

***WORCESTER SIXTH FORM COLLEGE***

# **COMPLAINTS POLICY**

**May 2020**



## **Worcester Sixth Form College**

### **COMPLAINTS POLICY**

#### **PURPOSE**

Worcester Sixth Form College is proud of its record of performance and the achievements of its students. It recognises that high standards can only be maintained through close contact with those who use its services or are affected by its work. The College therefore welcomes comments made constructively from whatever source.

- Comments that are complimentary help to emphasise what is done well and perhaps what else could be done better in a similar way. Praise and appreciation are also a reward for staff which motivate them to perform well and want to improve.
- Constructive criticism, of which complaints form a significant part, is valuable in identifying ways in which the College has not performed well and could do better.

This policy sets out the procedures for assisting those who wish to complain about the College and how their complaint will be dealt with.

#### **PRINCIPLES**

The principles which the policy embodies, as recommended by the Citizens Charter Complaints Task Force, are that:

1. the procedure for making complaints will be accessible and well publicised.
2. the procedures will be simple to understand and use.
3. complaints will be dealt with speedily with stated time limits for action.
4. complaints will be fully and fairly investigated.
5. where confidentiality is required it will be respected wherever possible.
6. those who complain will be informed of the outcome of the investigation of their complaint and the reason for any decision made.
7. there will be a staged process for considering complaints and appropriate redress if they are well founded.
8. complaints will be recorded and evaluated to inform the College how improvements can be made.

#### **PROCEDURES**

##### **Recognising and Defining Complaints**

- It is not intended to take a rigid view in defining complaints and a working definition is 'an expression of dissatisfaction which needs formal investigation and response'.
- It will also be apparent that if students or others think they are making a complaint then, if well-founded, it must be defined as such.
- However, as good practice recommends, there is an informal procedure for dealing with complaints in the first instance and those that prove to be based on inaccurate information or misunderstandings can be dealt with rapidly at this stage. At this first informal stage therefore all criticisms of the College will be dealt with as concerns unless they are sufficiently serious to be defined as a complaint.
- A complaint is therefore defined as a concern that has become a formal complaint at the request of the complainant or a concern regarded as sufficiently serious that it should immediately be regarded as a complaint. This latter case will be decided by a senior member of staff, i.e. Principal or Deputy Principal.

### **Enabling Complaints to be Made**

- Guidance to those who wish to make a complaint is provided at Visitors' Reception and appended to this policy is a form to assist those who want to use it.
- Complaints from students about the teaching they receive or activities in the College, if they have not been resolved informally with the staff concerned, should be referred on to a senior member of staff. Students should not fail to pursue a complaint for a lack of certainty as to who should deal with it. Several of the possibilities for referring complaints are set out below. If these are not appropriate, a senior member of staff should be advised.
- Those who wish to complain should do so with the confidence that their complaint will be dealt with fully and fairly and, if made in good faith, without reaction to them or their interests.
- Assistance with making a complaint will be provided by any senior member of staff, that is Principal or Deputy Principal.

### **Complaints Procedure: Informal Stage**

- If students or their parents have a problem with a teacher or any other member of the College staff, they should first discuss it with the person concerned or, if this is difficult, with the appropriate Head of Department or line manager or the student's tutor. If they prefer they may go to see or contact their Head of Year or, if their Head of Year is involved, the Deputy Principal. Concerns about resources or procedures should be taken up with the relevant Head of Department or Section. Adult students should complain to the Adult Education Co-ordinator or, if he or she is involved, directly to the Principal. It is anticipated that most concerns will be dealt with speedily and satisfactorily in this way.
- Concerns will often be investigated by the relevant line manager. If this is not the case, he or she should be informed of the nature of the concern and the response made
- Where a complaint has been made by a student or parent/guardian against a member of staff, it may be considered appropriate to make a change to the student's timetable or to take other action to prevent contact with the member of staff while the investigation is carried out. This action will be taken in order to prevent possible tension through contact between the complainant and the person complained about and should not be construed in any way as predetermining the outcome of the complaint.
- If a student does not think their informal concern has been dealt with satisfactorily, they should follow the formal complaints procedure.
- Those affected by the College's work who are not students or their parents and who wish to make a complaint should address it in the first instance to the Principal. It will usually be dealt with as a concern in the first instance though if it is not satisfactorily dealt with at this stage the complainant should make a formal complaint.
- All concerns raised will receive a response within 10 working days, or reasons will be given for the delay. Every effort should be made to resolve concerns speedily and it is only in exceptional circumstances that the person investigating a concern should take longer than 15 working days to reach his or her conclusion.

