



COMPLAINTS POLICY

POLICY DOCUMENT 5	
Title	COMPLAINTS POLICY
Approved by	Board of Trustees
Date approved	07 December 2023
To be reviewed	Every three years; on legislative changes; in the event of a serious incident
Review history	31 August 2023, 14 April 2020; 19 April 2017
Owner	Chair of Trustees
Where to be published (online/private)	Website

Policy Statement

It is in everyone's best interests in our community to communicate well with one another and to ensure that any concerns and complaints are dealt with as quickly and appropriately as possible. In addition, concerns and complaints brought to the attention of the Self Managed Learning College (SMLC) can be an opportunity to inform, review and help improve procedures.

SMLC operates as a learning community and most day-to-day operational issues are agreed in the community meeting or in learning groups. Also learning advisers meet regularly (generally every month in term time) so that concerns can be dealt with in these forums.

SMLC believes in the process of restorative justice and will encourage all resolutions to be dealt with in a mediated way in the first instance.

Aims and principles of the policy

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible.
- Ensure that concerns are dealt with quickly, fully and fairly and within defined time limits where possible.
- Provide effective and appropriate responses to concerns and complaints.
- Maintain good working relationships between SMLC and all those involved, including all internal and external stakeholders.

This policy may be used by anyone who has a concern or complaint about any aspect of SMLC. In the main this will mean parents and carers of students, but may include neighbours or other members of the local community.

All parents/carers are required to sign agreement to the Principles and Procedures of the College. These principles and procedures form the bedrock of the College's Self Managed Learning approach and are mandated by the Trustees. Therefore any complaint against the implementation of these Principles and Procedures will not be considered.

This policy also covers those whose services are contracted such as the College Learning Advisors in situations where there is a concern about the behavior, performance, conduct or standards of other contractors. Complaints about employees' conduct will not generally be handled under this complaints procedure. Complainants will be advised that any conduct complaints will be considered under disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Complaints Procedure

The below process should be followed should anyone wish to raise a concern/complaint.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Chair of Governors or delegated person (hereafter referred to as "the Chair"), if appropriate, will determine whether the complaint warrants an investigation.

Time scales

The complainant must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first College day after the holiday period.

Stage One: If the concern is about a day to day matter, the complainant should arrange to talk to or meet with the Learning Group Advisor for their child directly. Most concerns can be resolved satisfactorily at this stage. If the matter is resolved no further action will be taken. Please note that parents/carers are required to attend a termly meeting with the Learning Group Adviser and if a parent/carer wishes to raise a formal complaint in that meeting, this should be sent in by email, ideally five days before the meeting, if possible.

Stage Two: If the matter is unresolved from stage one or sufficiently serious the parent/carer should arrange to talk with the Learning Support Officer (LSO) or put their concerns in writing to the LSO. The LSO will then investigate the concerns and respond within agreed timescales. An acknowledgement will be made of the concern/complaint within five working days if made within term time. If made outside term time then an acknowledgement will be made within five working days of the start of the following term. The LSO will respond to the issues raised within 15 working days of receiving the complaint. If it is not possible to meet these timescales, then the LSO will contact the complainant to discuss reviewing these.

Stage Three: If the LSO is unable to resolve the concern to the satisfaction of the complainant, the complainant may lodge a complaint with the Chair who will initiate any necessary investigations. The Chair will acknowledge the complaint within five College working days and arrange an informal meeting with at least one other lay governor (i.e. a governor who does not represent a constituency in the College) in order to discuss the nature of the complaint and possible ways forward.

Stage Four (also known as the Formal Stage): If a solution is not apparent at stage three the Chair will convene a Governor complaints panel where the complainant and College can present their case. Governors on the complaints panel will have no previous involvement in the case. The Chair of the complaints panel will contact the complainant with the arrangements. Once the panel has been held the complainant and College will be informed of their decision within five working days. If it is not possible to meet these timescales, then the Chair of the panel will contact both parties to discuss a mutually convenient date.

Notification of a Governor complaints panel decision

The Chair of the panel must ensure that the complainant is notified of the decision.

The Governors complaints panel will either:

- Uphold the complaint.
- Reject the complaint.
- Uphold the complaint in part.

The panel will agree action in relation to any complaint upheld either wholly or in part, and report on this to the full Governors. Any complaints about the Governors should be made to the Chair of Trustees who will investigate the matter following the four stages above and consult other Trustees where appropriate.

Notification of a Trustees decision

The chair of Trustees must ensure that the complainant is notified of the decision.

The Trustees will either:

- Uphold the complaint.
- Reject the complaint.
- Uphold the complaint in part.

The Trustees will agree action in relation to any complaint upheld either wholly or in part.

The decision of the Governor complaint panel (or in the case of a complaint against Governors, the decision of the Board of Trustees) is final and there is no further right of appeal.

If parents are concerned that a childcare provider is not following its registration requirements, OFSTED can take action if necessary. Further information for parents regarding the role of OFSTED in regulating childcare can be found here:

<https://www.gov.uk/government/publications/information-for-parents-about-ofsted-role-in-regulating-childcare/information-for-parents-about-ofsted-role-in-regulating-childcare>