



## Complaints and Representation Policy

### Statement and Vision

Our objective is to provide a secure, calm and welcoming environment for all students and staff. We recognise that these aspirations can only be achieved by the wholehearted commitment and support of the whole college community. Occasionally, situations will occur which prevent the fulfilment of those aims and give cause for complaint.

Beaumont College will attempt to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

This Policy has been written in response to;

- The Children's Acts 1989, 2004
- Education Reform Act 1988 and subsequent instruments/guidance
- Education Act 2002
- Statutory Instrument 2003 No. 1910 Education, England. The Education (Independent Colleges Standards) (England) Regulations 2014
- Section 109 of the Education and Skills Act 2008
- The Education and Inspections Act 2006
- National Minimum Standards for Residential Special Colleges 2015
- Children's Homes Quality Standards 2015
- Children's Homes Regulations 2015
- Best Practice Advice for College Complaints Procedures 2019

### Aims

In operating this Complaints Policy we aim to:

- encourage resolution of problems by informal means wherever possible
- handle the complaint swiftly with established time limits for action, keeping people informed of progress
- ensure a full and a fair consideration of the complaint
- have due regard for the rights and responsibilities of all parties involved
- respect confidentiality
- address all points at issue and provide an effective response
- provide information to the senior Leadership and Governing body so that policy and practice can be improved

Complaints about the following issues have their own separate procedures and cannot be considered under the procedure described in this policy:

- any action which may fall within the remit of Safeguarding
- matters which are the responsibility of the Placing Authority
- the conduct of any staff at the college that is a matter for the college's disciplinary procedures
- content of a statutory Education, Health and Care Plan



- admissions to the establishment
- college exclusions.

Any uncertainty about whether a complaint is an establishment, or a Placing Authority issue can be resolved by contacting the Principal of the college or the Managing Director for Ambito Education. In addition to the Ambito Education Complaints and Representation Policy every young person has the right to access the complaints procedure of their Placing Authority.

Students may require support and/or guidance to access external complaints procedures and it may be necessary for staff to act as an 'advocate' for young people or to suggest to young people others external to the college who would be willing to act as an advocate, for example the young person's social worker.

Similarly, young people, parents/carers, staff and members of the public may raise their concerns directly with;

**Ofsted**

**Tel: 0300 1231231 or 0300 1234666**

**Ofsted National Business Unit**

**Piccadilly Gate**

**Store Street**

**Manchester**

**M1 2WD**

Source of Complaint

**Staff about Staff**

Some degree of friction between staff is inevitable in work situations which can be pressured and stressful. Success in keeping such friction to a minimum and managing inter-personal difficulties appropriately allows staff to work together productively and provides an example and model to young people.

In almost all cases differences between staff should be managed by talking the matter through on a one to one basis without involving others. If this does not provide a resolution, then staff should seek the guidance of their line managers and, if still unsuccessful, the Principal or his/her delegate.

Should a member of staff feel that a colleague has acted in a way which is contrary to the guidelines on establishment practice staff must report this to their line manager or the Principal as soon as practicable/possible. Not to do so places the whole establishment and the needs of our young people at risk.

Should the complaint be against the Principal then staff must refer the matter to the Managing Director for Ambito Education.

Any complaint will be properly, sensitively and carefully investigated by the Principal (unless they are involved in the complaint, then the Ambito Education Managing Director, or their nominated person, will investigate the complaint) or his/her delegate according to the procedures described within this policy.



However, if after discussion with Principal or his/her delegate the matter remains unresolved the formal complaints procedure will be initiated. The complainant will be given a copy of this policy and referred to the Ambito Education Managing Director.

### **Young Person about Staff**

It is essential that young people feel that they can complain should they feel that they have been inappropriately managed or unfairly treated by a member of staff. Whilst it is usually best if a young person talks the matter through with their Key Worker/Tutor/significant professional, they also have a right to expect that any member of staff will hear their complaint and pass it on to the Principal or where appropriate his/her delegate. Where a formal complaint is made, parents/carers and the Placing Authority will be informed, and the complaint investigated according to the procedures described within this policy.