### **Formal Complaints Procedure**

- Formal complaints should be addressed to the Principal, who will investigate the complaint himself or appoint a senior member of staff to carry out an investigation.
- They should be made as soon as possible after the relevant incident, action or inaction.
- Complaints should be made in writing, preferably using a complaints form. If the information provided requires further clarification or elaboration the person making the complaint will be contacted and usually invited to attend College to provide a full account.
- The person complaining may be accompanied at interview by a representative or friend if they wish.
- A formal complaint will be thoroughly and impartially investigated. This will include the views of all parties concerned if they can reasonably be collected.
- Following the investigation the Principal will reach a decision.
- A written response to the complaint will be provided within 10 working days of its receipt. If it is not possible to fully resolve an issue within this period of time the complainant will be notified of the progress of their complaint and the reasons for delay within the 10 days.

- The Curriculum & Quality Committee will consider any appeal that is made against the Principal's decision. Any appeal to the Curriculum & Quality Committee should be made within 10 working days of receipt of the Principal's written response.

### **Complaints against the Principal**

- A formal complaint against the Principal should be in writing, preferably using a complaints form and should be addressed to the Heart of Mercia Multi-Academy Trust Executive Principal or the Clerk to the Trust and the Trust's registered address.
- The Executive Principal or Clerk to the Trust will acknowledge receipt of the complaint within 10 working days.
- The Executive Principal or Clerk to the Trust will appoint an appropriate impartial person to investigate complaints and report the findings to a committee of the MAT (in most cases this will be the College's Local Governing Body) for consideration.
- Appeals against a determination made by a committee of the MAT may be made to the Trust Board, in writing, addressed to the Clerk to the Trust.

### **Complaints against a Governor or the Local Governing Body**

- Complaints concerning the conduct of governors shall be referred to the Clerk to the Local Governing Body in writing, preferably using the complaints form.

### **Unreasonable Complaints**

Teachers and other College staff who work in the public service and who are responsible for young people, and adults who may have special needs, are vulnerable to complaints that are tendentious, vexatious or malicious. When investigating complaints the College will always seek corroboration and witness evidence to establish the facts of the matter. The system must be sensitive to the needs of staff and the reasonable expectations of students, parents and those affected by the College's work.

Anonymous complaints will not be pursued unless initial enquiry shows there is some foundation for them. All complaints can be made with an assurance of confidentiality if desired though it should be recognised that this may not always be possible and if it is may hinder a full investigation of the complaint.

### **Frivolous or Vexatious Complaints**

While the vast majority of complaints and concerns received by the College are made in good faith, it must be recognised that there is the potential for unreasonably persistent frivolous or vexatious complaints. The Cabinet Office Complaints Procedure recognises that:

These are becoming an increasing problem for all departments and public sector bodies, and difficulties in handling such complaints can place strain on time and resources and can be stressful for staff who have to deal with these complex and challenging issues.

It must also be recognised that funding reductions mean that the College's management resources have been reduced and dealing with complaints, whilst important, must not be allowed to absorb a level of resources that is detrimental to other College priorities.

The Principal may, therefore, decide that a particular complaint or complainant is frivolous or vexatious and will not be investigated in the usual way. This decision will be communicated to the complainant in writing and s/he may appeal against this decision to members of the Quality Committee of the Governing Body by writing to the Clerk to the Governors within ten working days of receipt of this communication.

Indications of frivolous or vexatious complaints or complainants might include:

- Unreasonable expectations about the level of resources to be devoted to investigating a matter
- Unrealistic expectations about the seriousness of the matter complained about
- Unreasonably frequent communication about the matter
- Excessively long lists of questions about the matter
- Repeated complaints about unrelated items

### **Redress**

- When complaints are well founded the complainant is entitled to redress and where possible this should be the response that they require.
- Options for redress will include:
  - An apology
  - An explanation of the cause of the problem
  - Actions taken to rectify the cause of the complaint and to ensure it does not happen again
  - A change in College policy to raise awareness of a problem and minimise the likelihood of similar problems.
  - Financial recompense, though this will not usually be offered unless direct financial loss is demonstrated, and will then usually be of a token nature.
- Any redress offered to a person making a complaint will be sent in writing setting out the reasons for the decision and asking whether they are satisfied with the outcome.

### **Taking a Complaint Further**

If a person who wishes to complain has exhausted the College's complaints procedure and is still dissatisfied or feels that the College's complaints procedures are not adequate, they can take the matter further.

Complaints to the Education and Skills Funding Agency can be made by emailing [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk) or in writing to:

The Complaints Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

### **Allegations of Suspected Fraud or Financial Irregularity**

If the concern or complaint relates to suspected fraud or financial irregularity the person who wishes to complain should contact the Education and Skills Funding Agency. The ESFA will consider and determine appropriate action when they receive allegations of suspected fraud and/or financial irregularity, including where a funded provider has:

- Claimed ESFA funding through deception;
- Broken the funding rules;
- Not delivered education/training funded by the ESFA.

