

R U N S H A W C O L L E G E

POLICY TITLE: Complaints Policy

APPROVED BY: Governing Body

AUTHOR: Assistant Principal -Quality

POLICY OWNER: Assistant Principal –
Quality

POSITION: Assistant
Principal - Quality

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1. SCOPE

This policy applies to concerns or complaints from any person who wishes to express dissatisfaction with any aspect of College activities (including raising concerns about malpractice). Separate Grievance Procedures and Whistleblowing procedures exist for staff. This policy does not replace college procedures for appeals about results, student admissions or student disciplinary matters including Level 3 warnings, suspensions and expulsions.

Concerns

Concerns are issues that are considered to be an expression of worry or doubt for which reassurances are sought.

Concerns can usually be resolved quickly by clarification with the relevant person or by immediate action

*Complaints

A complaint can be an expression of dissatisfaction with any aspect of college activities such as (but not limited to):

- Where the quality of service is unsatisfactory
- Where there are issues with curriculum delivery
- Where procedures have not been followed appropriately
- Where there have been issues with the behaviour of members of staff or other authorised visitors or contractors on site

2. PURPOSE

- 2.1 The College aims to ensure that all complaints received are dealt with promptly, fairly, professionally and in a non-discriminatory manner, and that appropriate action is taken.

- 2.2 Every complaint will be taken seriously and viewed positively as an opportunity to receive constructive feedback so that improvements may be made.
- 2.3 The Complaints Procedure should be clear, easy to access and use and open to public scrutiny.
- 2.4 In dealing with complaints, the College will, at all times, take account of and promote its Equality and Diversity practices.

3. PROCEDURE

Complaints may be made by anyone who receives or seeks a service from the college.

Where a complaint is raised by a parent/carer/guardian, the college reserves the right to deal only with named contacts.

Where a complainant wishes for someone else to raise a complaint on their behalf, the college has a duty under the General Data Protection Regulation regarding sharing information with third parties. The college will require written consent to share this information with them.

Where a complaint identifies issues which fall under other policies or procedures, for example an appeal against a disciplinary matter, the complaint will be reviewed and the complainant notified and directed to the relevant policy and procedure. Where appropriate both will be investigated simultaneously.

3.1 Complaints from students and/or parents/carers/guardians

3.1.1 Students or their parent/carer/guardian may express dissatisfaction about any programme of study or related facility or any other service provided by or on behalf of the college, which has materially affected their experience of the College.

3.1.2 STAGE 1: Informal

It is expected that day-to-day issues/concerns* (see appendix 2) will be resolved promptly and informally between a student and their subject/course teacher or Progress Mentor. Parents should direct initial concerns to their son/daughter/ward's Progress Mentor

3.1.3 STAGE 2: Formal

When it is felt that an issue has not been resolved, or the issue is considered to be of a significantly serious nature, or it is more appropriate to refer the issue, a student or their parent/carer/guardian should submit their formal complaint **in writing** to the Head of Studies for their programme.

The Head of Studies will normally acknowledge the complaint within two working days of its receipt.

The Head of Studies will deal with the complaint or forward to the appropriate manager. This manager will normally be someone who has had no prior involvement at Stage 1. After investigating the complaint, they will normally respond within ten working days of receipt, or the student will be advised of any delay and the likely timescale in which they should receive a reply.

The manager will provide a written response to the complaint. They will confirm whether the complaint is upheld, partly upheld or not upheld. They will provide clear reasons for the decision reached and forward a copy of the complaint and the response to the internal #Complaints mailbox to log the complaint.

Where a complaint is upheld, the college will explain how and when it will implement any remedy, whether that includes an apology and what the student/ parent/carer/guardian can do if he or she remains dissatisfied.

The decision should also give information about the student's right to take the complaint to the review stage.

3.1.4 STAGE 3: Internal Review

If the matter is not resolved to the satisfaction of the student or parent, the complaint should then be escalated to the Principal.

A request for a review may be on limited grounds, including but not confined to:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable
- new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

The Principal will normally acknowledge the request to review the complaint within two working days of its receipt and after investigating the complaint, normally provide a written response within ten working days, or the student will be advised of any delay and the likely timescale in which they should receive a reply. The Principal reserves the right to delegate this responsibility to another senior manager. The manager investigating the complaint will provide a written response setting out their decision at the conclusion of this stage. They will confirm whether the complaint is upheld, partially upheld or not upheld.

They will provide clear reasons for the decision reached and forward a copy of the complaint and the response to the internal #Complaints mailbox to log the complaint.

The review stage will not usually consider the issues afresh or involve a further investigation.

A complaint must have been considered at the formal stage before it can be escalated to the internal review stage.

The purpose of the review stage is to ensure that appropriate procedures have been followed and that the decision, following the formal investigation, was reasonable. This stage does not necessarily require a reconsideration of the issues raised.

Where a complaint is upheld, the college will explain how and when it will implement any remedy, whether that includes an apology and what the student/ parent can do if they remain dissatisfied.

The decision should also give information about the student's right to raise the complaint via the Education and Skills Funding Agency (ESFA) or the Office for the Independent Adjudicator for Higher Education.

3.1.5 STAGE 4: Review (externally)

If internal complaints procedures have been exhausted and the complaint remains unresolved to the satisfaction of the student, they may complain to the ESFA by contacting them via <https://www.gov.uk/complain-further-education-apprenticeship>.

