



## Ada, The National College for Digital Skills

### 6th Form Student Complaints Policy

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## 1 INTRODUCTION

Parents / carers are encouraged, through this procedure and through the pastoral structure, to raise concerns or to make complaints easily and without anxiety and in the knowledge that concerns and complaints will be treated seriously, impartially and, except where disclosure is legally required, confidentially. This Complaints Procedure describes the actions to be followed if any interested party wishes to make a complaint about any aspect of Ada, the National College for Digital Skills. This includes complaints about the curriculum and exclusions, but excludes complaints for which other policies exist including Sexual Health and Relationships Education, Safeguarding (Child Protection), Admissions, Special Educational Needs and Staff Grievances.

## 2 THE SIX STAGE PROCEDURE

The key stages of our Complaints Procedure are as follows:

Stage 1	An informal resolution with a relevant staff member.
Stage 2	An informal resolution with a member of the Senior Leadership Team.
Stage 3	Formal Resolution by appeal to the Principal.
Stage 4	Formal Resolution by appeal to the CEO.
Stage 5	Independent Resolution through the Board of Governors.
Stage 6	Referral to the Department for Education (DfE).

Please note: If a complaint is made directly against the Principal the procedure begins at Stage 4. For a summary of timescales for the five stage procedure, refer to appendix one.

## 3 STAGES 1-2: INFORMAL RESOLUTION

### 3.1 Stage 1: Informal Resolution with a relevant staff member

#### Resolution

Parents / carers should wherever possible seek an early and informal resolution of all concerns. Ada staff will take reasonable measures necessary to respond to and rectify any concerns they receive within 5 college days. Such measures will include some or all of the following: giving advice or reassurance; explaining the context to an incident or decision; gathering information from other staff or from students; finding information from other sources; referring the concern or potential complaint to a senior colleague; reviewing or amending practice; giving feedback to parents/carers; apologising for mistakes or oversights.

#### Making contact

A parent/carer with a concern or potential complaint should first contact their child's Team Leader, who may pass it on to a more senior member of staff if appropriate.

### Time-frame

In the event that a parent/carer (or a student exceptionally) remains dissatisfied that a satisfactory resolution has not been reached through Ada's response, then they may wish to contact a member of the SLT in accordance with the procedure below within 10 college days of the college's initial response.

### **3.2 Stage 2: Informal resolution with a member of the Senior Leadership Team**

If the parent/carer feels dissatisfied with the outcome of discussions with the member of staff concerned, they may ask for an appointment to meet with a member of the Senior Leadership Team (SLT). The Principal will decide which member of the SLT is most appropriate to deal with the matter and will endeavour to arrange a meeting within 5 college days.

The purpose of this meeting will be:

- to establish the nature of the ongoing concern;
- to establish what has been discussed with the Team Leader or other member of staff concerned so far and what, if any, actions have already been taken;
- to agree to a resolution if possible.

It is in everyone's interest, particularly the student or students, for concerns to be sorted out quickly and smoothly. However, it may be that the SLT member will need to investigate further before he or she can suggest how the concern might be resolved. If this is the case, the parent/carer will be contacted within 10 college days of the meeting with the outcome of the enquiries and details of what actions have been taken or are proposed. The SLT member will make a brief written record of the concern discussed and what has been agreed.

It is hoped that most problems will have been resolved at this stage through the informal process. However, a parent/carer who is not satisfied should proceed to the next stage within 10 college days of the meeting or, if applicable, the SLT member's written response.

## **4 STAGES 3-6: FORMAL COMPLAINTS**

Moving to the formal complaints procedure is a serious step. In consideration of future home/college relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

A parent/carer of a student in Ada may, for complaints of a particularly serious kind, choose to proceed immediately to Stage 3, in which case the Formal Resolution by Appeal to the Principal will be dealt with jointly by the Principal and Senior Leadership Team. If such a complaint concerns the actions or conduct of the Principal, the parent/carer should proceed immediately to Stage 4.

#### **4.1 Stage 3: Formal Resolution by Appeal to the Principal**

If Stage 2 has not resolved the complaint satisfactorily the parent/carer should write to the Principal stating why an appeal for resolution by the Principal is requested and, wherever possible, the action which the parent/carer wishes Ada to take to resolve the concern. The Principal will respond within 5 college days to confirm receipt. A copy of the formal complaint record to be completed at this stage is found in appendix two of this policy.

The Principal will consider the complaint and in doing so will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet or contact the parent/carer if they need further information;
- clarify what the parent/carer feels would put things right if this has not been set out in his or her letter;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct any interview with an open mind and be prepared to persist in the questioning;
- keep notes of any interview for the record.

The Principal may delegate any or all of the above tasks to a member of the Senior Leadership Team who has not been involved with the complaint at an earlier stage.

The Principal 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 (N.B. this is not an admission of negligence);
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review policies in light of the complaint.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The Principal will discuss the outcome of their consideration of the complaint with the parent/carer and will send a detailed written response within 20 college days, where possible. Where this proves unrealistic the parent/carer will be informed in writing and given an estimate of how long it will take to provide a detailed response.

A parent/carer who is not satisfied, after receiving the Principal's decision, should proceed to Stage 4, within 10 college days of the Principal's written response.

#### **4.3 Stage 4: Formal Resolution by Appeal to the CEO**

If Stage 3 has not resolved the complaint satisfactorily the parent/carer should write to the CEO stating why an appeal for resolution by the CEO is requested and, wherever possible, the action which the parent/carer wishes Ada to take to resolve the concern. The CEO will respond within 5 college days to confirm receipt. A copy of the formal complaint record to be completed at this stage is found in appendix two of this policy.

The CEO will consider the complaint and in doing so will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet or contact the parent/carer if they need further information;
- clarify what the parent/carer feels would put things right if this has not been set out in his or her letter;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct any interview with an open mind and be prepared to persist in the questioning;
- keep notes of any interview for the record.

The CEO may delegate any or all of the above tasks to a member of the Executive Leadership Team who has not been involved with the complaint at an earlier stage.

The CEO 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 (N.B. this is not an admission of negligence);
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review policies in light of the complaint.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The CEO will discuss the outcome of their consideration of the complaint with the parent/carer and will send a detailed written response within 20 college days, where

possible. Where this proves unrealistic the parent/carer will be informed in writing and given an estimate of how long it will take to provide a detailed response.

A parent/carer who is not satisfied, after receiving the CEO's decision, should proceed to Stage 5, within 10 college days of the CEO's written response.

#### **4.4 Stage 5: Independent Resolution through the Governing Body**

If Stage 4 has not resolved a complaint satisfactorily, the parent/carer should write within 10 college days of the CEO's response to The Chair of Governors at Ada, who will acknowledge the letter of complaint within 5 college days of receiving the complaint. A panel of three Governors (who have not been involved in the complaint up to this point) will be convened to hear the complaint, normally within 20 college days of the complaint being acknowledged by Ada. The Clerk to the Governors, unless he/she is the object of the complaint, will be present to act as clerk to the panel. Members of the panel will have access to all relevant documentation and will be able to ask Ada and the parent/carer for any other relevant information or documentation. It is intended that the process should not be legalistic.

Parents / carers may be accompanied at this meeting by their child and by one other person (e.g. relative, friend or a relevant specialist). If a student has made a complaint, they are encouraged to bring a family member or a close friend above the age of 18 with them, and may also be accompanied by one other person (e.g. relative, friend or a relevant specialist).

If possible the panel will resolve the parent's or carer's complaint by reviewing the investigations, conclusions and responses of the CEO, without further investigation. Where further investigation is needed, the panel will decide how to carry out the investigation. After due consideration of all relevant facts, the panel will give written findings in response to the complaint: the findings will depend on the nature of the complaint but the panel will always give a judgement whether and to what extent, if at all, the complaint is justified, and the panel's reasons. The findings may include recommendations or actions which the panel requires Ada to take. The findings of the panel will be final. A copy of the findings will be sent to the parent/carer, CEO and Governors (at the college address) and any person who is the object of the complaint, by electronic mail or by post, at the discretion of the panel. A confidential copy of the findings will also be kept in college for reference by the CEO or Governors.

#### **4.5 Stage 6: Referral to the Department of Education.**

If Stage 4 has not resolved a complaint satisfactorily, the parent/carer should write within 10 college days of the report of the Governors' findings on the complaint to the Department of Education requesting their advice.

## **5 STUDENTS WISHING TO MAKE A COMPLAINT**

The pastoral structure of Ada gives many opportunities for informal resolution of any issues a student might have, and all reasonable attempts should be made to resolve concerns before a formal complaint is made. Students are, however, entitled to make a formal complaint in circumstances where all other attempts at resolution have failed. If a student wishes to carry forward a formal complaint, the stages outlined above apply.

## **6 CONFIDENTIALITY AND COMPLAINTS REGISTER**

Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting a formal inspection, requests due access to them.

Ada will maintain a register of all formal complaints.

## **7 SAFEGUARDING REFERRALS**

Schools have a duty to safeguard and promote the welfare of their pupils under section 157 and 175(2) of the Education Act 2002. This includes making referrals to the appropriate organisation, usually local authority children's social care services, if they have a concern about the welfare of a child. It is not for the school to investigate or make a judgment about possible abuse or neglect but they must refer any concerns they may have. As such, any response to or investigation in relation to a complaint about a safeguarding referral made by school staff will be limited to considering whether the appropriate action was taken at the time the referral was made on the basis of the information available to the referrer at that time and in accordance with the Safeguarding Policy.



## APPENDIX 1: Summary of time scales for a complaint

	Initial response by Ada	Investigation and response	Response by parents / carers*
<b>Stage 1</b>	Within 5 college days of a concern being raised.	Included in the initial response.	Within 10 working days of the college's initial response.
<b>Stage 2</b>	Within 5 college days of the informal complaint being received.	Within 10 college days of the complaint being received.	Within 10 working days of the date of the meeting or, if applicable, the SLT member's written response.**
<b>Stage 3</b>	Within 5 college days of receipt of the formal complaint.	Within 20 college days of receipt of the formal complaint.	Within 10 working days of the date of the Principal's written response.
<b>Stage 4</b>	Within 5 college days of receipt of the formal complaint.	Within 20 college days of receipt of the formal complaint.	Within 10 working days of the date of the CEO's written response.
<b>Stage 5</b>	Within 5 college days of receipt of the appeal request	Within 20 college days of the appeal.	Within 10 working days of the date of the Governors' report.

\* After any of these time intervals have elapsed, it will be assumed that the parents / carers do not wish to continue with the complaint, and the matter will be closed by the college. Parents / carers cannot re-open a closed complaint unless there are exceptional circumstances to justify their doing so.

\*\* Formal complaints made under this procedure must only relate to incidents or concerns occurring within the last 3 months. Formal complaints will not usually be able to be considered if the student concerned no longer attends Ada.

## APPENDIX 2: Formal Complaint Record

Please complete all sections of this record. The record should be sent to the Principal at Ada, the National College for Digital Skills.

Name of parent/carer:

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Name of student at Ada:

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Please give **full details** of your Formal Complaint.

Please suggest the **proportionate and reasonable** action that Ada can take to resolve your Formal Complaint

*If you would like to do so, please continue on a separate sheet or attach a letter to this Formal Complaint Record.*