

COMPLAINTS POLICY

Pendle Vale College



Approved by: Headteacher

Date September 2020

Last reviewed: September 2020

Next review: September 2021

Table of Contents

COMPLAINTS POLICY	1
Pendle Vale College	1
1. Policy statement	2
2. Scope and purpose	2
3. General principles	4
4. Our Four Stage procedure	4
5. The Complaint Procedures	5
6. Next stage	7
7. Withdrawal of a Complaint	7
8. The Role of the Local Authority	8
9. Social Media	8
10. Calculation of time	8

1. Policy statement

Pendle Vale College recognises that at times things can and do go wrong. The College’s governors and staff believe that it is in everyone’s best interest to resolve complaints at the earliest possible stage.

For the purposes of this policy, a ‘complaint’ is to be interpreted as ‘the expression of concern over any subject connected with the education and / or welfare of any pupil at the school,’ this policy therefore, seeks to help parents / carers understand how to resolve concerns about their child’s education.

2. Scope and purpose

The scope of this policy covers most complaints that the college is likely to receive from parents/carers or students. However, it is not intended to cover aspects for which there are specific statutory requirements, in particular, complaints about the delivery of the curriculum or the provision of collective worship or religious education.

A concern or a 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 body/an individual governor
- Unacceptable delay in dealing with a matter or the unreasonable treatment of a student or other person.

This procedure does not cover complaints or concerns that are dealt with under other statutory procedures, including those listed in the following table, as separate procedures apply.

Note

Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. The table following is not exhaustive, and separate procedures may exist for other categories. For complaints regarding governors, the school will follow this Policy to resolve the issue.

These procedures do not cover	Who to contact
Admissions to schools Appeals for schools	Concerns about admissions/appeals, should be raised with Lancashire County Council (Pupil Access Team) Email: ESCPupilAccessCentral@lancashire.gov.uk Tel: 0300 123 6707
Inclusion Service: Statutory assessments of Special Educational Needs and Disabilities (SEND)	Concerns about Special Educational Needs and Disabilities, should be raised with Lancashire County Council Tel: 0300 123 6706 Email: enquiries@lancashire.gov.uk
School reorganisation proposals	Concerns school re-organisation proposals should be raised with Lancashire County Council (School Place Planning Team) Email: schoolplanning@lancashire.gov.uk
Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Email: MASHeducation@lancashire.gov.uk</p>
School Exclusions *	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p>Concerns about exclusions should be raised with Lancashire County Council (Pupil Access Team) Email: ESCPupilAccessCentral@lancashire.gov.uk Tel: 0300 123 6707</p> <p>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. Please refer to the school's behaviour policy which is located on the school website.</p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to Lancashire County Council or the Department for Education depending on the substance of your complaint www.education.gov.uk/contactus</p>
Staff grievance procedures	Complaints from staff will be dealt with under the school's internal grievance procedures.

Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about their service. Please contact them direct.
National Curriculum content Early Years Foundation Stage Statutory Framework Collective worship Sex Education	Please contact the Department for Education at: www.education.gov.uk/contactus
Unauthorised absence fines	Please contact Lancashire County Council Tel: 0300 123 701
Freedom of Information Data Protection (GDPR)	Data Protection Officer at the school and if this remains unresolved the Information Commission Office Tel: 0303 123 1113 Email: dataprotectionfee@ico.org.uk
Functions of the County Council	Complaints and Appeals Team Legal and Democratic Services County Hall Preston PR1 8XJ Tel: 0300 1236701 Email: Complaintsandfeedback@lancashire.gov.uk

3. General principles

The complaints procedure will:

