

Victoria College Dealing with



Complaints Policy

Introduction and Scope:

This policy makes a clear distinction between how a concern will be dealt with and how a complaint will be dealt with, and is based on DfE Best Practice Advice 2016.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. The federation will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the federation's formal procedure will be invoked through the stages outlined in this policy.

To enable a proper investigation, concerns or complaints should be brought to the attention of the federation as soon as possible. In general, any matter raised more than 3 months after the event being complained of, will not be considered, unless the complainant can provide evidence that there are exceptional circumstances. Anonymous concerns or complaints will not be dealt with under this policy.

The difference between a concern and a complaint:

Within our college a concern is defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint is defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a college provides, unless separate statutory procedures apply. The college will not limit complaints to parents or carers of young people on roll.

Raising a concern or complaint

Informal Stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the college office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it is appropriate to address them directly to the Head of College (or to the Chair of the Board of Victoria College, if the complaint is about the Executive Head Teacher, or the Clerk to the Board if the complaint is about any individual board member).

If you are uncertain about who to contact, please seek advice from the college office or the Clerk to the Board of Victoria College.

Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the Executive Head Teacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Head of College or the Executive Head Teacher, your complaint should be passed to the Clerk to the Board, for the attention of the Chair of the Board. If your complaint is about the Chair of the Board, or any individual board member, you should address the complaint to the Clerk to the Board of Victoria College.

A Complaint Form is provided at the end of this policy to assist you, if required. If you require an alternative method of making a complaint due to disability, please contact the college office, who will advise you of how this can be done.

Your complaint should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the college to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the college office. The envelope should be addressed to the Head of College or to the Clerk to the Board, as appropriate.

The Head of College (or Chair) will invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the Head of College (or Chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you will learn in writing, within 5 days of the college receiving your formal complaint, of how the college intends to proceed. This notification will include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body reviews the process followed by the college, in handling the complaint. Any such request must be made in writing to the clerk to the board, within 10 college days of receiving notice of the outcome, and include a statement specifying any

perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

Review Process

Any review of the process followed by the college will be conducted by a panel of three members of the board of Victoria College. This will usually take place within 10 working days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

Should the complainant continue to make contact on the same issue the Chair of the Board has the power to inform them that the process is complete and the matter is therefore closed.

There will be some complainants who are reluctant to accept the outcome of the process. In such cases the person making the complaint should refer the matter to the ESFA when the providers complaints procedure is exhausted including any appeals process.

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| Online | complaints@esfa@education.gov.uk |
| Letter | The Complaints Team, ESFA |

The Secretary of State's powers are delegated to the School Complaints Unit (SCU). The SCU will only consider cases in which the governing body has acted unlawfully or unreasonably. It will only overturn a decision in extreme circumstances. If it decides that a school/college has not followed its published procedures it has the power to direct that the process is re-visited.

Recording

All formal complaints will be recorded on the Complaints Log, detailing the nature of the complaint, how the complaint was received, the progress of the complaint and the outcome. We will also keep brief notes of any meetings, telephone calls, etc. and we will keep a copy of any written responses from the complainant. Where there are communication difficulties, we may use recording devices to ensure that the complainant is able to access and review discussions at a later point, if needed.

Vexatious Complaints

In the context of Freedom of Information requests 'vexatious' is defined as the 'manifestly unjustified, inappropriate or improper use of a formal procedure.' It is not, however, a term that the DfE employs, preferring the terms 'serial' or 'persistent' complaints. Our federation will apply the following criteria when determining whether the situation may be defined as 'serial' or 'persistent'

- All reasonable steps have been taken to address matters;

- A clear statement has been provided of the federation's position;
- The federation setting(s) is being repeatedly contacted with the same points being raised;
- The federation has reasonable grounds for believing that the intention is to cause inconvenience;

Dealing with Unreasonable Complainants

Our federation is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the federation. However, we do not expect our staff to tolerate unacceptable behavior and will take action to protect staff from that behavior, including that which is abusive, offensive or threatening.

The federation defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the federation, hinder our consideration of their or other people's complaints.

A complainant may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process whilst still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with this policy, for example within their own timescales;
- introduces trivial or irrelevant information and/or questions which the complainant expects to be taken into account and commented on;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint;
- seeks unrealistic outcomes;
- makes excessive demands on federation time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

- If a complaint is made maliciously, aggressively, using threats, intimidation or violence, using abusive, offensive or discriminatory language
- Publishes unacceptable information in a variety of media such as social media, websites, newspapers, etc.

Whenever possible, the Executive Head Teacher, or Chair of Governors/Board of Trustees, will discuss any concerns with the complainant informally before applying ‘unreasonable’ marking to the complaint.

If the behavior continues the Executive Head Teacher will write to the complainant explaining that their behavior is unreasonable and asking them to change it. For complainants who excessively contact the federation, causing significant levels of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from federation premises.

Complaints not covered by this policy

The DfE’s advice identifies areas lying outside the scope of federation’s procedures.

| Exceptions | Whom to contact |
|--|---|
| <ul style="list-style-type: none"> • Admissions to school/college • Statutory assessments of Special Educational Needs • School re-organisation proposals | Local authority. |
| <ul style="list-style-type: none"> • Exclusion from school | Parents and carers may use procedures to challenge permanent exclusions and fixed term exclusions of more than 5 days in a given term. Concerns about the process followed can be raised via the complaints procedure. |
| <ul style="list-style-type: none"> • Whistleblowing | <ul style="list-style-type: none"> • The federation has a separate procedure for employees and volunteers. • Ofsted may be contacted by email (whistleblowing@ofsted.gov.uk) telephone (03001233155) or in writing (WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD). |
| <ul style="list-style-type: none"> • Staff grievances and disciplinary procedures | The federation has staff grievances, discipline and conduct procedures in place. Complainants are not |

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| | informed of the outcomes of actions under this procedure. |
| <ul style="list-style-type: none">• Complaints about services provided by external bodies using a college's premises or facilities. | Providers should be contacted directly and have their own procedures for such eventualities. |

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to 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:

Complaint referred to:

Acknowledgement sent by:

Date:

Date accepted by Chair of Board: 18 November 2020

Signed by Chair of Board

A handwritten signature in cursive script, appearing to read "B. L. Lane".

Reviewed:

Date for Review: 17.09.2022