



## **Bromley Schools' Collegiate Policy Document**

<b>Policy Name</b>	Complaints Policy
<b>Date of Last Review</b>	September 2023
<b>Date of Next Review</b>	September 2024
<b>Reviewed Annually by</b>	Consortium Management Board



## Complaints Policy

### Aims

It is our intention that this Complaints Procedure will:

- **support** service users
- encourage resolution of problems by **informal** means wherever possible;
- be **simple** to understand and use;
- be impartial;
- be non-adversarial;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the central team and Consortium Board so that services can be improved.

The Complaints Co-ordinator is Mrs Gill Kendall, Strategic Administrator

Bromley Schools' Collegiate may also, in appropriate circumstances, adjust or modify this procedure where the particular circumstances of the complaint warrant it.

### Recording Formal Complaints

Complaints should be made using the complaint form at Appendix 1 or clearly set out in writing; however, the Collegiate will allow alternative methods of contact where a complainant uses a different communication preference due to disability or a learning difficulty.

The Collegiate will record the progress of any formal complaint and the final outcome. The Complaints Coordinator will be responsible for these records and will hold them centrally. Brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record.

### Exclusions and Exceptional Circumstances

An anonymous complaint will only be investigated in very limited and exceptional circumstances. A complaint relating to matters more than 3 months in the past will normally only be accepted and investigated in exceptional circumstances.

## **Stage One (formal): Complaint Heard by SCITT Director**

A formal complaint should be submitted to Bromley Schools' Collegiate in the form set out at Appendix 1, or at least including all the matters covered in that form. Complaints will not be disregarded where the form has not been completed. However, the Complaints Coordinator may request additional information to understand the scope of your complaint and how it may be resolved. Complaints should be made as soon as reasonably practicable following the exhaustion of Stage One (where possible). If the exact nature of the complaint, and the outcome sought, are not clear, the Complaints Coordinator must ensure this is clarified in writing so that the terms are clear if Stage Two and/or Stage Three is required.

- i. The SCITT director will promptly acknowledge the complaint (usually within five working days) and will be the person to consider it and reach the decision upon any action to be taken.
- ii. The SCITT Director will usually also investigate the complaint; however, he/she may if appropriate appoint another suitable person to investigate the complaint on his/her behalf and produce a report, which the SCITT Director will consider in reaching their decision.
- iii. The SCITT Director will confirm his/her decision in writing within 15 working days of the initial acknowledgement or sooner, if possible. The response will determine whether or not the complaint has been upheld, the reasons why and what action, if any, will be taken.
- iv. Where further investigation is necessary, or it is not possible to respond within this timeframe, new time limits will be set and you will be contacted to advise of a new deadline and will receive an explanation for any delay.
- v. The Complaints Coordinator dealing with the formal complaint must keep a written record of the complaint and any action taken as a result of the formal complaint.

## **Stage Two (formal): Complaint Heard by Scheme Manager**

If the complaint is still not resolved to the complainant's satisfaction, the complainant can refer the complaint to the Scheme Manager. This can either be in writing to the Scheme Manager. The SCITT Director can also refer the complaint to the Scheme Manager.

If the SCITT Director is the subject of the complaint, the complaint should go straight to the Scheme Manager and miss out Stage One. Where appropriate, the Scheme Manager may ask for the complaint to be put in writing using the form at Appendix 1 (if this has not already happened). If the exact nature of the complaint, and the outcome sought, are not clear, the Scheme Manager must ensure this is clarified in writing so that the terms are clear if Stage Three is required.

The Scheme Manager will acknowledge receipt of the complaint within 5 working days and may offer to meet the complainant at a mutually convenient time, if it is felt more information is required, or if the complainant asks for a meeting.

The Scheme Manager has 15 working days to investigate the complaint. If it cannot be resolved within this time, the Scheme Manager will inform the complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Scheme Manager should, however, give a realistic timescale for when the complaint should be resolved. The Scheme Manager should inform the complainant of when it is expected that the investigation should be completed.

The Scheme Manager will confirm his/her decision in writing within 15 working days of the initial acknowledgement.

### **Stage Three (formal): Review by Chair of Consortium Board**

If the complainant remains dissatisfied with the outcome of Stage Two, they should write to the Consortium Board of Headteachers giving details of the complaint and the reasons why they disagree with the decision no later than 10 working days from the date of the decision letter, though additional time to complete this stage can be given to the complainant in exceptional circumstances.

Consortium Board  
For the attention of Mr Steve Whittle  
Bromley Schools' Collegiate  
Hayes School  
West Common Road  
Hayes  
Kent, BR2 7DB

Once the Consortium Board representative has reviewed your letter, a panel will be set up to review the complaint. All communication documents will be passed to the panel alongside the initial complaint, including:

- A summary of the steps taken at Stage One;
- The formal complaint lodged at Stage Two;
- The investigation steps taken by the Bromley Schools' Collegiate (SCITT Director/Scheme Manager)
- The decision made at Stage Two; and
- The complainant's review correspondence and any supporting documentation.

The Panel will consider the complaint and may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the Bromley Schools' Collegiate's systems or procedures to ensure that problems of a similar nature do not recur.

Dismissal of a complaint may be done where (without limitation):

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential.

They will have 20 working days to review all the steps taken to resolve the complaint and communicate the final outcome. The Consortium Board will issue a Completion of Procedures Letter in compliance with the procedures laid down by the Office of the Independent Adjudicator for Higher Education.

## **Monitoring and Review**

The Chair of the Consortium Board will report on the operation of the Complaints Procedure to the Board once a year. This report will include:

- the number of formal complaints that have been made.
- the number that have been satisfactorily dealt with at the point of the original investigation.
- the number of occasions on which a Review Panel has met.
- any significant amendments to policy or practice as a result of the complaints made.
- any issues that have arisen in the operation of the Complaints Procedure.

The Chair of the Consortium Board's report will respect the confidentiality of the individual.

## **Unreasonable Conduct by a Complainant**

Bromley Schools' Collegiate 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 service provision. 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.

Complainants (and/or anyone acting on their behalf) may be deemed by the SCITT Director and Chair of Consortium Board to be unreasonable if they have behaved in any of the following ways (this list is not exhaustive):

- The complainant makes such frequent contact with the Collegiate that objective consideration of a "live" complaint is hindered;
- The complainant makes a string of further complaints about a "live" investigation or changes aspect of the complaint, during the investigation;
- The complainant exhausts all stages of the Collegiate's complaints procedure but continues to pursue the same matter;
- The complainant seeks an unrealistic outcome and persists in doing so despite being advised that this is the case.
- The complainant's communications are:
  - o Malicious, abusive or aggressive;
  - o Use threats, intimidation or violence;
  - o Use offensive, abusive or discriminatory language;
  - o Known by them to be false and/or contain falsified information;
  - o Publish unacceptable information in a variety of media such as in social media websites and newspapers.
- The complainant makes insulting personal comments about, or threats towards, staff.
- The complainant makes unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced.
- The complainant refuses to articulate their complaint or specify their grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- The complainant refuses to co-operate with the complaints investigation process while still

wishing their complaint to be resolved.

- The complainant makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

In these examples a “contact” may be in person, in writing, or by telephone or SMS text.

Whenever possible, the SCITT Director, Scheme Manager or Chair of Consortium Board will discuss any concerns with the complainant informally before applying an “unreasonable” marking to their communications.

Where a complainant continues to behave in an unacceptable fashion the SCITT Director or Chair of Consortium Board will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. Bromley Schools’ Collegiate may decide to deal with such complaints in one or more of the following ways, for example:

- a. Try to agree with the complainant a code of behaviour for the parties involved if the Collegiate is to continue processing the complaint.
- b. To require contact to take place with a named officer only.
- c. To restrict telephone calls to specified days and times.
- d. To restrict contact with the complainant to one form of contact only.
- e. To limit the number of times contact can be made per term.

### Appendix 1: Complaint Form

This is a Complaint Form intended to instigate Stage 2 of the Complaints Procedure, after attempts to resolve the concern informally under Stage 1 have not provided you with a resolution you consider satisfactory.

It is anticipated that complaints will normally have been raised informally with the school and this form requests information from complainants where this has (and has not) been the case, prior to the submission of a formal complaint.

Please complete and return to Mrs Gill Kendall, Strategic Administrator (Complaints Coordinator) who will acknowledge receipt and explain what action will be taken.

Your name:	
Address:	
Telephone Number(s):	
E-mail address:	
Please give concise details of your complaint.  Please include, where possible, dates, names of witnesses, etc. as this will enable us to properly investigate your complaint.	

<p>What action, if any, have you already taken to try and resolve your complaint.</p> <p>(Who did you speak to and what was the response)?</p>	
<p>If you have not taken such action, please set out here your reasons.</p>	



What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signed:	
Dated:	
<b><u>Official Use</u></b>	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Date:	