

COMPLAINTS POLICY



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Complaints Policy

Policy Statement

It is in everyone's best interests at Employability Solutions Ltd and our wider community to communicate well with one another and to ensure that any concerns and complaints are dealt with as quickly and appropriately as possible. In addition, concerns and complaints brought to the attention of the Senior Leadership Team can be an opportunity to inform, review and help improve policies and procedures.

This policy has been developed after consulting:

- Department for Education (DfE) Complaints Guidance
- Best practice from other Local Authorities

Aims and principles of the policy

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly and within defined time limits where possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good working relationships between the centre and all those involved

All staff, volunteers, board members, students, parents and carers at Employability Solutions Ltd should be made aware of this complaints policy and any other policies that may be inter-related (e.g. Behaviour, Discipline and Anti-Bullying Policy, Health & Safety Policy etc).

Key principles of the policy are:

- Accessibility – useable format, free from jargon, assuming no specialist knowledge
- Good communication – clarification of the process involved in dealing with complaints
- Clear and adhering to recommended timescales (where appropriate)
- Clarity over roles and responsibilities of those involved in the process
- Appropriate confidentiality which must be maintained by all involved in the process (including any staff, volunteers and members of the board)

Summary

1. This policy sets out the procedures which Employability Solutions will follow whenever it receives a complaint for which there are not alternative statutory procedures.
2. In all cases where the complaint directly concerns the CEO, the Chair of the Board (or nominated board member) in the first instance will investigate the complaint
3. Informally, the appropriate Head of Education Advisory Service will also be alerted.
4. If complaints about the organisation are brought to the attention of the Local Authority, the complainants will be advised to contact the organisation and to follow the procedures set out within the organisation's complaints policy.
5. This policy may be used by anyone who has a concern or complaint about any aspect of Employability Solutions Ltd. In the main this will mean parents and carers of the students but may include neighbours of the organisation or other members of the local community.
6. The Board Members may need to consider setting up collaboration arrangements with another governing body in the eventuality of not having enough impartial members of the Board Members to hear the appeal.



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Monitoring and recording complaints

At all stages of the complaints procedure the following information should be recorded:

- Name of the complainant
- Date and time at which complaint was made
- Details of the nature of the complaint
- Desired outcome of the complainant
- How the complaint is being investigated (including written records of any interviews held)
- Results and conclusions of investigations
- Any action taken
- The complainant's response
- Record of any subsequent action if required

All correspondence, statements and records relating to individual complaints will be kept confidential in accordance with GDPR except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

The Senior Leadership Team will appropriately monitor the general nature of any complaints at monthly SLT meetings and the board will receive an annual report each academic year to inform practice and potential improvements to procedures and policies within the Employability Solutions Ltd.

Upholding or not upholding complaints

At each stage of the complaints procedure the conclusion will be either:

- That the complaint is upheld (in part or full) and where appropriate some form of action is taken **OR**
- That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given

In the first instance of receiving a complaint it may be appropriate to resolve the issue by offering to the complainant one or more of the following:

- An empathetic response
- An explanation of events
- A recognition that the situation could have been handled differently or better
- An explanation of the steps that have been taken to endeavour that it will not happen again. However, this must not include any information or detailed action taken involving a member of staff
- An undertaking to review organisation policies in light of the findings of the complaint

The complainant may choose to take no further action or take their complaint to the next stage.

All formal complaints must be lodged with:

Complaints
Employability Solutions
52 Wellington street
Garston
Liverpool
L19 2LX
admin@employabilitysolutions.com
0151 427 4193



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The Stages of the Complaints Process

Stage 1 (also known as the Informal Stage)

The complainant raises and discusses their concerns/issues with child/young person's tutor or the Head of Education. Most concerns can be resolved satisfactorily at this stage. However, the staff member may feel it more appropriate to refer the complainant to a more senior or experienced member of staff who will try to resolve the concern informally, within 5 working days.

Stage 2

If the complainant remains unhappy, they should formally put their concerns in writing or arrange an appointment to make their concerns formally in writing with the Head of Education or Student Services Manager. They will then investigate the concerns and respond within agreed timescales. An acknowledgement will be made of the concern/complaint within five teaching/working days. The Head of Education/Student Services Manager will respond to the issues raised within 15 teaching/working days of receiving the complaint. If it is not possible to meet these timescales, then the responder will contact the complainant to discuss reviewing these.

If the concern or complaint is against the Head of Education or Student Services Manager, in the first instance the complainant will need to write in confidence to the CEO, Claire Cook. The CEO will seek to resolve the issue informally before, if necessary, moving to Stage 3. If the concern or complaint is about the CEO, in the first instance the complainant will need to contact The Chair of the Board.

Stage 3 (also known as the Formal Stage)

If the Head of Education/Student Services Manager is unable to resolve the concern to the satisfaction of the complainant, the complainant may write to the Chair of the Board (as above). The Chair of the Board will acknowledge the complaint within five teaching/working days and arrange a panel hearing for the complaint to be heard (within agreed timescales). There will be at least 3 Panel members and they will have no previous involvement or knowledge of the case and there will be at least one panel member who is independent from the management and running of the organisation. The Chair/Clerk of the complaints panel will contact the complainant with the arrangements. The complainant may attend the panel hearing and can be accompanied if they wish.

Once the panel has been held the complainant and Employability Solutions Ltd will be informed of their decision within five teaching/working days. If it is not possible to meet these timescales, then the Chair of the panel will contact both parties to discuss a mutually convenient date.

A copy of the findings and recommendations will be provided to the complainant and where relevant the person complained about. There will also be a copy available for inspection on the organisation's premises by the CEO and Head of Education.

Stage 4

If the complainant remains unsatisfied by the outcome of the panel, they may contact the local authority, who will investigate if the organisation's complaints process has been carried out appropriately. However, the Local Authority cannot overturn a panel's decision.

Stage 5

If the complainant is unsatisfied at the end of Stage 4 they can contact the Secretary of State:

Secretary of State for Education
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288



Complaints Policy

Where any complaint is made formal and in writing all records must be kept whether they are resolved following a formal procedure or proceed to a panel hearing and action taken by the organisation as a result of those complaints, regardless of whether they are upheld.

All the records must be kept confidential in line with GDPR except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests to access them.

Records that must be kept include:

- Correspondence
- Statements
- Records relating to individual complaints

Requests for information pertaining to complaints in the previous year, can be requested by contacting our Business Manager, (sarah@employabilitysolutions.com).

What is not covered by this Complaints Policy

- Issues relating to child protection – in the first instance contact the Designated Safeguarding Lead for the relevant centre.
- Employee grievances/disciplinary/dismissal – refer to Employability Solutions Ltd.'s Personnel Handbook for the process. Where the complaint results in a staff grievance or disciplinary it is important that the organisation follows the appropriate procedures and that the complainant should not be given any details of the action involving an individual member of staff.
- Appeals against accreditation decisions. Refer to Student Appeals Policy.
- Criminal investigations – refer to the police.