

CARFAX

COLLEGE

Complaints Procedure

There is an important distinction between a concern and a complaint. This procedure refers to the latter and is applicable to complaints made by parents, tutors, and pupils or their representatives.

Carfax College takes all concerns seriously and seeks to address them, if at all possible, without the need for formal procedures. This approach ought to minimize the number of informal concerns that develop into formal complaints. Formal procedures will only be invoked when initial attempts to resolve an issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Carfax College has nominated a member of staff to have responsibility for the operation and management of the Complaints Procedure. This is the Principal.

At each stage in the procedure, those addressing a complaint should keep in mind various ways in which it might be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review policies in light of the complaint.

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the College could have handled the situation better is not the same as an admission of negligence.

If properly followed, this 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. If the complainant tries to reopen the same issue, the Principal may inform them in writing that the procedure has been exhausted and that the matter is now closed.

Written records must be kept of all formal complaints and their outcomes, whether they were resolved at the preliminary stage or they proceeded to a panel hearing. All correspondence, statements, and records of complaints will remain confidential.

Carfax College is committed to considering and resolving complaints as quickly and efficiently as possible. The complaints procedure has realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

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Stage One: Complaint heard by Principal

Should a person feel that a concern has not been addressed satisfactorily and wish to pursue the matter further, this person should complete a Complaint Form (which can be downloaded from the College website) and submit it to the Principal of the College. The Principal will then consider the complaint, seeking, where possible, to do the following:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if there is any uncertainty or further information is required);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

The Principal will then aim to inform the complainant of his decision and the reasoning behind it within two weeks of receipt of the complaint.

If a complainant indicates that he would have difficulty discussing a complaint with the Principal, the complainant can be referred to the proprietor of the Establishment, Mr. Alexander Nikitich.

Similarly, if the Principal would feel compromised in dealing with a particular complaint, he may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Stage Two: Complaint heard by Complaints Appeal Panel

If the complaint cannot be resolved in the first stage, then the complainant should write to the proprietor giving details of the complaint. The proprietor will convene a complaints panel which must consist of at least three people who were not directly involved in previous consideration of the complaint.

Where a panel hearing is convened, one person on the panel must be independent of the management and running of Carfax College. The proprietor is responsible for the appointment of the panel.

The complainant must be given at least one week's notice of the hearing, and the hearing should be held no later than one month after the proprietor received written notice of the complaint from the complainant. Parents must be allowed to attend and be accompanied to a panel hearing if they wish.

Individual complaints should not be heard by the same panel of people who make up the Staff Disciplinary Panel at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The proprietor may nominate a number of people with delegated powers to hear complaints at this stage, ensuring that their remit is made clear. Responsibilities can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

¹ The general view is that people who have held a position of responsibility and who are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, or people with a legal background, would be considered appropriate.

The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which anyone sitting on a complaints panel needs to remember:

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No one may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the College and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
- d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The minutes of any panel considering a complaint should be recorded and all parties should be notified of the decision.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- any written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel must ensure that the complainant is notified in writing of the panel's decision, the reasoning behind it, and any further recommendations made; this should usually be done within two weeks of the panel's meeting. The letter should explain if there are any further rights of appeal and, if so, to whom they should be addressed.