead into disciplinary or capability procedures.***

## Complaint

- Complaints can be directed to members of the Senior Management Team (via Heads of Departments and Support Staff Managers). If the complainant is unsure who the complaint should be directed to they should contact the Principal's PA and the appropriate manager will be identified.
- Complaints may be received verbally, in writing, by e-mail or by telephone. Complaints can also arise from unresolved concerns. Anonymous complaints will not be acknowledged and the Principal will determine whether an investigation is required or not.
- On receipt of a complaint, a Complaint Form is raised (See Appendix 1) and Part 1 is completed.
- The College Manager investigates the complaint and records initial findings and any action taken.
- The Complaint Form is passed to the Principal's PA within five working days of the initial complaint.
- The complainant will be informed, in writing by the Manager, of the findings/actions taken within 10 working days of the initial complaint. A copy of the response should be passed to the Principal's PA.
- If the complaint has not been resolved, the Vice Principal (Teaching and Learning) will initiate an investigation via an appropriate College Manager and an acknowledgement letter will then be sent to the complainant.
- It is likely that the College Manager will need to discuss the matter with the relevant staff and/or parents/students to investigate the matter fully.
- It is important that a written record is kept throughout by the investigating College Manager so that the facts can be established accurately. The process involved in checking the facts must be those contained within the college's Disciplinary Procedures, which are as follows:

(iii) Generally the following steps should be taken:-

- (a) All potential witnesses should be interviewed.
  - (b) Written signed statements should be obtained from staff witnesses who have relevant evidence. Where appropriate and if possible signed statements should be obtained from student and parent witnesses, but the college recognises that this is often not possible. If a signed statement cannot be obtained, then a summary statement of the interview should be prepared by the interviewer shortly after the interview, which should be emailed to the student/parent requesting that they confirm by email whether they agreed with the email summary statement.
  - (c) The statements should be cross-checked and if necessary, the witnesses questioned again without revealing the contents of other witnesses statements.
  - (d) The employee is interviewed to check and comment on the facts.
  - (iv) In certain circumstances consideration may need to be given to suspending the employee concerned. The decision should not be taken lightly and such action shall not in itself constitute a disciplinary sanction.
  - (v) Where complaints relate to a Safeguarding issue, then the Safeguarding Procedures must be followed.
  - (vi) It is important that any investigation is carried out promptly, as any delay could prejudice the appropriate action.
- The College Manager will report back detailed findings to the relevant Vice Principal within twenty working days of the complaint being made.
  - A written response will be sent to the complainant from the person appointed to investigate the complaint within 25 days of the complaint being made. A copy must be given to the Principal's PA.
  - The Principal's PA completes Part 2 of the Complaint Form.

## **Outcomes**

There are three possible staff outcomes following the completion of the investigations, which are as follows:

1. The complaint is rejected - no staff actions taken.
2. The complaint is upheld, but the issue is not serious – the staff member receives a written record of the outcome with instructions to avoid repetition.
3. The complaint is upheld and the issue is considered to be serious – the staff member is processed via the Disciplinary Procedures.

## **Appeal Procedure**

If the complainant is not satisfied with the way in which the complaint has been dealt with they may lodge an appeal, in writing, to the Principal within five working days from the date of the letter.

- The Principal will consider all of the evidence available and will decide on whether an Appeal Panel should be called.
- The appeal will be heard within ten working days of receipt of the appeal letter by a panel consisting of the Principal, one of the Assistant Principals, one member of the Corporation and the Personnel Manager (where applicable).
- The decision of the Appeals Panel is final.

## **Conduct of the Appeal**

Appeals should be processed as per the college's Appeals Procedure a copy can be obtained from the HR Manager or the Principals' PA.

## **Complaints against the Corporation**

- a) A complaint against the Corporation, a member of the Corporation or the Secretary to the Corporation may be made by an individual, business or an organisation. However, complaints by members of staff are to be dealt with in accordance with the College Grievance Procedure and by students in accordance with the College Complaints Procedure.
- b) Complaints against the Corporation or a member of the Corporation should preferably be made in writing and addressed to the following:

Company Secretary  
Kingscrest Ltd  
First Floor,  
21-23 Woodgrange Road  
London E7 8BA

- c) The Complainant will be expected to state clearly the nature of the complaint and if appropriate provide copies of any related documentation.
- d) The Secretary to the Corporation will:
  - i. Acknowledge receipt of the complaint without delay;
  - ii. Investigate the complaint;
  - iii. Endeavour to provide a response to the complaint within twenty working days and if this is not possible provide the complainant with an interim statement.
  - iv. Maintain a log of events concerning the complaint.
- e) The written response of the Secretary to the Corporation will include details of any arrangements for pursuing the matter with an independent body (e.g. the Secretary of State for Education).

- f) The Company Secretary will keep the Chairperson informed of the situation, and will provide the Corporation with a written statement of the nature of the complaint and the response at the next meeting. Such a report shall be circulated to members within ten working days of the response of the Secretary to the complaint so that members are aware of the situation.
- g) When carrying out an investigation on a complaint against the Corporation or an individual member of the Corporation, the Secretary to the Corporation will have the authority to refer issues to the Corporation's auditors (external and/or internal) or other appropriate advisors.
- h) A complaint against the Secretary to the Corporation shall be forwarded to the Chair of the Corporation for investigation and response. Letters for the attention of the Chair of the Corporation should be marked 'Strictly Private and Confidential' and addressed to:

The Chair of the Corporation  
Kingscrest Ltd  
First Floor,  
21-23 Woodgrange Road  
London E7 8BA

- i) The Secretary to the Corporation is to maintain a record of all complaints made to or about the Corporation and their outcome. The Secretary is to report annually to the Corporation on the nature and disposal of such complaints.

CRN/

# COMPLAINT FORM

## Part I

Date of Complaint..... College Manager receiving complaint .....  
(SMT/SSM/Support Staff Manager/HOD)

Department .....

How was the complaint received (\*please circle as appropriate)?

Telephone In person via a third party in writing email other (please specify)

Who made the complaint? (\*please circle as appropriate) Member of the public Parent Student

Contractor Sports Centre User Visitor Other

Please outline main points of the complaint (continue overleaf if necessary)

Action taken by College Manager:

.....  
.....

Was this complaint resolved at this stage? Y / N Has complainant been informed of findings? Y / N  
(please sign and date this form \* below and send it to VHAWK) (please attach details)

\* Signature ..... Date .....  
(SMT/SSMG member receiving complaint)

## Part 2

Further action required: .....

By ..... (name of person(s) investigating this complaint)

Date acknowledgement sent to complainant..... Conclusion required by.....  
(within 10 working days of original complaint)

Details of action taken .....

.....

Response sent (please attach details)..... By..... Date.....

Signature of Principal's PA ..... Date.....

Office use only:

Complaint ref No.	CRN/	Date recorded on system:	
Complaint resolved	Y / N		
Copies sent to:	DP SMT SSMG SSM Personnel	Date copies sent:	
Further action req'd?	Y / N		
Appeal ?	Y / N (if yes, please attach details)		
Date E&D form sent		Date E&D form ret'd	