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			05/10/2027	
			05/10/2030	
<b>Equalities Impact Screen</b>	05/10/2015			

## 1.0 Aims

1. To provide an effective means of enabling students, their relatives or advocates, and outside agencies to raise a concern, make a complaint, make a comment or compliment about any aspect of Landmarks’ service or to respond to a concern on the quality or level of service.
2. To ensure concerns and complaints are investigated effectively and promptly.
3. To seek to resolve concerns and complaints at an early stage as far as possible and where this is not possible to provide opportunity for complaints to be addressed proportionately.
4. To give complainants a clear response to their concerns or complaints, within the time limits given in the procedure (Annex A).
5. To monitor concerns and complaints to ensure ongoing service development.

## 2.0 CONCERNS AND COMPLAINTS

All staff are encouraged to attempt to resolve concerns expressed directly to them, or to staff for whom they have been delegated responsibility for, and for promptly drawing the concern to their Line Manager’s attention.

Managers are responsible for ensuring ‘stage one concerns’ are investigated and resolved to the complainant’s satisfaction. Where this is not possible they are responsible for ensuring the complainant is given information about stage two and three of Landmarks’ Complaints & Concerns Procedure. They are also responsible for recording the concern and any outcome on the correct record sheet (Annex B) and for passing on the record to the respective complaint file/s.

The Principal is responsible for ensuring that Stage Two complaints are investigated and that the complainant receives a written response, within the set time limits. They will also ensure that statistics about complaints are compiled and reported to Trustees and assume responsibility for the upkeep of the Complaints file.

The Principal is responsible for ensuring that stage three complaints are investigated and that the complainant receives a written response, within the set time limits.

### **3.0 COMMENTS & COMPLIMENTS**

Where possible staff are to make a record of comments or compliments which may help the College to develop its service or indeed reward staff for good practice and supporting the College towards a culture of excellence in practice.

Comments and compliments forms (Annex E) are openly available for anyone to record their comments and compliments on any point of our service. These forms should be given to an administrator for monitoring purposes.

Other staff who may receive comments or compliments can also complete Annex E and submit this form for monitoring purposes.

#### **Other related policies**

Policy 1.5: Inappropriate Behaviour – Discrimination, Bullying and Harassment

Policy 7.16: Whistleblowing

### **4.0 APPENDICES**

Annex A: Concerns and Complaints Procedure

Annex B: Concerns and Complaints Recording Form

Annex C: Guidelines to assist staff in dealing with Stage One Concerns

Annex D: Concerns and Complaints leaflet

Annex E: Comments & Compliments Form

## **Annex A: Concerns and Complaints Procedure**

### **Introduction**

Many concerns and complaints result from basic misunderstandings or poor communications. Some will be unreasonable and some will have no ready solution but it is important that the complainant is given the courtesy of a clear response and explanation.

All Students are to be given access to the College Concerns and Complaints Procedures on admission and it will be explained to them in a format they are able to understand. The leaflet (Annex D) can also be given to relatives, advocates and other outside agencies, who may also help the learner to understand and take action using the process. This is particularly important if a learner is likely to have difficulty pursuing a complaint themselves or understanding the Concerns and Complaints procedure. Complainants can also access independent advocacy support at any point in raising a complaint or concern. This may be via an external advocate of their choice, a fellow learner or family member.

Where concern or complaints are being made by family members on behalf of the learner – the College will work with the parents to establish consent with the learner to pursue the concern or complaint.

Complainants can also take their complaints direct to outside agencies at any time or at any point in the Concerns and Complaints process. Outside agencies include bodies such as Social Services, the EFA or Local Education Authority and Connexions. The names and addresses of which will be included in the Complaints leaflet. In many circumstances external agencies will advise the complainant to use all College procedures before proceeding with their own investigation.

The Concerns and Complaints procedure will be prominently displayed across the College and feature in key literature such as the Learner Handbook.

Records of all concerns and complaints will be open to internal and external inspection as required.

### **Stage One**

This stage deals with concerns or complaints made by students or other interested parties about issues of a day-to-day nature, which can usually be resolved relatively simply and swiftly.

The complainant and/or their relative are to be offered the opportunity to discuss the matter with a staff member/s and be provided with information on advocacy support. This will occur within seven days of receiving the complaint or concern and the staff member will promptly inform their respective Line Manager of the complaint or concern followed by the outcome. All documentation will then be handed to the Deputy Principal for recording and monitoring purposes.

If the staff member dealing with the complaint or concern is unable to resolve the matter to the complainant's satisfaction, it will be referred to a Senior Tutor for investigation and resolution.

If the Manager is unable to resolve the complainant's satisfaction, they will inform the complainant about stage two of the College's Concerns and Complaints procedure and will also give them the information on how to contact the relevant external agencies, should they wish to make their complaint outside of the College.

In any case where the complainant requests legal representation or their concern or complaint is presented by a legal representative (solicitor, barrister or legal executive), the matter is to be referred to the College Principal immediately.

All stage one concerns and complaints will be recorded on the complaints record sheet and kept within the central complaints file with the Principal.

### **Stage Two**

If a complaint or concern is unable to be resolved at stage one to the satisfaction of the complainant, then they can take the complaint or concern to stage two, by contacting either the Principal who will arrange for:

An investigation to take place into the complaint or concern and they will name the person who will be undertaking that investigation.

The person investigating the complaint or concern will set a date for completion of the investigation. They will have access to the Learner's records and any other documentation relating to the matter.

As part of the investigation the person investigating the complaint may also:

- Read any relevant documents on the learner's records.
- Refer to any relevant Policy or Procedure.

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- Interview the complainant by prior appointment, in a place convenient to the complainant. The complainant may have a relative, advocate or representative of their choice present.
- Interview any staff concerned.

The person investigating the complaint or concern will then draw together the relevant information, evaluate the complaint or concern and compile a report. This report will outline the complaint, or concern, outcome of the investigation, supporting information or documentation, recommendations and be forwarded to the Principal.

Within 21 calendar days of the date of the complaint or concern the Principal –will send a written reply to:

- (a) The complainant.
- (b) The complainant’s representative where applicable.
- (c) Any other person considered to have sufficient interest in the complaint, with the permission of the complainant or their representative.

The reply will also be filed in the Concerns and Complaints file.

In cases where the decision is wholly or partly in the complainant’s favour, the letter will include an apology and an explanation of how the College proposes to correct matters and improve the service. The letter will also include an explanation of the right to appeal, and the appeal process (Stage Three).

In any case where it is not possible to make a full written response to a stage two complaint or concern within 21 calendar days of receipt of it, an explanation or interim response will be sent to the complainant and their representative within 21calendar days with an indication of when a full response will be made.

### **Stage Three**

The complainant has a right to appeal if they are not satisfied **that the complaints procedure has been correctly followed**. The appeal must be made to the Principal within 21 calendar days of receipt of the letter regarding the outcome of the stage two investigation.

The Principal will arrange for an appropriate member of the Senior Team to investigate how the complaint or concern was carried out.

The report will be submitted to the Principal who will decide the outcome of the appeal and then file the report in the Concerns and Complaints file. The Principal will write personally to those documented above with the outcome of the appeal. This will be completed within 21 calendar days of receipt of the written request for an appeal.

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In any case where it is not possible to make a full written response to the appeal within 21 days of receipt of it, an explanation or interim response will be sent to the complainant and their representative within 21 calendar days, with an indication of when a full response will be made.

### **Stage Four**

In cases where the complainant is **not satisfied that the College Principal has properly applied the College procedure** they can contact the Chair of the Board of Trustees, within 21 days of receiving the letter about the outcome of Stage Three. The Chair of the Board of Trustees will then examine the handling of the complaint and write to the complainant within 21 days of the receipt of the stage four notification, giving their response following the investigation. The Chair of the Board of Trustees will also issue a 'completion of internal procedures' letter confirming that the complainant has exhausted the College's Internal Learner Complaints Procedure and advising that any further request for redress will need to be made to an appropriate external agency.

### **Vexatious Complaints**

The College reserves the right at any point in the Concerns and Complaints process to discharge any complaint or concern which on the balance of probability and evidence available at the time of the complaint or concern being raised appears to be false, misleading or untrue. The complainant can at any time take their complaint to an external agency and the College will liaise with the appropriate agency to deal with any complaint or concern it receives.