3.2 Other Complainants

3.2.1 Any person, other than a member of staff (who should use the Grievance Procedure) or a student/parent who is dissatisfied about any aspect of the College's activities, should direct their complaint in the first instance to the relevant college manager or, if this is not known, to the Director of Quality. The complaint will normally be acknowledged within two working days of receipt and forwarded to be dealt with by the appropriate manager.

3.2.2 The appropriate manager will investigate the complaint and will make a written response to the complainant, normally within ten working days of the complaint being received, or the complainant will be advised of any delay and the likely timescale in which they should receive a reply.

3.2.3 If the complainant is not satisfied with the reply, the Principal will consider the complaint. S/he will normally acknowledge the complaint within two working days of its receipt and, after investigating the complaint, normally reply within ten working days, or the complainant will be advised of any delay and the likely timescale in which they should receive a reply. The Principal reserves the right to delegate this responsibility to another senior manager.

3.2.4 At this stage the complainant will be notified of their right to complain to (and how to contact) the Education and Skills Funding Agency, It is expected that this procedure will only be followed when the above internal steps have been fully exhausted and the complaint remains unresolved to the satisfaction of the complainant.

3.2.5 The appropriate senior manager will deal with a complaint that relates to the personal conduct or actions of one of their managers. In the case of a complaint against the Principal, the matter will be directed to the Chair of the Corporation. The Chair or Deputy Chair will deal with a complaint that concerns a Governor.

3.3 Complaints against the conduct or actions of the Corporation

Where it is considered by the Assistant Principal - Quality that the nature of the complaint is against the conduct or actions of the Corporation, the Head of Governance, acting independently, will investigate the complaint. The Clerk will normally reply within ten working days, or the complainant will be advised of any delay and the likely timescale in which they should receive a reply.

3.4 Unacceptable Complainant Behaviour

3.4.1 The College is committed to dealing with all complainants fairly and impartially and to providing a high quality service, but it is not expected that staff should have to tolerate behaviour, which is considered to be unacceptable, for example, any communication which is:

- abusive, offensive, defamatory or distressing;
- aggressive, threatening, coercive, malicious or intimidating;
- unreasonably persistent or demanding.

When it is considered that the behaviour of a complainant is unacceptable, staff will refer to the 'Policy for the Protection of Staff from Abuse, Aggression and Unreasonable Behaviour'.

3.4.2 As per the guidance in the *'Policy for the Protection of Staff from Abuse, Aggression and Unreasonable Behaviour'*, when it is considered that the behaviour of a complainant is unacceptable, they will be told why the behaviour is unacceptable and asked to modify it. If the behaviour continues, or where exceptional circumstances are such that the initial behaviour has been significantly concerning (such as a physical assault), action will be taken to restrict their contact with staff and students at the College.

3.4.3 The decision to restrict access will be taken a member of the College's Senior Management Team (or nominee) after careful consideration of the all the circumstances. Any restrictions imposed will be appropriate and proportionate and may include, but will not be limited to:

- asking the complainant to enter into an agreement about their conduct;
- requesting contact in a particular form e.g. letters only;
- requiring contact to take place with a named person;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to appoint a representative to correspond with us;

3.4.4 The complainant will be informed why their behaviour is unacceptable, what action is being taken and the duration of that action. Any action will be proportionate to the nature and circumstances of the incident.

3.4.5 Where a complainant behaves unacceptably during a telephone conversation, as a last resort the call may be terminated.

3.4.6 Where a complainant continues to behave in a way that is considered to be unacceptable, it may be decided to terminate contact with them. This may mean that the college will not continue with the handling of their complaint.

3.4.7 Where the behaviour threatens the safety and welfare of College staff and/or students, other options will be considered, for example, but not restricted to:

- action under the College Disciplinary Regulations (including suspension from the College),
- reporting the matter to the police,
- taking other legal action.

4. RECORDING

4.1 We ask for formal complaints to be submitted in writing. In all cases, when a manager receives a complaint, a written record will be made, supported by accompanying documentation.

- 4.2 Should an individual require assistance in formulating or writing their complaint, Student Services staff or the Assistant Principal - Quality will provide support and guidance.

5. MONITORING QUALITY ASSURANCE AND CONTROL

- 5.1 Managers must provide a written response and the outcome of the complaint and forward a copy of this, with supporting documents attached, to the #Complaints mailbox-
- 5.2 The Head of QMIST will monitor all complaints for issues of discrimination. Where such issues are identified, the complaint record will be up-dated, appropriate actions instigated and the matter will be brought to the attention of the Deputy Principal and Assistant Principal - Quality.
- 5.3 The Assistant Principal - Quality will monitor the operation of the procedure to ensure that it is effective.
- 5.4 The Assistant Principal - Quality is responsible for logging, recording and reporting complaints to Senior Management Team Monitoring meetings where each complaint is considered in detail. Additionally, the Senior Management Team Meetings receive periodic reports which analyse trends, including issues relating to discrimination and diversity. In all cases recommendations are considered and actions taken to deal with any identified issues. Information will be used to improve services for our stakeholders and the student experience.
- 5.5 The Governing body will receive an overview of complaints on an annual basis.

6. POLICY REVIEW

- 6.1 This policy will be reviewed every two years or in line with legislation and / or best practice in the sector.

Appendix 1 – Complaints procedure summary for students /parents



