



COMPLAINTS POLICY

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This policy meets all the requirements of SEN and Disability (SEND) Code of Practice. It will be reviewed annually or when there is a change in circumstances, in work practices or the introduction of new legislation.

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COMPLAINTS POLICY

1. Scope of policy

LifeBridge ASEND, the Principal of LifeBridge ASEND and the Board of Governors, Trustees and Directors are totally committed to providing the best educational experience possible for all young adults who attend LifeBridge ASEND.

LifeBridge ASEND has a complaints procedure which ensures that they respond to complaints as quickly and effectively as possible. The procedure will set out exactly what will happen with a complaint and how long the process will take. The procedure will be used to deal with complaints relating to the college and any community facilities or services that the college provides. LifeBridge ASEND values all comments about the college and will endeavour to address the complainants' concerns or complaints at the earliest stage possible.

Our complaints procedure aims to:

- Encourage resolution of problems by informal means wherever possible;
- Be accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-confrontational;
- Handle complaints swiftly within established time-scales;
- Keep people informed of the progress;
- Ensure a full and fair investigation;
- Respect confidentiality;
- Consider all the issues and provides an effective response and appropriate redress, where justified;
- Provide information to the Board of Trustees and Leadership Team so that services can be improved.

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. The formal procedures will need to be invoked when initial attempts to resolve the complaint are unsuccessful and the person raising the complaint remains dissatisfied and wishes the matter to be heard by the Governing Board.

2. How to raise a concern or make a complaint

In the first instance complainants will be directed to a member of staff who will refer the complaint to the most appropriate person. If the complaint concerns the Principal of LifeBridge ASEND, the complainant should contact the Chair of Governors in writing via the college.

When making a complaint it is important that the complainant identifies their desired outcome, that is what actions they feel might resolve the problem at any stage. Learners, young people who attend LifeBridge Plus, parents or carers can make a complaint to the college about most aspects of its function.

The same complaint could be made jointly by a number of persons, in this case it is expected that a nominee/representative speak on behalf of all complainants, otherwise, all complaints will be dealt with on an individual basis.

Members of the general public may make complaints to the college if the college is directly responsible for the issue being complained about for example, behaviour of learners during lunch and break-times; health and safety issues of premises and behaviour of staff. These complaints will not fall within the jurisdiction of the Secretary of State or Ofsted, therefore only the Principal of LifeBridge ASEND and the Governing Board will consider them.

Formal complaints should be made in writing (see stages 1 - 3).

3. Complaints not in Scope of this Policy

Complaints not in scope of this procedure due to separate statutory procedures are:

- admissions to college; statutory assessments of Special Educational Needs;
- college re-organisation proposals;
- matters likely to require a Safeguarding Investigation;
- exclusion of learners from college (see admissions policy);
- staff grievance and disciplinary procedure;
- Complaints about service provided by other providers who may use the LifeBridge premises or facilities.

A complaint about any community facilities or services provided by any third party through the college premises or using college facilities should be addressed to the third party provider who will have their own complaints procedure. Copies of the complaints procedure for any third party provider are available directly from the provider.

4. Governing Board Review

The Governing Board will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints will not be shared with the whole Governing Board, except in very general terms, in case a complaints committee is required to be formed. Complaints information shared with the whole Governing Board will not normally name individuals.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to college improvement. When individual complaints are heard, any underlying issues that are identified will be addressed. The monitoring and review of complaints by the college and the Governing Board is seen as a useful tool in evaluating a college's performance and will be shared with the Senior Leadership Team in order for services to be improved.

5. Timeframes and Timeliness

It is in everyone's best interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The college takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Realistic timeframes for all aspects of the process are included within this procedure and should be adhered to at all stages. Where further investigation is required, new timeframes may be considered; however, details of these including an explanation will be provided to the complainant. Complaints should be made as soon as possible after an incident arises and before three months have lapsed. After three months, the college will consider on an individual basis whether to consider exceptions to this.

6. Recording and Co-ordination of Complaints

Complainants will be requested to submit their complaint in writing if the complaint has not been resolved by informal resolution (see stage one). See Appendix 1 'College Complaints Form' for a template if required. The college is mindful of their obligations under the Equality Act 2010 and requests for alternative methods of communication will be considered where appropriate. Suitable records of such communication will be required.

In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept and a copy of any written response added to the record. Minutes of the Stage 2 or 3 meetings must be taken.

Colleges may find it useful to have a complaints co-ordinator to ensure the smooth running of the complaints procedure and adequate recording of all stages of the process. This role may be undertaken by the Principal of LifeBridge ASEND or a designated member of staff. It is expected that the role would include:

- ensuring that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaints procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, Principal of LifeBridge ASEND (if not undertaking the role), Chair of Governors, Directors and Trustees to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues such as sharing third party information and additional support that may be needed by complainants, including interpretation support.

The college will record the progress of the complaint and the final outcome. The Principal of LifeBridge ASEND or complaints co-ordinator will be responsible for these records and hold them centrally. Complainants have a right to copies of these records under the Freedom of Information Acts.

7. Investigating and Resolving Complaints

The Investigator is the person(s) involved in Stages 1 to 3 of the procedure. At each stage, the person investigating the complaint will make sure that they provide a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
- consideration of records and other relevant information;
- interviewing staff and young people and other people relevant to the complaint;
- analysing information;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

8. Dealing with Unreasonable or Persistent Complaints

If properly followed, the complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. There are occasions however when complaints may become unreasonable. The college will do their best to be helpful to complainants; however, in cases where the college is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, the college will take appropriate action. It is a poor use of colleges' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors will inform the complainant that the procedure has been completed and that the matter is now closed.

If the complainant contacts the college again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the college may choose not to respond.

9. Complaints Procedure

9.1 Complaints Procedure Stage One (informal resolution): Complaint Heard by Staff Member

The vast majority of concerns can be resolved quickly and informally. There are many occasions where the form tutor, office staff, or the Principal of LifeBridge / Deputy, can resolve concerns straight away. It is in everyone's best interests that complaints are resolved at the earliest possible stage. Complainants must feel able to raise their complaint with members of staff without any formality, either in person, by telephone or in writing. This allows staff to establish whether a person is asking a question, expressing an opinion or making a complaint.

The member of staff first contacted will clarify the nature of the complaint and reassure the complainant that the college wants to hear about it. Once a complaint has been received by a member of staff they will determine whether they are the best person to resolve the complaint. The complaints co-ordinator should be informed of the complaint.

The college respects the views of any complainant and if they express a difficulty in discussing their complaint with a particular member of staff the complaints co-ordinator will refer the complainant to another member of staff.

Where the complaint concerns the Principal of LifeBridge ASEND, the complaints co-ordinator will refer the complainant to the Chair of Governors, Directors and Trustees.

If the complaint involves any safeguarding issue, the Designated Safeguarding Lead will be informed who will follow safeguarding procedures and, if deemed appropriate, inform the relevant Local Authority social care team or Local Authority Designated Officer (LADO) if necessary.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member.

Once the complaint has been investigated and the member of staff is satisfied that, as far as is reasonable, all the relevant facts have been established, a decision will be made and the parents/carers informed in writing of the outcome.

The complaint will be responded to within 10 college days either verbally or in writing. The complainant must also be informed of what to do next if they remain dissatisfied with the response.

If the complainant remains dissatisfied with the outcome of the investigation into their complaint they should write to the Principal of LifeBridge ASEND within 10 college days asking for the complaint to be investigated at stage 2.

9.2 Complaints Procedure Stage Two (formal): Complaint Heard by Principal of LifeBridge

Parents / carers and learners will be advised of their right to make complaints.

If it has not been possible to resolve the complaint or concern on an informal basis, then the complainant must put their complaint in writing, addressed to the Principal of LifeBridge.

The complainant may choose to use the attached complaints form (see appendix 1). If the complaint is about the Principal of LifeBridge ASEND, the Chair of Governors, Directors and Trustees will deal with the matter using this procedure. If the complainant has difficulty expressing themselves in writing, they should be informed where they can get independent assistance.

The Principal of LifeBridge ASEND may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The person investigating the complaint should be clear about what exactly the complaint is and the desired outcome as soon as possible.

The Principal of LifeBridge ASEND will contact the complainant and provide an opportunity for the complainant to discuss their complaints and find solutions. This could be by phone or in a meeting. It will be made clear that the complainant may bring a friend, family member or advocate to any meeting if they wish. Interpreting services will be made available where necessary. The Principal of LifeBridge ASEND should have another member of staff present to observe and record the meeting

and promote staff safety. Care should be taken in these circumstances not to create an intimidating atmosphere for the complainant. If it is necessary to interview young people as part of the investigation, this will be done in the presence of another member of staff, or in the case of serious complaints e.g. where the possibility of criminal investigation exists, in the presence of their parents or carer.

Written notes will be kept of all communications with regard to the complaint and its investigation.

The complaint will be investigated and the Principal of LifeBridge ASEND will decide on any appropriate action if deemed necessary. A written response will be provided within 10 college days, unless the complaint is complicated and to allow for further enquiries and a full investigation to be carried out, an extension of 10 college days may be granted. Where it is deemed necessary to apply an extension to the investigation period this will be communicated to the complainant.

Most concerns or complaints are likely to be resolved at this stage, however the complainant must be informed of the right to progress the complaint to stage 3 if they remain dissatisfied.

9.3 Complaints Procedure Stage Three (formal): Complaint Heard by Chair of Governors, Trustees and Directors

Where a complainant remains dissatisfied with the outcome of a complaint at stage two they should write to the Chair of Governors, Trustees and Directors within 10 college days of receipt of the decision of the stage two investigation. The Chair of Governors, Trustees and Directors will first ensure that the complaint has been dealt with at stage two, and the complaint is covered by the college's complaints procedure not other procedures e.g. personnel or safeguarding. If not the matter will be referred back to the Principal of LifeBridge ASEND and the Chair of Governors, Trustees and Directors will write to the complainant advising them of the correct procedures.

Upon receipt of a letter notifying the complainant is not satisfied with the outcome of a stage two investigation, the Chair of Governors, Directors and Trustees will write acknowledging that the complaint has been received. At this point the Chair of Governors will reinvestigate the complaint. They may dismiss the complaint in whole or in part; uphold the complaint in whole or in part; decide on any appropriate action to be taken to resolve the complaint; recommend changes to LifeBridge's systems or procedures to ensure that problems of a similar nature do not recur. They may also offer mediation as a means of resolving the complaint. Mediation can be facilitated by the Chair of Governors, or if it is felt to be more appropriate an external agency may be used such as The Bolton Information and Advisory Service for SEND.

The Chair of Governors, Directors and Trustees decision is final and will be notified to all parties as soon as possible after the meeting. Findings and recommendations retained within LifeBridge ASEND and will be available to the Board of Trustees and members of the SLT to facilitate any improvements identified. All information relating to correspondence, statements and records relating to individual complaints will be kept confidential except where there is a statutory duty of disclosure.

Appendix 1

LifeBridge ASEND Complaint Form

Please complete and return to the Principal of LifeBridge ASEND who will acknowledge receipt and explain what action will be taken:

Email: jhaslam@lifebridge.co.uk

F.A.O: - Ms J Haslam

Address: Susan Isaacs Building, LifeBridge ASEND, Vernon Street, Bolton, BL1 2XN

Tel: 01204 391038

Name of complainant:

Address:

Post code:

Daytime telephone number:
Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was their response) ?

What action do you feel might resolve the issues at this stage?

Are you attaching any paperwork? If so, please give details.

TO BE COMPLETED BY LIFEBRIDGE ASEND

Who has raised the Complaint?

Which Young Adult (if applicable) does the complaint refer to:

Nature of complaint:

What action, if any, has been taken so far?

What is the outcome of the complaint process?

Has this complaint been presented to Governors?

Are there any reviews of practice or further training needed in this area?

Are all Minutes / documents collected and stored securely? Give details: -

Staff signature: