COMPLAINTS POLICY & PROCEDURE

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Policy Owner:	Deputy Principal

Vision
Loreto College is centred in God, rooted in Christ and animated by the spirit of Mary Ward, the founder of the Institute of the Blessed Virgin Mary. Our vision is that it will be an educational community where each person has the experience of being loved and valued as a sacred individual created by a loving God; a community where students enjoy an enriching and liberating education that helps them grow into the fullness of life and empowers them to be people of courage who are alive to the needs of humanity and committed to making a better world.

Introduction
The College aims to be an educational community which gives expression to the core values of Mary Ward - freedom, justice, sincerity, truth, joy, excellence and internationality.

Loreto College has the highest expectations of personal, academic and professional excellence. This document sets out the College's policy and guidance on the procedures it will follow in the event that a complaint is lodged about the College or any of its employees. In doing so, the college will be mindful of its core values and of its duty of care to all its staff and students and will endeavour to act at all times with justice, compassion and respect for the dignity and worth of all those involved in the process.

Preamble
All staff have a responsibility, on receiving informal or formal complaints, to treat them seriously and to deal with them promptly.

The Governing Body is responsible for ensuring that the Complaints Policy & Procedure operates effectively. The Principal or Deputy Principal will present to the Governing Body the annual summary and analysis of the range of formal complaints.

Any complaints that involve the Principal will be investigated and dealt with by the Governing Body.

Any complaints relating to safeguarding will be dealt with following the college's Safeguarding and Child Protection Policy.

1. Who might use this Policy & Procedure?

This policy is for the benefit of students and complainants of students at Loreto College as well as members of the public. Anyone who is unhappy with the college can complain. This could be a student, a parent/carer, an employer, a local resident, a contractor, a college employee or anyone else.

The policy will be relied upon in respect of **all concerns or complaints** by complainants made against the college ***except*** in respect of:

(a) **Admissions to College; Statutory assessments of Special Educational Needs (SEN)**– dealt with via the Admissions and SEND Policies.
(b) **Permanent Exclusion of students from college** – this is dealt with under the Student Behaviour Policy.

(c) **Whistleblowing** – The college has an internal whistleblowing procedure for employees and voluntary staff.

(d) **Staff grievances and disciplinary procedures** - These matters will invoke the College's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.

(e) **Matters likely to require a Child Protection Investigation** - Complaints about child protection matters are handled under our safeguarding and child protection policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding.

The Governing Body expects that most concerns can be resolved informally and recognises that the majority of issues raised by complainants or students are concerns rather than complaints. The college will use its best endeavours to resolve any concerns that are made on this basis.

The college is committed to taking concerns seriously at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without the need for formal procedures. It is recognised however that, depending on the circumstances and the nature of the complaint, complainants or students may, in appropriate circumstances, wish to or may be asked to follow the formal stages of this policy from the outset.

If the informal procedures fail to resolve the issue, a formal complaint about any matter (except for those listed in (a) to (e) above), may be made to the Principal or other relevant party in the first instance. See Stage 2 below for who to address complaints to, dependent upon the subject of the complaint.

Every complaint will receive fair and proper consideration and a timely response but in order for the college to investigate a complaint, it needs to be made within 3 months of the incident/issue occurring. If a complaint is older than 3 months it will not normally be investigated, however in exceptional circumstances the college will take a decision on whether to accept or progress with the complaint.

The college will do all it can to resolve concerns or complaints and to ensure complainants are happy with the education their child receives at the college. Complainants and students can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and will be dealt with in a sensitive, impartial and confidential manner. The college will seek to resolve complaints in an open and transparent manner and acknowledge that complaints can foster opportunities for development and improvement. It should also be noted that serial or malicious complaints may incur appropriate action by the college.

We will not normally investigate anonymous complaints. However, the Principal or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

It is reasonable and legal for personal information relating to the student/parent/carer to be shared with the any legal advisor supporting the college in responding to a student or parental/carer complaint. Normal protocols in ensuring the security of that information will be observed.

2. Purpose of the Policy

- To encourage resolution of problems by informal means wherever possible;
- To be easily accessible and publicised;
- To be simple to understand and use;
- To be impartial;

- To be non-adversarial;
- To allow swift handling within established time-limits for action and keep people informed of the progress;
- To ensure a full and fair investigation by an independent person where necessary;
- To respect people's desire for confidentiality;
- To address all the points at issue and provide an effective response and appropriate redress, where necessary;
- To provide information to the college's senior management team so that services can be improved.

3. Roles and Responsibilities

The Complainant

The Complainant or person who makes the complaint will receive a more effective response to the complaint if they:

- co-operate with the college in seeking a solution to the complaint;
- express the complaint in full as early as possible;
- respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- ask for assistance as needed;
- treat all those involved in the complaint with respect;
- are clear as to what they wants as an outcome.

The Complaints Co-ordinator: Principal or appointed deputy, Chair of Governors or the Clerk to the Governors

The Complaints Co-ordinator will:

- ensure that the complainant is fully updated at each stage of the procedure;
- appoint a relevant person to act in the capacity of the Investigator;
- ensure that all people involved in the complaint procedure are aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998, Freedom of Information Act 2000 and General Data Protection Regulation;
- liaise with staff members, Principal or appointed deputy, Chair of Governors and Clerk to the Governors to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:
  - sharing third party information; consent must be in place before this is actioned
  - additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Complaints Coordinator will make a decision on the most appropriate party to take on this role, dependent upon the nature of the complaint. The Investigator's role can include:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
  - consideration of records and other relevant information;
  - interviewing staff and students and other people relevant to the complaint;

- analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would resolve the complaint;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they conduct interviews with an open mind, be prepared to persist in the questioning and keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Principal's Appeal Committee Chair

The Principal's Appeal Meeting Chair has a key role in ensuring that:

- the meeting is minuted;
- the remit of the meeting is explained to the complainant and both they and the college have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- complainants and others who may not be used to speaking at such a meeting are put at ease – this is particularly important if the complainant is a student;
- the meeting is conducted in an informal manner with everyone treated with respect and courtesy;
- the aim of the meeting will always be to resolve the complaint and achieve reconciliation between the college and the complainant and to that end the Chair will always ask the complainant what practical outcome they are looking for;
- the layout of the room will set the tone – care is needed to ensure the setting is not adversarial;
- the Chair is open-minded and acts independently:
  - many complainants will feel nervous and inhibited in a formal setting; parents/carers often feel emotional when discussing an issue that affects their child. The Chair will ensure that the proceedings are as welcoming as possible;
  - extra care needs to be taken when the complainant is a student and present during all or part of the meeting; the Chair should respect the views of the student and give them equal consideration to those of adults;
- no member of the meeting has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the college are given the opportunity to state their case and seek clarity;
- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting;
- they liaise with the Clerk and Complaints Co-ordinator as necessary.

Procedural Review Appeals Committee Clerk

The Clerk to the Governors will act as the Procedural Review Appeals Committee Clerk. The Clerk is the contact point for the complainant for the Procedural Review Appeals Committee and is expected to:

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all attending parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the meeting;
- record the proceedings;
- circulate the minutes of the panel meeting;
- notify all parties of the panel's decision;

- liaise with the Complaints Co-ordinator and/or the Investigator.

4. Stages of the Policy

The policy has three main stages:

- Stage One – Concern is raised informally with a teacher, tutor or Head of Hall
- Stage Two – Formal complaint investigated by Principal or appointed deputy as directed by the Principal
- Stage Three – Formal resolution/Appeal complaint is heard by the Principal or appointed deputy or the Procedural Review Appeals Committee.

Stage One - Informal Resolution

Informal Stage

Anyone who is dissatisfied with the college will normally discuss their problem as soon as possible (and no later than three months after it originated) with an appropriate member of staff.

For students this will usually be a teacher, tutor or Head of Hall.

Where the complaint comes to someone not directly involved with the area concerned then they will direct the complainant to the appropriate member of staff to deal with the problem. If the appropriate member of staff is not available, a note must be made of the matter with a contact telephone number or address and the note passed on to the member of staff.

The appropriate member of staff will try as soon as possible to resolve the matter to the satisfaction of the complainant.

Informal complaints of substance must be reported on a formal complaints form by the member of staff dealing with them, even when the matter has been resolved to the satisfaction of the complainant. The form is then to be sent to the Principal.

If it is not possible to resolve the matter informally or complainants are not satisfied with the result at this stage, then complainants will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

If complaints arise where the subject of the complaint is the Principal, the Chair of Governors or the whole Governing Body, then these should be sent to the Chair of Governors or the Clerk to the Governing Body and Stage 2 of this procedure should be utilised for these matters.

