COMPLAINTS AND APPEALS POLICY

Area:	EDUCATION POLICY Thornbeck College	north east autism society	
Title:	Complaints and Appeals Policy		
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1. INTRODUCTION

North East Autism Society is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff to share the same values. People will be treated equally regardless of their sex, trans-gender, sexual orientation, religion or belief, marital status, age race, colour, nationality, ethnic origin or disability.

2. POLICY SCOPE

Thornbeck College hopes and expects that learners, their parents/carers, local authorities and others will be satisfied with their experiences at the college and is always pleased to hear about particularly good aspects of learners' experiences, but it recognises that there may be circumstances when students, their parents/carers, local authorities and other may not be satisfied.

For the purpose of this procedure, a complaint is defined as an expression of dissatisfaction about the conduct of, actions or lack of action by a member of staff, unacceptable delay in dealing with a matter or unreasonable treatment of a learner or other person.

The following procedures are intended to deal with circumstances in which, as a result of a learner's experience at Thornbeck College, they have a complaint about the college's provision of services or facilities. The overall purpose of this document is to ensure that Thornbeck College demonstrates a clear and transparent procedure in relation to complaints and appeals.

3. PUBLISHING OF DATA

Thornbeck College will on an annual basis, at a point following the end of an academic year, publish data on the number and nature of complaints and appeals received in relation to this procedure, as well as the number of complaints and appeals upheld. All data published will be anonymous and act in line with the current legalisation surrounding data protection. All data will be published on North East Autism Society website and the latest prospectus.

4. GENERAL PRINCIPLES

- These procedures have been developed to ensure that complaints made, either individual or collectively are treated seriously, investigated carefully and, if found to be justified, are acted upon.
- The college's principles on which this complaints procedure is based are that:

  - Complaints will be dealt with seriously and fairly; complaints will be investigated promptly and, in general, as closely as possible to their origin.
  - Those who investigate or adjudicate on a complaint will do so impartially and fairly and will not act in relation to any matter in which they have, or may have, a material interest, or an actual or potential conflict of interest.
  - Complaints should, as far as practical, be treated equally and in a similar fashion across the college.
  - All complaints will be judged on their individual merits, and all complainants will be treated equally; there will be no victimisation of a complainant.
  - All complaints will be dealt with in confidence as far as possible to allow fair investigation.
  - Anonymous complaints will not normally be investigated, but a decision whether to investigate such cases, bearing in mind its circumstances, will be taken by the college Principal.
  - The college Principal may propose the use of mediation procedures if they feel that a formal complaint justifies it.
  - Complaints considered to be frivolous or malicious will not be considered.

5. COMPLAINTS – DIFFERENT TYPE OF COMPLAINTS

Thornbeck College recognises that individuals may not wish to make a formal complaint but do wish to raise a specific point with the college or may wish to make an anonymous complaint. The below sets out the college's processes in relation to these matters.

Informal Complaint

- A complaint is treated as informal when it is raised verbally with a member of staff at Thornbeck College, but the complainant does not wish to put the complaint in writing and/or does not wish to be informed about any actions taken.
- All informal complaints about our service or staff should be directed to either the member of staff line manager, when making an informal complaint about an individual member of staff, or to the college Principal, when making an informal complaint about the service. Where a complaint is made direct to a member of staff, the member of staff will record this and ensure that the relevant individual is made aware of the complaint.
- Whenever an informal complaint is made, the complainant will be told that they can complain formally if they wise and where appropriate that will be encouraged to discuss the matter directly with a member of staff.
- Where action is required, the complaint will be logged on the college's internal complaints system.
- Individuals making an informal complaint will not be notified of any action taken or outcomes.

Anonymous complaints

- These will be treated as informal complaints and logged on the college's internal complaints system.

Formal complaints

- Formal complaints will be dealt with under the following procedures and will be dependent on the nature of the complaint.

6. FORMAL COMPLAINTS AND DECISION-MAKING TIMEFRAMES

The college hopes wherever possible that complaints can be resolved informally, but a complainant may feel that in exceptional circumstances, that an informal approach is not appropriate or feel that a complaint has not been resolved satisfactory in this way.

