

## COMPLAINTS

**This guidance is designed to support agreements on complaints procedures outlined in Section 2 & 3 of this manual the Partnership and Service Agreements**

### 1. The Need for a Complaints Protocol

There are requirements under the law to have complaints procedures in place when educating young people. There is certainly a need to have an established protocol, which is fully understood by all parties when young people are working off-site with other Learning Providers, in college, training scheme or work related placement.

The following sections are designed to help all parties involved in Work Related Learning to ensure complaints are dealt with to the satisfaction of all:

- Complaints Protocol
- Parental Complaint Form
- Learning Provider Complaint Form

**Appendix 9a** contains Advice and Guidance taken from *SHA Guidance for School and College Management PC1*

### 2. Responsibilities

In order to ensure complaints are dealt with appropriately and efficiently it is important that the **Learning Base** is the institution responsible for receiving and dealing with complaints from its students and parents/carers.

**The Learning Base** should also be the place receiving and processing complaints from Learning Providers about pupils registered with that school.

## COMPLAINTS PROTOCOL

**The following protocol is deemed to be the agreed means of dealing with complaints across all the institutions involved in collaborative working within the Wolverhampton 14-19 Scheme for Work Related Learning.**

1. For the purposes of the scheme all complaints from Students or Parents/Carers about curriculum, travel, provision, equipment, teaching, staff, etc. are to be made through a named person at the Learning Base.
2. All complaints about students, their work, behaviour, attendance, timekeeping etc are like wise to be made from the Learning Provider to a named person at the Learning Base. (This assumes that the Learning Provider is receiving no co-operation from the student despite counseling as to the problem.)
3. **The Learning Base** agrees to designate a named person to deal with all complaints between parties operating within the scheme.
4. **The Learning Provider** agrees to designate a named person to deal with all complaints between parties operating within the scheme.
5. Wherever possible the Learning Base will contact the Learning Provider within two working days of receiving any complaint from student or parent/carer and try to resolve the problem before the next student visit.
6. Wherever possible the Learning Provider will attempt to solve problems before the next student visit or within one working week if this is not possible.
7. The Learning Base will undertake to see any student causing concern to the Learning Provider before the next visit or within one working week if this is not possible. If necessary the Learning Base will contact the student's parent/carer to explain the situation and to elicit help with solving the problem.
8. In exceptional circumstances such as an alleged case of bullying or abuse. The student will not return to the placement until the case has been successfully dealt with to the satisfaction of the student and their parent/carer.

9. In cases of severe misconduct by a student the student may be excluded from attendance at the placement until the complaint has been resolved to the satisfaction of the Learning Provider. (This does not mean they will automatically be excluded from attending their Learning Base)
10. In the case of an unresolved complaint, the matter should be dealt with in concert by The Headteacher of the Learning Base, a Senior Manager from the Learning Provider and the Parent or Carer of the student.
11. Complaints relating to financial issues between institutions will be dealt with through named financial officers who may not deal with other types of complaint.
12. A register of complaints to be kept at each Learning Base together with response times and outcome.

### Complaint by the Student/Parent or Carer

Member of Staff receiving the complaint \_\_\_\_\_

From (Name of Parent/Carer): \_\_\_\_\_

Name of Student and Class: \_\_\_\_\_

Date/Time of complaint: \_\_\_\_\_

Complaint: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Taken by Learning Base:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Outcome:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Issue Passed to: \_\_\_\_\_ Date/Time: \_\_\_\_\_

Seen: Senior Member of Staff(Name): \_\_\_\_\_ Date/Time: \_\_\_\_\_

Deputy Head: \_\_\_\_\_

Head: \_\_\_\_\_



### Complaint by the Learning Provider

Member of Staff receiving the complaint \_\_\_\_\_

From (Name of Staff): \_\_\_\_\_

Provider and Course: \_\_\_\_\_

Name of Student: \_\_\_\_\_

Date/Time of complaint: \_\_\_\_\_

Complaint: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Taken by Provider: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Taken by Learning Base: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Parents/Carers Informed:

Date: \_\_\_\_\_



## Legislation Regarding Complaints Procedures

### SHA Guide for School & College Management

Under The Education Act 2002, Section 29(1) and (2) which replaces Section 39 and SSFA 1998, governing bodies are required to establish a procedure to deal with complaints not covered by existing statutory requirements in relation to the delivery of the curriculum, provision of collective worship and religious education, SEN assessment, admission and exclusion. The governors will have to have regard to guidance given by the DFES.

Complaints Procedures must be established by March 1<sup>st</sup> 2004. Regulation 3 requires governing bodies to establish 3 separate written complaints procedures, covering complaints from school's governors, pupils or any other persons.

Under s409 of the Education Act 1996 LEAs must have a procedure for dealing with complaints about the curriculum and related matters. These are in addition to any school based procedures that a school maintained by the LEA might have adopted, but the school could include the LEA arrangements in its own. It is the LEA which has to make the arrangements, having consulted the governing bodies of aided and foundation schools.

All schools including independent schools , are required to have a grievance procedure for resolving staff complaints and disputes. It is a short step to having similar procedures for pupils and parents. This might become even more pressing as the provision of the Human Rights Act 1998 make themselves felt. Already government guidance is emphasising the need to involve pupils (and parents) in matters that concern them (see the new 2002 supplements to Health and Safety on Educational Visits)