



## Complaints and Comments Policy

### 1. Introduction

- 1.1 Wyke Sixth Form College ('the College') is committed to continuous improvement and providing a high standard of service ensuring that any complaints received are addressed in an open, transparent manner to the satisfaction of all parties involved. The outcomes from complaints support continuous improvement.
- 1.2 The College welcomes the opportunity to receive and respond to comments and/or suggestions in a prompt and courteous manner.

### 2. Our Commitment

- 2.1 The College will ensure that all legitimate complaints received are dealt with promptly, fairly, professionally and in a non-discriminatory manner, and that appropriate action is taken. Complaints will be taken seriously and viewed positively as an opportunity to receive constructive feedback so that improvements may be made.
- 2.2 All complaints will be treated as confidential to safeguard interests and information limited to those involved in the complaints process.
- 2.3 The outcomes of any complaint will be shared with the complainant and any College staff involved. Complaints made which, on investigation, turn out to be vexatious may result in disciplinary or other further action.
- 2.4 We are committed to:
  - **Taking all complaints seriously** – Whatever the subject of the complaint may be, by complaining the person concerned has attached value to the subject and this will be respected by the member(s) of staff involved.
  - **Clearly communicating** – If the complaint cannot be resolved immediately, the complainant should be informed about the complaint's process.
  - **Remaining professional** – In an organisation with a high degree of face to face contact, it is perhaps inevitable that there will be a proportion of complaints relating to staff. Members of staff will remain professional and the complaint will not inappropriately impact on their relationship with the complainant.

- **Referring to a formal process** – If a complaint cannot be dealt with informally or if the complainant remains unsatisfied with the outcome the complaint will be moved to Stage 2 of the process.

### 3. Scope

- 3.1 This policy and associated procedure applies to all people served by the College including students, parents, employers, local residents and visitors who wish to comment on or express dissatisfaction with any aspect of the College's activities including those activities delivered on behalf of the College by a subcontractor. Former students are normally expected to raise any concerns within three months of completing their course of study.

This policy does not deal with:

- A concern about a decision made by an academic body regarding student progression, academic assessment and awards.
  - Dissatisfaction about the outcome of an academic misconduct or disciplinary process as this has a separate appeals procedure.
  - Staff grievances
  - A concern about a decision made under other specific regulations, such as fitness to practice
  - Complaints specifically relating to examinations should follow the [Complaints and Appeals Procedure \(Exams\)](#) e.g. non-subject specialist teacher; teacher lacking knowledge of new specification; core content not adequately covered.
- 3.2 The College will not normally investigate anonymous, malicious or vexatious complaints.
- 3.3 Complaints against the actions of the Corporation or its members should be referred to the Clerk to the Corporation.
- 3.4 Any incidents that may be related to safeguarding or radicalisation must be reported to the Safeguarding Officer, or a member of the Senior Management Team.

### 4. Roles and Responsibilities

- 4.1 If the complaint is about a course or a service offered by the College, the manager of the area concerned will normally be responsible for investigating the complaint. If the complaint relates to that manager then the Principal or Deputy Principal will assign an independent manager to investigate the complaint.
- 4.2 The Principal or Deputy Principal, or their nominee will deal with and hear all appeals against the outcomes of complaints.

- 4.3 If the complaint is against the Principal or a member of the Senior Management team, then either the Principal or Deputy Principal (if not the subject of the complaint) or a member of the Corporation will hear the appeal.
- 4.4 The Principal has overall responsibility for the Complaints Policy and Procedure and may nominate another person to investigate a complaint where there is a conflict of interest.
- 4.5 The Principal's PA is responsible for recording, monitoring and seeing through to conclusion all complaints. The Principal also produces an annual complaints report for the Senior Management Team and Corporation Curriculum and Quality Committee.

## **5. Dissemination**

5.1 A copy of this policy and procedure can be found on:

- Wyke Sixth Form College's intranet
- Wyke Sixth Form College's website

## **6. Monitoring and Review**

- 6.1 The policy and operation of the procedure will be monitored and reviewed by the Principal.
- 6.2 An overview analysis of complaints received by the College is provided to the Senior Management Team and the Corporation Curriculum and Quality Committee.

## **7. Related Policies/Procedures**

7.1 Documents related to the policy are:

- Appendix 1 – How to make a Complaint
- [Complaints and Appeals Procedure \(Exams\)](#)
- Admissions Policy
- Admissions Appeals Policy
- Grievance Policy and Procedure for Staff
- Whistleblowing Procedure
- Safeguarding Policy and Procedure

## **Complaints and Comments Procedure**

### **How to Make a Complaint or Comment**

Complaints and Comments/Suggestions can be made verbally, by telephone, email, letter or by completing a Complaints or Comments Form available on the College website ([www.wyke.ac.uk](http://www.wyke.ac.uk)).

