



Complaints Policy and Procedure

Summary:	Complaints Policy for students to use
Effective from:	April 2021
Responsible Officers:	Grace Muir - CEO HEROS Charity Stephanie Collett – Education Programme Manager
Review Date:	March 2024
Applies to:	All students
Related policies:	

Anyone who feels it appropriate to express dissatisfaction is offered the opportunity to raise issues openly with full assurance that they will be dealt with courteously, fairly, objectively and in a timely manner. To be certain of consideration, the complaint must be lodged within three months. HEROS Charity constantly seeks to improve the services it provides and welcomes feedback which may, from time to time, include dissatisfaction with aspects of its services. The outcomes from complaints support continuous improvement.

Procedure

1. Making a Complaint

Stage 1 – Early Resolution

(Informal) Issues that appear straightforward and potentially easily resolved may be directed to any relevant member of staff to seek an early resolution.

An informal, verbal complaint can be made to the learner's tutor/assessor. The tutor/assessor should discuss the complaint with the learner and attempt to agree a way forward or a solution that suits both parties. Learners should allow the tutor/assessor sufficient time to investigate or remedy the grievance. The tutor/assessor is required to:

1. Log all complaints received.
2. Log all activities undertaken to remedy the situation.
3. Log the date that outcomes were confirmed verbally to the learner (within 25 working days of receipt of the complaint).

All of this is required to be reported to the Complaints Officer to ensure appropriate records are maintained.

Stage 2 – Formal Investigation

If the complaint cannot be resolved informally to the satisfaction of learners, or if learners feel that they cannot make an informal complaint to their tutor/assessor, or in cases of more serious issues, these may be lodged as a formal complaint. Complaints should be submitted in writing to the Complaints Officer.

HEROS Complaints Officer (Grace Muir)

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Where a complaint of a serious nature comes in via another member of staff or another route these complaints should be forwarded to the HEROS Complaints Officer to be dealt with on a formal basis.

Any concerns relating to young people and adults with additional needs who are suffering, or likely to suffer, significant harm, e.g., by neglect, physical injury, sexual abuse or emotional abuse or any aspect of bullying, harassment or coercion will be directed to the Designated Safeguarding Lead, as a safeguarding issue.

Financial issues will be referred to Sally Preston (HEROS Financial Officer).

Where a complaint is made by a parent or guardian on behalf of a student over 18 years of age, HEROS must receive permission in writing from the student to share their personal details with their parent / guardian.

The Complaints Officer will write to learners to acknowledge receipt of the complaint within 10 working days and outline the course of action to be taken. The Complaints Officer will carry out a thorough investigation which will be relevant to the nature of the complaint. Investigation activities might include a review of:

- communications
- learner records of achievement/work/portfolios/observation checklists
- testimonies from participants, learners, tutors, assessors, internal quality assurers, other staff or relevant third parties,
- internal/external quality assurance reports
- Audit mechanisms (registers of learners, course authorisation, registers of achievement or any other records or documentation).

The Investigation Procedure will take place as follows:

Acknowledge, Record and Monitor

All formal complaints will be recorded and acknowledged within ten working days, and monitored until conclusion. A central log of complaints and appeals against complaints outcomes is maintained and monitored by the HEROS Complaints Officer. A full list of complaints is reported annually to the Board of Trustees.

Investigate

The HEROS Complaints Officer will assign a Manager to investigate the formal complaint. In some circumstances the complaints officer may lead the investigation themselves. The Investigating Manager will update the complainant with the findings of their investigation. The investigating manager will not be associated with the complaint.

During this stage you may be contacted for further information or may be invited to meet with the Investigating Manager. Where the complainant is invited to attend a meeting, they may be accompanied by a friend or relative or in the case of a student by a member of staff, but the accompanying person will not normally take an active part in the meeting. Legal representation is not permitted without HEROS Charity's knowledge or consent.

Outcome

Following the investigation, the Investigating Manager will respond to the complainant within twenty working days, unless otherwise advised. At the conclusion of this procedure, you will be issued with a Completion of Procedures (CoP) letter. If you are still unhappy with the outcome of the procedure, then you may be offered mediation.

Mediation

If the complaint is not resolved satisfactorily through the normal procedure, mediation may be arranged. Mediation is voluntary and will only take place with the agreement of both parties. The HEROS Complaints Officer will be responsible for arranging mediation. The mediator will be neutral to the dispute.

Stage 3 - Appeal

The complainant has the right to appeal against the outcome of the complaint. This should be lodged with the HEROS Complaints Officer within five working days of receipt of correspondence stating the outcome of the investigation into the formal complaint. The grounds of appeal and any actions sought must be clearly stated at the time of making the appeal. The HEROS Complaints Officer, Chair of Trustees, or their nominee, will review the formal investigation and consider whether:

- New evidence or circumstances have become known, which could not have reasonably been made known at the time of the complaint.
- The investigation was not conducted fairly or according to procedure and this may have affected the outcome;
- The decision and outcome of the complaint were unreasonable. We aim to conclude the Appeal process normally within twenty working days and will contact you with the outcome. This decision constitutes the final stage of HEROS Education Complaints Policy and Procedure.

If the complaint is not resolved to your satisfaction, further avenues of communication are available through the relevant external agencies:

- **Education and Skills**
- **Funding Agency Office for Standards in Education**

Confidentiality and Support

All complaints will be treated as confidential to safeguard interests and information limited to those involved in the complaints process. If in exceptional cases and for justifiable reasons the complainant wishes to remain anonymous throughout the process, this may be considered. However, if

disclosures are made it may be necessary to share information and this must be explained to the complainant. HEROS Charity will not normally investigate anonymous or malicious complaints.

Safeguarding, Bullying and Harassment

Where a complaint relates to issues linked to perceived safeguarding, bullying and/or harassment, HEROS will consider these policies alongside the Complaints Policy and Procedure. HEROS Charity Safeguarding, Child Protection, Prevent policy will take precedence over the Complaints Policy and Procedure.

HEROS Charity Code of Conduct and Expectation

HEROS Charity sets out the standards expected of all who make use of HEROS facilities. This policy supports the standards of behaviour set out in the HEROS Charity Code of Conduct that all students and staff agreed to. Anyone who feels it appropriate to express dissatisfaction is offered the opportunity to raise issues openly with full assurance that they will be dealt with courteously, fairly, objectively and in a timely manner.

We aim to treat members of our community courteously at all times and expect our community members to treat our staff and students in a similarly respectful way. We take seriously any threatening, abusive or violent behaviour against any of our staff, students or community. If a student, parent / guardian or visitor is violent or abusive, they will be asked to stop. If they persist, we may exercise our right to take action to have them removed, immediately if necessary, from our community. These types of behaviours will not be tolerated under any circumstances. Any staff or students exhibiting these behaviours will be dealt with via our disciplinary procedures. Any incident of threatening, abusive or violent behaviour may additionally be reported to the local Police Service.

Vexatious Complaints

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), HEROS Charity reserves the right to end the complaint handling process and will inform the complainant in writing that the procedure has been exhausted and the matter is now closed.

Documents associated with this Policy:

- Whistleblowing Policy and Procedure
- Behaviour Policy
- Safeguarding and Child Protection, Prevent Policy

Appendices Appendix 1

- How to Make a Complaint

How to Make a Complaint?

Complaints may be made verbally, by telephone, email, or letter. Students are encouraged to resolve any issues of dissatisfaction directly with their course tutor so that this may be dealt with quickly and informally.

