

# New London Educational Trust



## Complaints Policy and Procedure

Version 4

January 2020

75-81, Sceptre House, Staines Road, Hounslow, London, TW3 3HW.

## **Introduction**

We aim to ensure your experience of the New London Educational Trust (NLET) is positive. However, we know that there would be a situation where people might have concerns about some areas of our work, or the conduct of our staff or learners.

We take complaints seriously. We view them as an important way of improving what we do. Complaints can let us know about difficulties or problems in our systems and may lead us to change and improve processes and procedures.

This document explains how users and stakeholders can make complaints about the services offered by the Trust.

Our complaints procedure covers concerns and formal complaints including:

- Teaching and Learning
- Equality and Diversity issues
- The Trust Environment

All Assessment/verification/moderation/ marking issues please see the appeals procedure and follow the guidance.

## **Principles of the Complaints Procedure**

We want our complaints procedure to be easily accessible, well publicised and easy to use.

We will handle complaints in line with the principles below:

- We will handle complaints speedily and with rigorous standards for action and keeping people informed.
- The process will be consistent, treating people in similar circumstances in similar ways.
- We will investigate complaints thoroughly.
- We will consider and respond to complaints in a fair and even-handed way.
- We will provide a full response which tackles all the issues raised.
- We will provide clear information on what to do if people are unhappy with the response, including eventual recourse to an external agency.
- We will regularly monitor complaints.
- We will report half yearly to the NLET Board on the level and nature of complaints received.

Our definition of a complaint is any expression of dissatisfaction about the service we provide that needs a response. We can resolve many concerns informally, as described below. We will deal with any complaint made in writing under the formal complaints procedure as described in stage 3 of the below procedure.

We will investigate every complaint thoroughly and deal with the issues as quickly as possible. We will admit our failings if the facts clearly prove that we have not delivered an acceptable standard of service.

You can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the Trust by the Education (Independent Trusts Standards) Regulations 2003; where disclosure is required in the course of the Trust's inspection; or where any other legal obligation prevails. Written records (available on request) will contain an indication whether complaints were resolved at the preliminary stage, or whether they proceeded to a panel hearing.

## **Safeguarding**

Safeguarding children and vulnerable adults is a central part of our business. Our definition of safeguarding can be summarised as:

- Protecting children and vulnerable adults from maltreatment, harm, risk, attempted harm and abuse – whether this be physical, sexual, emotional, psychological abuse or neglect.
- Undertaking that role so as to enable those children and vulnerable adults to have optimum life chances and to enter adulthood successfully.

If you have a concern about the safety of a young person or vulnerable adult at the Trust you should contact the Trust immediately, where you will be referred to one of the staff with responsibility for dealing with safeguarding matters e.g. the Designated Safeguarding Lead.

You can read more about our commitment to protecting learners in our safeguarding policy.

## **Stage 1: Resolving Concerns Informally**

We encourage anyone with a concern or a complaint to raise these as soon as possible so that we can deal with them quickly.

If you are already a learner at the Trust you should, in the first instance, speak to your Personal Tutor or Assessor. These people will do all they can to sort out the matters raised, through discussions and asking for advice where necessary.

If parents have a complaint they should contact their child's Personal Tutor. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the Personal Tutor cannot resolve the matter alone, it may be necessary for him/her to consult the Operations Director or Head of Department.

Complaints made directly to a member of staff other than the learner's Personal Tutor will usually be referred to the Personal Tutor unless the CEO/Principal deems it appropriate for another member of staff to deal with the matter.

If you are not already a learner at the Trust, please talk to our staff at reception who will be happy to help resolve the matter.

To help develop and improve the service we offer, we keep written records of concerns and complaints raised and the date on which they were received and subsequently where relevant, details of the resolution reached.

Should the matter not be resolved within 10 working days or in the event that the Personal Tutor and the learner/parent fail to reach a satisfactory resolution, then the learner/parent will be advised to proceed with their complaint in accordance with Stage 2 of this complaints procedure.

Please Note:

***Where appropriate, reference will be made to other Trust policies or procedures such as: Staff Grievance Procedure; Learner Disciplinary Procedure; Harassment & Bullying Policy***

***The Trust will not investigate complaints considered to be malicious.***

## **Stage 2: Contacting Learner Services**

If you are unhappy with the response you receive to an initial complaint, you can talk to one of our staff in the learner services team.

The staff will listen to your concerns, check what action has already been taken and, where necessary, ask questions to make sure they clearly understand your issues. If necessary, the learner services team will then contact those best placed to help.

The learner services staff will, if appropriate, advise and support you with the aim of 'brokering' a resolution.

The staff will keep a written record of each case so that it can be used if any further investigation is needed. We will try to make sure that you are satisfied that we have done everything possible to resolve your concern.

If you feel that the matter has not been resolved within 10 working days, we will tell you how to make a formal complaint in accordance with Stage 3 of this complaints procedure.

