

HILLS ROAD SIXTH FORM COLLEGE
Complaints Policy and Procedure
(Full-Time 16-19 Students or their Parents)

Date approved by the Standards Committee	June 2009
Date approved by Corporation re appeal changes:	December 2012
Changes approved by the Principal:	March 2015
Post of member of staff responsible:	Deputy Principal

1. Policy Statement

At Hills Road Sixth Form College we strive to achieve high standards in the discharge of our responsibilities. We welcome feedback on all aspects of our work, since this is invaluable in helping us to make improvements, and we seek to minimise the likelihood of concerns occurring. Where a concern does arise, we shall treat the matter seriously and aim to resolve it quickly, effectively and to the satisfaction of all parties. We hope that, wherever possible, complaints will be resolved informally.

In responding to a concern, the College undertakes to:

- listen carefully to the complaint and respond to the matter in accordance with the College's confidentiality policy
- record the complaint accurately and in accordance with the Data Protection Act
- investigate the complaint fully, objectively and within the stated time frame
- notify the complainant of the results of the investigation and any right of appeal
- if the complaint is upheld, inform the complainant of any action that will be implemented in order to ensure that there is no re-occurrence.

Anonymous complaints

Complaints received anonymously will be heard, but action will be limited if further information is required to ensure a full and fair investigation.

A complaint will only be investigated under Stage 3 (and beyond) if the complainant gives permission for full details of the complaint to be shared with the subject(s) of the complaint.

2. Complaints Procedure: Students

2.1 Informal Resolution of Concerns

n.b. If your complaint is of a very serious nature (for example, where it involves the health or safety of one or more members of the College community, you may decide to proceed directly to Stage 3 (Paragraph 2.2)

2.1.1 Stage 1: seek the help of a member of staff

- If an issue arises concerning a member of College staff or another student, where you do not feel able to talk directly to the person concerned, you should first of all seek the help of a member of staff. This may be your tutor, a subject teacher or another member of staff.
- In accordance with the College's confidentiality policy, discuss the issue with this member of staff and decide what, if any, further action you want to be taken.
- With your consent, this member of staff may seek further advice or evidence, and will act at all times in accordance with the College's confidentiality policy.
- You should now try, if possible, to resolve the matter with the person concerned, either on your own or with the help of the member of staff in whom you have confided. You should make and keep an agreed, dated record of your concerns and details of discussions with the person(s) concerned.

2.1.2 Stage 2: seek the help of a more senior member of staff

- If after Stage 1 the issue has not been resolved (to your satisfaction), you may refer it to a more senior member of staff, for example the Associate Principal (in the case of a guidance issue or an issue concerning another student) or a *Curriculum Director* (in the case of an issue about teaching and learning).
- On your request, this person will investigate the issue fully and will respond to you within five working days to discuss the case and, where appropriate, to agree what action will be taken to resolve the matter.
- If your initial contact is made with a senior member of staff, he or she will support you in re-directing your enquiry, if appropriate, to Stage 1.

2.2 Formal Resolution of Complaint

n.b. If the complaint is about the Deputy Principal, you should address your complaint directly to the Principal. If the complaint is about the Principal, it should be addressed to the Clerk to the Corporation for the attention of the Chair of the Corporation.

Stage 3: Refer to the Deputy Principal

- If after Stage 2 you are not satisfied that the issue has been dealt with satisfactorily, then you may submit to the Deputy Principal a formal written statement of your complaint (an exemplar form which you may wish to use for this purpose is attached in Appendix 1).
- Formal written complaints made about any aspect of College provision will receive an acknowledgement from the Deputy Principal within three working days.

- The Deputy Principal or her/his nominated representative will then investigate the matter and respond within ten working days of receiving your written statement to explain how your complaint has been dealt with.
- Where a complaint is found to be justified, remedial action will be taken.
- Where a complaint is not upheld, a full explanation will be given and your right of appeal will be explained to you.
- If you submit a complaint to the Deputy Principal without first following stages 1 and 2 above, the Deputy Principal will usually advise you to seek redress informally before submitting a formal complaint. The exception to this is where the complaint is of a very serious nature (eg where the health or safety of one or more members of the College community is put at risk) in which case the complainant may choose to progress straight to Stage 3.

2.3 Appeal (See 4. below)

3. Complaints Procedure: Parents

3.1 Informal Resolution

n.b. If your complaint is of a very serious nature (for example, where it involves the health or safety of one or more members of the College community, you may decide to proceed directly to Stage 3 (Paragraph 3.2)

3.1.1 Stage 1: seek the help of your daughter/son's tutor

- If an issue arises concerning any matter about which you may be considering the possibility of making a complaint, you should first of all seek the help of your daughter/son's tutor
- In accordance with the College's confidentiality policy, discuss the issue with the tutor and decide what, if any, further action you want to be taken.
- With your consent, the tutor may seek further advice or evidence – while still acting in accordance with the confidentiality policy.
- You should now try, if possible, to resolve the matter with the help of the tutor in whom you have confided.

3.1.2 Stage 2: Seek the help of a more senior member of staff

- If the issue has still not been resolved (to your satisfaction), you may refer it to a more senior member of staff, for example, the Associate Principal (in the case of a guidance issue or an issue concerning a student) or a *Curriculum Director* (in the case of an issue about teaching and learning).

- On your request, this person will investigate the issue fully and will respond to you within five working days to discuss the case and, where appropriate, to agree what action will be taken to resolve the matter.
- If your initial contact is made with a senior member of staff, he or she will support you in re-directing your enquiry, if appropriate, to Stage 1.

3.2 Formal Resolution of Complaint

n.b. If the complaint is about the Deputy Principal, you should address your complaint directly to the Principal; if your complaint is about the Principal, you should write to the Clerk to the Corporation for the attention of the Chair of the Corporation.

Stage 3: Refer to the Deputy Principal

If after Stage 2 you do not feel the issue has been dealt with satisfactorily, then you may submit to the Deputy Principal a formal written statement of your complaint (an exemplar form which you may wish to use for this purpose is attached in Appendix 1).

- Written complaints made about any aspect of College provision will receive an acknowledgement from the Deputy Principal within three working days.
- The Deputy Principal or her/his nominated representative will then investigate the matter and respond within ten working days of receiving your written statement to explain how your complaint has been dealt with.
- Where a complaint is found to be justified, remedial action will be taken.
- Where a complaint is not upheld, a full explanation will be given and your right of appeal will be explained to you.

4. Appeal Procedure

If you remain dissatisfied after Stage 3, you may appeal in writing to the Principal within ten working days of your receiving written notification of Stage 3. If the complaint is about the Principal, your appeal should be made to the Chair of the Corporation by writing to the Clerk to the Corporation.

- The purpose of the appeal is to consider whether:
 - the investigation in Stage 3 was conducted in line with College policy and procedures
 - the outcomes of stage 3 were appropriate in light of the evidence presented.
- Only in exceptional circumstances would the purpose of the appeal be to re-investigate the case.

- The complainant must give specific grounds for the appeal and the Principal (or designated deputy) shall address her/himself exclusively to consideration of these grounds. In the absence of such specific grounds, the appeal shall not be considered.
- The Principal's decision and the reasons for that decision will be notified in writing to the complainant within ten working days of receiving notification of the appeal. If it is not possible for a decision to be reached within this period the complainant will receive a written explanation for the delay and be informed of when the written decision will be available.

Decisions

In the event of an appeal on grounds of defective procedure (hereinafter called "procedural grounds"), the outcome of the appeal shall EITHER be a statement that:

- the procedure followed during the investigation complies fully with the rules made for its operation; OR
- the procedure followed during the investigation entailed a minor breach or breaches of the rules made for its operation, but these were not of sufficient seriousness as to have prejudiced the interests of the appellant or led to a different outcome of the investigation than would, in the opinion of a reasonable person, have been reached had the breach or breaches not occurred; OR
- the procedure followed during the investigation entailed a breach or breaches of the rules made for its operation which were of sufficient seriousness as to have prejudiced the interests of the appellant or led to a different outcome of the investigation than would, in the opinion of a reasonable person, have been reached had the breach or breaches not occurred.

In the event of an appeal on grounds that the decision reached about the action to be taken was inappropriate in the context of the evidence presented (hereinafter called "substantive grounds"), the outcome of the appeal shall EITHER be a statement that:

- the decision reached in Stage 3 was reasonable in the context of the evidence presented and the outcome or action taken appropriate; OR
- the decision reached in Stage 3 was reasonable in the context of the evidence presented, but the outcome or action taken was inappropriate; OR
- the decision reached in Stage 3 was not reasonable in the context of the evidence presented.

If reaching either of the last two decisions set out above, the Principal shall ensure that the defect is remedied.

The outcomes of the appeal shall be communicated within 10 working days of receiving the notice of appeal and this shall mark the final stage of the appeal process. The Principal's decision will be final and binding.

5. The Right to be accompanied

At any stage in the above procedures, the student or parent may be accompanied by a friend. This could be another student, or a parent of a student or a member of staff. In order for students or parents to exercise their right to be accompanied they must make a reasonable request to the College. Where the chosen friend cannot attend on the date proposed for any meeting, an alternative time and date can be offered so long as it is reasonable and falls within five working days of the original day proposed.

6. Records

At all stages of a complaint, records will be kept detailing the nature of the complaint raised, the College's response, any action taken and the reasons for that action. These records will be stored in accordance with the College's confidentiality policy and retained in accordance with the Data Protection Act 1998 which requires release of certain data to individuals on their request. Copies of any meeting records will be given to the individual concerned although in certain circumstances some information may be withheld, for example to protect a witness.

APPENDIX 1

**CONFIDENTIAL
HILLS ROAD SIXTH FORM COLLEGE
FORMAL COMPLAINT FORM**

16 – 19 Students

Name:

Address:

Tutor:

STATEMENT

Please include the nature of the formal complaint, relevant dates and the steps which have already been taken under stages 1 and 2 of the College's Complaints Policy to resolve this matter (continue overleaf or on a separate sheet if necessary):

Signed:

Date:

Please submit the completed form to the Deputy Principal either by hand or by post; or by email to the Deputy Principal's PA, Mrs Alison Ives aives@hillsroad.ac.uk