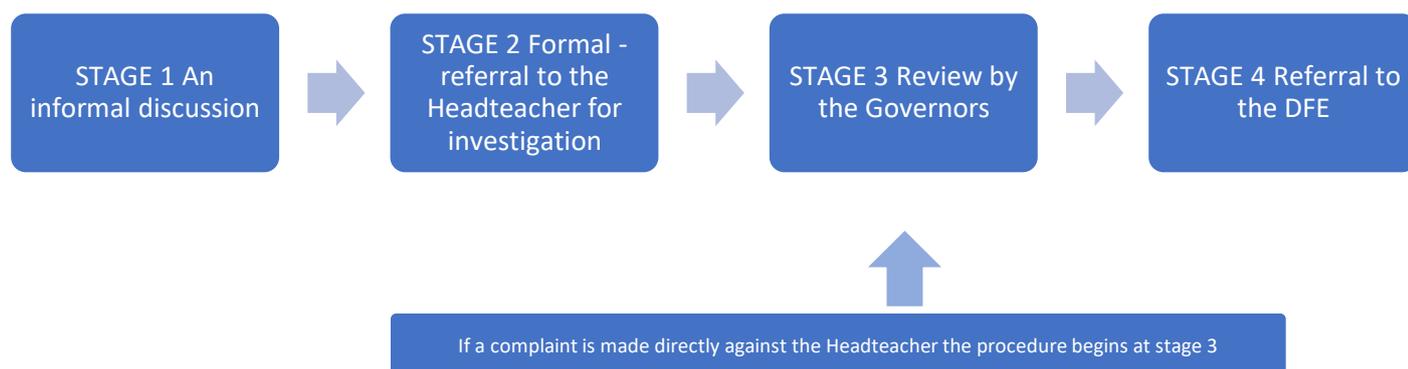
- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling with established time limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person, where necessary
- respect people's desire for confidentiality
- address all the points at issue and provide an effective response and appropriate redress, where necessary
- provide information to senior leadership so that services can be improved

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.

There is a right to raise a complaint against a College and an expectation that the individual will exhaust the College's procedures. If the individual contacts the College again with the same issue, this could be seen as unreasonable and the College may choose not to respond.

4. Our Four Stage procedure

The following diagram outlines the key stages of our complaint's procedure.



Dependent on the type of complaint, the following table is a guide to whom it should be referred to:

Type of Complaint:	Contact the:
Something that has happened, or failed to happen, in College.	Class teacher
The actions of the class teacher.	Headteacher via the College.
The actions of the Headteacher.	Chair of Governors via the College.
The actions of a governor.	Chair of Governors via the College.
The actions of the Chair of Governors.	Vice Chair via the College.
The actions of the Governing Body.	Clerk to the Governing Body via the College.

The College/Governing Body 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 a review 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 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 or governor, the individual will be informed of the complaint at the earliest opportunity and certainly before any investigation commences.

5. The Complaint Procedures

Stage 1 Informal Stage

Our experience is that the vast majority of complaints can be resolved informally to the full satisfaction of those who raise them. There are many occasions where complaints can be resolved straight away and the complainant can be provided with the benefit of an immediate response avoiding the need to submit a formal complaint. The College will seek to resolve complaints informally by email, telephone call, brief meeting as appropriate.

Complaints may be raised with any member of staff depending on the type of issue to be discussed (please refer to the table above). The person who raised the issue will be informed of any action to be taken to resolve the complaint usually in a meeting or if appropriate, by phone. The complaint will be acknowledged within 3 school days and will be responded to within 7 working days and sooner if possible.

If the person who raised the complaint is dissatisfied with the response given, they should contact put their concerns or complaint in writing and the 'Formal Stage' of the procedures will commence from the date that the letter is received by the College.

If the College has not heard from you by 20 College days, it will assume that you do not want to take things any further and the complaint will be closed.

For concerns regarding the Headteacher, the complainant should put the complaint in a sealed envelope marked 'private and confidential' and addressed to the Chair of Governors via the College. Under the Data Protection Regulations, the College is not permitted to provide the personal details of the Chair of Governors, but the College will forward the envelope to the Chair as soon as possible.

Stage 2 Formal Stage – Referral to the Headteacher

This stage will commence when the 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 or the College feels that the complaint is inappropriate for an informal resolution.

