

## **Brian Jackson College**

**Staff Responsible: Education and Training Manager**

**Reviewed: June 2015**

**Review: June 2016**

### **Complaints Procedures**

#### **Introduction**

**The Trustees of Brian Jackson College of Open Learning (incorporating 14-16) has approved this policy.**

**The Trustees are required to deal with all complaints relating to the College (stages 1-3 and A-D) in the guidelines outlined below.**

- A. School curriculum and the provision of information required by law**
- B. Appeals about admission**
- C. Appeals about exclusion and dismissal**
- D. Appeals about assessment and statements of special educational needs**

#### **Approach**

At Brian Jackson College we aim to deal with all worries and complaints in a positive and supportive manner.

In most cases the class teacher is the first point of contact and we try to deal with all concerns quickly and effectively and will hopefully address and resolve the concern within 48 hrs. If the parent / carer are not happy with the way the concern has been dealt with, the stages below offer clear guidance as to the action to be taken.

#### **Stage 1. Initial contact with the College**

Many concerns will be dealt with informally when you first make them known to the College. In most cases we would expect the class teacher to be the first point of contact, either by telephone or in person.

If the parent / carer wish to meet with the class teacher we respectfully ask them to make an appointment to discuss the situation within 5 working days. This ensures that

- \* We allocate sufficient time to listen carefully to your complaint
- \* Lessons can start on time and are uninterrupted.

If for any reason the teacher is unable to meet with the parent, he / she will either

- \* arrange an alternative appointment
- \* arrange for another member of the year group team to speak with the parent / carer
- \* ask the Head teacher or representative to informally meet with the parent / carer

If possible we prefer all concerns / complaints to be dealt with as quickly as possible and to everyone's satisfaction. It is preferable for concerns to be handled without the need for formal procedures. We pride ourselves on honest and genuine relationships within our school; such values extend to all relationships with children, parents and members of our wider college community.

However, we do appreciate that there may be times when more formal procedures are required and we will treat all complaints with fairness and respect. In most cases we hope that the class teacher will be the first contact and we will endeavour to resolve issues on the spot.

All complaints will be investigated with respect and integrity.

Occasionally these discussions do not always resolve concerns, and if you are still dissatisfied your concern will become a formal complaint.

## **Stage 2. Formal Consideration of your complaint**

You will be asked to confirm the complaint in writing to the Head teacher (or Chair of the Trustees if the complaint is about the Education and Training Manager) within 5 working days and it will be acknowledged in writing to you within 5 working days.

The Head teacher or Chair of Trustees (Panel) will carry out a full investigation of all matters relating to your complaint. He/she, where necessary will talk to witnesses and take statements from others involved.

If the complaint centres on a pupil the college will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. The college will normally talk to a pupil with a parent or carer present.

If the complaint is against a member of staff the panel must ensure that findings and recommendations are made available in writing to the complainant, proprietors, Education and Training Manager, and if relevant to the person complained about.

The Head Teacher or Chair of Trustees will keep written / typed, signed and dated records of all meetings and telephone conversations, and other related documents.

Once the college has established all the relevant facts, they will send you a written response to your complaint. This will give a full explanation of the Education and Training Managers / Chair of Trustees decision and the reason for it. If follow-up action is needed, the college will indicate what we are proposing to do.

### **Stage 3. Consideration by the Trustees**

If your concern has already been through Stage 1 and 2 and you are not happy with the outcome, the next step is to make a formal complaint to the Trustees. You should contact the Colleges chair of Trustees by letter, enclosing a copy of the written complaint originally submitted, indicating which matters remain unresolved. No new complaint may be included. This must be notified to the Chair of Trustees in writing within one month after the initial panel. Letters should be sent to:

Chair of Trustees  
Brian Jackson College  
National Children's Centre  
Brian Jackson House  
New North Parade  
Huddersfield  
West Yorkshire  
HD1 5JP

The Chair of Trustees has discretion to agree to a complaint review panel if she / he feels it would be helpful in resolving the complaint. You will be notified of this after 5 working days of receipt of the letter.

The aim of the complaints review panel is to resolve the complaint and to achieve reconciliation between the college and the parent(s) / carer(s). However, it may sometimes only be possible to establish facts and to make recommendations, which will reassure you that the complaint has been taken seriously.

The format of such a meeting would be for you to attend, to present your case

and allow the Trustees to take evidence. A separate meeting will then take place to allow the college staff to do the same.

Should the Trustees agree to hold a complaints review meeting you will be informed of the date, time and place of the meeting by letter with 5 working days notice of the meeting. The letter will also explain what will happen at the meeting and inform you that you are entitled to be accompanied at the meeting. With agreement of the Chair of the Panel, the Head teacher may invite members of the staff directly involved in matters raised by you to attend the meeting.

As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants.

As part of the schools consideration of your complaint, you may be invited to the meeting to discuss the complaint and to discuss any further details. This complaint will be discussed before a panel of no less than 3 people who were not directly involved with the initial complaint. Where a panel is convened one member of the panel will be independent of the management and running of the school. This may be a member of the Local Authority the proprietor has the responsibility of appointing the panel members and it is to their discretion.

If you wish, you can ask someone to accompany you, to help you explain the reasons for your complaint.

There will be 5 working days notice given to all concerned parties before the hearing of the panel.

The clerk will send you and the Head teacher a written statement outlining the decision of the panel within two weeks.

#### **Stage 4. Complaints to the Secretary of State**

If you wish to pursue the complaint, you have recourse to the Secretary of state or, if the complaint is against action taken, or not taken by the LA, it is possible for that complaint to be referred to the Local Government Ombudsman.

Further details are available from the education directorate on 0191 553 1398.

We would advise that, unless the school or LA has acted unreasonably or not to have followed our own procedures, there is little further action that can be taken. This is because the Trustees are empowered to deal with many issues without reference to either the LA or Secretary of State.

#### **Complaints to the Local Authority**

The Trustees decision will usually be final; however, if you wish to pursue the matter further, you can ask the LA whether your complaint is one that can be heard by them. However, in the majority of cases, unless your complaint relates to issues for which there are separate arrangements laid down by law (as previously detailed) there is no right of formal complaint to the Local Authority.

If the LA receives an anonymous complaint, the details will be passed to the school, but it will be at the schools discretion if this is investigated. N.B. this will not apply in relation to issues connected with Child Protection.

### **Confidentiality**

All correspondence, statements and records of complaints will be kept confidential.

They can however by law be presented to Her Majesties Inspectors.

Copies must also be made available to the Registration Authority upon request.