



CAPA College Complaints Procedure

Approved by Governors: 4th December 2020
Date for Review: December 2021

1	Introduction
1.1	At CAPA College we pride ourselves on our openness and approachability. CAPA College welcomes the expression of opinions, ideas and suggestions, and, recognizes the right of students and parent/carers to air a grievance, express a concern or make a formal complaint. We believe that we can learn from the experience and views of students, parents/carers and other stakeholders and want to listen to and address any concerns that may arise.
1.2	Concerns and complaints are always taken seriously, and it is our aim to resolve them in the most satisfactory manner possible. In the event of a student or parent/carer wishing to express a concern or make a complaint, we encourage the complainant to bring the matter to our attention as early as possible. This give us opportunity to try and rectify a problem or to explain CAPA College's position before a matter escalates. If you are in any doubt as to whether to raise a concern, we encourage you to contact us for further advice.
1.3	CAPA College endeavours to develop strong students/teacher relationships and every student is assigned a Tutor that is there as the first point of contact for any student issues. We want students to feel comfortable and confident addressing any concerns or grievances themselves and we find that this is by far the most effective way of dealing with the majority of issues. However, this is not to say that parent/carers cannot contact staff and we pride ourselves on positive parental engagement with regular communications throughout the year at Student Review Days, meetings, performances and events. All parent/carers are provided with the contact details of their child's tutor should they wish to contact CAPA College directly outside of the more formal calendared meetings and events.
1.4	Concerns should be logged promptly or at least within 2 calendar months of the incident. If a concern is received after this time, unless there are exceptional circumstances, no further action will be taken.
2	Policy Aim
2.1	The aim of this policy is to ensure that a concern or complaint is managed sensitively, efficiently and at the appropriate level so that it may be resolved as soon as possible. Students and parents/carers should never feel that a complaint will be taken lightly or that a complaint could adversely affect their opportunities at CAPA College. The policy distinguishes between a difficulty which can be resolved informally and a formal complaint which requires investigation. The objective is to conduct the process in a fair, impartial, objective and transparent manner.

3	Stage 1 – Informal resolution
3.1	Initially, it is often good to talk to the member of staff most directly involved and this may be done as an informal query, rather than a complaint under this policy. However, you may also direct your concern to the relevant Curriculum Pathway Leader under stage one of this procedure. If a concern is raised directly with the Principal, it is likely the Principal will forward the matter to the most appropriate member of staff in the college for it to be addressed. It is in everyone's interest to resolve a concern as quickly as possible. Therefore, the student or parent/carer should speak to the member of staff concerned at the first opportunity. It may be necessary to make an appointment at a time which is convenient to both the member of staff and student or parent/carer.
3.2	It is important to let the member of staff know what the concern is when making an appointment so that if necessary further enquiries can be made prior to the meeting.
3.3	The purpose of the meeting is to find a solution or to agree a plan of action to resolve the concern informally. On most occasions this should resolve the concern.
3.4	If the meeting does not achieve its objective, then either party may suggest that a Senior Leader should become involved. The parties should inform the Senior Leader to become involved in resolving their concern.
3.5	The Senior Leader may wish to make their own enquiries of the students, parent/carer or staff before their meeting with whoever raised the concern.
3.6	If a Senior Leader is involved, then this process should be concluded within ten working days from the date of the request.
3.7	If the Senior Leader's intervention does not resolve the concern to the satisfaction of the student or parent/carer, then they have the option to consider making a formal complaint.
4	Stage 2 – Formal Resolution
4.1	A formal complaint must be in writing and addressed to the Principal. Copies of relevant documents should also be enclosed with the complaint letter.
4.2	A formal complaint should be made at the earliest opportunity. Any delay at this stage may hinder enquiries that may need to be made or prejudice the satisfactory outcome of the complaint.

4.3	The Principal may delegate the investigation to a senior colleague. However, the decision will be that of the Principal.
4.4	If the complaint is about the Principal, the complaint letter should be sent to the Chair of the Local Governing Body. The Chair will then delegate the investigations of the complaint to a governor of CAPA College. The Chair of the Local Governing Body will write to the parent or student informing them of the name of the person who will carry out the investigation.
4.5	The person with responsibility for investigating the complaint may request a further meeting with the student or parent/carer. This meeting will be a formal meeting at which another member of staff may be present to take a note. The student or parent/carer may be accompanied to the meeting.
4.6	A written response will be made to the complainant within 20 college days of the written complaint being received. Outcomes to a complaint may include:
4.7	<ol style="list-style-type: none"> I. A finding that the complaint requires no further action. II. A finding that there is insufficient evidence to reach a conclusion such that the complaint cannot be upheld. III. An acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence) IV. An apology. V. An explanation of the steps that have been taken to ensure that it will not happen again. VI. An undertaking to review college or trust procedures in light of the complaint.
4.8	The complainant will be advised that if they are dissatisfied with the outcome they may appeal the outcome of the complaint (see Stage Three)
5	Stage 3 – Appeal of the Decision
5.1	If a parent/carer or student wants to ask for an appeal of the decision then they must write to the Chair of the Local Governing Body within 10 working days of receipt of the decision letter, setting out why they disagree with the decision.
5.2	A panel will be appointed to hear the appeal and will comprise of three individuals not previously directly involved with the complaint. One panel member will be independent of the management and running of the college.

5.3	A complainant will be entitled to attend the appeal panel hearing and is able to be accompanied by an appropriate companion if they wish. The panel should be notified of the chosen companion in good time in advance of the hearing.
5.4	The panel may agree with the outcome of the initial complaint or find that further investigation is required and/or that recommendations are put in place. The outcome of the appeal will be communicated in writing to the complainant within 5 college days.
5.5	A record of all complaints and their outcome will be kept confidentially.
5.6	If you are still not satisfied with the response to a complaint, you may complain to the Education Skills Funding Agency (ESFA) or in some special circumstances to the Secretary of State for Education. The ESFA would normally expect such complaints to be made within 3 months of the conclusion of the college's own complaints procedure. You should exhaust college processes first before accessing the ESFA or Secretary of State for Education.
5.7	<i>Please note : The parties are expected to do their best to adhere to the timetable provided above. If for any reason a party is unable to comply with the timetable, then they should write to the other party explaining why and saying when they will comply with the timetable.</i>
6	Unreasonable Complainants
6.1	CAPA College is committed to dealing with all complaints fairly and to providing a high quality service to those who complain. However, we do not expect our staff to tolerate unacceptable behavior and will take action to protect staff from such behavior, including that which is abusive, offensive or threatening.
6.2	CAPA College defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with a college would cause significant disruption to the safe and effective operation of the college, harass or threaten any members of CAPA College, or engage in vexatious complaints by seeking to re-open matters that have already been subject to a concluded complaints procedure.'
6.3	Where a complainant acts in an unreasonable manner, CAPA College may inform the complainant that the complaints procedure has been drawn to an end by reason of the conduct of the complainant.

6.4	A complaint may be regarded as unreasonable when the person making the complaint:
	<ol style="list-style-type: none"> I. Refuses to articulate their complaint and provide the relevant information despite assistance being offered. II. Refuses to co-operate with the complaints investigation whilst still wishing their complaint to be resolved. III. Refuses to accept that certain issues are not within the scope of this policy. IV. Insists on the complaint being dealt with in a way that is incompatible with the complaints policy or with good practice. V. Changes the basis of the complaint as the investigation proceeds. VI. Introduces trivial or irrelevant information which the complainant expects to be taken in to account, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales. VII. Makes unjustified complaints about staff who are trying to deal with the complaint. VIII. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint has no grounds or has already been addressed) IX. Seeks an unrealistic outcome X. Refuses to accept the findings of an investigation, where the complaints policy has been exhausted. XI. Makes excessive demands on the college whilst the complaint is being dealt with, in terms of the amount of contact with staff regarding the complaint. XII. Behaves inappropriately, such as maliciously, aggressively, threatening or intimidating, uses abusive language, falsifies information or knows the complaint to be false.
6.5	Where a complainant's behavior is very serious, the concerns will be put in writing and the policy may be informed and the complainant may be banned from college premises. The safety of staff and students is of paramount importance to us and the public has no automatic right of entry.
6.6	Complainants should limit the number of communications with the college whilst a complaint is being processed so as not to delay an outcome being reached.
	<i>CAPA College reserves the right to amend this policy at any time during the academic year.</i>

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