Should the complaint be against the Principal then staff must report the matter to the Ambito Education Managing Director.

Any complaint will be properly, sensitively and carefully investigated by the Principal or his/her delegate according to the procedures described within this policy. However, if after discussion with Principal or his/her delegate the matter remains unresolved the formal complaints procedure will be initiated. The complainant will be given a copy of this policy or the establishment's policy relating specifically to young person complaints. Staff should be aware of the need to support young people in accessing the complaints and representations procedure and should inform young people of their right to representation by someone external to the college.

### **Young Person – Young Person**

Young people's complaints against other young people should be dealt with the same rigour as complaints from other sources. Many young people are vulnerable and often feel threatened. In the past they may not have been listened to appropriately. It is particularly important that staff leave young people feeling that they have been properly listened to; their feelings and anxieties understood; and their complaints fully investigated. Whilst it is usually best if a young person talks the matter through with their Key Worker/Tutor/significant professional they have a right to expect that any member of staff will hear their complaint and pass it on to the Principal or, where appropriate, his/her delegate.

Any complaint will be properly, sensitively and carefully investigated by the Principal or his/her delegate according to the procedures described within this policy. However, if after discussion with Principal or his/her delegate the matter remains unresolved the formal complaints procedure will be initiated. The complainant will be given a copy of this policy and referred to the Ambito Education Managing Director. Staff should be aware of the need to support young people in accessing the complaints and representations procedure and should inform young people of their right to representation by someone external to the college.

### **Recognising when a young person may be wishing to complain**

It is important that all young people are listened to. However, staff need to recognise key indicators for young people that may not be able to communicate their complaints verbally. Recognising young people's behaviours is fundamental.



Accessible resources are to be used for young people who may use alternative means of communication such as visual posters – knowing who to complain to, and ‘something’s wrong’ communication books, with simple symbols.

It is important that the young person is assigned a key worker / advocate staff member, and where possible; best practice is also to have access to an ‘independent advocate’.

Staff need to be vigilant and watch out for changes in behaviour such as; a young person being withdrawn, upset, frustrated, over excited etc. Staff need to know the methods young people use to communicate.

Never promise to keep anything a young person tells you a secret. If you have any safeguarding concerns, please refer to the companies safeguarding and child protection policy and procedures.

### **Parents/Carers**

Parents/carers who are unhappy about any aspect of their young person’s care/education or experience at the establishment should make an appointment to see the Principal or his/her delegate. The Principal or his/her delegate will discuss the complaint with parents/carers and involve other staff where appropriate. The parent/carer has the right to be accompanied if they wish to do so.

Any complaint will be properly, sensitively and carefully investigated by the Principal or his/her delegate according to the procedures described within this policy. Usually, because of close working relationships with parents/carers, problems or worries can easily be sorted at this stage. However, if after discussion with Principal or his/her delegate the matter remains unresolved the formal complaints procedure will be initiated. The complainant will be given a copy of this policy and referred to the Ambito Education Managing Director. Staff should be sensitive to the fact that parents/carers may require support in accessing the complaints and representations procedure.

### **Other Professionals**

Professionals who are unhappy about any aspect of a young person’s care/education or experience at the establishment should make an appointment to see the Principal or his/her delegate. The Principal or his/her delegate will discuss the complaint and involve other staff where appropriate.

Any complaint will be properly, sensitively and carefully investigated by the Principal or his/her delegate according to the procedures described within this policy. Usually, because of close working relationships with other professionals, problems or concerns can easily be sorted at this stage.

However, if after discussion with Principal or his/her delegate the matter remains unresolved the formal complaints procedure will be initiated. The complainant will be given a copy of this policy and referred to the Ambito Education Managing Director.

### **Community - Establishment**

Members of the community who are concerned about any aspect of the establishment’s practice, staff and young people’s behaviour or any other matter should contact the Principal.

