



## COMPLIMENTS, CONCERNS AND COMPLAINTS POLICY

<b>Role responsible:</b>	Principal
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<b>Approved by:</b>	Policy Review Group
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<b>Changes made from previous version:</b>	Minor changes including (for 8 June 2022): <ul style="list-style-type: none"><li>- Additional detail on vexatious complaints 4.3</li><li>- Update EIA</li><li>- Amends to process for completing a Complaints Form</li><li>- Included reference to Data Protection Policy</li><li>- Clarification on timescales for reporting to SLT and Corporation</li><li>- New statement on the role of the complainant</li></ul>

## **COMPLIMENTS, CONCERNS AND COMPLAINTS POLICY**

### **1. Purpose**

- 1.1 Wyke Sixth Form College ('the College') welcomes feedback from all stakeholders on perceptions of performance. This policy sets out our response to compliments, concerns and complaints.
- 1.2 The team at Wyke work hard to provide the best possible education to our students. We welcome all feedback on our performance, including feedback that identifies areas that need to improve. We address all feedback in an open, transparent manner and seek to use the outcomes to support continuous improvement.
- 1.3 This policy and procedure outline the ways the college will respond to feedback outside of our formal feedback mechanisms (questionnaires, Tutor Group Representatives etc.).

### **2. Compliments, Concerns and Complaints**

- 2.1 This policy identifies three forms of feedback that all require a different response:
  - Compliments  
Instances of positive feedback about a particular aspect of the College. These will be logged and any relevant staff will be informed of the positive feedback.
  - Concerns  
Issues that appear straightforward and potentially easy to resolve. The relevant party in the College will respond to these informally. These will not be recorded centrally although Line Managers may keep a record as part of normal performance management processes.
  - Complaints  
Matters that are unable to be resolved informally and where the complainant wishes to lodge the matter as a formal complaint. This will instigate the formal complaints process as set out in Appendix 1.

### **3. College Commitment regarding complaints**

- 3.1 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.
- 3.2 All complaints will be treated as confidential to safeguard interests and information limited to those involved in the complaints process.

- 3.3 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.
- 3.4 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.

#### **4. Scope**

- 4.1 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.
- 4.2 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.
- 4.3 The College will not normally investigate anonymous, malicious or vexatious complaints. Vexatious complaints are those that are defined as having no reasonable prospect of being upheld, are scandalous, unreasonable or brought about to harass, intimidate or be a nuisance to the College.
- 4.4 Complaints against the actions of the Corporation or its members should be referred to the Clerk to the Corporation.
- 4.5 Any incidents that may be related to safeguarding or radicalisation must be reported to the Safeguarding Officer, or a member of the Senior Leadership Team.

## **5. Roles and Responsibilities**

- 5.1 The Office is responsible for recording compliments and recording and monitoring the completion of formal complaints.
- 5.2 The Principal has overall responsibility for the Compliments, Concerns and Complaints Policy. They may nominate another person to investigate a complaint where there is a conflict of interest.
- 5.3 The manager of the area concerned will normally be responsible for investigating any concern or complaint. If a complaint relates to that manager, then the Principal or Deputy Principal will assign an independent manager to investigate the complaint.
- 5.4 The Principal or Deputy Principal, or their nominee, will deal with and hear all appeals against the outcomes of complaints.
- 5.5 If the complaint is against the Principal or a member of the Senior Leadership 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.
- 5.6 The complainant must engage with the college in a respectful manner. We are all committed to working to improve the college and want to work with students, parents and the wider community to ensure this happens. The college will not investigate complaints where the complainant is rude, aggressive or in anyway abusive towards staff. Furthermore, the complainant must not directly contact any members of staff cited in any complaint.

## **6. Dissemination**

- 6.1 A copy of this policy and procedure can be found on:
  - Wyke Sixth Form College's intranet (Teams)
  - Wyke Sixth Form College's website

## **7. Monitoring and Review**

- 7.1 This policy will be monitored by the Principal and the Policy Review Group.
- 7.2 This policy will be reviewed annually.
- 7.3 An overview analysis of complaints received by the College is provided on an annual basis to the Senior Leadership Team and the Corporation Curriculum and Quality Committee.

## **8. Related College Documents**

- 8.1 Documents related to this policy are:
  - Appendix 1 – How to make a Complaint

- Admissions Policy
- Admissions Appeals Policy
- Grievance Policy and Procedure for Staff
- Whistleblowing Procedure
- Safeguarding Policy and Procedure
- Data Protection Policy

### **Equality and Diversity**

*This policy has been reviewed 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 review deemed it to be compliant with the College's Equality and Diversity Policy.*

### **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.*

## **Appendix 1 – Compliments, Concerns and Complaints Procedure**

### **How to Make a Compliment, Concern or Complaint**

Compliments and concerns can be made verbally, by telephone, email or letter to any member of staff. Formal complaints need to be submitted by completing a Complaints Form available on the College website ([www.wyke.ac.uk](http://www.wyke.ac.uk)).

#### **1. Compliments**

Compliments will be recorded and forwarded to [feedback@wyke.ac.uk](mailto:feedback@wyke.ac.uk). The office will share these with the appropriate Manager for review, action and follow up as necessary. The individual staff member (if referred to) and the Principal will be copied in for information.

#### **2. Informal complaints / concerns**

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. These will not be recorded centrally although Line Managers may keep a record as part of normal performance management processes.

#### **3. 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. A complainant will be asked to complete a Complaints Form, available on the College website. This can be completed on the complainant's behalf if they have difficulties accessing the form. The details of the complaint are forwarded to [feedback@wyke.ac.uk](mailto:feedback@wyke.ac.uk). A member of the Senior Team will review the issue and make an initial phone call to understand the key features of the case and decide on the appropriate response. If the matter can be resolved informally then this is clarified through a written response to the complainant. If it is decided that the matter is recorded as a formal complaint then an Investigating Manager, usually a member of the College Leadership Team will be assigned. The Office will create and update the investigation log and note the required timescales for resolution of the complaint. The Investigating Manager will typically hold an initial fact-finding phone call with the complainant. Upon completion of the investigation, they will hold a close out call followed up with written confirmation of the outcome.

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 Office, acknowledged within five working days and monitored until conclusion.

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 Vice Principal (Pastoral).

An annual report on complaints and compliments will be produced for scrutiny by the Senior Leadership Team and the Corporation.

## **Investigation**

A College Leadership Team member will normally be assigned as the Manager to investigate a 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 Office to be logged.

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

## **Appeals**

The complainant has the right to appeal against the outcome of the complaint. This should be lodged with the Principal 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 this 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.

If 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.

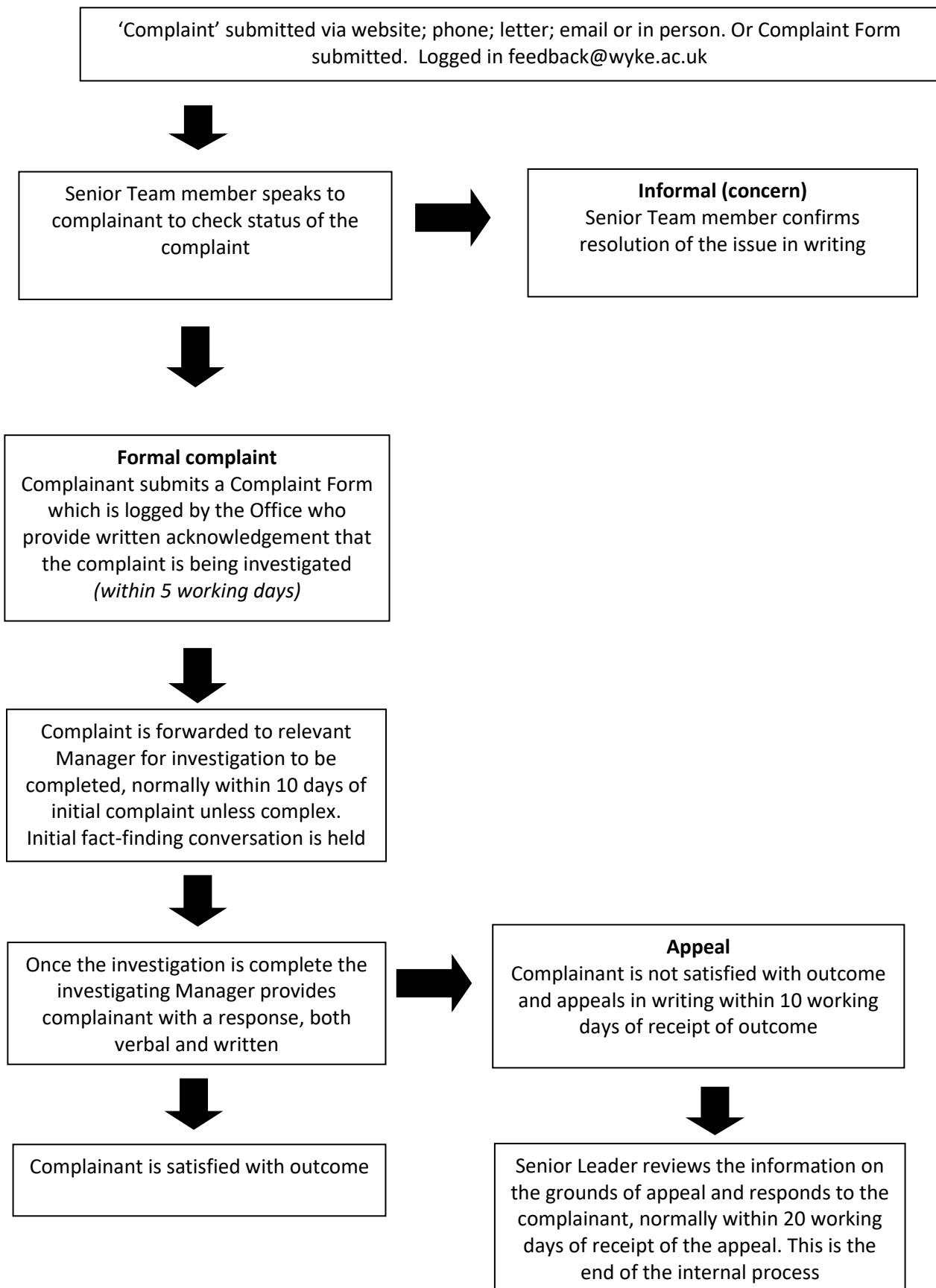
If in exceptional cases and for justifiable reasons the complainant wishes to remain anonymous throughout the process, this may be considered. However, if disclosures are made it may be necessary to share information and this must be explained to the complainant.

### **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.



## Formal complaints process



## Appendix 2 – Equality Impact Assessment

Policy, procedure, practice or strategy:	COMPLIMENTS, CONCERNS AND COMPLAINTS POLICY		
Role responsible:	Principal	Date:	9/5/22
Briefly describe the aims, objectives & purpose of this policy, procedure, practice or strategy.	Policy and procedure outlining how the college will respond to feedback from stakeholders outside of the formal feedback mechanisms.		
	Please ensure the following characteristics are considered when assessing the questions below along with any others you feel to be relevant: Gender, Sexuality, Transgenderism, Age, Race, Religion/belief, Disability, Marital/Civil partnership status, Pregnancy or maternity. Responses may be based on learner and staff data, complaints, feedback, research, student/staff surveys and/or professional judgement.		
Is there potential, or opportunity that the proposed policy, procedure practice or strategy will affect any groups adversely (including possible discrimination)? Please include any equality concerns expressed during consultation.	It is possible that the need to complete a Complaints Form could disadvantage those with either limited literacy skills, English as an additional language or those who struggle to access IT.		
Is there potential for, or evidence that the proposed policy, procedure or practice either promotes or fails to promote equality of opportunity for all and good relations between different groups?	The policy promotes equality of opportunity by outlining formal channels for feedback to improve performance, this can include feedback relating to equality issues.		
If any action is required as a result of this screening exercise please note them, along with any mechanisms for reviewing the impact of the policy, procedure or practice.	Alter the procedure to allow for the college to complete a complaint form on behalf of the complainant if required (included in 8/6/22 revision).		