

<b>Policy</b>	<b>Complaints &amp; Concerns Policy - HR 23</b>
<b>Manager responsible</b>	Principal
<b>Date last reviewed</b>	September 2018 (adjusted 29.10.19)
<b>Date of next review</b>	September 2020
<b>Associated documents</b>	Complaints & Concerns Procedure (Appendix 1) Grievance Policy Public Interest Disclosure Policy Data Protection Policy Retention Schedule Safeguarding Policy Anti-bully & Harassment (staff) Policy
<b>Initial reviewing body</b>	Senior Leadership Team
<b>Final approval body</b>	Standards & Effectiveness Committee
<b>Published on website</b>	Yes

<b>Purpose</b>	The policy provides those who wish to raise a concern or complaint about Derwen College with a transparent and time-determined framework through which the concern/complaint will be handled. This includes how the concern/complaint is reported, logged, investigated and handled, from receipt to conclusion, and how trend-reports on complaints and concerns will be reported.
<b>Scope</b>	The policy covers complaints and/or concerns received about Derwen College's operations and services. Staff grievances should be raised through the Grievance Policy.
<b>Definitions</b>	Complaint – an expression of dissatisfaction Concern – a worry or anxiety

This policy forms part of our commitment to the safeguarding of adults with care and support needs and the protection of all young people and should be read in conjunction with the Safeguarding Policy.

## **INTRODUCTION**

Derwen College strives to achieve the highest standards of operations and service in all its activities. Complaints and concerns are welcomed as they provide the College with the opportunity to address the issues raised, and to make continuous improvements.

## **RESPONSIBILITIES**

The Principal is responsible overall for this policy and procedure and its implementation. The Leadership Team are responsible for supporting the Principal in ensuring it is followed. The Company Secretary will maintain the

central logging system. All staff are responsible for ensuring complaints and concerns are reported through the correct channels, and endeavouring to resolve matters informally where reasonable and possible.

### **OUR COMMITMENT**

Complaints and concerns will be dealt with in line with this policy and procedure, to provide a timely and appropriately thorough response to the person raising the complaint or concern.

Complaints and concerns will be investigated in a non-confrontational manner, with the over-arching aims of user and stakeholder satisfaction, and of meeting the *principles of good complaints handling*<sup>1</sup>:

- Getting it right
- Being customer focused
- Being open and accountable
- Acting fairly and proportionately
- Putting things right
- Seeking continuous improvement

Appropriate confidentiality will be maintained. External agencies may be consulted where necessary and reports made to the appropriate authorities as required, e.g. Care Quality Commission, Charity Commission.

### **WHAT WE ASK OF COMPLAINANTS**

Derwen College staff will always treat with respect and courtesy those with whom they come into contact during their work. This includes students, their parents/carers, and third parties, as well as colleagues. The College expects that its staff will be treated with reciprocal politeness. If a complainant is not satisfied with the response that they have received, they should ask for their complaint to be escalated to a member of staff on the next level of seniority.

### **SUPPORT FOR STAFF**

The College recognises that staff who are the subject of a complaint may need support. Staff affected in this way should speak to their line manager in the first instance, and/or Human Resources, as required, to discuss the support available.

### **TRAINING**

All staff can be in a position to receive a concern or complaint from any source and therefore mandatory training will be given to all staff on how to handle these appropriately.

### **TIMEFRAME**

Complaints and concerns will be responded to as swiftly as possible. An initial acknowledgement will be issued within one working day<sup>2</sup> of receipt by the College.

The outcome of the investigation into the concern/complaint will be issued within ten working days of the issue of the acknowledgement of receipt. If a meeting is considered the most appropriate method to communicate and discuss the outcome, the setting of the meeting date will be done within the ten-working day timeframe.

If an appeal is received, an initial acknowledgement will be issued within one working day of receipt by the College.

The appeal will be heard as soon as possible after receipt, and the outcome communicated within one working day thereafter.

