



Complaints and Appeals Policy and Procedures – Students, Parents/Carers

Varndean College Policies and Procedures

1 INTRODUCTION, SCOPE AND RESPONSIBILITIES

1.1 This document focuses upon all complaints (defined as “any expression of dissatisfaction relating to aspects of the College’s service”), made by students, parents/carers and members of the general public (e.g. student behavior or traffic management) and does not relate to:

- Complaints from employees; an employee wishing to lodge a complaint should refer to the College’s HR procedures.
- An appeal against a fixed term or permanent exclusion by the College for disciplinary reasons; please refer to the Student Support Policy.
- Representations made by students against decisions made by Examination Boards

1.2 It is the aim of the College to provide and promote a positive learning environment for all students and to communicate effectively with parents/carers and our community partners. We realise that sometimes things go wrong and we encourage anyone experiencing problems with our service to contact the relevant member of staff as soon as possible so that the matter may be resolved at the earliest possible stage. If a complaint is made then the College aims to resolve this as quickly and as fairly as possible which will be in the interests of everyone involved. We do ask therefore that communication is made with the College at an early stage and that communication is made in an appropriate and courteous manner. The College does not tolerate abusive or insulting behaviour towards its staff or students and does reserve the right not to investigate complaints that are reasonably considered to be vexatious or malicious. If such a situation arose, the College would confirm in writing the reason for not investigating. If vexatious or malicious complaints are made by a student then the College reserves the right to refer to its Disciplinary Procedures.

1.3 The college will:

- Acknowledge all formal complaints and aim to respond within a stated period of time. If your complaint is reported during College holiday periods, the timescale for responses will be extended.
- Deal reasonably, consistently, fairly and sensitively with all complaints.
- Take action where appropriate.

1.4 The complainant will be expected to:

- Bring the complaint to the College’s attention within 12 weeks of the reason for the complaint occurring.
- Allow the college reasonable time to deal with the matter;
- Recognise that some circumstances may be beyond the College’s control.

2.0 INITIAL PROCEDURES

2.1 Students or parents/carers who have a concern or complaint should initially discuss the matter with the appropriate Subject Teacher/Core Studies Teacher/Tutor within ten days of the issue emerging. Where the concern relates to their relationship with their Subject Teacher, they may prefer to speak to their Core Studies Teacher and vice-versa.

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- 2.2 Adult Education Students, with a cause for concern or complaint, should contact their Teacher within ten days of the issue emerging to discuss this.
- 2.3 Members of the General Public with a cause for concern or complaint, should contact the College Reception within ten days of the issue emerging and can then expect arrangements to be made for an appropriate member of staff to contact them and, where necessary, arrange to meet to discuss the issue.
- 2.4 Wherever possible, the College will aim to resolve the issue at this stage. If the complainant wishes to take the matter further they may proceed to formal procedures.
- 2.5 A student or parent/carer may opt to proceed immediately to the formal process, particularly where the concern is of a serious nature. All complaints made through the formal procedures stage must be received in writing.
- 2.6 Members of Staff dealing with the complaint must ensure that they make notes of any discussion held with the complainant and it should be noted that if the complaint proceeds to an Appeal Hearing, these notes will be made available to the Appeal Panel and to the person making the Appeal, in advance of the Hearing (refer clause 4.4)

3. FORMAL PROCEDURES

- 3.1 Where a student or parent/carer is dissatisfied with the outcome of the informal procedures, they should write to the College, c/o PA to the Principal, setting out the grounds for the complaint, within ten working days following the outcome of the informal stage.
- 3.2 PA to the Principal will respond within five working days, acknowledging receipt of the complaint and checking that the complainant has a copy of these Procedures.
- 3.3 A senior member of staff (usually one of the Heads of Schools or Assistant Heads of Schools who has not been involved in the complaint to date) and referred to as the Complaint Manager will contact the complainant and follow up the issues raised. The Complaint Manager will investigate the complaint and produce a report on their findings. A response will normally be made in writing to the complainant within 10 days, following the discussions. If the complaint relates to a complex matter or involves a number of people, the investigation may take longer. The complainant will be kept updated on the progress of the investigation and a likely date for the response.
- 3.4 Complaints against the Principal or member of the Governing Body should be addressed to the Chair of Corporation, c/o the Clerk to the Corporation.
- 3.5 At this stage, the majority of complaints will be resolved. However if the complainant feels that a satisfactory resolution has not been achieved, they may seek to present their case to an Appeals Panel, submitting their case in writing, giving reasons why the College's written response is unsatisfactory and stating what they seek from the Appeals Panel. The complainant's submission should be sent to the Principal who will respond in writing within ten working days of receiving the appeal.

4.0 REFERRAL OF THE COMPLAINT TO THE APPEALS PANEL

- 4.1 The Appeals Panel will normally be chaired by the Principal or Vice Principal who will determine the composition of the Appeals panel. This will not normally exceed three people and will usually include a member of the SLT and one other senior staff member who has not so far been involved with the complaint. It may include a member of the Corporation.
- 4.2 Where possible, the Appeals Panel will aim to meet within ten working days of the receipt of the Complainant's Appeal submission. The complainant will be given reasonable notice of the time and place of the Appeal meeting in writing and will be entitled to be accompanied by a friend or person specified under 4.3 below.
- 4.3 The Appeals Panel is designed to offer the person making the complaint to do so in a structured but informal setting in front of persons not involved in dealing with the original complaint. There is no need for legal representation on either side. If the person making the complaint has any particular communication or other difficulties however and would be assisted by an appropriate adult or someone to assist with communication then they should notify the College of this so that an agreement may be made for a person to be identified to assist them if this is needed. The additional person will normally be expected to be nominated by, and at the cost (if any) of the person making the complaint.
- 4.4 The College will provide a minute taker and a full written record will be typed after the Hearing and supplied to both parties. The Hearing will not be audio recorded. If the person making the Appeal, or the College, wish to bring witnesses, they should identify these and notify each other, and the Panel at least five working days before the Hearing.
- 4.4 The College will prepare a paginated and indexed bundle of papers, to include the notes of all previous dealings of the complaint together with document considered during the formal complaint. The complainant should submit any papers which they want included in this bundle at least five working days before the Hearing.
- 4.5 At the Appeal Meeting:
- The individual making the appeal will present her/his case orally and answer questions;
 - The Member of Senior Staff (Complaint Manager) who dealt with the formal complaint will then respond orally and answer questions;
 - The Chair of the Appeals Panel will then ask both parties to confirm that they have had a full chance to present their case. The purpose of this is to give both parties the opportunity to mention anything that they might have missed in their presentation. Comments at this time must therefore be confined to additional matters not already raised before the Panel.
 - Members of the Appeals Panel may ask any questions that will assist them in determining the final outcome of the appeal.
- 4.6 Either party may request an adjournment at the meeting at any stage, at the discretion of the Panel. Any request for an adjournment must be made at the meeting with all parties in attendance. The Panel may adjourn the meeting to another date, as it thinks fit and only in exceptional circumstances.

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- 4.7 The Panel's decision will be arrived at in private and subsequently delivered to the individual making the appeal. It will be confirmed in writing within ten working days of the meeting.
- 4.8 This is the final stage of the College's Complaints and Appeals Procedure. At this point if the complainant remains dissatisfied with the outcome of the appeal, they may contact whichever national body has responsibility for Sixth Form Colleges. Currently for full time students this is the Education Funding Agency – please refer to their website:

<https://www.gov.uk/government/publications/complaints-about-post-16-efa-funded-institutions/how-to-complain-about-post-16-efa-funded-institutions> and fill out and submit the electronic form.

For Adult Education Students please email the Skills Funding Agency at complaintsteam@sfa.bis.gov.uk

NOTES:

This policy has been approved and authorized by Governors.

Other related Policies: refer to website