

Westminster Tutors



Complaints Policy
2023-2024

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1. Introduction

- 1.1 Our commitment to providing exceptional education is unwavering. We understand that concerns and issues may arise occasionally, and we value your feedback as an opportunity for continuous improvement. Our college complaints procedure has been carefully designed to ensure transparency, fairness, and prompt resolution of any grievances you may have. This policy outlines the steps to follow when raising a concern and the mechanisms in place to address and resolve complaints efficiently. At Westminster Tutors, we prioritise the well-being and satisfaction of our students, and we are dedicated to upholding the highest standards of academic excellence and support.

2. The Difference Between a Complaint and a Concern

- 2.1 A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.
- 2.2 A complaint may be defined as an expression of dissatisfaction about actions taken or a lack of action.
- 2.3 It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally without using the formal stages of the complaints procedure. Westminster Tutors takes concerns seriously and will try to resolve the matter as quickly as possible.
- 2.4 We will respect your views if you need help discussing a concern with a particular staff member. In these cases, the Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, The Principal will refer you to another staff member or deal with the matter himself. The staff member may be more senior but can be someone other than that. The ability to consider the concern objectively and impartially is more important.
- 2.5 We understand that there are occasions when people would like to raise their concerns formally. In this case, Westminster Tutors will attempt to resolve the issue internally through the stages outlined within this complaints procedure.

3. How to Raise a Concern or Make a Complaint

- 3.1 In the first instance, all concerns or complaints should be made informally with the college by discussing the concern or complaint with a member of staff, a senior leader, or the Principal.

- 3.2 An informal concern or complaint can be made in person, in writing, or by telephone. They may also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so.
- 3.3 If the issue remains unresolved, the next step is to complain formally.
- 3.4 Complainants should avoid approaching the Governance Advisory Board (GAB) to raise concerns or complaints. The GAB has no power to act individually and may also prevent them from considering complaints at Stage 2 of the procedure.
- 3.5 Formal complaints against school staff should be made in writing to the Principal by emailing complaints@westminstertutors.co.uk. Please mark the correspondence as private and confidential.
- 3.6 For ease of use, a template complaint form is included at the end of this procedure. If you require help completing the form, please get in touch with the college administrator at info@westminstertutors.co.uk. You can also ask third-party organisations like Citizens Advice to help you.
- 3.7 Following equality law, we will consider making reasonable adjustments, if required, to enable complainants to access and complete this complaints procedure, for instance, by providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.
- 3.8 We will not usually investigate anonymous complaints. However, if appropriate, the Principal or Proprietor will determine whether the complaint warrants an investigation.

4. Timescales

- 4.1 Complaints must be made within a reasonable timeframe, up to three months after the incident. Where a series of associated incidents have occurred, then by three months after the last of these incidents. We will consider complaints made outside this time frame if exceptional circumstances apply.

Complaints Outside of Term Time

- 4.2 We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

5. Scope of the Complaints Procedure

5.1 This procedure covers all complaints about any provision of community facilities or services by Westminster Tutors, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Whom to Contact
Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and following relevant statutory guidance.</p> <p>If you have serious concerns, you may contact the local authority designated officer (LADO) with local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p>Kensington and Chelsea LADO</p> <p>Please call 020 7361 3013 and ask to speak to the Duty Child Protection Adviser. Email kclado.enquiries@rbkc.gov.uk</p> <p>Kensington and Chelsea MASH</p> <p>A Triborough MASH takes referrals from the police and the local authorities in Hammersmith and Fulham, Kensington and Chelsea, and Westminster.</p> <p>If you are concerned about a child, please refer to the local authority's front door. Where appropriate, the local authority will refer cases to the MASH team.</p> <p>Kensington and Chelsea - socialservices@rbkc.gov.uk or telephone: 020 7361 3013</p>
Whistleblowing	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Education and Skills Funding Agency is the prescribed agency for matters relating to education for whistleblowers in private further education who want to avoid raising concerns directly with their employers. Additional information may be found on their website: How ESFA handles whistleblowing disclosures - GOV.UK (www.gov.uk).</p>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member due to a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please get in touch with them directly.

- 5.2 If other bodies are investigating aspects of the complaint, for example, the police, local authority (LA) safeguarding teams or Tribunals, this may impact our ability to adhere to the timescales within this procedure or result in the procedure process being suspended until those public bodies have completed their investigations.
- 5.3 If a complainant commences legal action against Westminster Tutors about their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

