



St Andrew's
C O L L E G E

COMPLAINTS PROCEDURE

4th April 2024

APPROVED BY: COLLEGE GOVERNING BODY
NEXT REVIEW DUE BY: SEPTEMBER 2025

St Andrew's College Complaints Procedure

1. Policy summary

St Andrew's College aims to meet its statutory obligations when responding to complaints from parents/carers, learners and Local Authorities.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into college improvement evaluation processes
- Facilitate a full and fair investigation by an independent person or panel, where necessary

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The College will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the College website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Definitions

A concern is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought."

A complaint is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action."

2. Links to procedures

Policies dealing with other forms of complaints include:

College Admissions Policy

College SEND and Inclusion Policy

StAH Complaints Policy

Staff Grievance Policy

Staff Disciplinary Policy

Safeguarding of Vulnerable Adults and Children Policy and Procedures

3. Key Requirements

Time scales

The complainant must raise the complaint within three months of the incident. If the complaint is

about a series of related incidents, they must raise the complaint within three months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first college day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

How to raise concerns and complaints within St Andrew's

College Concerns raised by learners/staff

Where possible, these should be raised in person with the staff member that the concern relates to. If not possible, the concern can be raised with the ward link teacher or if not available, a member of the College Senior Leadership Team (SLT).

Concerns raised by parents/carers

Where possible, the parents/carers should contact the ward link teachers, who will pass on the concern to the staff members involved and also the SLT. If not possible, parents can contact a member of the SLT directly.

Complaints raised by learners/staff

These should be raised in person or in writing with a member of the College SLT, who will then determine the most appropriate course of action.

Complaints raised by parents/carers

These should be raised in person, by phone or in writing with a member of the College SLT or if deemed to be a high level complaint, directly with the Headteacher.

Contact details for SLT members can be found on the College website, or can be obtained by calling the College Reception (01604 614300) or emailing college@stah.org

4. Monitoring and Oversight

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the College throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Headteacher or complaints committee, which includes the facts and potential solutions
- The complaints co-ordinator

The complaints co-ordinator can be:

- The Headteacher
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the Headteacher, chair of governors and clerk
- Be aware of issues relating to:
 - Sharing third party information
 - Additional support needed by complainants, for example interpretation support or where the complainant is a learner
- Keep records

Clerk to the governing body

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Committee Chair

The Committee Chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

When investigating a complaint, the College will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

Complaint grading

Please see the table below, which outlines how complaints and concerns are graded at the point of triage and the expected timescales for resolution.

Please note: this table is a generalised tool and approaches may vary as investigations are conducted to meet the specific needs of each complaint

Concern or complaint level	Concern	Low level complaint	Medium level complaint	High level complaint
Reported to	Staff member concerned or ward link teacher or College SLT	College SLT	Headteacher and/or College SLT	Headteacher and College Designated Safeguarding Lead
Handling approach	Conversation/Liaison with complainant	Attempt local resolution where possible; if unsuccessful or inappropriate, conduct investigation	Attempt local resolution where possible; if unsuccessful or inappropriate, conduct investigation	Conduct investigation
Impact Level	No-minimal impact to the person, service or St Andrew's College	Minimal impact to the person, service or St Andrew's College	Medium level impact on person, service or St Andrew's College but not with lasting detriment	Significant impact on person, service or St Andrew's College with lasting detriment on those involved
Description and example	Expression of worry, concern or disappointment. Single issue that is able to be resolved quickly and not generally requiring any type of investigation. For example: insufficient timetabled lessons	Complaint with minimal impact on the person who raised the complaint, but requires a small amount of investigating to identify what went wrong. For example: members of staff not arriving for timetabled lessons	Complaint with moderate impact on the person or includes multiple issues. For example: a complaint about multiple aspects of a learners education	Highly complex and/or multiple issues with a high level of impact on the person who raised the complaint. For example, any complaint with a serious incident that may involve multiple services and has a safeguarding element
Complaint/ investigation handle	Education staff	SLT	Headteacher and/or SLT	Headteacher and/or governing body
Timescale aims for resolution	Generally within 3 working days. If the deadline is not met, offer the person who raised the concern the option of escalating to a complaint	Overall internal target is within 20 working days. Timescales will be adapted to meet the needs of the investigation	Overall internal target is within 30 working days. Timescales will be adapted to meet the needs of the investigation	Timescales to be proposed to suit the needs and complexity of the investigation

Stages of complaint (not complaints against the Headteacher or governors)

Stage 1: Low Level/informal

The College will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the SLT, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the College Reception (01604 614300 or college@stah.org)

The College will acknowledge informal complaints within five college days, and investigate and provide a response within 15 college days.

The informal stage will involve a meeting or telephone conversation between the complainant and the SLT and/or the subject of the complaint, if appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Medium level/formal

The formal stage involves the complainant putting the complaint to the Headteacher and/or the SLT:

- In a letter or email
- Over the phone
- In person
- Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the College Reception.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by email) within 14 college days.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 college days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within 15 college days.

Stage 3: High level complaint/review panel

Convening the panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the proprietor and must consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member must be independent of the management and running of the college. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the College.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 15 college days of the request, where possible.

If the complainant rejects the offer of three proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Any written material will be circulated to all parties at least seven college days before the date of the meeting.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending will be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

At the review panel meeting, the complainant and representatives from the college, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We don't encourage either party to bring legal representation, but will consider it on a case-by-case basis. For instance, if a college employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

Representatives from the media are not permitted to attend.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the college representative(s) will be given the chance to ask and reply to questions. Once the complainant and college representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Headteacher.

The outcome

The Committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the Committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the College's systems or procedures to prevent similar issues in the future

The College will inform those involved of the decision in writing within 15 college days.

Complaints against the Headteacher, a governor or the governing board

Stage 1: informal

Complaints made against the Headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the Headteacher or 1 member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1.

Stage 2: formal

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

An independent investigator will carry out the steps in stage 2. They will be appointed by the governing board and will write a formal response at the end of their investigation.

Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

A committee of independent governors will hear the complaint. They will be sourced from St Andrew's Healthcare local schools or the local authority and will carry out the steps at stage 3 above.

Referring complaints on completion of the College's procedure

If the complainant is unsatisfied with the outcome of the College's complaints procedure and the complaint is regarding the College not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the College deals with serious failings.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-college>

The complainant also has the opportunity to raise the complaint with St Andrew's Healthcare, who will investigate the complaint in line with their own Complaints Policy.

5. Diversity and inclusion

St Andrew's Healthcare is committed to Inclusive Healthcare. This means providing patient outcomes and employment opportunities that embrace diversity and promote equality of opportunity, and not tolerating discrimination for any reason.

Our goal is to ensure that Inclusive Healthcare is reinforced by our values and is embedded in our day-to-day practices. All of our policies and procedures are analysed in line with these principles to ensure fairness and consistency for all those who use them. If you have any questions on inclusion and diversity, please email the inclusion team at diversityandinclusion@stah.org

6. Training

Record keeping

The college will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a college inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the College will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons:

The governing body will review any underlying issues raised by complaints with the Headteacher where appropriate, and respecting confidentiality, to determine whether there are any improvements that the College can make to its procedures or practice to help prevent similar events in the future.

7. References to Legislation and Best Practice

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the college.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

8. How to request a change or exception to this policy

Please refer to the exception process [Policy and Procedure Exception Application Link](#)

9. Key changes

Version Number	Date	Revisions from previous issue
1.0	March 2024	New College procedure