### **Complaints Statistics**

The Principal will compile statistics about Concerns and Complaints to inform the Senior Team when requested, minimum termly.

These statistics will include:

1. The number of concerns and complaints received.
2. The type of complaint or concern
3. The outcome of concerns and complaints and any action taken to remedy matters.
4. Profile of concerns and complaints by age, gender and ethnicity of complainant.

**Annex B Landmarks Concern or Complaint Recording Form**

Number 

<b>EFA</b>	<b>SS</b>	<b>OTHER</b>
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Stage One  Stage Two  Stage Three  Stage Four

Name of Complainant  Address
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Concern or complaint or reported to: Date: Confirm Concerns and Complaints Procedure Explained      Yes / No
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Details of Concern or Complaint
---------------------------------

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Investigation Carried out by

Date Carried out

Action – Outcome Taken

Date of Response to Complainant	By Whom
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Any Other Comments

Concern/Complaint substantiated

Concern/Complaint partially substantiated

Concern/Complaint not substantiated  [tick one box only]

Ethnic Origin of Complainant (where know)

White	<input type="checkbox"/>	Black – Caribbean	<input type="checkbox"/>	Black – African	<input type="checkbox"/>	Black - Other	<input type="checkbox"/>	Other -
Indian	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>	Bangladeshi	<input type="checkbox"/>	Chinese	<input type="checkbox"/>	Nationality:

Sex  Male  Female

16 - 21  22 - 30  31 - 40  41 - 50  51 - 60  61+

### **Annex C: general guidance to staff**

Concerns and complaints should not be viewed negatively, but as an opportunity to review and improve services. Staff should therefore encourage students to make their views known.

We aim to create an atmosphere where students, their relatives or representatives should:

- Be encouraged to feel that concerns, complaints, comments, compliments and suggestions are all welcome.
- Know that they have a right to express a concern or make a complaint and that it will be taken seriously and treated with respect.
- Believe that concerns and complaints will lead to positive action and that change and improvements will take place as a result.
- Be able to raise a concern or make a complaint in a straightforward way to an easily accessible staff member.

#### **What is a concern?**

We seek to encourage students, their relatives or representatives to express any issues connected with the College which are of concern to them directly to staff members. At stage one of the process the person expressing their concern might use the term "complain" or "complaint" but staff should still seek an informal resolution perhaps by giving better or more timely information or by a simple operational response.

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

The College's Concerns, Complaints, Comments and Compliments procedure shows that if a concern cannot be resolved to the person's satisfaction it could progress to stage 2 at their request.

If the member of staff dealing with a concern believes it warrants more formal investigation then they should seek advice from the Deputy Principal who can progress an issue to stage 2. If the concern/complaint issue is about, or directly involves the Deputy Principal, then the Principal should be approached.

#### **Is there a safeguarding issue?**

When receiving either a verbal or written concern or complaint consideration you must consider whether this could be a safeguarding issue.

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If there is any indication that the complaint or concern may be a safeguarding issue then the staff member must immediately inform their line manager and follow:-

- Guidance for the Protection of Children and Safeguarding Adults Policy

#### **A concern or complaint could be about ...**

The following list gives some indications of possible sources of complaint

- Quality of Education.
- The Quality of Learning Support.
- The environment and facilities.
- The actions of a specific staff member.
- The actions of another learner.

#### **Suggestions for dealing with a concern or complaint**

- Listen, be courteous and calm.
- Accept the person's right to complain or raise a concern.
- Clarify exactly what the concern or complaint is and remember to record this on the Record Sheet (Annex B).
- Explain any relevant Policy and information to the person.
- Explain what is, and what is not, in your power to do.
- Explain exactly what you are going to do about the complaint or concern and whom you are going to inform.
- If you are not sure how to proceed, seek guidance from a senior member of staff and inform the complainant that you are going to do this and then come back to them.
- Explain that you will be recording the concern or complaint in the Complaints File.
- Be positive; try to resolve the concern or complaint if you can.
- Always inform your line manager about any concerns and complaints you receive, even if you resolve them.
- If the complaint or concern is about another staff member **always** seek guidance from your line manager straight away, or senior manager if necessary.

#### **Things to avoid when dealing with a concern or complaint**

- Take the complaint or concern personally
- Let your response to the concern or complaint become a further cause of complaint.

Remember your first response to a concern or complaint will have critical impact on the final outcome.

## **Annex D**

# HOW TO RESOLVE YOUR CONCERNS AND COMPLAINTS

## HOW TO RESOLVE YOUR CONCERNS AND COMPLAINTS

### **Landmarks and you**

Landmarks aims to provide high quality services; therefore we want to know when there is a problem.

Having your views helps us to ensure that we continue to improve our services in line with what you want and expect.

Landmarks' Complaints & Concerns Policy is available to you or your representative for detailed guidance. This leaflet explains, in brief, the stages you should follow in order that your complaint is dealt with properly.

### **Stage One**

If something has gone wrong, you have a complaint or you have concerns, we will try to resolve them as quickly as possible. Please discuss initially with a member of staff. They will try to correct the problem, or ask another member of staff to help you to solve the problem. We hope that most problems can be dealt with quickly this way.

### **Stage Two**

If you are not happy with the resolution at Stage One, you can contact the Deputy Principal who will arrange to investigate your complaint and write to you about the outcome. A written response will be made within 21 days, but occasionally some issues may take longer to resolve.

### **Stage Three**

Usually most difficulties will be resolved by now. If, however, you do not feel that the complaints policy and procedure have been correctly followed in regard to your complaint or concern then you have the right to contact the Principal and request an investigation into these matters. You must do this within 21 days of receiving the letter about the outcome of Stage Two above. The Principal will appoint a Manager to take a look at the

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how the complaint or concern was handled and write to you with the outcome of this investigation within 21 days.

### **Stage Four**

If following feedback from the College Principal, you still feel that your complaint or concern was not handled properly you can contact the Chair of College Trustees. You must do this within 21 days of receiving the letter about the outcome of Stage Three above. The Chair of College Trustees will then take a further objective look at the handling of the complaint or concern, with reference to the College's policies and procedures and write to you within 21 days with the outcome of this investigation. The Chair of Trustees will also issue a 'completion of internal procedures' letter confirming that the complainant has exhausted the College's Internal Learner Complaints Procedure and advising that any further request for redress will need to be made to an appropriate external agency.

### **False Complaints**

The College reserves the right at any point in the Concerns and Complaints process to discharge any complaint or concern which on the balance of probability and evidence available at the time of the complaint or concern being raised appears to be false, misleading or untrue. The complainant can at any time take their complaint to an external agency and the College will liaise with the appropriate agency to deal with any complaint or concern it receives.

### **What to do if you need help to make a complaint**

A friend, relative, professional person and/or a member of staff may be able to support you in making a complaint they can also come with you to your meeting with staff.

If you are unable to resolve your difficulties through this procedure or you do not want to approach Landmarks staff, you may wish to contact an external agency for support.

**Annex E: comments & compliments form**

**Please tell us what you think...**

We welcome and value your comments or compliments about our services and our employees.

The College would like to hear from you if:

1. You feel that you have received a good service from us, or there is one particular part of the service that you like,
2. You would like to suggest ways in which we can improve our service,
3. You are particularly happy with the way a member of staff assisted you, or with a service you have received,

If you give us your comments on our services, we will try to provide you with a response within 10 working days if you request one. If your comments are about a complex matter, we may need to extend this deadline but should this be the case we will discuss this with you.

**Tick the box and tell us how to contact you, if you would like a reply from the College**

Mr Mrs Ms Dr etc

Address

Telephone

Email

Comments / Compliments

## Policy 1.8 – Concerns and Complaints

### Equality Impact Screen

This screening form is designed to provide evidence that the college has given 'due regard' to the potential or actual effects of this policy, procedure or practice and whether it could have an adverse impact on different groups of people. (EA 2010)

<b>Protected Characteristics</b>	<b>Impact</b> <i>Is the impact positive, adverse or neutral? Please state which</i>	<b>Tweak</b> <i>Has the policy, procedure or practice been amended as the result of an impact?</i>	<b>Action / Comment(s)</b>
Age	Neutral		
Disability	Neutral		
Race	Neutral		
Sex	Neutral		
Religion or Belief	Neutral		
Sexual Orientation	Neutral		
Gender Identity	Neutral		
Marriage & Civil Partnership	Neutral		
Pregnancy & Maternity	Neutral		