The Headteacher will:

- Following receipt of the written complaint, formally acknowledge receipt of the complaint and ensure the complainant receives an up to date copy of the College's Complaint Policy and Procedures. It should be clarified what the complainant feels would put things right if it not clear in the correspondence.
- Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include: The College's Adviser; Clerk to the Governing Body; Legal Services; Colleges' HR Team; Finance Officer or Pupil Access Officer.)
- Inform the member of staff (or governor) if the complaint concerns them and provide them with a copy of the complaint and College's Policy and Procedures.
- Arrange and complete a full investigation of the complaint.
- Prepare a report following the investigation; consider what actions need to be taken and whether it be substantiated or unsubstantiated.
- Advise the complainant, in writing, of the outcome of the investigation.

Should the complaint remain unresolved and if the Headteacher/Chair has undertaken the investigation, the complainant can request a review to the Complaints Review Committee Stage 3. The request must be received within 20 College days of the notification and set out the grounds as to which matters remain unresolved.

Note: If the Clerk to the Review Committee does not hear from the complainant within 20 College days of the notification of the outcome of the investigation, the complaint will be closed.

The Headteacher/Chair of Governors should make a record in the Complaints Register of the complaint and its outcome. This record may need to be updated by the Chair of the Review Committee in due course. The Complaints Register should be available for Ofsted Inspection purposes.

Note: If the complaint is regarding the Headteacher or a governor, this will be investigated the Chair of Governors, or nominated governor if the Chair has previously been involved.

Stage 3 Review by the Governors Complaints Review Committee

In very exceptional circumstances where the complaint has not been resolved by the Headteacher/Chair of Governors, a meeting of the Complaints Review Committee will be arranged to review the complaint. The

request must be made in writing to the Clerk of the Review Committee via the College. The request for the review must clearly set out the grounds as to which matters remain unresolved.

The Clerk to the Review Committee will convene the Complaints Review Committee. It is not expected to take more than 20 days to convene but the Clerk to the Committee will update the complainant as appropriate.

The Committee will:

- Consider the written materials;
- Consider the complaint and the Headteacher's (or Chair of Governor's) action.
- With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors, (as appropriate) and the complainant to the meeting.
- Seek advice and support as necessary.

Note: It is the responsibility of the Headteacher/Chair of Governors and complainant to secure their own witnesses and neither party can dictate who the other party brings.

At the end of their review, the Complaints Review Committee will:

- Determine whether to dismiss or uphold the appeal in whole or part.
- Where upheld, decide on recommendations that should be reported to the Governing Body by the Chair of the Review Committee.
- Advise the Headteacher/Chair of Governors (as appropriate) and complainant of the findings.
- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

Following the review, the Chair of the Committee will arrange for the College's Complaints Register to be amended to include a brief summary of the complaint and the findings of the Complaints Review Committee. In addition, the Chair of the Committee will ensure that the matter in general terms and any recommendations be reported to the Governing Body.

This concludes the College's Complaints Procedure within college.

6. Next stage

Complainants who remain unsatisfied with the outcome may refer their complaint to the Secretary of State for Education.

National Helpline: 0370 000 2288

Online: www.education.gov.uk/help/contactus

Or by writing to:

Department for Education,
College Complaints Unit
2nd. Floor Piccadilly Gate
Stove Street, Manchester, M1 2WD

The role of the Secretary of State is to review that the College has followed their published procedures. The Secretary of State (via the Department of Education) does not facilitate a rehearing of a complaint.

7. Withdrawal of a Complaint

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

8. The Role of the Local Authority

The role of the Local Authority (LA) (or the Diocesan/Church Authority for church Colleges) is prescribed by legislation. In responding to complaints about Colleges, the LA will explain to the complainant:

- That Colleges are self-managing and are responsible for administering procedures that deal with complaints made against them.
- The appropriate procedures for their complaint and refer them to the Headteacher, Chair of Governors or Clerk, as appropriate.
- The College may seek advice and support from the appropriate Local Authority Officer or the College's Adviser (or the Diocesan/Church Authority for church Colleges).

9. Social Media

Whilst the College accepts that complainants have a right to an opinion and make it public through the use of social media, complainants are reminded that they are not entitled to use social media to defame or harass individual staff or governors.

10. Calculation of time

All references in this Policy to 'days' should be taken to mean College days and therefore will not include weekends, College holidays or INSET days.