Any complaint will be properly, sensitively and carefully investigated by the Principal or his/her delegate according to the procedures described within this policy. However, if after discussion with Principal or his/her delegate the matter remains unresolved the formal complaints procedure will be



initiated. The complainant will be given a copy of this policy and referred to the Ambito Education Managing Director.

Staff should be sensitive to the fact that members of the community may require support in accessing the complaints and representations procedure.

**Details of the number of complaints for the previous year are available to parents/carers/other stakeholders on request.**

### Process

The College Complaints Policy has three main stages. In summary they are as follows: -

- Stage 1 – A concern is raised informally with a staff member.
- Stage 2 – A Complaint is heard by the Principal.
- Stage 3 – A Complaint is heard by Governing Body's Complaints Appeal Panel.

**A written record will be kept on file and stored as confidential material by the college of all complaints, indicating whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing.**

#### **Stage 1 – Raising a concern with a member of staff**

Concerns can be raised with the college at any time and will often generate an immediate response, which will resolve the concern. The college requests that parents make their first contact with the class teacher if the concern is about their child. If the concern is about other issues the college requests in the first instance the parent/stakeholders contacts the college office, who will pass the concern onto the relevant person. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. Most concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at Stage 1, please write or complete a complaint form and send it to the Principal within 10 college working days and state what you would like the college to do. The college will then consider your concern as a complaint and move to Stage 2.

#### **Stage 2 – Complaint heard by the Principal**

If the matter has not been resolved at Stage 1, the Principal will arrange further investigation. Please write to the Principal of the college telling them why you are still not satisfied and what you would like the college to do.

- The complaint will be logged on the organisation's electronic database (C360), including the date it was received.
- The college will acknowledge receipt of the complaint within two working days of receiving it (See Appendix 2).
- Either you will receive a written response reporting on the actions being taken or a meeting will be convened to discuss the matter further. If possible, this meeting will take place within 10 college working days of the receipt of the complaint. The aim will be to resolve the matter as speedily as possible.



Following the investigation, the Principal will normally give a written response within 10 college working days.

If you are dissatisfied with the result at Stage 2, you should write to the Chair of Governors at the college address within 10 college working days of getting the response marking the envelope 'Private & Confidential'. This will then be referred directly to the Chair of Governors.

In some instances, whereby, the Principal has already been involved with the complaint, but further objective evidence and / or investigation is required, this may be referred to the managing director of Ambito Education and / or the Quality team.

### **N.B. Complaints against the Principal**

In cases where the matter concerns the conduct of the Principal, a written complaint should be sent 'For the Attention of the Chair of Governors' to the college and marked "Private & Confidential". The Chair will refer the matter directly to a Governing Body Complaints Panel to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. The above procedure will then be followed.

### **Stage 3 – Complaint heard by the Governing Body's Complaints Appeal Panel**

If the matter has still not been resolved at Stage 2, then the Principal will pass the matter for consideration to a Governing Body Complaints Panel (see Appendix 1). The clerk or a nominated governor will convene a panel of usually 3 governors. If possible, the hearing will take place within 10 college working days of the receipt of the written request for a Stage 3 investigation. Where this proves impossible for operational reasons, e.g. governor availability, this will be indicated in a written response within 10 days with the available date given.

The aim of the Appeal Panel Hearing is to impartially resolve the complaint and to achieve reconciliation between the college and the complainant. All parties will be notified of the panel's decision in writing within 7 college working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

The Governors Appeal Panel Hearing is the last college-based stage of the complaints process. If you are not satisfied with the outcome of Stage 3, the final stage of appeal is to Ofsted on the contact details provided in the Aims section of the policy.

### **Communicating the Outcome**

The Complaints Panel will notify by electronic mail or otherwise the outcome of the meeting to the Principal, Ambito Education Managing Director and Salutem Board, the complainant and, where relevant, the person complained about, within 7 working days. (All correspondence relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the Education and Skills Act 2008 requests access). The findings and recommendations will be made available for inspection on the establishment premises by the Proprietor and the Principal.