Comments will be recorded and forwarded to the appropriate Manager for review, action and follow up as necessary. Where no action is required this will be noted as the outcome.

### **Stage 1 – Informal Complaints**

Issues that appear straightforward and potentially easily resolved may be directed to any relevant member of staff to seek an early resolution. Students are encouraged to resolve any issues of dissatisfaction with their teacher, Head of Subject or Progress Tutor so that this may be dealt with quickly and informally.

### **Stage 2 – Formal Complaints**

Where a complaint cannot be resolved satisfactorily through the informal route or in cases of more serious issues, these may be lodged as a formal complaint by completing a complaints form available on the College website. Any concerns relating to young people and adults with additional needs who are suffering, or likely to suffer, significant harm, e.g. by neglect, physical injury, sexual abuse or emotional abuse or any aspect of bullying, harassment or coercion will be directed to the Safeguarding Officer, as a safeguarding issue.

### **Acknowledge, Record and Monitor**

All formal complaints will be recorded by the PA to the Principal, acknowledged within five working days and monitored until conclusion within the Senior Management Team.

A central log of complaints and appeals against complaints outcomes is maintained and monitored by the Principal and the PA to the Principal. An overview analysis of complaints received by the College is provided to the Senior Management Team and Corporation Curriculum and Quality Committee. The Principal's PA is responsible for logging all complaints and providing these reports.

All complaints will be monitored for issues of discrimination. Where such issues are identified, the complaint record will be updated, appropriate actions instigated and the matter will be brought to the attention of the H.R. Manager or Assistant Principal (Student Experience).

### **Investigation**

An Assistant Principal, Curriculum Director or Head of Faculty will normally be assigned as the Manager to investigate the formal complaint. Where a conflict of

interests is identified the Principal will assign an independent Manager to conduct the investigation. During this stage, the complainant may be contacted for further information or may be invited to meet with the Investigating Manager.

Where the complainant is invited to attend a meeting, they may be accompanied by a friend or relative, but the accompanying person will not take an active part in the meeting. Legal representation is not permitted.

Where a potentially serious complaint is against a member of staff, a discussion will be held with the H.R. Manager and it will be determined whether the complaint should be investigated under the Disciplinary Policy. This decision will be kept under review as the investigation progresses.

### **Outcome**

Managers will provide written details of the action taken and the outcome of the complaint and forward a copy of this, with supporting documents attached, to the Principal to be logged.

Following the investigation, the Investigating Manager will provide a written response to the complainant within ten working days, unless otherwise advised.

### **Stage 3 - Appeal**

The complainant has the right to appeal against the outcome of the complaint. This should be lodged with the Principal's PA within ten working days of receipt of correspondence stating the outcome of the investigation into the formal complaint. The grounds of appeal and any actions sought must be clearly stated at the time of making the appeal. The Principal, Deputy Principal, or their nominee, will review the formal investigation and consider whether:

- New evidence or circumstances have become known, which could not have reasonably been made known at the time of the complaint.
- The investigation was not conducted fairly or as per Procedure and this affected the outcome.
- The decision and outcome of the complaint were unreasonable.

We aim to conclude the Appeal process normally within twenty working days and will contact the complainant with the outcome. This decision constitutes the final stage of the College Complaints Policy and Procedure.

**I**f the College's procedures have been exhausted you may contact the Education and Skills Funding Agency (they will only investigate a college as a corporate body and not complaints against individual college employees.)

### **Confidentiality and Support**

All complaints will be treated as confidential to safeguard interests and information limited to those involved in the complaints process.

If in exceptional cases and for justifiable reasons the complainant wishes to remain anonymous throughout the process, this may be considered. However, if disclosures are made it may be necessary to share information and this must be explained to the complainant.

Complainants who feel that they need help and/or support to make a complaint may wish to talk to their tutor or the Senior Tutors.

### **Vexatious Complaints**

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), the College reserves the right to end the complaint handling process and will inform the complainant in writing that the procedure has been exhausted and the matter is now closed.

### **Equality and Diversity**

*This policy has been reviewed and amended to assure the promotion of equality on grounds of gender, gender reassignment, sexual orientation, race, religion or belief, disability, age, marriage and civil partnership, and pregnancy and maternity. The assessment deemed it to be compliant with the College's Single Equality Scheme.*

### **General Data Protection Regulations**

*This policy has been reviewed and is compliant with the General Data Protection Regulations and the college's Data Protection Policy.*

## How to Make a Complaint

