



# **Complaints and Allegations**

## **Policy and Procedure**

## **Policy statement**

The College is always looking to improve its service to its students, staff and the local community and regards feedback, including complaints, on any aspect of its performance as helpful towards improvement.

All students, parents, and other users of the College services are entitled to raise concerns, suggestions and complaints and it is in the College's best interest that they do so. The College will treat all concerns, suggestions and complaints seriously and sensitively. The level of the College's response will depend on the nature of the concern, suggestion or complaint.

It should be noted that there are separate College grievance procedures available for use by staff.

The College also has a separate procedure for complaints in respect of its governing body (the Board of Governors), an individual governor or the Clerk to the Board of Governors. The procedure is set out in the Standing Orders which regulate the proceedings of the Board of Governors. A copy of the Standing Orders is available on the College website at <https://s6f.org.uk> or a copy of the complaints procedure can be obtained by submitting a request in writing for a copy addressed to the Clerk to the Board of Governors at the College.

## **Complaint on Behalf of Others**

The College recognises that parents, for example, may want to raise concerns about an aspect of the College that is affecting their son or daughter. Or a student may raise a concern about the way another student is being treated.

Normally, the College cannot investigate a concern without involving the student, or if the student does not wish the concern to be taken any further.

When a concern has been raised on behalf of a student the normal process will be for the student(s) affected by the matter raised to be approached by the member of staff assigned to investigate the matter, as a first step to determine how to proceed.

In some cases, the College can respond sensitively without involving the student, if it is in the best interest of the student to do so.

If an allegation is made in relation to a student which raises safeguarding concerns, then the matter will be dealt with promptly in accordance with the College's Safeguarding & Child Protection Policy and procedures. A copy of the policy is available on the College website at <https://s6f.org.uk>.

## **Allegations of abuse by a member of staff**

It is essential that any allegation of abuse made against a member of staff or volunteer is dealt with fairly, quickly and consistently in a way that provides effective protection for the student(s) concerned and at the same time supports the individual who is the subject of the allegation.

If a complaint involves an allegation of abuse against a member of staff or volunteer, then the complaint will be dealt with in accordance with the College's Safeguarding & Child Protection Policy and procedures a copy of which is available on the College website as stated above .

### **Staff who are the subject of complaint**

As part of any fair process, at some stage of the procedure, a member of staff who is the subject of a complaint will be made aware of the details of the complaint and will be given an opportunity to respond to it. An exception to this would be where a complaint is adjudged to be trivial or mischievous which is readily resolved, and in the opinion of the person dealing with the complaint to pass on details of the complaint to the member of staff concerned would give the matter unwarranted significance or cause unnecessary alarm.

A serious complaint against a member of staff may, under certain circumstances, result in disciplinary action in which case the complaint will be dealt with in accordance with the College Disciplinary Policy and procedures .

Due to the seniority of their positions the College has a separate procedure for dealing with complaints in respect of Senior Post Holders (see page 5). Senior Post Holders comprise the Principal, Vice Principal (Student Services), Vice Principal (Quality & Curriculum) and Director of Finance & Resources."

## **INFORMAL AND FORMAL COMPLAINT PROCEDURES**

### **Informal Resolution**

The College's aim is to treat all concerns seriously and sensitively, but to resolve them as simply and quickly as possible. The emphasis is, therefore, on informal resolution. Many complaints can easily be resolved at an early stage without the need to make a formal complaint (see below).

Unless a request is made that the complaint be dealt with formally or the allegation is of a serious nature, it will be assumed that the complainant is agreeable to their complaint being dealt with informally.

In the first instance the complaint should be raised informally with the member(s) of staff concerned, or, if this is not helpful or appropriate, with the Head of Department of the member(s) of staff concerned or a member of the College senior management team (see below).

Further Guidance is given in the Parent / Carer Information on how to proceed informally if there are concerns.

## **Referral to a Senior Manager**

As part of the informal process of resolving a concern or complaint, a member of the College senior management team may be involved to oversee the process, or to provide mediation.

A student, parent, or other complainant may at any time specifically request that the concern or complaint be referred to a member of the College senior management team. This can be done by contacting a member of the College senior management team through the College Reception (Tel. 01723 365032) who will enable the referral to be made.

