



HARROW INDEPENDENT COLLEGE

*School of Mathematics, Science & Economics*

## COMPLAINTS POLICY AND PROCEDURE

### INTRODUCTION

This policy and procedure is for the benefit of students, and parents or guardians of students, at Harrow Independent College. This policy and procedure will be relied upon in respect of **all complaints** by parents, guardians and students made against the college **except in respect of**:

- (a) **child protection allegations** where a separate policy and procedure applies; and
- (b) **expulsions** where a separate policy and procedure applies.;
- (c) **appeals relating to internal assessment decisions for external qualifications** where a separate appeals procedure applies.

Complaints made by members of the public about the college will be dealt with under the Harrow Independent College Complaints Procedure.

The college expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis. If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to expel or remove a student, must be stated courteously in writing to the Principal and will be dealt with under this Harrow Independent College Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response. This policy and procedure is available to students, the parents of students and prospective students of the college. While students may, themselves, raise concerns and complaints under this policy and procedure, the college will involve parents should this occur.

This policy and procedure in no way overrides the right of the college to act in accordance with the college's Terms and Conditions agreed by parents upon enrolment of their child in the college, although parents are not prevented from raising concerns or complaints pursuant to this policy and procedure where they are of the reasonable view that the college has not acted in accordance with the college's Terms and Conditions. Please Note: Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially. Correspondence, statements and records will remain confidential except in so far as is required by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the college's inspection; or where any other legal obligation prevails.

## **STAGE ONE – INFORMAL RESOLUTION**

1. It is hoped that most complaints and concerns will be resolved quickly and informally.
2. If parents have a complaint they should normally, in the first instance, 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 relevant Head of Department.
3. Complaints made directly to a college teacher by a student will usually be referred to the relevant Head of Department.
4. A written record of all concerns and complaints, and the date on which they were received, will be kept for one year after the student leaves the college.
5. The college will use its reasonable endeavours to resolve any informal complaints within ten working days of them being raised, except where they are raised within college vacations or within two working days of their commencement where the college will use its reasonable endeavours to resolve them as soon as possible after commencement of the new college term (usually within ten working days).
6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the Teacher/Personal Tutor/Head of Department fails to reach a satisfactory solution, then parents will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

## **STAGE TWO – FORMAL RESOLUTION**

7. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then parents should put their complaint in writing to the Principal in which the complaint should be expressed clearly and courteously. Parents should identify how they wish their complaint to be resolved.

8. The Principal will delegate responsibility for undertaking investigation of the complaint to the Director of Studies.

9. The Principal will decide, after considering the complaint, the appropriate course of action to take.

10. In most cases, the Principal will meet or speak with the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.

11. The Principal will use reasonable endeavours to speak to or, where feasible, meet parents within ten working days of the formal complaint being received, except where the complaint is received within college vacations or within two working days of their commencement where the Principal will use his reasonable endeavours to speak or, where feasible, meet with parents as soon as possible after the commencement of the new college term (usually within ten working days).

12. It may be necessary for the Director of Studies or another person nominated by the Principal to carry out further investigations.

13. The Principal will keep a written record of all meetings and interviews held in relation to the complaint.

14. Once the Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing, giving reasons for this decision. The written decision should be provided no later than ten working days after speaking or meeting with parents to discuss the matter (pursuant to paragraph 10 above). The Principal may, where feasible, also meet with parents to explain the decision.

15. The college will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the college's decision, which will be kept for one year after the student leaves the college.

16. Where parents are dissatisfied with the outcome of the college's response to their formal complaint, the parents have the opportunity to have their complaint considered by an independent Complaints Panel.

### **STAGE THREE – PANEL HEARING**

17. If parents seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Principal's decision in respect of their formal complaint, the parents may, in writing addressed to the college, request that their complaint be further considered by an independent Complaints Panel set up for this purpose.

18. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an "appeal".

19. Parents must lodge their appeal in writing and within ten working days of the date of the college's decision made in accordance with the Stage Two Procedure. The parents should provide a list of their complaint(s) made against the college and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each. The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

20. Where an appeal is received by the college, the college will, within five working days, refer the matter to a person independent of the consortium of colleges, who will act as Chair to the Complaints Panel. Where an appeal is received by the college, the college will, within five working days, refer the matter to the Chair of the Complaints Panel. Where the appeal is received by the college during college vacations, or within two working days of their commencement, the college has five working days upon commencement of the college term to refer the matter to the Chair of the Complaints Panel.

21. The Chair provides an independent source of advice on procedure for all parties.

22. Once an appeal has been received by the Chair, he/she will acknowledge the appeal in writing within five working days, and inform the parents of the steps involved in this Complaints Policy and Procedure.

23. The Chair will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later

than twenty college days after receipt by the College of parents written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.

24. The Complaints Panel will consist of the Principal, a member of Senior Management Team (SMT) and/ or a member of governors( and if necessary and independent appointment who have not previously been involved in the complaint). The process used for selecting an independent person will conform to relevant guidance issued by the Department for Children, Schools and Families (DCSF).

25. The following are entitled to attend a hearing, submit written representations and address the Panel:

- (a) The parent/s (or, if aged over 18, the student) and/or one representative;
- (b) The Principal of the college and/or one representative; and
- (c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

Legal representation will not normally be appropriate.

26. Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:

- (a) documents in support of complaint(s),
- (b) chronology and key dates relating to complaint(s), and
- (c) written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the parents.

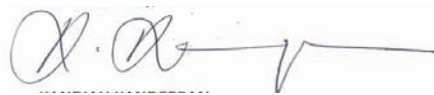
27. Evidence will be initially sent to the Chair, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Chair no later than ten working days in advance of the hearing. The Chair will distribute the written evidence to the relevant parties no later than five working days in advance of the Panel hearing.

28. It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

29. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the College will need the appropriate approval from the relevant authorities although any such approval must be compatible with the decision of the Complaints Panel.

30. The Panel's findings will be sent by the Chair, in writing to the parents, the Principal and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.

31. The college will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which record will be kept for one year after the student leaves the college.



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**KANDIAH KANDEEPAN**

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