6. Complaint Stages

Stage 1 Complaints

- 6.1 Formal complaints must be made in writing to the Principal (unless they are about the Principal) via the email complaints@westminstertutors.co.uk.
- 6.2 The Principal will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five business days during term time. Complaints received outside of college term time will be acknowledged within five business days, starting from the first day back after a holiday. Within this response, the Principal will seek to clarify the nature of the complaint and ask what remains unresolved and what outcome the complainant wants to see. The Principal can consider whether a face-to-face meeting is the most appropriate way of doing this.
- 6.3 Note: The Principal may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.
- 6.4 During the investigation, the Principal (or investigator) will:
- If necessary, interview those involved in the matter and those complained of, allowing them to be accompanied if they wish.
 - Keep a written record of any meetings/interviews about their investigation.
- 6.5 After their investigation, the Principal will provide a formal written response within 28 business days, during term time, of the date of receipt of the complaint.
- 6.6 If the Principal cannot meet this deadline, they will provide the complainant with an update and revised response date.
- 6.7 The response will detail any actions taken to investigate the complaint and explain the decision and the reason(s) for it. Where appropriate, it will include details of Westminster Tutors' actions to resolve the complaint.

- 6.8 The Principal will advise the complainant on how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.
- 6.9 If the complaint concerns the Principal, the Proprietor will appoint a suitably skilled Senior Leader from within the college group (David Game College Ltd) to complete all the actions at Stage 1.
- 6.10 Complaints about the Principal must be addressed to the Proprietor, David Game, via the email complaints@westminstertutors.co.uk.

Stage 2 Complaints

- 6.11 If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a Complaints Panel will be formed of three impartial Senior Leaders from the independent sixth form sector or other relevant professionals of good standing, or members of the Governance Advisory Board. This is the final stage of the complaints procedure.
- 6.12 A written request to escalate to Stage 2 must be made by emailing complaints@westminstertutors.co.uk within 15 business days, during term time, of receipt of the Stage 1 response.
- 6.13 The Principal will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five business days during term time.
- 6.14 Requests received outside this time frame will only be considered if exceptional circumstances apply.
- 6.15 The Principal will write to the complainant to inform them of the meeting date. They will aim to convene a meeting within 28 business days, during term time, of receipt of the Stage 2 request. If this is not possible, the Principal will provide an anticipated date and keep the complainant informed.
- 6.16 If the complainant rejects the offer of three proposed dates without good reason, the Principal will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.
- 6.16 The Complaints Panel will have no prior involvement or knowledge of the complaint. Before the meeting, they will decide who will act as the Chair. The committee will decide whether

to deal with the complaint by inviting parties to a meeting or through written representations. The panel will be sensitive to the complainant's needs.

- 6.17 If the complainant is invited to a meeting, they may bring someone to support them. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the Complaints Panel meeting.
- 6.18 However, there may be occasions when legal representation is appropriate. For instance, if a school employee is the subject of a complaint, they may wish to be supported by a union or legal representation.
- 6.19 Note: Complaints about staff conduct will not generally be handled under this Complaints Procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.
- 6.20 Representatives from the media are not permitted to attend.
- 6.21 At least ten business days, during term time, before the meeting, the Principal will:
- Confirm and notify the complainant of the date, time, and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
 - Request copies of any further written material to be submitted to the committee at least ten school days before the meeting.
- 6.22 Any written material will be circulated to all parties at least five school days, during term time, before the meeting date. The Panel will not usually accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 6.23 The Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 6.24 The meeting will be held in private. Electronic recordings of meetings or conversations are generally not permitted unless a complainant's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations occur. Participants' consent will be noted in any minutes taken.
- 6.25 The Panel will consider the complaint and all the evidence presented. The Panel can:

- Uphold the complaint in whole or in part.
- Dismiss the complaint in whole or in part.

6.26 If the complaint is upheld in whole or in part, the Panel will:

- Decide on the appropriate action to be taken to resolve the complaint.
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

6.27 The Chair of the Complaints Panel will provide the complainant and Westminster Tutors with a full explanation of their decision and the reason(s) for it, in writing, within 15 business days, during term time.

6.28 If timescales overlap college holidays, i.e., are outside of term time, then the dates and timeframes stated above will be extended by the length of the holiday duration.

Next Steps

6.29 If the complainant believes the school did not handle their complaint following the published complaints procedure or acted unlawfully or unreasonably in exercising their duties under the law, they can contact the Education and Skills Funding Agency (ESFA) after they have completed Stage 2. Further information may be found on their website: [Complain about a further education college or apprenticeship - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complain-about-a-further-education-college-or-apprenticeship)

6.30 The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Westminster Tutors. They will consider whether Westminster Tutors has adhered to education legislation and any statutory policies connected with the complaint.

6. Resolving Complaints

6.1 Westminster Tutors wants to resolve the complaint at each stage in the procedure. If appropriate, we will acknowledge that the complaint is upheld in whole or part. In addition, we may offer one or more of the following:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An undertaking to review college policies considering the complaint.
- An apology.

7. Withdrawing a Complaint

7.1 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

8. Previous Complaints

Year	Formal Complaints Received	Resolution Stage 1 or 2
2018-19	0	N/A
2019-20	0	N/A
2020-21	0	N/A
2021-22	0	N/A
2022-23	0	N/A