## **Formal Complaint to the Principal**

If the complaint is of a serious nature or if having followed the guidance in the Parent / Carer Information a complainant remains dissatisfied with the steps taken to resolve the problem the complainant is entitled to make a formal complaint to the College Principal.

A formal complaint to the Principal should be in writing, explain the nature of the complaint and state that it is a formal complaint.

The Principal will:

- acknowledge receipt of the complaint within 5 working days; and
- appoint a member of the College senior management team (which may be the Principal) not previously involved with the complaint to investigate and respond to the complainant.

The senior manager appointed will invite the complainant to meet in College or to discuss the complaint by telephone (whichever the complainant prefers) to try to resolve the matter and agree any action to be taken by the College.

The results of the investigation and any action to be taken by the College will in all cases be agreed with the Principal.

A full written response to the complaint will be sent to the complainant within 10 working days of the meeting/telephone conversation.

## **Appeal to the Governing Body**

If a complainant remains dissatisfied with the outcome or with the way their complaint has been dealt with, the complainant is entitled to ask for the matter to be reviewed by a Complaints Committee of the Board of Governors which is the governing body of the College.

Letters requesting a review should be addressed to the College marked for the attention of the Chair of the Board of Governors .

The Chair will:

- acknowledge receipt of the request for a review within 5 working days;
- establish whether all internal College complaint procedures have been properly followed and exhausted;
- determine whether a review by a Complaints Committee is appropriate, and if not, will write to the complainant explaining the reasons for this decision;
- otherwise appoint a Complaints Committee made up of not less than 3 governors including either the Chair or the Vice Chair of the Board of Governors but excluding any student or staff governors including the Principal to carry out the review ;
- invite the complainant to attend a meeting with the Complaints Committee within 30 working days of the receipt of the letter requesting a review; and
- send a written report on the outcome of the review within 5 working days of the date of the meeting .

There are no further appeals available within the College.

### **Complaint in respect of a Senior Post Holder**

A complaint in respect of a Senior Post Holder should be made in writing and addressed to the Chair of the Board of Governors at the College.

The complainant will be expected to clearly state the nature of the complaint and if appropriate provide copies of any relevant documents and any remedy sought.

The Chair will:

- acknowledge receipt of the complaint within 5 working days of receipt; and
- appoint a member of the Board of Governors not being a student or staff governor (including the Principal) to investigate the complaint

The Governor appointed will invite the complainant to meet in College or to discuss the complaint by telephone (whichever the complainant prefers) to try to resolve the matter and agree any action to be taken by the College.

The results of the investigation and any action to be taken by the College will in all cases be agreed with the Chair.

A full written response to the complaint will be sent to the complainant within 10 working days of the meeting/telephone conversation.

If a complainant remains dissatisfied with the outcome or with the way their complaint has been dealt with they are entitled to ask for the matter to be reviewed by a Complaints Committee of the Board of Governors.

Letters requesting a review should be addressed to the Chair of the Board of Governors at the College.

The Chair will:

- acknowledge receipt of the request for a review within 5 working days;
- appoint a Complaints Committee made up of not less than 3 governors including either the Chair or the Vice Chair of the Board of Governors but excluding any student or staff governors (including the Principal) and the governor who was originally appointed to investigate the complaint to carry out the review;
- invite the complainant to attend a meeting of the Complaints Committee within 30 working days of the receipt of the letter requesting a review; and
- send a written report on the outcome of the review within 5 working days of the date of the meeting.

There are no further appeals available within the College.

## **Education & Skills Funding Agency**

The College is regulated by the Education & Skills Funding Agency (ESFA) whose responsibilities include the consideration of complaints in respect of the College.

The ESFA would not normally investigate a complaint unless:

- the College's complaints procedures, including a review, had been exhausted; or
- the ESFA believed the College was not dealing with or was not capable of dealing with the complaint appropriately or effectively.

Education and Skills Funding Agency  
North Yorkshire, York and East Riding  
Bishopsgate House  
Darlington  
DL1 5QE

See also the web page: <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure#complain-about-a-post-16-training-provider-college-or-employer-we-fund>

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