### **Staff Training**

All staff will receive training during induction and then subsequently on an annual basis exploring a range of issues including what constitutes a complaint, how to respond to a complaint, the procedure for dealing with an informal complaint and how this is recorded, the procedure to follow



should a complaint not be dealt with promptly by informal means, including who should be notified and the keeping of records, how to complain to someone outside of the establishment and how to support young people in making a complaint.



### **Appendix 1: Procedure for a Complaints Panel Meeting Dealing with a Formal Complaint**

1. The Chair opens the meeting explaining that the purpose of the meeting is to listen to the complaint. The Principal may be present along with the Complainant (and any accompanying representative) until item 8 of this procedure.
2. There will be a minute taker present to record the meeting in writing.
3. The Complainant, or their representative, presents his/her case stating the issues clearly.
4. Panel members and any representative of the Placing Authority (if applicable), have an opportunity to ask questions of the Complainant seeking clarification.
5. The Principal can provide details of how the concerns have been handled and details of any action taken, this may be in person, in writing (summary) or through submission of previous meeting minutes and outcomes
6. The Complainant, or their representative, Panel members and any representative of the Placing Authority may have an opportunity to ask questions of the Principal/Registered Manager.
7. If present the Principal sums up.
8. The Complainant or their representative sums up.
9. The Principal (if present) and Complainant leave to allow the complaints panel to consider the concerns, if appropriate.
10. The Chair of the Panel will confirm to the Principal and Complainant, in writing the Panel's findings and recommendations (usually within 7 working days of the meeting). These will be kept on record for inspection.
11. Written records will be kept of all complaints indicating whether they were resolved at the primary stage, or whether they proceeded to a panel hearing.
12. All correspondence, statements and records of complaints will be kept confidential.



**Appendix 2: sample complaint report**

Date of complaint:

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Date of issue / incident:

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Complainant:

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Home phone: ..... Mobile: .....

Address:

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Name of student: ..... Class: .....

Complaint taken by:

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Details of complaint:

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Desired outcome of complainant:

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Action taken:

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Outcome:

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### **Appendix 3: sample complaint acknowledgement letter**

<Insert name>

<Insert Address line 1>

<Insert Address line 2>

<Insert Postcode>

Dear <Insert name>

I am writing to acknowledge receipt of your <insert-letter/telephone call/personal visit/email> on <insert date> in which you raised concerns in relation to <insert complaint topic>.

Your complaint has been forwarded to me to investigate further. I will contact you as necessary in order to carry out my enquiries. However, if you would like to discuss your complaint please contact me on <insert telephone number>.

I will conduct a detailed review of your concerns and provide you with a response by <insert date>. If I am unable to respond by this date I will write to you further to advise you.

Please find enclosed a copy of the College Complaints Policy to further advise you of the process which will be followed.

Yours sincerely

<Insert name and signature>

<Insert role - Headteacher/Chair of Governors>



#### Appendix 4: sample Panel notification

<Insert name>

<Insert Address line 1>

<Insert Address line 2>

<Insert Postcode>

Dear <Insert name>

Thank you for your letter dated <date>, received on <date>.

I understand that you are unhappy with the response to your complaint from <name of Headteacher> and you would like the Governing Body to investigate your complaint.

I will arrange a complaints panel meeting, where <three/five> governors from the college will consider your complaint. The panel will be arranged to take place within the next 10 term days and I will notify you of the arrangements closer to the date of the hearing. If there are any particular dates within the next 10 term days that are not suitable, please contact me to let me know.

Please kindly send me any papers which you may wish to provide to the panel in support of your case. These will be distributed to all parties in advance of the complaints panel meeting.

You may bring a friend or relative to the meeting to provide you with support. Please let me know if you wish to bring anyone with you. If you require any translation or interpreting services please let me know as soon as possible to allow me to make the necessary arrangements.

I can be contacted on <college contact details>

Yours sincerely

<Insert name and signature>

<Insert- Chair of Governors/Panel convener (Clerk or other governor with delegated responsibility)>

cc <Headteacher> <Any other involved party> <Education Authority, Social Care team>