Before raising a concern with ESFA, you must have a reasonable belief that the disclosure is true. Allegations should be raised with the ESFA by emailing [allegations.mailbox@education.gov.uk](mailto:allegations.mailbox@education.gov.uk), by telephoning 0370 000 2288 or in writing to:

Counter Fraud and Investigation Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

### **Recording Complaints and Concerns**

- All formal complaints and any significant concerns dealt with by a senior member of staff will be recorded by the person investigating on a Complaints/Concerns Recording Form (see below). The definition of what is a "significant concern" is left to the person investigating, but is intended to avoid unnecessary bureaucracy when the concern either a) can be dealt with very quickly and easily within existing College procedures or b) is based on a misunderstanding.
- All completed forms should be passed to the PA to the Principal who will complete an entry in the Concerns/ Complaints Register.
- The Principal will be responsible for overseeing the completion of the Complaints and Concerns Registers and for monitoring its contents.
- Action to improve College performance will be taken based on an analysis of the Complaints and Concerns Registers.

### **Monitoring**

This Complaints Policy will be monitored regularly through the following procedures:

- The Principal will be responsible for the oversight of this policy and its effectiveness. It will be reviewed annually.
- It will be the Principal's responsibility to ensure that complaints and concerns are recorded correctly and entered on the register.

- The register will be reviewed termly at a meeting of the College's Senior Leadership Team and annually by the Curriculum & Quality Committee of the Local Governing Body.
- The evaluation of the register will consider whether those who complained were satisfied with the outcomes and whether good practice at the College was promoted and poor practice deterred.
- The evaluation of the registers will also consider whether there should be any changes to policies and procedures, especially if any pattern is discernible.

**Review**

This policy will be reviewed annually by the College Senior Leadership Team and by the Governing Body's Curriculum & Quality Committee.

### COMPLAINTS/CONCERNS RECORDING FORM

<b>Name of person raising the concern/making the complaint:</b>	
<b>Name of student(s) involved:</b>	
<b>Is it a concern or complaint?</b>	
<b>If it is a complaint is this</b> a) at the request of the complainant? <span style="float: right;"><input type="checkbox"/></span> b) because it has been designated as such by the College manager investigating? <span style="float: right;"><input type="checkbox"/></span>	
<b>Was the issue raised</b> a) face-to-face <span style="float: right;"><input type="checkbox"/></span> b) by telephone <span style="float: right;"><input type="checkbox"/></span> c) by email <span style="float: right;"><input type="checkbox"/></span> d) by letter <span style="float: right;"><input type="checkbox"/></span>	
<b>To whom was the issue originally raised?</b>	
<b>Brief summary of issue</b>	
<b>Who investigated it?</b>	
<b>Brief summary of response</b>	
<b>Brief summary of any redress offered</b>	
<b>What changes within College provides policies or procedures (if any) have been /will be implemented to prevent a reoccurrence?</b>	
<b>Are there any other important issues surrounding the matter?</b>	

**Signed:** .....

**Date:** .....

## How to make a Complaint about the College

The College will take all complaints seriously and investigate them thoroughly. This will take place in two stages.

**Informal:** It is hoped to resolve all concerns about the College as quickly and effectively as possible. You should, when possible, therefore talk to the member of staff involved about your concern or complaint. If you do not know who this is you can ring the College Office for advice or complete the form opposite.

**Formal:** If you are not satisfied about the outcome and the reasons given you can make a formal complaint, adding anything you wish to any previous statement and, preferably, using the form opposite.

You will get a response to your concern or complaint within 10 working days of its receipt in College.

Where necessary the College will provide appropriate redress for the injustice you have suffered.

If you are still not satisfied with the outcome of your complaint or the procedures followed, you can take the matter further by completing the online complaints form on the Department for Education website ([www.education.gov.uk](http://www.education.gov.uk)).

All formal complaints will be recorded to assist the College in making improvements.

***A full complaints policy is available from the College Reception on request.***

## COMPLAINT FORM

You do not have to use this form but if you do it ensures we get the information we need to investigate and record complaints.

Name: .....

Address: .....

.....

.....

Tel: .....

Relationship to the College, eg. student, parent .....

What did the College do or fail to do?  
*(Please include times, dates, places and the person or people you dealt with where these are relevant)*

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*(Please continue on a separate sheet if necessary)*

What has been the cost or injury or injustice to you?

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What result or outcome do you want from your complaint?

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Is this the first time you have made a complaint about this matter? If not, please say when and what happened

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.....

Do you wish your complaint to be investigated confidentially?  
(Please note this may not always be possible and if it is may hinder a full investigation of the complaint).

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Signed ..... Date .....

Please send this form to: The Principal or the Clerk to the Local Governing Body, Worcester Sixth Form College, Spetchley Road, Worcester WR5 2LU or leave it at College Reception.

# HOW TO MAKE A COMPLAINT ABOUT THE COLLEGE

**Tel: 01905 362600**

**Fax: 01905 362633**