### **DOCUMENTATION**

Correspondence and documents relating to a complaint or concern regarding a student will be stored electronically with their file. All complaints and concerns are logged on a confidential central database.

### **ACTIONS FOLLOW UP**

Any actions agreed as a result of a complaint made will be reported to the Company Secretary who will log them on the central logging system. Follow-up and close-off of actions should also be reported, and will be closed down on the central log.

### **REPORTING**

The Leadership Team will review the Complaints and Concerns log on a cyclical basis. An overview report will be brought at least annually to governors at an appropriate meeting. The annual reporting period will be from 1 August to 31 July.

### **DISAGREEMENT OVER RESOLUTION**

On rare occasions complainants can become vexatious and persistent in pursuit of their complaint despite the College taking what it considers all reasonable steps to resolve the issue, and despite the Complaints Procedure having been followed fully. Should this occur, the College will not enter into further communication regarding the matter.

### **Notes**

<sup>1</sup> <https://www.ombudsman.org.uk/about-us/our-principles/principles-good-complaint-handling>

<sup>2</sup> "one working day" = one normal weekday (excluding bank holidays) office-hours working day,

## COMPLAINTS AND CONCERNS PROCEDURE

**Note:** if a complaint is made against a member of staff, the Human Resources Department will be included in the investigation at the earliest opportunity. This will ensure fairness of investigation and adherence to employment law.

### **All stages – when regarding a student or client**

All documents relating to the concern or complaint should be scanned (if in hard copy) and linked to the student's individual file, using the filing indexing system. If the documentation is confidential, it should be indexed accordingly.

### **Stage one - informal procedure**

All complaints and concerns should, wherever possible, be raised informally in the first instance and, if possible, resolved without resort to the formal procedure. The aim of this is to execute a swift resolution to the issue raised, to the satisfaction of the person raising the concern or complaint.

### **Concerns and complaints by students, trainees and clients**

1. Every effort will be made to enable students, trainees and clients to communicate their concerns and complaints to any member of staff. They can also be raised by email to: [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk)
2. Any matter raised in this way should be passed on to the Registered Managers who will ascertain, within one working day, the precise nature of the complaint by interviewing the student or client.
3. Having identified the problem an investigation will commence and a resolution will be suggested, and if agreed by the student or trainee, will be implemented as quickly as possible. A brief summary of the concern/complaint and the outcome should be sent to [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk) for central logging.
4. Should this not resolve the situation, and a formal complaint is raised, the formal procedure (see below) should be invoked.

### **Concerns and complaints by parents or guardians**

1. Parents and guardians of students, trainees and clients are encouraged to communicate their concerns and complaints via email to: [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk)
2. Any such complaints and concerns will be handled in line with the College's Data Protection Policy

3. Any matter raised in this way should be passed on to the appropriate person who will ascertain, within one working day, the precise nature of the concern/complaint by speaking with or emailing (as deemed most appropriate) with the parent/guardian concerned, and with the student or client.
4. Having identified the problem, an investigation will commence and a resolution will be suggested, and if agreed by the parent/guardian and student/trainee/client, will be implemented as quickly as possible.
5. A brief summary of the concern/complaint and the outcome should be sent to [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk) for central logging.
6. Should this not resolve the situation, and a formal complaint is raised, the formal procedure (see below) should be invoked.

### **Concerns and complaints from other sources**

Derwen College's activities and operations are wide-ranging and therefore complaints and concerns can come from a variety of sources. For any received from a source other than those specified in this policy, the following will apply:

1. Any other concerns or complaints raised should be reported to the Company Secretary by writing to the College, phoning on 01691 661 234, or by email at: [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk)
2. If necessary, an acknowledgement email/ letter will be issued within one working day of receipt.
3. If further action is required the matter will be referred to the most appropriate manager for further action, depending on the nature of the complaint or concern.
4. Every effort will be made to provide a formal response within ten working days of receipt.
5. A brief summary of the concern/complaint and the outcome should be sent to [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk) for central logging.

### **Feedback from other sources**

1. Feedback from other sources, e.g. the Station Café, or feedback forms, will be collated periodically on the central logging system and included in the reports made to management/governors.

## **Stage two - formal procedure**

### **Template letters**

Template letters exist for all stages of the formal procedure to provide those involved in handling the complaints with a standard basis and format. However, it is important that each matter raised is dealt with on a case by case basis, and therefore that template letters are tailored to the specific matter in hand.

1. A formal complaint can be one escalated from Stage One, or one made directly to Stage Two, whether received verbally (in person or by phone) or in writing (by feedback form, email or letter). Emails should be directed to [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk) The complaint will be logged on the central system
2. The receipt of the complaint will be acknowledged in writing, by email or letter, within one working day of receipt, using the standard format.

*A response will be issued within ten working days of the acknowledgement of receipt.*

3. The complaint will be referred to the Principal who will nominate a member of management to lead on investigating it. The Nominated Manager will be one who is not associated with the area that is the subject of the complaint. (Note: if the complaint is regarding the Principal, a Director, or all of the Senior Team as a group, this complaints process will be undertaken by a governor, or governors, as deemed appropriate by the Chair or Vice Chair of the Board of Governors, or by the Chair of a Board Committee. Governors will decide the outcome and communicate directly, via the Company Secretary, with the complainant. This decision will be final and not subject to appeal).
4. The Nominated Manager will discuss the complaint with those managers and staff who are relevant to the investigation.
5. External agencies may be contacted if necessary.
6. The Nominated Manager will present his/her conclusions and draft response to the Principal. If necessary, the matter will be discussed in detail by relevant members of the Senior Team and, if appropriate, the Safeguarding team.
7. Within ten working days of the issue of the acknowledgement of receipt, a response will be sent by email or letter to the complainant, or if more appropriate, by phone. Alternatively, a meeting with the complainant will be arranged to discuss the findings, if that is deemed a better approach. The arrangements for the meeting will be made within ten working days timeframe, the meeting itself may, depending on participants' availability, take place beyond that time limit, but every effort will be made to hold the meeting at the earliest possible date.

## **Stage three – appeals procedure**

This appeals procedure applies to complaints made by students, clients, parents/guardians, general complaints or for appeals against dismissal of a student or trainee.

1. Appeals should be made within ten working days from receipt of the outcome response by writing to the Company Secretary at [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk) or by letter to the address below. An acknowledgement email or letter will be sent within one working day of receipt.
2. The appeal will be passed to the Principal who will nominate a manager and at least one governor to hear the appeal.
3. The Nominated Manager and governor(s) will, at the earliest possible date, review the case and will either confirm or overturn the original decision. The outcome of the appeal will be emailed or posted to the complainant within one working day of the appeal hearing.
4. In terms of the College, the appeals outcome is final.

## If the complainant remains dissatisfied

If the complainant remains unhappy with the College's response there are some external bodies to whom complaints can be escalated.

The **Care Quality Commission** publishes information on how to complain about adult social care if you are not happy with the College response. Complainants should go to their website at <https://www.cqc.org.uk/contact-us/how-complain/complain-about-service-or-provider> or phone them on 03000 616161.

The **Charity Commission** publishes information on how to complain about a charity at <https://www.gov.uk/complain-about-charity> which includes links to complaints about how a charity fundraises or how it advertises.

The **Education & Skills Funding Agency** publishes information about providers it funds at <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

## College contact details

Derwen College  
Whittington Road  
Gobowen  
Shropshire  
SY11 3JA

Main switchboard 01691 661 234

Complaints and concerns email: [haveyoursay@derwen.ac.uk](mailto:haveyoursay@derwen.ac.uk)

## Formal-complaints procedure flowchart