### Stage 3: Initiating a Formal Complaint

If it has not been possible to resolve your concerns informally, you may decide to make a formal complaint in writing to the Principal along with any evidential substantiation if appropriate. Complaints could be about the conduct of our staff; our teaching and learning; our administrative processes; the Trust environment; or a combination of these.

We encourage you to lodge the complaint within 30 days of the incident to ensure that the issue can be investigated fully and acted upon promptly. Complaints should normally be made in writing, either in a letter or an email or by using the complaint form.

To submit your complaint, please either:

Write to The CEO, New London Educational Trust, Sceptre House, 75-81, Staines Road, Hounslow, London, TW3 3HW.

Send an e-mail to [admin@nletrust.org](mailto:admin@nletrust.org) marked for the attention of the CEO

You will be sent an acknowledgement of your complaint within five working days of its receipt.

If you have special circumstances which mean that you cannot send us a complaint in writing, or would like some assistance in submitting a complaint, then please contact the learner services team, where they will be happy to assist you.

It is important that we have all the information, with all the points you want us to consider, from the start of the process. This will allow us to deal with your complaint more quickly and will reduce the need for us to ask for more information. You must give the reasons for your complaint clearly, with the main areas of concern set out and supported by examples. If you are unsure, the complaints form may help you to structure your complaint. The CEO/Principal will initially assess your complaint and decide who will carry out the investigation. The CEO/Principal will be aware of your complaint and will oversee the investigation.

It may be necessary for the Principal to carry out further investigations and to request further information from any party. The recipient at this stage will acknowledge receipt of the complaint, either orally or in writing, normally within five working days, indicating what action is being taken and the likely time scale. In most cases, the Principal will meet or speak to the learner/parent concerned to discuss the matter. If possible, a resolution will be reached at this stage.

The CEO/Principal will keep written records of all meetings and interviews held in relation to the complaint. Once the CEO/Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and learner/parent will be informed of this decision in writing and we will ensure that the outcome letter is sufficiently detailed to provide a full response to all aspects raised in your complaint.

We will ensure that the response provides a clear conclusion in terms of whether an aspect of a complaint has been upheld or not upheld. However, where the evidence is inconclusive, (for example, if there is a difference of opinion which cannot reasonably be resolved through independent confirmation) then no conclusion will be drawn and the outcome will be recorded as 'no decision could be reached'. Where this occurs, we will give a full explanation of why a conclusion cannot be reached.

We will try to answer all of your concerns within 10 working days from the date of receipt. When we cannot answer concerns within 10 days, we will keep you informed about when you will receive a response. Our reply will include details of how to proceed should you remain unhappy with the response.

#### **Stage 4: Involving the Governing Council**

If you remain dissatisfied, you should contact the Chair of NLET Board of Trustees at the address below and request a review of how the complaint was handled and the resolution offered. The request needs to be made within 14 days of the reply from the Principal. You will receive an acknowledgement within five working days.

The Chair of the Board of Trustees, New London Educational Trust, Sceptre House, 75-81, Staines Road, Hounslow, London, TW3 3HW

The chair of the Board of Trustees will consider your request and will carry out a review of the investigation and the outcome, taking account of your concerns. This review will also consider:

- Adherence to procedure
- Alleged discrimination or discourtesy
- Failure to apologise or accept mistakes
- The appropriateness of the remedies offered

## Stage 5: Panel Hearing

If, after having had your complaint reviewed by the Chair of Board of Trustees, you remain dissatisfied with the outcome, and seek to invoke Stage 5 (following a failure to reach an earlier resolution), you must write to the Trust's CEO/Principal (address above) requesting a hearing before a Complaints Panel. The request will only be considered if the procedures at Stages 1-4 have been completed. You must state in the letter the outcome desired and all the grounds of the complaint. You should also send a list of all the documents that you believe to be in the Trust's possession that you consider relevant in the matter and that you wish the Panel to see.

- The CEO/Principal will acknowledge the request normally within five working days of receiving it and schedule a hearing before the Panel to take place as soon as practicable and normally within 15 working days thereafter.
- The Panel will consist of at least three persons, comprising a Director and a senior employee of the Trust who have no detailed prior knowledge of the circumstances together with at least one member who is independent of the management and governance of the Trust.
- The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied to all parties not later than five working days prior to the hearing.
- The learner/parent may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- All statements made at the hearing will be unsworn. All present will be entitled, should they so wish, to write their own notes for reference purposes. The Chair may direct that the hearing is tape recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain tapes thereafter. A handwritten minute of the hearing will be taken in any event.
- The Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- All those attending the hearing will be expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chair. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way in which the hearing is conducted must say so before the proceedings go any further and his/her comments will be minuted.
- If further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts it considers relevant, the Panel will reach a decision and may make recommendations, which it shall complete within five working days of the Hearing. The Panel will write to the learner/parent 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 in writing to the learner/parent, the Principal/CEO and, where relevant, the person complained of.

Please note that the Panel will not normally investigate complaints more than three months after the decision or action was taken. The Panel also reserves the right not to investigate complaints it considers to be vexatious or malicious.