Formal complaints should be made in writing to the college Principal at:

Thornbeck College
Cedar Drive
Newton Aycliffe
Co Durham
DL5 6UN

The following outlines the procedural stages following the receipt of a formal written complaint.

- If a parent/carer complains on behalf of a learner at Thornbeck College, a response can only be made to them if the learner is:
- Between 16 and 18 and has given permission.
- A vulnerable adult - *as defined in 'No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse1 (Department of Health, 2000)*

Stage 1 – Receipt of informal complaint

Parents can make an informal verbal complaint via speaking to a member of staff. This informal complaint will be dealt with by the principal, and it is hoped that the parent's complaint will be resolved at this stage. If this is not possible, the parent will then be invited to make a formal written complaint which establishes a formal procedure in writing under stage 2.

Stage 2 – Receipt of formal complaint

On receipt of a formal complaint which will be completed under appendix 1 (Template for making a formal complaint) an acknowledgement of formal complaint letter will be issued to the complainant within 3 working days.

A formal complaint shall not normally be considered if it is received more than 6 months after the last incident to which the complaint refers, unless it is of a nature where it is deemed unlawful not to peruse the matter further.

Stage 3 – Review and response

The college Principal will either review the complaint and respond personally or will pass the complaint to the appropriate manager or panel and ensure that a reply is sent within 28 working days.

The written outcome will be provided to the complainant and where relevant to the person complained about.

The outcome of the complaint will be detailed within this letter or where it is deemed that further investigation is needed details of the investigation officer will be given. It will stipulate whether the complaint has been resolved following a formal procedure or if it has proceeded to a panel hearing.

If the original complainant wishes to respond/appeal to the details of this correspondence, a response should be made in writing to the author of the letter within 10 working days specifically detailing their grounds on which they wish to appeal. On receipt of an appeal an investigating officer will be appointed.

Stage 4 – Details of investigation

Where further investigation is deemed necessary due to the original complaint or where an appeal to decision has been made the investigating officer will correspond the outcome of this investigation to the complainant. Due to various factors which may be deemed necessary as part of an investigation it is not possible to place a timescale on this correspondence.

Where a panel hearing is called the parents/carers will be invited to attend. Again, the written outcome will be provided to the complainant and where relevant to the person complained about.

Where a person making a complaint is asked to attend a panel meeting, they will be offered the opportunity to have a friend or an advocate present to support them.

If the original complainant wishes to respond/appeal to the details of this correspondence, a response should be made in writing to the author of the letter within 10 working days specifically detailing their grounds on which they wish to appeal:

No Secrets – Guidance on Developing and Implementing Multi-Agency Policies and Procedures to Protect Vulnerable Adults from Abuse

Stage 5 – Appeals to the College Principal or Director of Education

If a complainant is dissatisfied with the response or the way in which a complaint has been handled, they may appeal in writing to the Director of Education who may consult with the Senior Management Team and/or Trustees. The complainant should not include any information which was not taken into account in the procedures followed in stages 1-3. Appeals should be made within 10 working days.

Where the parent is not satisfied with the response to the complaint, there will be provision for a hearing before a panel appointed by or on behalf of the college and consisting of at least three people who were not directly involved in the matters detailed in the complaint; ensuring that where there is a panel hearing of a complaint, one panel member is independent of the management and running of the college. The parents can attend the panel hearing and be accompanied by a person of their choosing. The written outcome will be provided to the complainant and where relevant to the person complained about.

Stage 6 – Complaints to Ofsted

Should a complainant be unsatisfied with the outcome of a complaint dealt with by Thornbeck College in the above stage, then you can contact Office for Standards in Education (Ofsted).

All documentation related to complaints will be stored securely by the Society following the Data Protection procedures.

Stage 7 – Record Keeping

The college will keep a record of each complaint in a central database listing the details for the complaint and the resolution outcome and whether further action was taken and by whom. All records will be available to inspect by relevant parties including the Board of Trustees, Ofsted, the original complainant and Leadership and Management of the college The record of complaints will be kept under the protection of GDPR and data protection policies and kept confidential except where the Secretary of State or a body conducting and inspection under section 109 of the 2008 Act requests access to them.

