

North Somerset Enterprise and Technology College

Complaints Policy

Next Review: August 2017

Signed: 

Dated: 08/2016

Principal

Signed: 

Dated: 08/2016

Chair of Governors



Status

Section 29 of the Education Act 2002 states the need to have in place a procedure to deal with complaints relating to the NSETC and to any community facilities or services the NSETC provides. The law also requires the complaints procedure to be publicised.

Who this policy applies to

Staff and Governors at NSETC. The policy is also available to parents/carers on request

Who the complaint procedures apply to

Parents and carers of students at NSETC. The procedures are available on the NSETC website and can also be made available on request.

As well as examining the specific review data, the policy statement will be checked for continuing relevance against any changed statutory requirements and LEA advice



1. Aim of Policy

The aim of this policy is to ensure that any complaint, including a complaint against a member of staff, is handled by NSETC sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is:

- Good for relationships.
- Good education practice.
- Good business practice.

The NSETC's values are concerned with meeting the needs of students, parents and other key stakeholders. All stakeholders should feel that their concerns or complaints can be voiced and will be considered seriously. The NSETC takes informal concerns seriously and aims to resolve them at the earliest opportunity in order to reduce issues or concerns that may develop into formal complaints.

The NSETC recognises the underlying principle that concerns will be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure will not in any way undermine efforts to resolve the concern informally. Staff will endeavour to resolve issues on the spot.

Formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further, and expresses a will to formalise.

2. Purpose

2.1 This policy should be used for:

- Complaints relating to the schooling / study of a student
- Complaints about the education and care provided to students at the NSETC
- Complaints about the NSETC's operational arrangements

This policy is limited to matters which can reasonably be investigated and therefore complaints should relate to matters which have occurred within the last 12 months.

2.2 This policy should not be used for:



- Complaints about the actions of a governor: This should be reported to Chair of the Governing Body in the first instance.
- Complaints about the actions of another parent: This should be reported to the Principal who will investigate whether action should be taken by the NSETC.
- Allegations of abuse (Safeguarding): Any allegations of abuse should be referred to the Principal or Designated person in the first instance (See Safeguarding Policy)
- Issues between the school and community groups/PTA (These will be resolved informally by discussion)

2.3 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 panel
- 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 the school's senior management team so that services can be improved.

3. Procedures (See appendix 1 for Parents Version)

The NSETC is clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

3.1 Stage 1 – Initial complaints and Minor Concerns

- In many cases, a concern can be resolved quickly and will not reach the stage of becoming a formal complaint. In most cases an individual member of staff will receive the first approach. It is helpful when staff are able to resolve issues on the spot, including apologising where necessary and appropriate.
- Should the matter not be resolved informally within 10 working days or as soon as reasonably practicable during school holidays, or where parents are not satisfied with the response to the complaint raised informally, parents may proceed with Stage 2 of this Procedure.



3.2 Stage 2 – Complaint heard by the nominated Complaints coordinator

- Parents may invoke Stage 2 when initial attempts to resolve the issue at Stage 1 are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. The Principal's PA will be the nominated complaints co-ordinator and has responsibility for the operation and management of the NSETC complaints procedure.
- A formal complaint in writing will be acknowledged by telephone on the date of receipt if practicable or in writing within three working days or as soon as reasonably practicable during school holidays. A letter of acknowledgement will state the action being taken and the likely time scale.
- A formal complaint may be:
 - heard by a staff member (not the subject of complaint) e.g. Line Manager of the subject of the complaint; or
 - heard by the Complaints Co-ordinator.
- **Complaint Heard by Staff Member** - A complaint can be made in writing to a member staff, who will investigate and offer a written resolution to the issue. The staff member should inform the Complaints Coordinator of a summary of the complaint and its resolution.
- **Complaint Heard by Complaints Coordinator** - A party who remains dissatisfied or who wishes to complain about an aspect of the college policies, procedures, management or administration should write to the Complaints Coordinator with details of the complaint. The Complaints Coordinator will investigate the matter or delegate the investigation to another senior member of staff, making sure that they:
 - Review the initial complaint and how it was handled (Stage 1 - if applicable).
 - Establish what has happened so far and who has been involved.
 - Clarify the nature of the complaint and what remains unresolved
 - Meet with the complainant or contact them to clarify information if necessary.
 - Clarify what the complainant feels would put things right.
 - Refer the matter to the Principal or a senior member of staff to interview persons involved in the matter (allowing them to be accompanied if they wish).
 - Refer the matter to the Chair of Governors if the complaint is made against the Principal
 - Keep detailed written records of any investigation.
- When the Principal and the Complaints Co-ordinator is satisfied that, so far as is reasonably practicable, that they have all the necessary information, give a decision in writing. Parents will be informed of this decision together with written reasons for the decision as soon as reasonably practicable and normally within 20 working days of receipt of the written complaint.



3.2 Stage 3 - Complaint Heard by the Complaints Panel of the governing body

- If the parent(s) remains dissatisfied with the response, or wishes to escalate the complaint, they should write to the Clerk of the Governing Body giving full details of the complaint enclosing all relevant supporting documentation within 10 working days of receipt of the decision under Stage 2. A request for a panel hearing will usually only be considered if parents have invoked Stage 1 and 2.
- The Chair or nominated governor will, once in receipt of the complaint, schedule a hearing to take place as soon as practicable and normally within 10 working days or as soon as reasonably practicable during school holidays. The Chair or nominated governor will arrange for the Panel to be convened to consider the matter at the hearing.
- The Chair or nominated governor will convene a panel of the governing body consisting of at least three people who have not been involved in previous consideration of the complaint. Each of the Panel members shall be appointed by the Chair or nominated governor. The Chair will ensure that one person on the panel is independent of the management and running of the school.
- If the Panel deems it necessary, the Chair will arrange for the complaint to be further investigated. Parents may be accompanied to the hearing if they wish. This may be a relative, teacher or friend. Legal representation will not normally be necessary.
- The aim of the hearing is for the Panel will review the decision reached at Stage 2 with the aim of resolving the complaint and to achieve reconciliation between the college and the complainant. The Panel will not consider any new complaints that have not been raised as part of the initial complaint. After due consideration of all facts the Panel considers relevant, the Panel will reach a decision on the balance of probabilities as to whether or not the complaint is made out.

The Panel can:

- Dismiss the complaint in whole or in part if the complaint is not made out.
- Uphold the complaint in whole or in part if the complaint is made out.
- Decide on the appropriate action to be taken to resolve the complaint.
- Recommend changes to systems or procedures to ensure that problems of a similar nature do not recur.
- It is recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which satisfy the complainant that his or her complaint has been taken seriously.
- The Chair of the Panel will write to the parents informing them of the Panel's decision and the reasons for it normally within 10 workings days. The decision of the Panel will be final. The Panel's findings and, if any,



recommendations will be sent by electronic mail or otherwise confirmed in writing to the parents, the Principal, the Chair of the Governing Body and, where relevant, the person complained of. A copy of the findings will be available for inspection on the school premises by the proprietor and the principal.

4. Resolving complaints

- At each stage in the procedure the college will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - An apology.
 - An explanation.
 - An admission that the situation could have been handled differently or better.
 - An explanation of what steps have been taken to ensure that the situation will not recur.
 - An undertaking to review policies in light of the complaint.
- It is useful if complainants are able to state what actions they feel might resolve the problem at any stage. An admission that the situation could have been handled better is not an admission of negligence.

5. Vexatious Complaints

- There will be occasions where despite all stages of the procedures having been followed the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governors should inform them in writing that the procedure has been exhausted and that the matter is now closed.
- If, at any stage of the process, the complainant starts legal action in relation to the matters under consideration, the complaints process will automatically cease, and all further correspondence will be with the NSETC's legal representatives.

6. Managing and recording complaints

- The NSETC will keep a written record of all complaints (including whether resolved at the preliminary stage or proceeded to a panel hearing), the date on which they were received and their final outcome. Written records will be kept for at least three years. Brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record.
- The Complaints Coordinator is responsible for records and their safe storage. All correspondence, and statements and records of complaint must be kept confidential but must be shown to HMI when requested.



- The Governing Body should monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure.

7. Publishing the complaints procedure

- The Complaints Policy and Procedure are publicised to all key stakeholders through:
 - the NSETC prospectus;
 - the information given to parents when their children join the NSETC
 - home / NSETC bulletins or newsletters;
 - a specific complaints leaflet which includes a form on which a complaint can be made
 - posters displayed in areas of the NSETC campus that will be used by the public, such as reception or the main entrance
 - the NSETC website.

8. Monitoring and evaluating the policy

- All documentation regarding complaints (including notes of any related meetings and telephone calls), the action taken and the final outcome will be recorded and a summary included in the Principal's next report to governors.
- The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make alterations where necessary. Complaints information shared with the whole governing body will not name individuals.
- The monitoring and review of complaints by the NSETC and the governing body is a useful tool in evaluating the NSETC's performance, and will contribute to school improvement. Any underlying issues identified will be addressed.



Concerns and Complaints

If you are not satisfied with any aspect of the Academy, please let us know.

Stage 1

If the concern involves your child/ward, for example:

- an issue about bullying
- an issue about learning

Please see your child's Tutor in the first instance or class teacher (whichever is relevant)

Stage 2

If the concern involves a member of staff or other Academy issue, then please contact the Complaints Co-ordinator through the school switchboard or in writing.

01934 411 611

Stage 3

If you are unable to resolve the problem, and your concerns have been fully investigated by the Principal or a member of the Senior Leadership Team you may wish to write to the Clerk of the Governing Body, to request a Governor Complaints Panel Hearing. Please write to:

Clerk to the Governing Body: Alice Bushell

**Beaufighter Road,
Weston-super-Mare,
North Somerset
BS24 8EE**

Please Note: A full Version of the Complaints Procedure and Complaints Policy is available on our web-site and on request



Complaints Procedures

If you are unhappy about an aspect of your child's education and/or experiences with us then you may wish to raise a concern or make a complaint. The procedures below will take you through the process of raising a concern or making a complaint

Please note these procedures are for:

- concerns regarding the quality of education and experiences we give students;
- concerns regarding the quality of care we give to students;
- concerns with regards any aspect of the way we operate the college.

The procedures are **not** for:

- Complaints about the actions of a governor: This should be reported to Chair of the Governing Body in the first instance.
- Complaints about the actions of another parent: This should be reported to the Principal who will investigate whether action should be taken by the college.
- Allegations of child abuse: Any allegations of abuse should be referred to the Principal or Designated Person in the first instance

Useful contact details:

NSTEC switchboard: 01934 411 611

NSTEC Address:

Beaufighter Road,

Weston-super-Mare,

North Somerset

BS24 8EE

The Complaints Coordinator (PA to the Principal)

Tel: 01934 411 262

Email: Tracy.Dews@NSETC.n-somerset.sch.uk



The Clerk to the Governing Body: Alice Bushell

**Address: Beaufighter Road,
Weston-super-Mare,
North Somerset
BS24 8EE**