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Complaints Procedure

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SIXTH FORM EDUCATION AT ITS BEST

• RIGHTS
• RESPECT
• RESPONSIBILITY

1 Who can make a complaint?

1.1 This complaints procedure only applies to complaints from students or parents/carers of students at Reigate College, regarding their young person.

1.2 Other types of complaint are covered by other procedures and exemptions can be found in section 8 of this policy.

1.3 Complaints from people who are not parents of young people at the College will be handled respectfully and expediently but are not in scope of this policy.

2 The difference between a concern and a complaint

2.1 A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be defined as 'an expression of dissatisfaction about actions taken or a lack of action'.

2.2 It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Reigate College takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

2.3 If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Assistant Principal (Development and Operations) will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Assistant Principal (Development and Operations) will refer you to another staff member. The member of staff may be more senior, but this does not have to be the case. The ability to consider the concern objectively and impartially is more important.

2.4 We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Reigate College will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

3 How to raise a concern or make a complaint

3.1 A concern or complaint should be made in writing, preferably via email. However, if this is not possible due to accessibility reasons, they can be made in person, in writing by letter or by telephone. They may also be made by a third party acting on behalf on a complainant, if they have appropriate consent to do so.

3.2 Complaints against College staff (except the Principal) should be made in the first instance to the Senior Leadership Team via the Principal's Personal Assistant, using the contact details in section 4.

3.3 Complaints that involve or are about the Principal should be addressed to the Chair of the Trust, via the Governance Professional, using the contact details in section 4.

3.4 Complaints about the Chair of the Trust, any individual trust board member or the whole governing body should be addressed to the Governance Professional, using the contact details in section 4.

3.5 The complaint should clearly outline:

- The name of the complainant
- The relationship between the complainant and the student (if not the student)
- Contact details of the complainant
- Details of the complaint, and whether it has been discussed with anyone else at the College
- Actions the complainant may feel might resolve the complaint

3.6 In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in

alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

4 Contact Details

4.1 Complaints should use the contact details below to lodge a complaint via email, ensuring the complaint is being sent to the appropriate personnel outlined in section 3:

- Principals Personal Assistant: principalspa@reigate.ac.uk
- Governance Professional: claire.tait@reigate.ac.uk

4.2 Complaints can also be sent via letter to the below address, ensuring they are clearly marked as Private and Confidential and addressed to the appropriate personnel outlined in section 3 above:

Reigate College, Castlefield Road, Reigate, Surrey RH2 0SD

5 Anonymous complaints

5.1 We will not normally investigate anonymous complaints. However, the Principal or Chair of the Trust, if appropriate, will determine whether the complaint warrants an investigation.

6 Time scales

6.1 You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this time frame in exceptional circumstances.

7 Complaints received outside of term time

7.1 We will consider complaints made outside of term time to have been received on the first term time College day after the holiday period.

8 Scope of this complaints procedure

8.1 This procedure covers all complaints about any provision of community facilities or services by Reigate College with the exception of those that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
Admissions to College	Concerns about admissions should be handled through the admissions and appeals policy, available on the College website.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.
Exclusion of student from College	Concerns about student exclusion should be handled through the appeals policy, available on the College website.
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.
Staff grievances	Complaints from staff will be dealt with under the College's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the College's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member because of a complaint. However, the complainant will be notified that the matter is being addressed.

8.2 If other bodies are investigating aspects of the complaint, for example the police, Local Authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

8.3 If a complainant commences legal action against Reigate College in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

9 Resolving Complaints

9.1 At each stage in the procedure, Reigate College wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that we will try to ensure the event complained of will not recur
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- An undertaking to review College policies considering the complaint
- An apology

10 Withdrawal of a Complaint

10.1 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

11 Stages of the Complaint

11.1 Stage 1: Informal Complaints

11.1.1 It is to be hoped that most concerns can be expressed and resolved on an informal basis.

11.1.2 Initial concerns should be raised in the first instance with the manager of the relevant area. This could be:

- Head of Department (for curriculum issues)
- Senior Tutor/Pastoral Support Manager (for pastoral issues)
- College Director (for other issues)

11.1.3 At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 10 working days (term time only) of the date of receipt of the complaint.

11.1.4 Complainants should not approach individual Trust Board Members to raise concerns or complaints. They have no power to act on an individual basis, and it may also prevent them from considering complaints at Stage 3 of the procedure.

11.1.5 If the issue remains unresolved, the next step is to make a formal complaint.

11.2 Stage 2: Formal Complaints

11.2.1 Formal complaints must be made to the College's Senior Leadership Team, using the contact details in section 4.

11.2.2 The College will record the date the complaint is received and will acknowledge receipt of the complaint in writing within 5 working days (term time only).

11.2.3 Within this response, we will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would ideally like to see.

11.2.4 If a matter has not been raised previously as an informal concern, the College may refer it back to Stage 1 to allow an opportunity for informal resolution before progressing to Stage 2.

11.2.5 The complaint will be managed by the Assistant Principal (Development and Operations), who may delegate the investigation to another member of the College's Senior Leadership Team. However, the decision to be taken will remain theirs.

11.2.6 During the investigation, the investigator will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep a written record of any meetings/interviews in relation to their investigation

11.2.7 At the conclusion of their investigation, the Assistant Principal (Development and Operations) will provide a formal written response within 15 working days (term time only) of the date of receipt of the complaint. If they are unable to meet this deadline, they will provide the complainant with an update and revised response date.

11.2.8 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Reigate College will take to resolve the complaint.

11.2.9 The Assistant Principal (Development and Operations) will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

11.2.10 If the complaint relates to the Principal, the Chair of the Board of Trustees or a suitably skilled Trustee will be appointed to complete all the actions at Stage 2.

11.3 Stage 3: Panel Hearing

11.3.1 If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint. The panel will usually consist of the Principal and two Trust Board Members. This is the final stage of the complaints procedure.

11.3.2 If the complaint is about the Principal, the panel will consist of three Trust Board Members.

11.3.3 A request to escalate to Stage 3 must be made to the Governance Professional within 10 working days (term time only) of receipt of the Stage 2 response, using the contact details in section 4.

11.3.4 The Governance Professional will record the date the complaint is received and acknowledge receipt of the complaint in writing within 5 working days (term time only).

11.3.5 Requests received outside of this time frame will only be considered if exceptional circumstances apply.

11.3.6 The Governance Professional will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 working days (term time only) of receipt of the Stage 3 request. If this is not possible, the Governance Professional will provide an anticipated date and keep the complainant informed.

11.3.7 If the complainant rejects the offer of three proposed dates, without good reason, the Governance Professional will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

11.3.8 If the complaint is jointly about the Chair and Vice Chair, the entire governing body or the majority of the governing body, Stage 3 will be heard by a committee panel made up of a Member of the Trust and two independent individuals.

11.3.9 A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a College employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. Representatives from the media are not permitted to attend.

11.3.10 At least 10 working days (term time only) before the meeting, the Governance Professional will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- Request copies of any further written material to be submitted to the committee at least 7 working days (term time only) before the meeting.

11.3.11 Any written material will be circulated to all parties at least 5 working days (term time only) before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

11.3.12 The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

11.3.13 The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

11.3.14 The committee will consider the complaint and all the evidence presented. The committee can:

- Uphold the complaint in whole or in part
- Dismiss the complaint in whole or in part

11.3.15 If the complaint is upheld in whole or in part, the committee will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the College's systems or procedures to prevent similar issues in the future

11.3.16 The Committee will provide the complainant and Reigate College with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days (term time only).

11.3.17 The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by Reigate College.

11.3.18 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Reigate College will take to resolve the complaint.

11.3.19 The panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the College premises by the proprietor and the Principal.

11.3.20 An electronic record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

11.3.21 All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

12 Next Steps

12.1 If the complainant believes the College did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the DfE after they have completed Stage 3.

12.2 The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Reigate College. They will consider whether Reigate College has adhered to education legislation and any statutory policies connected with the complaint.

12.3 The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT