



Complaints Policy

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1.0 Introduction

- 1.1 The College has long prided itself on the quality of the teaching and pastoral care provided to its students. However, if any person has a complaint they can expect it to be treated fairly by the College in accordance with this procedure.
- 1.2 The College makes its complaints procedure available to all students and parents of students and of prospective students on the College's website and in the College office during the College day, and the College will ensure that parents of students and of prospective students who request it are made aware that this document is published or available and of the form in which it is published or available.
- 1.3 This procedure should be read in conjunction with the following College policies: Good Behaviour and Sanctions policy; Anti-bullying policy; Child Protection and Safeguarding policy and Data protection policy. The policy is applicable to all students, parents and staff.
- 1.4 Although not mandatory, in line with good practice and in accordance with the Independent School Standards Wales (2003), Cardiff Sixth Form College will make available to parents of students and of prospective students and provide, on request, to the Chief Inspector, the National Assembly or an independent inspectorate, details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding College year.
- 1.5 In any matter which relates to child protection or safeguarding, parents and students should feel free to contact the group safeguarding lead (Paul Ludlow), Cardiff Children's Service or the Local Authority Designated Officer (LADO).
- 1.6 Complaints follow through a series of stages as outlined below.

2.0 Stage 1 – Informal Resolution

- 2.1 It is hoped that most complaints and concerns will be resolved quickly and without recourse to formal proceedings.
- 2.2 If students / parents have a complaint they should normally contact their son/daughter's Head of House in the first instance. The Head of House will then log the complaint with the Academic and Data Manager (ADM) so a record can be kept and a file opened. In many cases, the matter will be resolved straight away by this means to the students' / parents' satisfaction. If the Head of House cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department/ Head of Pastoral / Head of Academic Studies.
- 2.3 Complaints made directly to a Head of Department/ Head of Pastoral / Head of Academic Studies will usually be referred to the relevant Head of House unless s/he deems it appropriate for her/him to deal with the matter personally.
- 2.4 The Head of House will make a written record of all concerns and the date on which they were received, passing the information to the ADM who holds the log. Should the matter not be resolved within two full College days, or in the event that the Head of House and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.
- 2.5 If, however, the complaint is against the Principal, students / parents should make their complaint directly to the Dukes Managing Director for Colleges, Mr Tim Fish on tim.fish@dukeseducation.com.

3.0 Stage 2 – Formal Resolution

- 3.1 If the complaint cannot be resolved on an informal basis, then the student / parents should put their complaint in writing to the ADM. The ADM will decide, after considering the complaint, the appropriate course of action to take.
- 3.2 In most cases, the ADM will speak with the students/ parents concerned, normally within two full College days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- 3.3 It may be necessary for the ADM to carry out further investigations.
- 3.4 The ADM will keep written records of all meetings and interviews held in relation to the complaint.
- 3.5 Once the ADM is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the student / parents will be informed of this decision in writing, with reasons given within five working days.
- 3.6 If the complaint is against the Principal, the Managing Director (Mr Tim Fish) will call for a full report from the Principal and for all the relevant documents. He may also call for a briefing from members of staff, and will in most cases, speak to or meet with the student / parents to discuss the matter further. Once he is satisfied that, so far as is practicable, all of the relevant facts have been established, the student / parents will be informed of the decision in writing. Reasons for the final decision will be given in writing.
- 3.7 If the student / parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

4.0 Stage 3 – Panel Hearing

- 4.1 If the student / parents seek to invoke Stage 3 (following a failure to reach an earlier resolution or following a complaint which involves the Principal), they will be referred to the Principal who has been appointed to call hearings of the complaints panel. In the event of a complaint against the Principal, they will be referred to the Managing Director, Mr. Tim Fish.
- 4.2 The matter will then be referred to the complaints panel for consideration. The panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the College. Mr. Tim Fish shall appoint each of the panel members. The convenor, on behalf of the panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within seven full College days.
- 4.3 If the panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than two College days prior to the hearing.
- 4.4 One other person may accompany the student / parents to the hearing. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- 4.5 If possible, the panel will resolve the students' / parents' complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out.
- 4.6 After due consideration of all the facts it considers relevant, the panel will reach a decision and may make recommendations which it shall complete within five College days of the hearing.

- 4.7 The panel will write to the student / parents informing them of its decision and the reasons for it. The decision of the panel will be final. The panel's findings and, if any, recommendations will be sent by electronic mail or otherwise given to the student / parents, the Principal, the Head of Academic Studies, the ADM and, where relevant, the person complained of.
- 4.8 Students and parents can be assured that all concerns and complaints will be treated seriously and confidentially. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the College premises by the Managing Director, Mr. Tim Fish and the Principal. Correspondence, statements and records will be kept confidential except where the National Assembly, inspectors acting under section 163 of the Education Act 2002, parents and other interested parties require access to the number of complaints registered under the formal procedure in the preceding year.

5.0 Timeframe for Dealing with Complaints

- 5.1 All complaints will be handled seriously and sensitively. They will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods.
- 5.2 It is in everyone's interest to resolve a complaint as speedily as possible: the College's target is to complete the first two stages of the procedure within 20 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 working days.
- 5.3 Please note that, for the purposes of this procedure, 'working days' refers to weekdays (Monday to Friday) during term time.

6.0 Records and complaining to regulators

- 6.1 Following the resolution of a complaint, the College will keep a written record of all complaints - Complaints log (stage 1 and below) and Complaints register (stage 2 and above) - whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing and any action taken by the College as a result of the complaint (regardless of whether the complaint is upheld). The records will make clear which stage in the steps outlined above the complaint reached.
- 6.2 All correspondence, statements, records and other information relating to a complaint will be kept confidential except where the National Assembly or any other body conducting an inspection of the College, under 163 of the Education Act 2002, requests access to them.

7.0 Wider consideration

- 7.1 It is the College's policy that complaints made by parents should not rebound adversely on their children. Similarly, students at the College should be reassured that they will not be penalised if they or their parents lodge a complaint in good faith.
- 7.2 We cannot entirely rule out the need to make third parties outside the College aware of a complaint or of the identity of those involved. This would happen where, for example, a

pupil's safety is at risk or where matters need to be referred to the police. In such circumstances, parents would be kept fully informed.

- 7.3 In respect of the timescales outlined above, if a formal written complaint is sent during a College holiday period when the College office may be closed or relevant parties away from the college or on holiday, the timings may have to be extended accordingly.
- 7.4 As a College we recognise and acknowledge the entitlement of parents and students to complain and wish always to work in the best interests of the students in our care, bearing in mind their rights and also duties.
- 7.5 In rare circumstances complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the College and directly or indirectly the overall well-being of the students or staff in the College. In these exceptional circumstances the College may take action in accordance with our vexatious complaints policy (point 8.0 below).
- 7.6 With effect from 1st October 2015, it is considered good practice for Colleges in line with the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 ('the ADR Regulations') to provide students / parents at conclusion of the final stage of the complaints procedure with the name and address of a certified alternative dispute resolution ('ADR') entity (such as a mediation or arbitration body) which would be competent to deal with any unresolved dispute, should both parties wish to engage in ADR. Colleges are not required to include information about ADR in the complaints procedure itself. A list of ADR providers certified by the Chartered Trading Standards Institute can be found here: <http://www.tradingstandards.uk/advice/ADRApprovedBodies.cfm>. On providing information about a certified ADR provider, Colleges are also required to notify the student / parents whether the College is obliged and/or prepared to enter into ADR.

8.0 Vexatious Complaints

- 8.1 Cardiff Sixth Form College is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
- 8.2 Cardiff Sixth Form College defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:
- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - refuses to co-operate with the complaints investigation process;
 - refuses to accept that certain issues are not within the scope of the complaints procedure;
 - insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
 - introduces trivial or irrelevant information which they expect to be taken into account and commented on;

- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- uses threats to intimidate;
- uses abusive, offensive or discriminatory language or violence;
- knowingly provides falsified information;
- publishes unacceptable information on social media or other public forums.

- 8.3 Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.
- 8.4 Whenever possible, the Principal or Managing Director will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 8.5 If the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Cardiff Sixth Form College causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.
- 8.6 In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Cardiff Sixth Form College.