



Rotherham Opportunities College

Complaints Policy



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Policy:

A concern is an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

A complaint is an expression of dissatisfaction about something that happens or about something that someone has done. It can be made by any person, internal or external, about an action or lack of action or quality of service.

Overview of the policy:

The College supports the rights of every student, member of staff, visitor, contractor or member of the public to raise issues or make complaints about our work at Rotherham Opportunities College (ROC). We understand that complaints are a valuable means of getting feedback about what we do and how we do it. Complaints help us to assess and improve our services.

This policy details the way in which complaints can be made and the procedures that will be followed for investigating them and putting things right where they have gone wrong.

The purpose of this document is to:

- Ensure that the college has effective procedures to investigate complaints and that, in doing so, it treats everyone fairly, openly and equitably;
- Ensure that complaints are investigated with minimum delay;
- Ensure that those making a complaint know how to do this and are fully supported in doing so;
- Ensure that those responding to a complaint or are the subject of a complaint are fully aware of the procedures and their own rights;
- To establish a system for learning from feedback, both immediately and also in the longer term.

The principles on which the policy is based:

ROC will respond and act openly and objectively in relation to all complaints received. Faced with criticisms or complaints, we will be impartial and we will not be defensive. The college seeks to act fairly, not to apportion blame, but to identify problems or weaknesses, to address these and to identify remedies and improvements.

We recognise that local residents, retailers, providers of facilities, contractors and suppliers of services to the college may wish to make complaints about the college's activities or the conduct of its staff or students. This complaints policy and procedure is open to them all and applies equally to external complaints.

We recognise that for all students, their parents and carers have the right to complain formally for themselves or on behalf of a student, to ROC and/or to the relevant local authority or other funding or placing authority and/or to regulatory authorities. We will provide details of how they may contact funding bodies, regulatory authorities and the relevant local authority.

ROC will treat those who complain or are the subject of a complaint with sensitivity. We will not take any form of punitive action against students or members of staff or others making a complaint unless it is found to be malicious.



The college will treat both those who complain and those who are the subject of a complaint with dignity and respect, equally irrespective of race, ethnic origin, gender, gender re-assignment, marital or parental status, sexual orientation, religion or belief, disability, age or political belief.

Persistent or serial complaints which the college considers to have already been thoroughly investigated and about which appropriate action has been taken to remedy the situation, will not be pursued. However, should circumstances change or new information emerge in connection with the case, the investigation may be re-opened.

The Directors & Governors will:

- Monitor and review the Complaints' Policy at least annually;
- Receive reports analysing trends and detailing any issues arising and recommendations to be addressed;
- Make key decisions following recommendations made in response to complaints;
- Ensure that the Complaints Policy and procedures are communicated, understood and applied, including training for key staff relating to the policy and procedure;
- Establish record keeping systems to capture and track information related to complaints.

The Principal and Senior Leadership Team will:

- Ensure that this policy and these procedures are followed effectively in their provision;
- Provide reports to the Directors & Governors about all complaints received. This includes analysis of issues and trends, monitoring of standards, issues arising, actions taken and recommendations to be addressed;
- Establish record keeping systems to capture and track information related to complaints involving students
- Review completed complaints at 3, 6 and 12 months to review lessons learned and ensure actions are maintained.

Staff are expected to:

- Become familiar with the policy and procedures and to put the procedure into practice;
- Ensure that all complaints, including those made by students or others on their behalf, are reported according to the complaints procedure to the Principal within one working day of receiving it;
- Ensure that all complaints, actions and resolutions are recorded appropriately in accordance with this guidance.

Students:

- Are able to raise any queries or complaints, both major and minor, about their education with their Pathway Tutor, Teacher, Teaching Assistant, or any other member of staff if they would prefer;
- Will be provided with appropriate support to pursue their complaint, including being supported by an appropriate staff member, by their parent or carer or by a supportive friend who can act as their advocate.
- Students that have completed a regulated qualification can escalate their complaint externally to the relevant awarding organisation should they feel their complaints



remains unresolved. If the student then fully exhausts the awarding organisations complaints procedures, they then have the right to escalate their complaint further Ofqual. (See Appendix 3 for more details)

Recording and Storage of Complaints and Investigation Notes

All written complaints, reports and investigation notes will be saved on the Q drive (ROC sensitive) under:

Complaints – Academic Year – Date of Complaint

The complaints log is also saved on the Q drive (the Q drive is limited to designated members of staff e.g. administrator and SLT).

Procedure:

When someone complains about something that happens at or in relation to ROC a four stage process will be used to make sure the complaint is dealt with appropriately and that an acceptable resolution is found in a suitable period of time. The four stages are as follows:

Stage 1: Informal.

This is where the complainant discusses the situation they wish to complain about with a member of the Senior Leadership Team (SLT) to reassure the complainant that their concern is taken seriously and that something will be done to address the issues raised. If the complainant is not satisfied with the response they receive at this stage, their complaint will be raised to Stage 2.