Stage Two - Formal Resolution

Complaint handling and investigation by the Investigator

Where the problem cannot be solved informally, or if the complainant wishes to make a formal complaint, or even when resolved the informal complaint involves a serious issue, the complaints form, available on myLoreto and at the main office, should be filled in.

It is important that the complainant clearly identifies on the form the nature of the problem with names, dates and times where relevant and notes their own relationship with the college.

The completed form will be sent to the Principal.

Complainants should not approach individual governors to raise concerns or complaints. These governors have no power to act on an individual basis and it may also prevent them from considering complaints at this stage or the next stage of the procedure.

Complaints against college staff (except the Principal) should be made in the first instance, to the Principal via the college office**.** Complaints should be made in writing using the Complaints Form. Please mark them as Private and Confidential. The Principal will arrange for the matter to be investigated and heard.

Complaints that involve or are about the Principal should be addressed to the Chair of Governors, via the college office. Complaints should be made in writing using the Complaints Form. Please mark them as Private and Confidential. The Principal will also be informed of the complaint. The Chair of Governors will arrange for the matter to be investigated as they consider appropriate in all circumstances.

Complaints about the Chair of Governors or any individual governor should be addressed to the Clerk to the Governing Body via the college office. Complaints should be made in writing using the Complaints Form. Please mark them as Private and Confidential. The Clerk will then arrange for the matter to be investigated and heard, this can be done by a suitably skilled and impartial member of the Governing Body (at Stage 2) or a committee of members of the Governing body.

Complaints against the entire Governing body or complaints involving both the Chair and Vice Chair should also be sent to the Clerk, who should then determine the most appropriate course of action. This will depend on nature of the complaint. The Clerk may consider utilising an impartial independent party.

Once a formal complaint at this stage has been received, the Complaints Coordinator may delegate responsibility for undertaking the investigation of the complaint to the Principal, Deputy Principal, Chair of Governors or other relevant party, unless the Complaints Coordinator deems it appropriate that they deal with the matter personally. This person will then act as the Investigator.

The Investigator will decide, after considering the complaint, the appropriate course of action but will endeavour to resolve the matter as speedily as possible.

In most cases, the Investigator and/or Complaints Coordinator will meet or speak with the complainants concerned to discuss the matter. The Investigator will use reasonable endeavours to speak to or meet complainants within 10 working days of the formal complaint being received. In cases where the complaint is received during college holidays or within 2 working days of their commencement, the Investigator and/or Complaints Coordinator will use reasonable endeavours to speak or meet with complainants as soon as possible after the commencement of the new term (usually within 10 working days). It may be necessary for the Investigator to carry out further investigations after such meetings. The complainant may be accompanied to this meeting by a family member or friend, and should inform the college of the identity of their companion in advance.

The Investigator will keep a written record of all meetings and interviews held in relation to the complaint. Where there are communication difficulties, the college may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point.

Once the Investigator is satisfied that, so far as is reasonably practicable, all of the relevant facts have been established, a decision will be made. Complainants will be informed of this decision in writing, giving reasons for the decision including the steps/action the college has taken to resolve the issue. The written decision will normally be provided no later than 10 working days after the Investigator and/or Complaints Coordinator has met with complainants to discuss the matter. The Investigator may also arrange a further meeting with the complainants to explain their decision.

The college will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the college's decision will be recorded. This record will state if complaints

were resolved at this stage of the policy or whether the matter was taken further.

Stage Three - Formal Resolution/Appeal

Formal resolution or appeal is heard by the Principal or appointed deputy or the Procedural Review Appeals Committee

Appeals Against Decisions

1. If the complainant wishes to appeal to the Principal against the decision made in response to a formal complaint at Stage 2, it can only be on the following grounds:
   - A quality of service failure involving standards of teaching, student guidance, information given, discretions exercised, facilities, resources or accommodation.
   - Unreasonable actions by the college or the college failing to do what is expected of it.
2. The Principal may consider further evidence the student or parents/carers can offer in the complaint.
3. Within five working days of reviewing the complaint, or of the expiry of that period, the Principal will write to the student and parents/carers to inform them of his decision on whether to uphold or overrule the original outcome of the complaint.
4. In this letter the student and parents/carers will be informed that they can make an appeal to the Governors', only if the College did not follow procedures properly. The Governors' must meet within fifteen working days of receiving the student's or their parents'/carers' appeal, which in turn should be lodged in writing with the Clerk of Governors, at the College address within 7 working days of the date of the Principal's letter informing the parents/carers and student of his decision to uphold the original outcome of the compliant.
5. The Governors' Procedural Review Appeals Committee will comprise of no more than three members of the Governing Body, to include either the Chair or nominated representative of the Standards Committee.
6. This Committee will determine if all College procedures have been followed. The Committee will consider:
   - A written representation from the student/parent/carers as to why they feel procedures have not been followed.
   - A report on action taken and procedures followed by the member of staff who investigated the complaint

   The Committee may choose to request further information from the student/parent/carers or college as necessary.
7. The Governors' Procedural Review Appeals Committee will decide if the College has:
   A. Appropriately followed procedures
   B. Not followed procedures and identify where the college deviated from these procedures and/or
   C. May recommend to the Principal that any decisions are reviewed if procedures have not been fully adhered to.
8. The decision of the Governors' Procedural Review Appeals Committee is final.
9. The student/parent /carers and the Principal will be informed of their decision, within 10 working days of the Procedural Review Appeal meeting being held.
10. If, at any stage, it is established that procedures have not been adhered to and in light of any comments made by governors, the Principal will reflect on the impact/significance of the deviation from procedures and will determine if:
    1. the original outcome from the complaint should still stand;or
    2. there should be a revised outcome from the complaint.
11. Appeals are not possible if:
    - The college has no discretion in the matter such as the level of certain fees, some course requirements and legal restraints.
    - It concerns a disciplinary matter that has already been the subject of an appeal.
    - The complaint can be better made to an outside body that is responsible such as an examination board, the local authority, an employer or a managing agent.
    - The issue is the subject of legal proceedings.

5. Handling of Campaign Complaints

The College may find it has become the focus of a campaign and receive large volumes of complaints that are:

- all based on the same subject
- from complainants unconnected with the college

If complaints of this nature are received, the college will choose to either send a template response to all Complainants or publish a single response on the college's website. The method of response will be dependent upon the nature of the complaint.

Should the complainants in this situation be dissatisfied with the college's response, they may contact the Department for Education.

6. Withdrawal of a Complaint

If a Complainant wishes to withdraw their complaint, the college will ask them to confirm this in writing, or where this is not possible in person or by telephone. If the Complainant cannot confirm their withdrawal in writing, they may be asked to sign a document stating that they have taken this decision and the date of that decision.

7. Next Steps

If the Complainant believes the college did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed the college process.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Loreto College. They will consider whether Loreto College has adhered to education legislation and any statutory policies connected with the complaint.

The Complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Should the complainant continue to make contact on the same issue the Chair of Governors has the power to inform them that the process is complete and the matter is therefore closed and the complainant will receive no further correspondence on this issue.

8. Monitoring Compliance with the Policy

The Governing Body monitors the Complaints Procedure, in order to ensure that all complaints are handled properly. The Principal or Deputy Principal will collate an annual log of all formal complaints received by the college and record how they were resolved. Governors will examine this log on an annual basis and consider the need for any changes to the procedure.

9. Serial Complaints

If a complainant tries to re-open the same issue, the college will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the college again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the college may choose not to respond. However, a complaint should not be marked as 'serial' before the complainant has completed the procedure.

Under no circumstances should a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

The college may receive complaints that they consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress that lack any serious purpose or value.

College should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

10. Support

For all students with learning difficulties and/or disabilities, the college is happy for someone else to make a complaint on their behalf if they have asked them to do so. Such students requiring help with a complaint may be able to get advice from: The National Bureau for Students with Disabilities (telephone 0800 328 5050)

Complaint Form

Please complete this form & return it, via the college office, to the Principal (or Clerk to the Governing Body), who will acknowledge receipt & inform you of the next stage in the procedure. Please give concise details of your complaint (attach extra pages, any letters, etc and note on this sheet what is attached).

Person complaining. *Give your name and your relationship to the college (e.g. parent, employer, student, etc). If you are a student, give your tutor group:*

Address (including postcode): _____

Please give concise details of your complaint including dates, names of those involved, witnesses etc, to allow the matter to be fully investigated. If your complaint relates to a course, please name it.

What action, if any, have you already taken to try and resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	

Signed: _____ Date: _____

(*If on behalf of the complainant, please identify by name and status*)

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FOR OFFICIAL USE

Customer Complaint Form No.: Date Received: _____

Sent to: Date:

REMARKS: _____

_____ Inits. Date: _____