



## Complaints Policy

<b>Date of review</b> Reviewed By <b>Date of next review</b>	November 2023 Director - K Barclay November 2026
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Bridge the Gap Malvern (BTGM) aims to meet its statutory obligations when responding to complaints from parents of students, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into Centre improvement evaluation processes

We will try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

We will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on our website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

### Definitions and scope

Below explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

We intend to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaints.

Arrangements for handling complaints from parents of students with special educational needs (SEND) about BTGM's support are within the scope of this policy. Informal complaints should be made to the staff member directly or the Head of Centre, Kim Carwardine, 01684 353588 [kimc@btgm.co.uk](mailto:kimc@btgm.co.uk). Formal complaints should first be made to the Director of BTGM, [kathb@btgm.co.uk](mailto:kathb@btgm.co.uk), they will then be referred to this complaints policy.

## **Roles and responsibilities**

### **The complainant**

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Refrain from publishing details about the complaint on social media

### **The investigator**

If the complaint is regarding a staff member, the Head of Centre will investigate the complaint following the process below.

- look into the complaint and establish the facts
- interview all relevant parties, keeping notes
- consider records and any written evidence and keep these securely
- prepare a comprehensive report to the Director of BTGM which includes the facts and potential solutions.

If the complaint is regarding the Head of Centre, the Director of BTGM will follow the above process.

The Head of Centre, or the Director, will be the point of contact for the complainant including:

- circulating the relevant papers and evidence before Complaints
- arranging any necessary meetings
- ensuring everyone is treated with respect throughout and understands the purpose of the meeting
- record and circulate the minutes and outcomes of the meeting

## **Principles for investigation**

When investigating a complaint, we will try to clarify:

- what has happened
- who was involved
- what the complainant feels would put things right

## **Time scales**

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the most recent incident.

We will only consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first day the Centre opens after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

## **Stages of complaint (not complaints against senior staff)**

### **Stage 1: Informal**

BTGM will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the office administrator on 01684 353588, [kristib@btgm.co.uk](mailto:kristib@btgm.co.uk). BTGM will acknowledge informal complaints within three working days and investigate, and provide a response, within ten working days.

The informal stage will involve a meeting by telephone or in person between the complainant and the Head of Centre, Kim Carwardine and/or the subject of the complaint, if appropriate.

If the complaint is not resolved informally, the complainant can escalate to a formal complaint.

### **Stage 2: formal**

The formal stage involves the complainant putting the complaint in writing to the Head of Centre of BTGM, [kimc@btgm.co.uk](mailto:kimc@btgm.co.uk), or to the Director [kathb@btgm.co.uk](mailto:kathb@btgm.co.uk) if appropriate:

- In a letter or email
- Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The Head of Centre, or the Director, will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within ten working days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the Director of BTGM [kathb@btgm.co.uk](mailto:kathb@btgm.co.uk) in writing within five working days.

### **Stage 3: Referring complaints on completion of the Centre's procedure**

If the complainant is unsatisfied with the outcome of BTGM's complaints procedure and the complaint is regarding BTGM not meeting standards they can refer their complaint to the Special Educational Needs Post 16 Senior Manager at their relevant local authority – information available on the local authority website.

### **Persistent complaints**

Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the Centre's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on Centre's time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the Centre in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our Centre site.

### **Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the Local Authority if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.

### **Complaint campaigns**

Where the Centre receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the Centre, the Centre may respond to these complaints by:

- Publishing a single response on the Centre website
- Sending a template response to all complainants

If complainants are not satisfied with the Centre's response, or wish to pursue the complaint further, the normal procedures will apply.

### **Record keeping**

The Centre will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and securely, and will be viewed only by those involved in investigating the complaint. This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act or during a school inspection in which BTGM are contracted.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and GDPR Policy.

The details of the complaint, including the names of individuals involved, will not be shared with other staff in case a review panel needs to be organised at a later point.

### **Learning lessons**

The Directors of BTGM will review any underlying issues raised by complaints with the Head of Centre where appropriate, and respecting confidentiality, to determine whether there are any improvements that the organisation can make to its procedures or practice to help prevent similar events in the future.

### **Monitoring arrangements**

The Directors of BTGM will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will track the number and nature of complaints and review underlying issues. The complaints records are logged and managed by the Directors of BTGM.

This policy will be reviewed by the BTGM staff and Director every three years

At each review, the policy will be approved by the Directors of BTGM.

### **Links with other policies**

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Staff grievance procedures
- Staff disciplinary procedures
- Privacy notices