

Complaints Procedure

The C&M College Network
where people flourish, and achieve
extraordinary things

Process

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Introduction

The Cheadle and Marple College Network consider complaints as an opportunity to receive valuable feedback. A complaint enables The C&M College Network to reflect, analyse and improve our service. We aim to ensure that all complaints are treated seriously and followed up in a sensitive manner.

Minimum standards include:

- To respond quickly and sensitively to any query, concern or complaint.
- To investigate a complaint thoroughly and without bias
- To provide the complainant with a prompt written response to the investigation findings
- To provide a means of appeal to the complainant
- To maintain records and provide reports of complaints for senior managers and College Committees

During development of these procedures consultation took place with a sample of those to whom it applies.

Associated Policies, Procedures and Protocols:

- | | |
|--------------------------------|------------------------------------|
| • Equality Policy & Procedures | • Safeguarding Policy & Procedures |
| • Grievance Procedure | • Employee Handbook |
| • Codes of Conduct | • Disciplinary Procedures |

Scope:

The Complaints Procedure applies to all customers, contractors, employees, governors, students and visitors. The aim of the Complaints Procedure is to ensure that everyone feels that they are treated in accordance with the values made explicit in The Cheadle and Marple College Network Values and Vision.

Specific accountabilities of parties are:

- The Principal holds ultimate accountability to ensure all complaints receive investigation, response and resolution
- The Assistant Principal has responsibility for the application monitoring and revision of these procedures
- Senior Leaders are responsible for investigating complaints
- Corporation are responsible for approving the procedures and receiving an annual report of complaints compiled by the PA to the Principal

Procedure:

1. General Principles:

1.1 The College is committed to providing the highest quality of service which aims to meet and preferably exceed the expectations of all customers.

1.2. Users of the College have the right to complain if they are dissatisfied, and should expect to be treated fairly, amicably and quickly.

1.3. Decisions taken as the result of an investigation will be balanced and reasonable.

1.4. No individual bringing a complaint under this procedure, whether successfully or otherwise, will be disadvantaged. Should evidence to the contrary be found, the matter will be fully investigated and, if necessary, disciplinary proceedings may be taken.

1.5. The College may consider invoking the disciplinary procedures under the Employee or Student Disciplinary Procedure in those cases where complaints are found to be vexatious or malicious. A vexatious or malicious complaint is defined as a complaint which is patently unsustainable, having been put forward so as to abuse the process of the Complaints Procedure or, for example, to attempt to defame the name or character of another person.

1.6. All members of the College community have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances. The Cheadle and Marple College Network will take the minimum action required to address such unacceptable behaviour, for example:

- Require that contact is made with a specified employee only
- Terminate an abusive telephone call
- Decline to accept telephone calls but maintaining at least one form of contact

1.7. The Complaints Procedure has been designed to ensure complaints of harassment, discrimination, bullying or victimisation are handled in a sensitive manner minimising stress for all parties, providing a timely resolution of complaint and a degree of flexibility appropriate to individual circumstances

1.8. Where the same complaint is raised by a number of individuals at a similar time, this will be treated as a single complaint.

2. Submitting a Complaint:

2.1. Complaints should be submitted in written or electronic form via letter or e-mail. Complainants will be advised to submit a complaint in writing if they contact The Cheadle and Marple College Network via phone. Where a complainant identifies a support need, the College can assist with compiling a written complaint.

2.2. Any complaint forwarded directly to a member of the Senior Leadership Team will be re-directed to the PA to the Principal who will process the complaint in accordance with the Complaints Procedure.

2.3. Where possible, complaints should be handled via Route 1 (Informal Stage). Usually, only when this route fails to bring about a resolution should Route 2 (Formal Stage) be initiated. However, in the case of a serious complaint, the matter will usually progress immediately to the Formal Stage. The following are examples of matters that could constitute a serious complaint:

- A complaint received directly from a regulatory body such as a funding body, police or government department
- A complaint which could result in a serious reputational impact for the College, including complaints involving injuries or safety at The Cheadle and Marple College Network

3. Informal Stage (Route 1):

3.1. Many issues can be facilitated at a local level and where possible it is often best to do so to ensure a speedy resolution. These matters may be handled by any employee however, support from a Line Manager may be sought.

3.2. There is no requirement for the employee making the response to issue a formal letter or submit any other paperwork if the matter is resolved informally, unless the complainant specifically requests such.

3.3. There is no requirement for locally resolved issues to be reported to the PA to the Principal unless the complaint is:

- Unusual or unique in its nature
- Linked to an incident that could have had (or may have in the future) a potentially serious detrimental effect on the College's reputation
- Linked to an incident that could have had (or may have in the future) the potential to lead to injury of a user of the College (including employees)

3.4. The employee should retain notes of the issue and the agreed resolution. These notes should be securely stored for three years from the date of resolution by the employee noting that they may be called upon to produce these by a member of the Senior Leadership Team if the matter re-emerges or escalates to become a formal complaint.

4. Formal Stage (Route 2):

4.1. Where a complaint cannot be resolved informally, or due to the nature of the complaint, it is not appropriate to do so, the matter will be treated as a formal complaint. The complaint (and any accompanying evidence) should be transferred immediately to the PA to the Principal who will log the complaint.

Formal complaints must be made in writing and addressed to:

The C&M College Network Principal
The Cheadle and Marple College Network
Cheadle Road
Cheadle Hulme
Cheshire
SK8 5HA

4.2. A complaint will not normally be considered if submitted more than three months after the issue or event occurred, unless there was good reason why it could not have been raised sooner.

4.3. Individual rights are not affected by making a formal complaint. The Cheadle and Marple College Network are unable to take action on anonymous complaints, unless there are exceptional circumstances. Complaints from students or employees found to be of a false nature may result in disciplinary action.

4.4. The PA to the Principal will acknowledge receipt of the complaint, in writing, to the complainant within three working days from the date of receipt.

4.5. Timing guidelines for the handling of a formal complaint start on the day of acknowledgement from the PA to the Principal. The day of acknowledgement of the complaint will be day zero.

4.6. An Investigating Officer will be appointed by the Principal. This would normally be a manager with direct involvement in the area of the complaint. This ensures that an individual with suitable knowledge and experience is handling the investigation.

4.7. There may be instances where it is inappropriate or impractical to involve a manager from within the area as the Investigating Officer. In this case, the Principal will appoint an alternative person to act as the Investigating Officer.

4.8. The Investigating Officer will aim to conclude their investigation within nine working days of receipt from the PA to the Principal, and forward a draft response letter to the PA to the Principal for approval. The Investigating Officer will also confirm if, in their view, the complaint was upheld, partially upheld or not upheld.

4.9. The PA to the Principal will forward the final response to the complainant within ten working days of acknowledgement of the original complaint and close the complaint. However, deadlines may be extended to take into account College holidays due to the availability of relevant colleagues.

4.10. If there is a delay in producing a final written response, the PA to the Principal will send an update letter to the complainant within ten working days of acknowledgement of the complaint, informing the complainant of the reason for the delay. The Investigating Officer will produce a final written response within ten working days of the date of this update letter.

5. Appeals:

5.1. On completion of the Formal Stage, the complainant has five working days from the date of the response letter to deliver a written appeal request to the PA to the Principal, should they be dissatisfied with the outcome.

5.2. An appeal can **only** be requested on the basis that at least one of the following criteria apply:

- New evidence has come to light
- Not all of the evidence was considered when coming to a conclusion
- Other procedural irregularity in the process

5.3. The PA to the Principal will acknowledge receipt of the appeal request and confirm within three working days of receipt, whether there are grounds for an appeal.

5.4. If there are grounds for appeal, an Appeals Officer will be appointed by the Principal to review the case.

5.5. The Appeals Officer will forward a letter to the PA to the Principal, confirming if the appeal is upheld, partially upheld or not upheld and the reasons for their decision. The PA to the Principal will forward the final response to the complainant within ten working days, taking the day of acknowledgement of the appeal request as day zero.

5.6. Deadlines may be extended to take into account College holidays due to the availability of relevant colleagues. If there is a delay in producing a final written response, the PA to the Principal will send an update letter to the complainant informing the complainant of the reason for the delay and the revised deadline for completion of the review.

6. Continuing a Complaint Beyond the College:

6.1. Once the complainant has exhausted the internal complaints process, and if a satisfactory resolution has not been achieved, the complainant has a right to complain to the The Cheadle and Marple College Network's regulatory body.

6.2. The College is regulated for the purposes of the Complaints Procedure by the Education and Skills Funding Agency (ESFA) and as such complaints should be addressed to the ESFA Complaints Adjudicator.

6.3. Complainants should note that the Education and Skills Funding Agency will only take up a complaint when they are satisfied that the College procedure, including appeal, has been exhausted, unless the Agency believes that the College is not dealing with handling a complaint appropriately or effectively, when it may intervene before the procedure is exhausted.

6.4. Details on the Education and Skills Funding Agency complaints procedure are outlined on their website (<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>).

7. Complaints Against Senior Leaders and Senior Post-Holders:

7.1 In the case of a Senior Post-Holder or Assistant Principal, the Head of Human Resources will investigate the complaint and report back their findings to a panel including two Governor non-staff representatives (See Appendix).

HR will provide a recommendation, which may be one of the following:

- That the complaint should be upheld and action is recommended which may include, as appropriate, a disciplinary investigation. There is no right of appeal against this decision
- That some elements of the complaint are upheld and some elements are not
- That the complaint is not upheld. Should the Head of Human Resources determine that the complaint was raised vexatiously, frivolously or maliciously, by a student and / or employee a disciplinary investigation may be initiated into the action of the individual who has raised the complaint

7.3 The Head of Human Resources will inform the Senior Post-Holder of the decision (in writing) and the right of appeal, normally within ten working days of the final complaint meeting.

7.4 Where a complaint is not fully upheld the Senior Post-Holder may appeal in accordance with this procedure. The decision will be confirmed in writing accompanied by the Right to Appeal. Any appeal will be heard by the Chair of Governors.

Appendix:

Formal Resolution

Decisions in relation to hearing formal complaints will be taken by the relevant member of the Senior Team or HR as illustrated below:

Complaint Against	Complaint Heard By	Appeal Heard By
Senior Post Holder	HR and two (non-staff) Governors	Chair of Governors
Assistant Principal	Head of Human Resources	Principal
Employees	Assistant Principal	Principal