Appendix 1 Our Ref

Template for submitting complaint

Name of person completing form	
Date form submitted	
Learner name:	
Name of person completing form relationship to learner:	
Are you the registered parent of this learner?	

Please tick your main area of concern(s)	
Quality of education	
Education meeting the needs of my son/daughter	
Standards of education achieved	
Leadership and management	
Spiritual, moral, social and cultural development	
Well-being of individual	

Please outline details of your complaint below:

Please submit form to either:
Principal Fay Strong fay.strong@ne-as.org.uk
Director of Education tracey.train@ne.as.org.uk

Appendix 2 Our Ref:

Date:

Address

Dear

RE: Letter Acknowledging your Formal Complaint

I am writing to acknowledge your complaint which was received and made to ___ on the_____regarding the following:

Overview of the complaint to be recorded here

The person who will investigate your complaint is_____and their direct number is _____. The investigating officer will be in touch with you as soon as possible and will endeavour to resolve your complaint within 28 days of the initial complaint being made.

We will ensure that you are supported at all times throughout this complaint and if you wish to be represented at meetings, we will support this decision.

The Society very much hope that we can resolve this matter to your satisfaction, and we have enclosed a copy of the Complaints Policy and Procedure for your attention.

Yours faithfully,

Appendix 3

north east autism society

Record of Complaint

☐ Formal complaint (Ensure complainant receives a copy of policy & procedure if not already given)

☐ Informal complaint (only to be offered at an early stage of the complaint)

Complaint made by (Including role/relationship):		Date:	Time:
Complaint made to:		Designation:	
Name of learner (if applicable):		Service:	

Acknowledgement letter sent on: _____ (Only for formal complaints)

By whom: _____

Details of the complaint: (please include full names of any individuals involved in this complaint)

Who has been informed? Please tick:

☐ Placing Authority ☐ Parent ☐ Ofsted/CQC

☐ Police ☐ Safeguarding ☐ Management: _____

Is a Notification of Serious Events required? (Please refer to policy and procedure)

☐ Yes No ☐

Action Taken:

Outcome: Was the complaint upheld? Yes / No Was the complaint resolved through formal procedure, or has it proceeded to panel hearing? Yes / No

Continuation sheet:

Conclusion letter sent to complainant on: _____

Conclusion letter where relevant, sent to the person complained about on: _____

Signatures:

Signed:	Print Name:	Complainant	Date:
Signed:	Print Name:	Manager	Date:
Signed:	Print Name:	Senior Manager	Date:
Signed:	Print Name:	Complaints Officer	Date:

Appendix 4

Complaints Resolution

Date of Complaint: _____

Complaint made by: _____

Complaint made to: _____

I (print name) _____ *have received a full account of the complaint in which I have made to the North East Autism Society. I am fully satisfied with the actions taken and the outcome of my complaint.*

I also understand that a copy of this complaint will be held centrally at the Society's Head Office and where applicable on the individual student's/your, and/or staff records along with the complaints record held in the service.

Signed by complainant: _____

Date resolution agreed: _____

Dissatisfaction of Complaint Outcome

Please tick relevant box:

☐ *I* (print name) _____*am not satisfied with the conclusion of my complaint and I would like to formally request a person who is independent of this complaint to conduct an investigation.*

NOTE: The following request for an independent appeal panel must be completed and sent back within 10 days of complaint investigation response.

☐ *I* (print name) _____*wish to request that an independent review of my complaint be heard by the Complaints Appeal Panel.*

Signed by complainant: _____

Date: _____

Appendix 4

Record of Compliment/Suggestion

Compliment/Suggestion from (including role/relationship):	Date of Compliment/Suggestion:
Compliment/Suggestion to (including role/relationship):	Service:

Name of Learner (if applicable): _____

☐ Compliment ☐ Suggestion

Overview of Comments:

Who have you communicated this to students, staff, parents and placing authority?

Trustees informed:

☐ YES ☐ NO

Manager Comments (if this is a suggestion what action is required):

Senior Manager Comments:

Signed:	Print Name:		Date:
Signed:	Print Name:	Manager	Date:
Signed:	Print Name:	Senior Manager	Date: