



INTRODUCTION

Azure College is committed to providing outstanding educational opportunities for all our students.

Azure welcomes feedback from our learning community, from our stakeholders and from the general public.

We use this process positively to improve services for our students and the wider community.

We encourage parents and carers of Azure's students to enter into constructive discussions with the College in order to positively resolve any problems or complaints. Parents/carers can contact the College by telephone, email, via the contact form on Azure's website, and are always welcome to discuss concerns with College staff in person.

The Complaints Policy is available via Azure's Website.

Where parents/carers need support to raise a concern or make a complaint, we will work responsively with them to facilitate communication.

Azure is committed to the continuous improvement of its services. We recognise that, occasionally, mistakes will be made or the service offered will not meet an individual's requirements or expectation. As well as being managed as set out in this procedure, complaints will be used as feedback to improve the service which we as educational providers offer.

This policy sets out the procedure for students, or parents/carers wishing to make a complaint about College staff or practice.

The procedure for complaints from other stakeholders, external bodies or individuals other than students, or parents/carers consists of a single stage and should be made in writing to the Director of Education Services at Azure College who will investigate and respond in writing within 21 working days.

Should the complainant remain dissatisfied after this, they can request that the response is reviewed by writing to the Principal/Chief Executive.

PRINCIPLES

This procedure exists to provide students and parents/carers with a framework to make a complaint about the College. The College seeks to ensure all concerns and complaints are dealt with efficiently, sensitively and where possible in confidence, at the appropriate level. All complaints are handled in a balanced, neutral way, and assuming nothing until all of the facts are established.

This policy confers no legal rights and while we'll generally follow this policy we may depart from it if we think it is appropriate to do so.

Azure may amend or discontinue the policy at any time and for any reason without prior notice.

We aim to carry out an annual review of complaints received to identify any aspects of our services that need to improve.

Where a complainant is abusive, aggressive, makes insulting personal comments about or threats towards our staff or impugns or maligns the character of our staff, Azure may determine to summarily dismiss the complaint and any and all subsequent correspondence thereafter.

The difference between a concern and a complaint

It is important to understand how different forms of feedback are considered.

All complaints can initially start as a concern, which can be defined as ‘an expression of worry or doubt over an issue, considered to be important, for which reassurances are sought’. For example, a student might wish to be assured that they are receiving appropriate support with communication, or a parent might ask a member of staff to clarify a comment that the student has made about something at College.

Concerns can materialise into a complaint if the initial response from the College is perceived as unreasonable or dismissive. A complaint is defined as ‘an expression of dissatisfaction however made, about actions (or lack of actions) taken’. A complaint includes an element of blame against the College.

EXCEPTIONS TO THE COMPLAINTS PROCEDURE

This Complaints Procedure covers all complaints about any provision of facilities or services at the College. However, the exceptions listed below are not covered under the complaints procedure because separate procedures exist.

In certain circumstances, for example where the Local Authority or another public body is investigating the matters in a complaint, the College’s own process will be suspended until those investigations are concluded.

Statutory Assessment of SEN	Concerns about statutory assessments of special educational needs should be raised directly with local authorities
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.
Exclusion of children from school*	Contact the Designated Safeguarding Lead at the College in the first instance

**complaints about the application of the Behaviour Policy can be made through the Complaints Policy and Procedure.*

The College will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Principal/Chief Executive who will decide what, if any, action should be taken.

If your complaint relates to an external service provider used by the College, this should be raised with the Director of Education Services (Head of College) in the first instance, but it might be that you or the College will have to follow the provider's own complaints policy thereafter.

If the issue concerns a serious safeguarding or child protection issue, an allegation of abuse or a matter with serious disciplinary consequences, the Principal should be informed immediately. The appropriate policy and procedures must be followed and the Designated Safeguarding Lead must be informed. If there is any doubt about whether an issue should be dealt with as a complaint or through another formal procedure, guidance can be sought from Azure College's Governance Manager: email governance@azure-charitable.co.uk

EQUALITY

The College will deal with concerns, difficulties and complaints in accordance with its duty under the Equality Act 2010 (please refer to the Equality, Diversity & Inclusion Policy for further details).

DATA PROTECTION

Complaints sometimes include requests for information or documentation. Such requests will either be a 'subject access request' under the Data Protection Act 1998 (where the information requested relates to an identifiable individual) or a request under the Freedom of Information Act 2000 (where the information is general and not related to an identifiable individual).

Subject access requests under the Data Protection Act 1998 must be responded to within one calendar month, and requests under the Freedom of Information Act 2000 must be responded to within 20 working days.

Please refer to the Data Protection Policy and Freedom of Information Policy for further details.

INDICATIVE TIMETABLES

NB: At all stages, Azure will seek an informal resolution to your complaint. In complex cases, it might take longer to investigate a problem, meaning the timings of the complaints process might be extended. You will be informed should this happen.

The College will try to resolve any complaint as quickly as possible, but all concerned must recognise that our teaching and support staff have many demands on their time. In complex cases, it might take longer to investigate than is provided for below – the investigator will communicate this to the complainant as soon as possible.

A complaint will not be upheld solely because a deadline has been missed.

In certain circumstances, for example where the Local Authority or another public body is investigating the matters in a complaint, the College's own process will be suspended until those investigations are concluded.

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Where reasonable or in exceptional circumstances we may consider complaints made outside of this timeframe.

Any complaint received within one month of the end of a term or half term is likely to take longer to resolve owing to the presence of College holidays and the unavailability of personnel required for the investigation to be undertaken properly.

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

Timeline for raising a complaint

Please note that when we refer to working days, we mean Monday to Friday when the College is open during term time. The dates of terms are published on the Azure College website.

Stage 1: Informal complaint

- You should raise an informal complaint within 10 working days of the incident in question
- The complaint will be acknowledged within 7 working days of receipt
- The complaint will be investigated and responded to within 21 working days of receipt of the informal complaint

Stage 2: Formal complaint

- If you are not satisfied with the College's response, you should escalate to a formal complaint (following the process described in this document) within 5 working days of receiving the response to Stage 1
- The formal complaint will be acknowledged within 7 working days of receipt
- The formal complaint will be investigated and responded to within 21 working days of receipt

At each stage in the procedure, we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in 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
- an undertaking to review college policies in light of the complaint
- an apology

Withdrawal of a complaint

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

COMPLAINTS PROCEDURE

Stage 1: Informal complaint

In the first instance, it is essential each complaint is directed at a level appropriate to the nature of the complaint. Therefore, if for example a tutor or Director of Education Services (Head of College) cannot resolve an informal complaint, it may be passed to the Principal/Chief Executive.

Azure recognises that most concerns and complaints can be resolved at an initial informal stage. In this instance a complainant can speak to a member of staff or the Director of Education Services (Head of College).

At this stage, the Director of Education Services (Head of College) must seek clarification on the complaint, identifying the outcome the complainant is requesting. Even though this is likely to be a spoken exchange, it is important that all parties are in agreement on outcomes and agreed actions.

The final resolution to the complainant can be provided orally or through a written response, however a written record of the response will always be kept by the College.

Stage 2: Formal complaints

Formal complaints **not** about the Director of Education Services (Head of College) directly.

If all attempts to resolve the issue remain unsuccessful, the complainant may then follow the formal process by placing their complaint in writing to the Director of Education Services (Head of College).

This written document should include:

- The complaint
- Any attempts made to raise/resolve the complaint (including who they have communicated with)
- Any reasonable actions they feel may resolve the issue

The complaint will be investigated by a staff member (not the subject of the complaint) nominated by the Director of Education Services (Head of College). The complaint will be acknowledged within 7 working days. The formal complaint will be investigated and responded to within 21 working days. This timescale may be reasonably extended if the nature of the complaint is judged by the Principal to be of a complex nature. Where there are exceptional circumstances resulting in a delay, the complainant will be notified of this and informed of the new timescales as soon as possible.

An accurate log must be maintained at this stage.

The resulting investigatory report will be presented to the Director of Education Services (Head of College) for final determination. The Director of Education Services (Head of College) will then respond in writing to the complainant.

The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to resolve the complaint. The response will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Formal complaint concerning the Director of Education Services (Head of College)

Azure recognises that in exceptional circumstances, students, or parents/carers may wish to complain formally about the Director of Education Services (Head of College) i.e. decisions they may have taken, policies they may have implemented as the Head of College, etc.

If all attempts to resolve the issue remain unsuccessful, the complainant may then follow the formal process by placing their complaint in writing to the Principal/Chief Executive, Azure Charitable Foundation (Azure College), McCallum House, Kielder Avenue, Beacon Lane, NE23 8JT or via email to: governance@azure-charitable.co.uk

This written document should include:

- The complaint
- Any attempts made to raise/resolve the complaint (including who they have communicated with)
- Any reasonable actions they feel may resolve the issue

The complaint will be investigated by a member of the Azure Charitable Foundation's Executive Leadership Team nominated by the Principal/Chief Executive or by the Principal/Chief Executive directly (at their discretion).

As regards the former:

- The complaint will be acknowledged within 7 working days. The formal complaint will be investigated and responded to within 21 working days. This timescale may be reasonably extended if the nature of the complaint is judged by the Principal/Chief Executive to be of a complex nature. Where there are exceptional circumstances resulting in a delay, the complainant will be notified of this and informed of the new timescales as soon as possible
- An accurate log must be maintained at this stage.
- The resulting investigatory report will be presented to the Principal/Chief Executive for final determination. The Principal/Chief Executive will then respond in writing to the complainant.
- The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to resolve the complaint.

As regards the latter:

- The complaint will be acknowledged within 7 working days. The formal complaint will be investigated and responded to within 21 working days. This timescale may be reasonably extended if the nature of the complaint is judged by the Principal/Chief Executive to be of a complex nature. Where there are exceptional circumstances resulting in a delay, the complainant will be notified of this and informed of the new timescales as soon as possible
- An accurate log must be maintained at this stage.
- The Principal/Chief Executive will determine the matter and respond in writing to the complainant.
- The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to resolve the complaint.

The Principal/Chief Executive's determination is final.

If you remain unsatisfied, you may complain to the Education & Skills Funding Agency (ESFA). Guidance on how to do this is available from the ESFA website:

www.gov.uk/government/organisations/education-and-skills-fundingagency/about/complaints-procedure

SERIAL AND PERSISTENT COMPLAINTS

Serial and persistent complaints are taken seriously as they put a strain on valuable resources and hinder the progress of proper investigations.

If a complainant tries to re-open the same issue, the College will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the College again on the same issue, the correspondence may be viewed as "serial" or "persistent" and the college may choose not to respond. The College will not mark a complaint as "serial" before the complainant has completed all stages of the complaints procedure.

The College may consider a complaint to be "frivolous" or "vexatious" if:

- complaints are obsessive, persistent, harassing, prolific, repetitious;
- there is insistence upon pursuing unmeritorious complaints and / or unrealistic outcomes beyond all reason;
- there is insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints are designed to cause disruption or annoyance; or
- demands for redress lack any serious purpose or value.

Complainants should try to limit their communication with the College about the complaint while it is being progressed, as it is not helpful if repeated correspondence is sent (either by letter, phone, email or text) which is likely to delay an outcome being reached.

For complainants who excessively contact the College causing a significant level of disruption, we may specify particular methods of communication, provide a single point of contact and / or limit the number of communications which may be made with the College in a communication plan. This will usually be reviewed after three months.

The College will stop responding to a complainant where:

- the College has taken every reasonable step to address the complainant's concerns;
- the complainant has been given a clear statement of the College's position and their options; and
- the complainant contacts the College repeatedly, making substantially the same points each time.

The case to stop responding will be stronger if any of the following statements apply:

- the complainant's letters, emails, or telephone calls are often or abusive or aggressive; and/or
- the complainant makes insulting personal comments about or threats towards staff; and/or
- there is reason to believe the individual is contacting the College with the intention of causing disruption or inconvenience.



In response to any serious incident of aggression or violence, the College will immediately report this to the police for criminal investigation.

The College may also withdraw the complainant's implied permission to enter or be on the College site(s).

If the complainant's behaviour is a cause for concern, the Director of Education Services (Head of College) can ask them to leave the college premises and bar individuals from entering.

If the College makes the decision to bar a complainant from the College premises, it will provide the complainant the opportunity to express formally their views on a decision to bar.

The Director of Education Services (Head of College) decision to bar will be reviewed by the Principal/Chief Executive. If the decision is confirmed, the complainant will be notified in writing, explaining how long the bar will be in place and when the decision will be reviewed.

REPORTING AND RECORDING COMPLAINTS

The Azure College Complaint Form (see Appendix 1) should be used for all formal complaints.

Azure College is mindful of its obligations under the Equality Act 2010 and will endeavour to facilitate alternative methods of communication where these are necessitated by disability or other unavoidable circumstance.

Once a complaint is received, the College will keep a record of the complaint, the response and any actions taken as a result of the complaint.

The Principal/Chief Executive is responsible for ensuring that records are kept.

All records of complaints will be kept confidential except where the Secretary of State or a body conducting an inspection requests access to them. The College Senior Leadership Team will report any complaints to the Azure Charitable Foundation's Senior Leadership Team on a regular basis.

A termly report is provided to the Azure College Board.

The Azure Charitable Foundation Board monitors the level of complaints and reviews the outcomes on a regular basis through the mechanism of performance and data reporting.

APPENDIX 1: Azure College Complaint Form

Name	
Date	
Address	
Student Name/Year (if applicable)	
Relationship to student (if applicable)	
Student's address (if different from above)	
Contact number(s) (if you have a preferred time within the day, please state it)	
Details of Complaint	
What action have you already taken to try and resolve the complaint?	
What actions do you feel might resolve this complaint? (e.g. an explanation, an apology, review of policy etc.)	