



Complaints Policy for Parents / Carers

Policy Number	New or Reviewed	Date of next Review	Responsibility
HCP048	June 2018	June 2019	Principal

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Empowering learners to shape their future

COMPLAINTS POLICY FOR PARENTS / CARERS

1. Complaints Policy Statement

- 1.1. Horizons College always welcome comments, suggestions, complaints and compliments. Horizons College sees them as ways of giving everyone a better service. Complaints show Horizons College where things may be going wrong and compliments show that Horizons College are providing the service that is expected and wanted. Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of Horizons College community.

2. Introduction

- 2.1 Horizons College suggests that complaints or concerns should be brought to the attention of the Learning Lead, or where this is inappropriate or proves to be unsatisfactory, to the attention of the Principal.
- 2.2 The Local Authority (LA) has limited powers to investigate internal College matters and all complaints received by the LA will, with the agreement of the complainant, be passed to the Principal or the Chair of Governors (COG) of Horizons College for response. There may be occasions when the Principal or Local Governing Body (LGB) would like the LA to investigate a complaint on behalf of Horizons College. This will apply to cases where child protection issues arise and Social Care are involved or where there is a serious complaint against the Principal.

3. Complaints Procedure

- 3.1 **STEP 1** - Most complaints and concerns from parents can be resolved satisfactorily through direct discussion with the learner's Learning Lead, the Principal or other member of staff, without the need to resort to a formal procedure. However, if the discussion seems unlikely to resolve matters, there may be a need to proceed to the next step.
- 3.2 **STEP 2** – The complaint should now be set out in writing and submitted to the Principal, although discretion exists to receive complaints verbally or by telephone. The complaint should outline:
 - a. The precise nature of the complaint, specifying dates, times etc.
 - b. What the complainant would like done to resolve the matter.
 - c. If the complaint involves an allegation of a potentially serious criminal nature, the Principal must inform the LA so that it can be recorded and Horizons College advised about further action.
 - d. For most other complaints, which are likely to relate to specific actions or events, there will

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be a need for further investigation in order to clarify facts. The Principal or nominee will normally undertake this.

- e. Receipt of the complaint will be acknowledged within five working days and a meeting with the complainant will be arranged in order to establish the precise nature of the complaint and to discuss ways in which the matter can be resolved. If a formal investigation follows, the Principal should invite all parties to provide written comments as part of the investigation.
- f. Investigations at Step 2 should normally be completed within two weeks of receipt of the complaint, unless there are exceptional circumstances. A formal response will be sent within two weeks of completion of the investigation.

3.3 **STEP 3** – In all cases where the Principal is unable to resolve a complaint to the satisfaction of the complainant, the matter will need to be considered by the LGB. The complaint will need to be submitted to the COG who will acknowledge receipt within two working days. The function of the LGB would be to check over the facts of the case again and, if necessary, meet with the complainant, within a period of two weeks, in order to attempt to reach an appropriate solution. The outcome of their scrutiny will usually give rise to one of two options:

- a. The LGB may be able to take the appropriate action necessary to resolve the complaint.
- b. The LGB may report to the complainant that all investigative measures have been exhausted.
- c. The decision of the LGB should be communicated in writing to the complainant within a week of the meeting giving a written apology or, if inappropriate, reasons why the panel was unable to uphold the complaint.

3.4 **STEP 4** – Complainants can request an investigation by the LA when they feel that their complaint has not been investigated fairly by the LGB. The LA retains a responsibility to ensure that Governors have acted properly in the exercise of their functions. Following the investigation, any findings would normally be presented to the LGB to see if an agreement can be reached.

3.5 **STEP 5** – Finally, complainants have a right of appeal to the Secretary of State for Children, Schools and Families if they feel that the LA has acted unreasonably. In such cases, the Department for Education (DfE) will examine the complaint against the LA and adjudicate. The Department for Children, Schools and Families (DfCSF) has the power to require the LA to take certain actions (including issuing instructions to Local Governing Bodies in appropriate circumstances).

4. Unreasonably Persistent Complainant

4.1 An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner. Unreasonable behaviour may include:

- a. Actions that are out of proportion to the nature of the complaint.

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- b. Persistent – even when the complaints procedure has been exhausted, or personally harassing, or unjustifiably repetitious.
- c. An insistence on pursuing unjustified complaints and / or unrealistic outcomes to justified complaints.
- d. Pursuing justifiable complaints in an unreasonable manner (e.g. using abusive or threatening language).
- e. Making complaints in public or via a social networking site such as Facebook.
- f. Refusing to attend appointments to discuss the complaint.

5. Harassment

- 5.1 Horizons College regards harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in an intended to cause personal distress rather than to seek a resolution. Harassment may fall within the scope of this policy if:
- a. It appears to be deliberately targeted at one or more members of Horizons College staff or others, without good cause.
 - b. The way in which a complaint or other issues are pursued (as opposed to the complaint itself) causes undue distress to school staff or others.
 - c. It has a significant and disproportionate adverse effect on the school community.

6. Horizons Colleges Expectation of Any Person Raising a Concern

- 6.1 Horizons College expects anyone who wishes to raise concerns with Horizons College to:
- a. Treat all members of Horizons College community with courtesy and respect.
 - b. Respect the needs of learners and staff within Horizons College.
 - c. Avoid the use of violence, or threats of violence, towards people or property.
 - d. Recognise the time constraints under which members of staff in Horizons College works and allow Horizons College a reasonable time to respond to a complaint.
 - e. Follow the Horizon College's complaints procedure.

7. Horizons College Responses to Unreasonably Persistent Complaints or Harassment

- 7.1 Horizons College will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty. However, in cases of unreasonably persistent complaints or harassment, Horizons College may take some or all of the following steps, as appropriate:

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- a. Inform the complainant informally that his / her behaviour is now considered by Horizons College to be unreasonable or unacceptable, and request a changed approach.
- b. Inform the complainant in writing that Horizons College considers his / her behaviour to fall under the terms of this policy.
- c. Require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken.
- d. Inform the complainant that, except in emergencies, Horizons College will respond only to written communication and that these may be required to be channeled through the LA.

8. Physical or Verbal Aggression

- 8.1 Horizons College LGB will not tolerate any form of physical or verbal aggression against members of Horizons College community. If there is evidence of any such aggression Horizons College may:
 - a. Ban the individual from entering Horizons College, with immediate effect.
 - b. Request an Anti-Social Behaviour Order (ASBO).
 - c. Prosecute under Anti-Harassment legislation.
 - d. Call the police to remove the individual from the premises, under powers provided by the Education Act 1996.
- 8.2 Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints / Harassment element of this Policy.
- 8.3 Horizons College nevertheless reserves the right not to respond to communications from individuals subject to the policy.

9. Conclusion

- 9.1 It is important to ensure that complaints are always dealt with as speedily as possible. Most enquiries and concerns can be dealt with satisfactorily. The value of informal discussion and meetings should not be underestimated.

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Signed Principal

Signed Chair of Governors

Date