



Valley College

COMPLAINTS POLICY

PROCEDURES FOR THE HANDLING OF COMPLAINTS

Introduction and Scope

The policy of the college is to work in partnership with learners, advocates and the wider community. It is based on the belief that co-operation and a sense of joint purpose between staff, advocates and the college will assist in ensuring open and positive relationships. From time to time however, advocates and members of the public may express concern or make a complaint, either orally or in writing, about some aspect of the conduct/operation of the college, the conduct of the Head of College, an individual member of staff, the Governing Committee or an individual Director. The college will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered. In considering concerns or complaints, the college will ensure that they are dealt with in confidence, effectively and with fairness to all parties.

Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures will be followed as set out below.

In dealing with your complaint:

- we will deal with it honestly, politely and in confidence
- it will be looked into thoroughly, fairly and as quickly as possible
- we will keep you up-to-date with how we are dealing with your complaint
- we will apologise if we make a mistake; and
- we will tell you what we are doing to put things right

The CEO of the Trust, Head of College and governing body are fully committed to the improvement of our College. We welcome feedback from learners, advocates and carers and members of the public and will always try to resolve any concerns as quickly as possible.

What is a Concern or Complaint?

A concern or complaint is defined as an expression of dissatisfaction about the conduct/operation of the college, the conduct of, actions or lack of actions by a member of staff/the Governing Committee/an individual director, unacceptable delay in dealing with a matter or the unreasonable treatment of a learner or other person.

Concerns or complaints relating to any of the following are not covered by these procedures, as separate procedures apply:

- Safeguarding
- Freedom of Information Access
- National Curriculum
- Exclusions
- Admissions
- Sex Education

- Staff grievance
- Special Educational Needs assessment
- Whistleblowing by an employee

Serious complaints or allegations relating to the abuse of learners, assault, criminal or financial matters are also subject to separate procedures.

Making a Complaint and Who to Complain to:

If the complaint is about:

- something that has happened or failed to happen in the college, contact the Head of College;
- the actions of the Head of College, contact the Chair of Directors via the college;
- the actions of a director, contact the Chair of Directors via the college;
- the Chair of Directors, contact the Clerk to Directors via the college;
- the actions of the governing committee, contact the Clerk to Directors via the college;

The college and Governing committee would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and an appeal stage if matters cannot be resolved.

The college is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 college working days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible the complainant will be informed of any delays.

Where complaints are made against an individual member of the college staff, that person will be informed of the complaint at the earliest opportunity.

The Complaints Procedures

Informal Stage

The college will seek to resolve concerns and complaints informally with the member of staff or director concerned and encourage the complainant to discuss with them the matters causing them concern. However, if that does not resolve the problem then the matter should formally be brought to the attention of the Head of College (complaints and concerns about directors should be made to the Chair of Directors). The Head of College (or Chair of Directors) will then seek to resolve the matter informally and will:

- acknowledge the complaint;
- make enquiries to establish the facts;
- seek advice as appropriate;
- attempt to resolve the matter informally;
- establish whether or not the complainant is satisfied;
- advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in 20 college working days. A complainant wishing to proceed to the formal stage of the procedure should normally notify the Head of College/Chair of Directors within 20 college working days of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- criminal activity which may require the involvement of the police
- financial or accounting irregularities
- abuse of children/learner

Formal Stage

Where an informal complaint has not been resolved to the satisfaction of the complainant or the complainant has indicated they wish to go straight to the formal stage the Chair of Directors will:

- ensure the complainant is aware of the procedures;
- require a written record of the complaint (if required, someone else may write this on behalf of the complainant);
- formally acknowledge the complaint;
- seek advice as appropriate;
- if the complaint concerns a member of staff (or director) inform them and provide them with a copy of the complaint;
- arrange for a full investigation of the complaint;
- prepare a report as a result of the investigation and consider actions to be taken;
- advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised, in writing. They should also be informed of their right to appeal to the Complaints Appeals Committee within 20 college working days;
- make a record of the complaint and its outcome, this should be retained for college records.

This stage would normally be expected to take no more than 20 College working days. The Governing committee should be informed in general terms of all formal complaints.

