

COMPLAINTS PROCEDURE

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Lead responsibility:	Operations Manager

Distribution to:	
All Staff	<input checked="" type="checkbox"/>
SLT only	<input type="checkbox"/>
Teaching Staff/Tutors	<input type="checkbox"/>
Administration Staff	<input type="checkbox"/>
Other (please specify)	<input checked="" type="checkbox"/> Learners, Partners, External Organisations

Key Contacts:	
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This Policy supersedes any previous Policy of this name or instructions that pre-date this edition.

1. PURPOSE

This complaints policy and procedure aims to ensure that complaints are resolved as fairly and quickly as possible. It also aims to ensure that, where practical, lessons can be learnt and improvements made to the service Barrett-Bell Ltd offers. To encourage a culture of openness around complaints.

This procedure covers areas of Barrett-Bell Ltd activity where an individual or group has a complaint arising from their College experience. The Policy should not be used where an issue is covered by any of the following policies:

- Student Code of Conduct
- Student Disciplinary, Appeals & Grievance Policy
- Staff Disciplinary Policy
- Staff Grievance Policy
- General Data Protection Regulation Policy
- Whistleblowing Policy

2. GENERAL PRINCIPLES

- Barrett-Bell Ltd are committed to providing the highest quality of service, which aims to meet and preferably exceed the expectations of all customers.
- Users of our centers have the right to complain if they are dissatisfied, and should expect to be dealt with fairly, amicably and quickly.
- An Individuals rights are not affected by making an informal or formal complaint.
- Barrett-Bell Ltd want all staff, learners and associates to feel confident in raising concerns and to question and act upon concerns about practice, incidents or decisions. We are fully committed to anti-bullying and a culture of non-fear.
- Decisions taken as the result of an investigation will be balanced and reasonable.
- Where the same complaint is raised by a number of individuals, at a similar time, this will be treated as a single complaint.
- Complaints should be resolved:
 - As quickly as possible
 - As close to the point of delivery as possible
 - Fairly (for all parties)
 - With the minimum of inconvenience to the complainant
 - In a consultative manner and with the aim of agreeing a solution
- Barrett-Bell Ltd do not entertain anonymous complaints, in all but the most exceptional of circumstances.

- Malicious complaints – Barrett-Bell Ltd takes the issue of malicious complaints very seriously. If, after investigation, a complaint is considered to have been made maliciously and/or without foundation, then this could result in disciplinary action against the person making the complaint.
- Any individual who feels that Barrett-Bell Ltd has not dealt effectively with their complaint has the option to take up the complaint with, the Skills Funding Agency via the 'Complaints against Providers' process. Details of this process will be given once Barrett-Bell Ltd's process has been exhausted.
- Areas of complaints may be:
 - Any conduct which is an offence or a breach of the law.
 - Actions which are unprofessional, inappropriate and conflict with a general understanding of what is right and wrong.
 - Unacceptable standards (of behaviour, administration or teaching and learning (T&L).
 - Sexual, physical or other abuse of others.
 - Harassment, sexual harassment
 - Verbal abuse, racism, sexism, homophobia and blatant abuse about a person.
 - Unethical conduct and bullying.
 - Failure to comply with legal or examination protocol obligations.
 - Instances where people feel unfairly treated.
 - Instances where those in authority have misused their authority.
 - Dangerous situation, health and safety and safeguarding risks.
- Confidentiality can not be guaranteed but Barrett-Bell Ltd will do its utmost to ensure that all matters are dealt with sensitively and appropriately. There are cases where confidentiality will need to be broken on safeguarding grounds.

3. DATA PROTECTION

- All records of investigations and outcomes will be kept securely.
- It is expected that all individuals will assume responsibility for communication with Barrett-Bell Ltd and for drawing attention to any problems or concerns.
- For information on rights and responsibilities within the General Data Protection Regulation (GDPR), please refer to Barrett-Bell Ltd's GDPR Policy and your individual Privacy Policy.
- Where an individual is unhappy about the processing of their personal data they can contact our Operations Manager for Advice.

4. COMPLAINTS

Complaints must be made within 3 months of the event that gave rise to it and must be submitted in written or electronic form via letter, email or by completing a complaint form.

Where possible, complaints should be dealt with informally. Usually, only when this route fails to bring about a resolution should a formal complaint be initiated, unless the complaint relates to a serious matter, in which case the complaint will progress immediately to the formal stage.

The following are examples which could constitute a serious complaint.

- A complaint received directly from a regulatory body such as a funding body, police or government department.
- A complaint which could result in a serious reputational impact for Barrett-Bell Ltd, including complaints involving injuries or safety.

4.1 Informal Resolution

Many issues can be dealt with informally and where possible, it is often best to do so to ensure a speedy resolution. These matters may be handled by any member of staff, but support from a line manager may be sought.

There is no requirement for the member of staff to issue a formal letter or submit any other paperwork if the matter is resolved informally, unless the complainant specifically asks for this.

Staff members dealing with the complaint should work to the following simple formula:

1. Listen
2. Ask questions
3. Agree a solution and check satisfaction
4. Implement the solution immediately
5. Follow up and check continued satisfaction

There should be no need to report the complaint to higher management unless the complaint is:

- Unusual or unique in its nature.
- Linked to an incident that could have had (or may have in the future have) a potentially serious effect on Barrett-Bell Ltds reputation.
- Linked to an incident that could have had (or may have in the future have) the potential to lead to injury of an individual at Barrett-Bell Ltd (including staff).

In these situations, staff should make notes of the issue and the agreed resolution. These notes should be securely stored for three years from the date of resolution and be easily accessible in case the matter re-emerges or escalates to become a formal complaint.

The aim should be to deal with less significant issues in an informal way to ensure a speedy resolution.

4.2 Formal Resolution

Where a complaint cannot be resolved informally, or due to the nature of the complaint it is not appropriate to do so, the matter may be treated as a formal complaint.

Details of the complaint should be submitted in writing to the individuals Tutor. If the individual does not feel comfortable approaching their Tutor/Line Manager, any member of staff/Manager within Barrett-Bell Ltd may be approached.

Timing guidelines for the handling of a formal complaint start on the day the written complaint is received by Barrett-Bell Ltd. Barrett-Bell Ltd will acknowledge receipt in writing to the complainant within three working days.

An Investigating Officer will be appointed by Barrett-Bell Ltd, this would normally be a manager with direct involvement in the area of the complaint. This ensures that an individual with suitable knowledge and experience is handling the investigation. There may be occasions when an alternative manager will be selected, again this person will be appointed by Barrett-Bell Ltd.

The Investigating Officer has ten working days to complete the initial investigation and respond back to the complainant. They will then send a draft response letter to the senior management at Barrett-Bell Ltd for approval before sending out to the complainant. The Investigating Officer will also confirm if in their view, the complaint was upheld, partially upheld or not upheld.

Deadlines may be extended due to the availability of relevant staff. If there is a delay in producing a final written response, Barrett-Bell Ltd will send a holding letter informing the complainant of the reason for the delay and an update of the investigation to date, within ten working days.

Copies of all correspondence and notes will be sent to Barrett-Bell Ltds senior management team for safe, confidential storage.

6. APPEALS

On completion of the formal stage, the complainant has ten working days from the date of the formal response to deliver a written notice of appeal to Barrett-Bell Ltd, if they are dissatisfied with the outcome of the investigation.

An appeal can only be requested on the basis that at least one of the following criteria apply:

- New evidence has come to light.
- Not all of the evidence was considered when coming to a conclusion.
- Other procedural irregularity in the process.

Barrett-Bell Ltd will appoint an Appeals Officer who will be someone of equal or higher seniority than the Investigating Officer.

The Appeals Officer should acknowledge, in writing, receipt of the appeal within on calendar month.

Deadlines may be extended due to the availability of relevant staff. A holding letter will be sent by Barrett-Bell Ltd if there is a delay in producing the final written response, informing the complainant of the reason for the delay and an update of the investigation to date.

7. CONTINUING A COMPLAINT BEYOND BARRETT-BELL LTD

Once the complainant has exhausted Barrett-Bell Ltds complaints process, and if a resolution has not been achieved, the complainant has a right to complain to the regulatory body.

Barrett-Bell Ltd is regulated by the Skills Funding Agency (SFA), and complaints should be addressed to the Complaints Team at the Skills Funding Agency.

Complainants should note that the Skills Funding Agency will only take up a complaint when they are satisfied that Barrett-Bell Ltds procedure, including appeal, has been exhausted, unless the Agency believes that Barrett-Bell Ltd is not dealing with a complaint appropriately or effectively, when it may intervene before the procedure is exhausted.

Details on the Skills Funding Agency Complaints Procedure are contained in the document entitled, "Procedure for dealing with complaints about providers of education and training" which is available on www.gov.uk/government/publications/sfa-complaints-procedure-about-providers.

8. STAFF MEMBERS

If a member of staff has a complaint then they will need to follow the complaints procedure outlined in this document, their first point of call should be their Line Manager or another appropriate Manager.

If there is no resolution then a Senior Manager will investigate and check what action has already taken place. The Senior Manager will bring a fresh pair of eyes to the situation, and if they resolve the issue then the case is closed.

If there is still no resolution the Senior Manager should refer the case to a Barrett-Bell Ltd Director, who will adjudicate in the issue and whose decision is final, although members of staff can invoke the Appeals Procedure.

9. PARTNERS / EXTERNAL ORGANISATIONS

If an individual has an issue with an external organisation or any staff employed by another organization, they should immediately inform a Barrett-Bell Ltd Director, who will investigate and take appropriate action and give the employee feedback on the outcome.

If any external organisation or member of staff of another organisation has a complaint about Barrett-Bell Ltd, then it should be immediately referred to a Barrett-Bell Ltd Director who will investigate the issue, take appropriate action and let all internal relevant staff or learners know of the outcome.

Barrett-Bell values its partners and associates and will endeavor to resolve all issues to maintain a healthy and professional working relationship.