Stage 2: College based investigation.

This is where the complaint is set out in writing and the Principal will ensure that the matter is investigated by a member of Senior Leadership Team. Where the complaint is about the Principal, then the Chair of Directors & Governors will ensure that the issue is investigated. If the complainant is not satisfied with the written response they receive to their complaint, a Stage 3 procedure will follow.

Stage 3: Investigation carried out on behalf of the Directors & Governors.

This is where the complaint sets out in writing their dissatisfaction with the outcome of the Stage 2 complaint procedure. On behalf of the Directors & Governors an external consultant will be appointed to investigate. If the complainant is not satisfied with the written response they receive to their complaint, a Stage 4 procedure will follow.

Stage 4: Referral to relevant statutory authority.

Contact details for the relevant statutory authority will be provided if requested.

Good practice notes in relation to investigations can be found at Appendix 2

Procedures at Stage 1: Informal

The person receiving the complaint will contact a member of the Senior Leadership Team, a member of SLT will make contact with the complainant within **48 hours** and arrange actions to help to understand the reasons the complaint has been made and to work towards a resolution. The member of the Senior Leadership Team working with the complainant will make sure that the complaints log is kept up to date with details of the complaint and action taken to resolve it. They will also keep the Principal and the SLT fully informed of the progress of resolving the complaint.



The member of the Senior Leadership Team responsible for following up the complaint will contact the complainant **one week** after they believe the matter has been resolved to check that the complainant is satisfied with the actions taken. Where the complainant is not satisfied with the actions taken, the member of the Senior Leadership Team will, in writing, ask them to make a written complaint addressed to the Principal within **7 calendar days** outlining their complaint and the reasons they are not satisfied. This will form the basis of the Stage 2 procedure.

Appendix 1 shows the Complaints Log Entries that must be maintained and the timings for those entries.

Procedures at Stage 2: College based investigation

Following receipt of the written complaint the Principal will review the complaint and the Stage 1 log. The Principal will appoint a member of the Senior Leadership Team to carry out an investigation of the complaint. The investigating officer will write to the complainant within **7 calendar days** of the letter being received by the college, and will communicate with the complainant on a **weekly basis**. Copies of all communication will be kept in the complaints log (See Appendix 1 for more details).

The member of the Senior Leadership Team allocated to investigate the complaint will not have been actively involved in looking into the complaint during the Stage 1 procedure.

Where the complaint is about the Principal, then the Chair of Directors & Governors will ensure that the issue is investigated by an appropriate member of the Senior Leadership Team or an external consultant.

When the investigation has been completed, the Principal (or the Chair of Directors & Governors if the complaint is about the Principal) will write to the complainant and explain the investigation outcomes and any actions that have been or will be taken as a result. This must be within **5 working days** of the investigation being completed.

If the complainant is not satisfied with the written response they receive to their complaint, they should put this in writing within **14 calendar days** of receipt of the outcome letter outlining why they are not satisfied and a Stage 3 procedure will follow.

While investigation is taking place, the Principal will ensure that staff members in the provision continue to work actively with all staff and students in a manner that promotes their wellbeing and safety.

Procedures at Stage 3: Investigation carried out on behalf of the Directors & Governors

If a Stage 3 complaint is received within the required timelines the Directors & Governors will appoint an external consultant, to investigate. The investigating officer will write to the Complainant within **14 calendar days** of the letter being received and will communicate with the complainant on a *weekly basis*. Copies of all communication will be kept in the relevant complaints log (See Appendix 1 for more details).

While the Stage 3 procedures are taking place the Principal, working in close collaboration with the Chair of Directors & Governors, will ensure that actions are taken to promote the wellbeing and safety of all students and staff at the College.



When the investigation has been completed, the Clerk to the Directors & Governors will write to the complainant within **5 days** of the completion of the investigation and explain the investigation outcomes and any actions that have been or will be taken as a result.

If the complainant is not satisfied with the written response they receive to their complaint, they should put this in writing within **14 calendar days** of receipt of the outcome letter.

Procedures at Stage 4: Referral to relevant statutory authority

While the Stage 4 procedures are taking place the Principal, working in close collaboration with the Chair of the Directors & Governors, will ensure that actions are taken to promote the wellbeing and safety of all students and staff at the College. The outcome of the referral to the relevant statutory authority is final.

Timeframes and exceptions to cut-off timeframes

In all cases we would expect a complaint to be made as soon as possible after an incident arises. Where there is a cut-off timeframe, the college will always consider whether there should be an exception to this timeframe.

Appendix 1 Complaints Log Entries

The college will maintain a log where details of all complaints or concerns raised. The following details will be captured for the log and filed by the Business Manager or Administrator under the oversight of the Principal, Directors & Governors. This log should be reviewed by the Principal on a regular basis and a formal report produced of findings for the Directors & Governors.

Complaints Log Entries at Stage 1

Initial stage 1 log entry

- Date and complaints log reference number (academic year, complaint no.)
- Person receiving the complaint: name, job role, contact details
- Person making the complaint: name, relationship to ROC, contact details including preferred means of contact
- Very brief outline of the matter complained about
- Any suggestions the complainant has for putting things right
- Whether the issue has been reported on a previous occasion
- Provision's Senior Leadership Team member who is responsible for following up the complaint.

Subsequent stage 1 log entries

- Date and log reference
- Action taken. This might include attempts at negotiation, arbitration and mediation to resolve the complaint. At least one action must be recorded each week following the initial complaint being logged. At the very least this must be a message to the complainant to let them know that the issue is being followed up.

Final stage 1 log entry



- Date and log reference
- Resolution of the complaint. This must refer to the action taken by the senior member responsible and the response of the initial complainant
- Where the complainant is not satisfied with the actions taken, they will be asked to make a written complaint addressed to the relevant Principal. This will form the basis of the Stage 2 procedure.

The Principal will regularly review the log of stage 1 complaints and will report to the Directors & Governors on the number of stage 1 complaints received and how these have been resolved.

Complaints Log Entries at Stage 2

Initial Stage 2 log entry

- Date and complaints log reference number (xxx, Stage 2).
- Person appointed by the Principal to investigate the complaint: name, job role
- Person making the complaint: name, relationship to ROC, contact details including preferred means of contact
- Very brief outline of the matter complained about
- A copy of the complainant's written complaint
- Any suggestions the complainant has for putting things right
- Whether the issue has been reported to the College on a previous occasion
- A brief outline of the actions taken at Stage 1

Subsequent stage 2 log entries

- Date and log reference
- Copy of the message to the complainant indicating who will investigate the complaint. This will be sent by email and post to the complainant within 14 calendar days of the complaint in writing being received
- Copies of messages sent to the complainant at least weekly to reassure them that the investigation is under way.

Final stage 2 log entry

- Date and log reference
- Outcome of the investigation. This will include recommendations from the staff member investigating together with actions the Principal agrees that the College can make
- Resolution of the complaint. This must identify the response of the initial complainant
- Where the complainant is not satisfied with the actions taken, escalation to a Stage 3 procedure

Complaints Log Entries at Stage 3

Initial Stage 3 log entry

- Date and complaints log reference number (xxx, Stage 3).
- Person making the complaint: name, relationship to the ROC, contact details including preferred means of contact
- Details of the external consultant employed to investigate the complaint



- A copy of the complainant's written complaint, together with any statement they may wish to add following the Stage 2 investigation
- Any suggestions the complainant has for putting things right
- Whether the issue has been reported to the College on a previous occasion
- A brief outline of the recommendations and subsequent action in relation to the Stage 2 investigation

Final stage 3 log entry

- Date and log reference
- Minutes of the proceedings of Directors & Governors Meeting in which the external consultant was appointed
- Findings and recommendations of the investigation by the external consultant
- Actions taken in response to the findings and recommendations of the external consultant
- A copy of the report submitted by the investigating officer to the Directors & Governors detailing how the issues complained about have been resolved and the lessons the College have learned during the course of the investigation into the complaint.
- A copy of the letter written to the complainant outlining the outcome of the investigation.

Appendix 2

Good practice for those investigating a complaint

The investigator should check the log and files to determine whether previous complaints have been made about the matter in question or by the person involved. If appropriate, the investigator should also refer to information held on individual student files.

Following acknowledgement of receipt of the complaint, or at the same time, the investigator should contact the individual to arrange a meeting or telephone conversation in order to discuss the complaint in more detail. This will include:

- Clarifying the details of the complaint, including checking understanding of its nature
- Clarifying the individual's requirements for an acceptable outcome
- Checking whether the individual needs support of any kind
- Explaining the investigation procedure

The investigator should brief themselves and/or take advice from an appropriate professional on the relevant legal, policy and procedural background to the complaint.

Establish the sequence of events, names of staff and others directly involved and obtain copies of Log Book notes, correspondence etc.

Carry out interviews with those involved where necessary. Staff and students being interviewed have a right to be accompanied by someone not acting in a legal capacity.

If at any time the investigator believes that the complaint may lead to allegations of wrongdoing or abuse, the complaint should be discussed with the Principal and the



Chair of Directors & Governors in order to ensure that the correct procedures are followed.

At the end of the interview, summarise the main points and ask whether the interviewee has anything to add. Explain the next stages in the process.

Ensure that all who are involved are kept informed of progress. Ensure that all necessary documentation is stored securely.

Appendix 3

Escalating a complaint to Ofqual

If the response from the training provider and awarding body remain unsatisfactory, a complaint can then be submitted to Ofqual within 12 months.

The following information will need to be provided:

- Details of the awarding organisation and the specific qualification.
- Evidence that all stages of the awarding organisation's complaints process have been completed.
- A clear explanation of what the organisation did wrong and how it affected you.
- What you think should be done to put things right.