Appeals Stage

The Complaints Appeals Committee of the Governing Committee will consider complaints where the Head of College (or Chair of Directors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal. The Complaints Appeals Committee will consist of a number of directors alongside one member of the panel who is independent of the management and running of the College. Any appeal must be made in writing to the Clerk to the Governing Committee (the College will advise the complainant of the contact details).

The Committee will be convened by the Clerk to the Complaints Appeals Committee (Governing Committee) and will:

- consider the written materials;
- consider the complaint and the Head of College's (or Chair's) action;
- invite the Head of College or Chair of Directors (as appropriate) and
- invite the complainant to the meeting;
- seek advice and support as necessary.

If the complaint is from an advocate and they wish to attend then they need to notify the college in advance to make necessary arrangements. Reasonable notice of the meeting will be provided; this will be a minimum of 5 working days but may exceed this depending upon the availability of the panel members.

At the end of their consideration the Committee will:

- determine whether to dismiss or uphold the appeal in whole or part, including, if appropriate, referring the matter back to the Head of College/Chair of Directors for further consideration;
- where upheld, decide on appropriate action;
- advise the complainant and Head of College of their decision;
- advise the complainant of any further action they may wish to take if they remain dissatisfied.

The Clerk to the Committee will arrange for the College's Complaints Register to be amended to include a brief summary of the complaint and the decision of the Complaints Appeals Committee and for the matter to be reported to the Governing Committee. A written response will be provided to the complainant if requested and where appropriate.

This appeals stage would normally be expected to take no more than 20 College working days. In cases where the matter has been referred back for further consideration, the Complaints Appeals Committee will be reconvened.

Complaints about a Director, the Chair of Directors or the Governing Committee

Complaints about a director should be referred to the Chair of Directors who will investigate and respond to the complainant. In dealing with this matter the Chair should seek advice from the Trust Business Manager. Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee.

Complaints about the Chair of Directors must be referred to the Clerk to Directors who will arrange for the complaint to be considered by the Complaints Appeals Committee of the Governing Committee.

Next Stages

If the complainant is dissatisfied with the handling of their complaint and believes that it has been handled inappropriately, the complainant may contact the Department for Education using the 'schools complaints form' available at:

<https://www.education.gov.uk/form/school-complaints-form>

Vexatious Complaints

The college will resist abuse of the complaints procedure and may reserve the right not to investigate complaints considered to be vexatious, malicious or where the Head of College or Chair of Directors is satisfied with the action that the college has already taken or proposes to take to resolve the complaint.

Serious Allegations or Complaints

If the allegations refer to criminal activity which may require the involvement of the Police, the Head of College will inform the Chair of Directors and seek the advice of the Board of Trustees.

If the allegations relate to the abuse of children or a learner, the Head of College will seek the advice of the Police/ Local Authority Designated Officer and/or other agencies such as Children's or Adult' Social Care. Serious allegations of this nature must be referred under Child Protection/Safeguarding Procedures to Children's or Adult's Social Care.

Complaints Record

The college will maintain a written record of all formal complaints in the complaints register, including how they were dealt with and the final outcome.

Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

This Policy will be reviewed by the Board of Trustees on an annual cycle

Person responsible for the Policy:	College Business Lead
Colleagues affected by this Policy:	All college Stakeholders
Approved and adopted by Trustees:	19 th December 2019
Next Review:	December 2020

LEARNER COMPLAINT FORM

Please complete and return to the Head of College who will explain what action will be taken.

Your name:	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
E-mail address:	

Advocate's name:	
Relationship to learner	
Address: (if different to above)	
Daytime telephone number:	
Evening telephone number:	
Email address:	

Please give details of your complaint.	
What action, if any, have you already taken to try and resolve your complaint? (Please include: to whom did you speak and what was the response)	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:

Official use	
Date acknowledgement sent:	
By:	
Complaint referred to:	Date:

ADVOCATE COMPLAINT FORM

Please complete and return to the Head of College who will explain what action will be taken.

Your name:	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
E-mail address:	

Learner's name:	
Relationship to learner	
Please give details of your complaint.	
What action, if any, have you already taken to try and resolve your complaint? (Please include: to whom did you speak and what was the response)	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:

Official use	
Date acknowledgement sent:	
By:	
Complaint referred to:	Date: