



# Phoenix College

## Compliments, Complaints and Concerns Policy

February 2024

**This policy refers to ‘the organisation’ throughout and in doing so  
is referring to Phoenix Autism Trust.**

Written February 2024 – Review February 2025

### **Purpose and scope of the policy:**

Phoenix College strives to operate to the highest standards. We welcome feedback from individuals and organisations that we work with, including pupils and learners, parents and carers, partners and our local communities. Such feedback is invaluable in helping us to evaluate and improve our work.

This policy does not relate to situations where Phoenix College employees have a complaint or grievance. In these circumstances individuals should follow the internal grievance or whistleblowing procedures as outlined in the staff handbook.

Trustees who wish to make a complaint are expected to follow the procedure outlined in this policy.

The overall objectives of the Compliments, Complaints and Concerns Policy are to:

- Provide an accessible, simple framework for listening and responding to all feedback and complaints
- Ensure that everyone feels able to give both positive and negative feedback in a safe, non-judgemental environment in the knowledge that it will be heard and responded to
- Create a sense of community and belonging, protecting our pupils, learners, parents, staff and governors from serial, persistent, unsolicited criticism and complaint
- Ensure that complaints are dealt with consistently, fairly and within clear timeframes
- Ensure that feedback is monitored and used to improve our services and celebrate success.

Our principles are to:

- Take all concerns and complaints seriously
- Encourage resolution of concerns by informal means where appropriate, in the spirit of partnership
- Resolve all complaints within 28 working days of the complaint being received, keeping people informed of progress
- Be impartial and non-adversarial
- Ensure that where appropriate, a full and fair investigation of the issue is undertaken
- Ensure that no-one, including pupils and learners, are penalised for making a complaint in good faith
- Keep a written record, for at least three years, of all complaints, the action taken and at what stage they were resolved
- Respect confidentiality and data protection of individual complaints, except where Ofsted requests access to them.
- Provide information regularly to the Trustees so that services can be improved.

### **What is feedback?**

Feedback can be positive or negative and will usually not require a formal response. We expect to receive feedback daily in passing, during phone conversations, via email, through evaluations, and in writing. All feedback will be considered in the development of our services. Feedback and compliments will be shared with those to whom it relates, and recognised organisationally or otherwise as appropriate.

### **What is a complaint?**

Sometimes services and activities may not meet the expectations or satisfaction of those involved, and we would expect, from time to time, legitimate concerns to be raised. We encourage these to be raised with staff following the process outlined in this policy so that we can address these quickly and in partnership with you.

### **How to make a complaint:**

Individuals wishing to raise concerns or make a complaint should contact the person who provided the service at the earliest opportunity. Alternatively, they can contact the Principal by email or write to The Principal, Phoenix College, Paton Close, London E3 2QE.

Children and young people – we are committed to listening to and hearing the voice of our pupils and learners individually and in groups. We take account of children and young people's views in provision of our services, and encourage participation, self-advocacy and independence. We recognise young people's right to complain or provide feedback themselves.

Parent and carers – Where a parent wishes to make a formal complaint this should be addressed to the Principal using the details above.

Key stakeholders and other members of our local communities – partnerships are very important to us. Please contact the person providing the service or the Principal.

### **Who is involved in the process?**

The Principal is the designated Complaints Officer and is responsible for ensuring that this policy is followed and information is recorded properly. The Principal may nominate a substitute, to investigate a complaint if there are appropriate reasons for doing so.

If a complaint concerns the Principal, the Chair of the Board of Trustees will manage the complaints process

If a complaint concerns the Chair of the Board of Trustees, the Deputy Chair of the Board of Trustees will manage the complaints process.

If the complaint concerns a member of the Board of Trustees, the Chair of the Board of Trustees will manage the complaints process.

Compliments and complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation. All anonymous complaints will be directed to the Complaints Officer.

If the complaint involves financial loss or the risk of compensation, the matter may be passed to Phoenix College insurers who may communicate directly with you.

### **How your complaint will be handled:**

There are three stages to our complaints policy:

- Stage One Raising a concern
- Stage Two Making a formal complaint
- Stage Three Appealing the outcome of a formal complaint

### **Stage One – Raising a concern**

Phoenix College aims to resolve concerns quickly and satisfactorily. It is hoped that most complaints can be made and considered on an informal basis. For example, by way of an apology or explanation or by simply providing the service or information requested.

Where it is appropriate to deal with a concern informally, it is important that the relevant member of staff concerned has the first opportunity to resolve the matter quickly and effectively. This would typically be the Class Tutor or Learning Mentors attached to a class.

Trustees other senior staff will not become involved in the matter at this stage as it may compromise their role if the concern proceeds to a formal complaint.

All staff are expected to keep a written record of concerns raised and action taken; including the dates the complaint was received and resolved. It is their responsibility to inform the person who raised a concern of the action taken. Any concern regarding safeguarding must be immediately reported to the Designated Safeguarding Lead.

Where a concern cannot be resolved informally, or when it would be inappropriate to pursue an informal route, the member of staff should inform the Complaints Officer who will instigate the formal complaints process.

### **Stage Two – Making a formal complaint**

This stage deals with matters that could not be resolved informally or where it would be inappropriate to seek to resolve an issue through informal means.

The Complaints Officer is responsible for this stage of the complaints process but may nominate a substitute, for example, a senior manager, to investigate a complaint if there are appropriate reasons for doing so.

The formal complaints process starts when there is sufficient information to begin an investigation and would normally only commence after you have made a complaint in writing, using the 'Complaint Form' which can be found in Appendix 1. Where this is not possible because of second language considerations, the College will make arrangements for the complaint to be written down using an interpreter. Under the Equality Act 2010, we will accept complaints via other means according to your communication preferences due to disability or learning difficulties. If the complaint includes a safeguarding/child protection/adults at risk issue, then the organisations safeguarding and child/adult protection policies will be implemented and the police and / or social services will be informed as

appropriate. Safeguarding is a priority for Phoenix College. We will always prioritise dealing with any safeguarding concerns or allegations and in so doing the complaints procedure may have to run in parallel or be deferred until after those issues have been appropriately dealt with.

On receipt of a formal complaint, the Complaints Officer will log the complaint. Where the formal complaint process is triggered by a verbal complaint the Complaints Officer will capture the nature of the complaint and ensure this is recorded on the Central Record of Complaints.

All formal complaints will be acknowledged by the Complaints Officer (or the nominated substitute, as described above) within three working days, wherever possible.

The Complaints Officer or the nominated substitute as described above, is responsible for investigating the formal complaint and will ensure that all information and evidence is recorded and that this is logged within the Central Record of Complaints.

Following an investigation, the Complaints Officer or the nominated substitute as described above, will provide a written response to you normally within 15 working days. Depending upon the nature and complexity of the complaint and the number of people involved this time limit may not be achievable. The complainant will be notified if this is the case. The written response will confirm the outcome of the investigation and what action is being proposed as a result. A copy of this response will be sent to the Principal, where she has delegated the role of Complaints Officer, and Chair of the Board of Trustees.

The Complaints Officer or the nominated substitute, as described above, will advise you that if you are not satisfied with the response to their complaint, and the action that is being proposed, you may appeal and progress to Stage Three – Appeal.

### **Stage Three – Appealing the outcome of a formal complaint**

If you wish to appeal the outcome of the investigation led by the Complaints Officer, you must write to the Chair of the Board of Trustees within 15 working days of receiving the Complaints Officer's written response.

The Chair of the Board of Trustees is responsible for Stage Three of the complaints process. They will review the Stage Two investigation led by the Complaints Officer and will confirm in writing, within 15 days, one of the following actions:

- that no further action is to be taken by Phoenix College; or
- specify changes to the Stage Two written response and actions.
- recommend changes to internal systems and processes to reduce the possibility of similar complaints in the future.

The decision of the Chair of Trustees will be communicated to you in writing within five working days of a decision being made. The decision is final and absolute.

### **Who else will listen?**

If you remain dissatisfied with the outcome of the appeal and believe that either:

- The College did not handle your complaint in accordance with the published complaints procedure or
- The College acted unlawfully or unreasonably in the exercise of their duties under education law

you can contact the Department for Education after you have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the College. They will consider whether the College has adhered to education legislation and any statutory policies connected with the complaint.

You can refer your complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus) , by telephone on : 0370 000 2288 or by writing to

Parents, pupils and learners may also take their concerns or complaints to Ofsted:

<http://ofsted.gov.uk/resources/complaints-ofsted-about-colleges-guidance-for-parents>

For concerns from members of the public about charities, please contact the Charity Commission:  
<https://www.gov.uk/government/publications/complaints-about-charities>

Alternatively, you may contact the local authority which is situated at: Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG

### **The use of social media**

Social media should not be used to make or progress a complaint. Complaints should be made through the channels that ensure information is recorded safely and securely and to be sure that the complaint can be progressed in a timely way and in accordance with a set of clear procedures.

If a complaint or allegation refers to a safeguarding, the Child Safeguarding Policy and Procedure or Adult Safeguarding Procedure will be followed. We take all allegations relating to safeguarding very seriously.

In the case of social media being used to express a negative opinion about an aspect of the work of Phoenix College or Phoenix Autism Trust, the following four steps will be taken by the charity:

- Gather evidence: When the charity becomes aware of a negative opinion being expressed through social media channels (Facebook, twitter, etc.) about any aspect of its work and/or its staff, evidence will be gathered to establish what has been posted on social media and by whom. Staff will not respond to any postings deemed to be negative. The person (most likely to be a staff member) who identifies the post(s) will inform the Principal as soon as possible.
- Reassure staff: The content of negative posts may upset staff members. The Chief Executive, the Principal or other appropriate senior staff member should reassure staff and offer support through whole staff emails, meetings and individual discussions to report offending material and supports its removal. The IT team will be approached to remove content if it breaches the terms and conditions of the platform. If the content does not breach the terms and

conditions of the platform, then the team will hide the post and/or review our settings including around posting to our page, posting about us, tagging.

- Legal advice: In cases of malicious allegations, Phoenix College may seek legal advice. In some cases, this may result in a letter from a solicitor being sent to individuals warning that the allegations could result in legal.

Appendix 1

**Complaint Form**

Please complete and return to the Principal at Phoenix College.

Your name:
Learner name (if different from above):
Your relationship to the learner (if relevant):
Address:  Postcode:  Daytime telephone number:  Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at Phoenix College about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so please give details.
Signature:
Date:
Official use:
Date acknowledgement sent:
By whom:

Complaint referred to:
Date:

Written: February 2024

Date of next review: February 2025

Review group: Trustees