

Complaints Procedure

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Purpose, Scope and Principles

AS2Educate is committed to providing high-quality education, support and care within a safe, respectful, inclusive and trauma-informed environment. We value open and honest communication and recognise that concerns, compliments and complaints provide valuable opportunities to improve our provision, strengthen relationships and ensure that the needs of children, young people and their families remain at the centre of everything we do.

We are committed to responding to concerns and complaints fairly, consistently, impartially and without unnecessary delay. Wherever possible, concerns will be resolved informally through open discussion and collaborative problem-solving. Where this is not possible, AS2Educate will ensure that complaints are investigated thoroughly, objectively and in accordance with this Procedure.

This Procedure applies to complaints relating to the services provided by AS2Educate and may be used by:

- pupils and former pupils (where appropriate);
- parents and carers;
- commissioning or placing Local Authorities;
- external professionals and partner agencies;
- visitors; and
- members of the public who have dealings with AS2Educate.

This Procedure does not apply to:

- safeguarding concerns or child protection disclosures, which will be managed in accordance with the Safeguarding and Child Protection Policy;
- allegations or low-level concerns relating to staff, which will be managed under the appropriate safeguarding procedures;
- concerns raised in the public interest, which should be addressed through the Whistleblowing Policy;
- employee grievances or disciplinary matters, which are managed under the relevant employment policies; or
- complaints relating to the handling of personal data, which will also be considered in accordance with the Data Protection and GDPR Policy.

In managing complaints, AS2Educate is committed to:

- listening respectfully and treating everyone with dignity and fairness;
- resolving concerns at the earliest appropriate opportunity;
- investigating complaints objectively and proportionately;
- maintaining confidentiality whilst recognising that information may need to be shared where there is a safeguarding or legal obligation to do so;
- ensuring that no individual is disadvantaged for raising a genuine concern in good faith;
- learning from complaints to improve the quality of our provision, policies and practice; and
- promoting a culture of openness, accountability and continuous improvement.

AS2Educate recognises that many children, young people and families accessing Alternative Provision may have experienced trauma, adversity or complex life experiences. Our approach to complaints therefore reflects our trauma-informed and relational ethos, ensuring that concerns are managed with empathy, professionalism and a commitment to restoring positive relationships wherever possible.

Responsibility for Managing Complaints

AS2Educate is a small Alternative Provision with fewer than 15 employees. We recognise that it may not always be possible to allocate every stage of a complaint to a completely independent member of staff. Where this is not reasonably practicable, we will ensure complaints are managed as fairly, objectively and transparently as possible, seeking external advice or appointing an independent investigator where appropriate.

The Provision Manager has overall responsibility for implementing this Procedure and ensuring complaints are managed fairly, consistently and in accordance with this Policy.

The Deputy Provision Manager and Assistant Provision Managers may support investigations where appropriate and where they have had no prior involvement in the matter.

The Assistant Provision Manager with responsibility for Human Resources (currently Vishalie Yadav) provides oversight of HR matters within AS2Educate. Where complaints involve employment matters, staff conduct or workplace practice, advice may be sought from Vishalie and from Aventure, AS2Educate's external HR and Health and Safety advisory provider.

No individual will investigate or determine a complaint where they:

- are the subject of the complaint;
- have previously investigated or been directly involved in the matter;
- have a conflict of interest; or
- could not reasonably be regarded as impartial.

Complaints Procedure

Informal Resolution

AS2Educate encourages concerns to be raised and resolved informally wherever possible. Many concerns can be addressed quickly through open, respectful and constructive communication without the need for a formal complaint. Concerns should normally be discussed with the member of staff involved or the Provision Manager in the first instance.

A complainant may choose to proceed directly to the formal complaints process where:

- the matter is serious;
- informal resolution is considered inappropriate;
- the complaint concerns a senior member of staff; or
- the complainant wishes the matter to be dealt with formally.

Stage 1 – Formal Complaint

Where a concern cannot be resolved informally, a formal complaint should be submitted in writing to the Provision Manager by email, letter or by completing the AS2Educate Complaints Form.

The Provision Manager will:

- acknowledge receipt of the complaint within five working days;
- undertake the investigation personally or appoint an appropriate senior leader to investigate the complaint, ensuring wherever practicable that the investigator has had no prior involvement in the matter.
- ensure the investigation is fair, objective and proportionate;
- gather and consider all relevant evidence; and
- provide a written response, normally within twenty working days.
- Where additional time is required due to the complexity of the complaint or the availability of those involved, the complainant will be kept informed of the reasons for the delay and provided with an updated timescale.

The written outcome will normally include:

- the matters investigated;
- the findings reached;
- whether the complaint has been upheld, partially upheld or not upheld;
- any actions identified as a result of the investigation; and
- information explaining how the complainant may request a review if they remain dissatisfied.

Where appropriate, the Provision Manager may seek advice from Vishalie Yadav or Avensure regarding employment, HR or Health and Safety matters that arise during the investigation.

Complaints About the Provision Manager

Where a complaint concerns the Provision Manager, it should be submitted to the Assistant Provision Manager with responsibility for Human Resources.

The Assistant Provision Manager with responsibility for Human Resources will oversee the management of the complaint, ensuring it is handled fairly, objectively and impartially. Where appropriate, they may undertake the investigation personally, appoint an uninvolved member of the Senior Leadership Team to investigate, or commission an appropriately independent external investigator where this is necessary to ensure fairness and impartiality.

Advice may also be sought from Avensure, AS2Educate's external HR and Health and Safety advisory provider, where the complaint relates to employment, HR or Health and Safety matters.

Where the Assistant Provision Manager with responsibility for Human Resources receiving the complaint has had prior involvement in the matter, has a conflict of interest or is also the subject of the complaint, responsibility will transfer to another uninvolved member of the Senior Leadership Team or an independent external investigator.

Complaints About Members of the Senior Leadership Team

Where a complaint concerns a member of the Senior Leadership Team, but does not involve the Provision Manager, it should be submitted to the Provision Manager.

The Provision Manager will ensure the complaint is investigated fairly, objectively and impartially. They may undertake the investigation personally or appoint an uninvolved senior leader or an appropriately independent external investigator where necessary.

Advice may also be sought from Aversure where the complaint relates to HR, employment or Health and Safety matters.

Complaints About Senior Leadership

AS2Educate is a small Alternative Provision with fewer than 15 employees. Where a complaint concerns the Provision Manager together with one or more members of the Senior Leadership Team, or where no member of the Senior Leadership Team can reasonably investigate the complaint impartially due to prior involvement or a conflict of interest, AS2Educate will appoint an appropriately independent external investigator to undertake the investigation.

Where appropriate, advice and support will be sought from Aversure, AS2Educate's external Human Resources and Health and Safety advisory provider, to ensure the complaint is managed fairly, objectively and in accordance with employment law and recognised best practice.

Following completion of the investigation, the complainant will receive a written outcome setting out the findings, any actions identified and the reasons for the decision.

Stage 2 – Request for Review

If the complainant remains dissatisfied following the Stage 1 outcome, they may request a review by writing to AS2Educate within ten working days of receiving the written response.

The review will be undertaken by an individual who has not previously investigated or determined the complaint wherever reasonably practicable. Depending on the circumstances, this may be undertaken by an uninvolved member of the Senior Leadership Team or an appropriately independent external investigator appointed by AS2Educate.

The review will consider:

- whether this Complaints Procedure was followed appropriately;
- whether the investigation was fair, proportionate and impartial;
- whether all relevant evidence was considered;

- whether the findings were reasonable and supported by the evidence; and
- whether the actions identified were appropriate.

The reviewer will not normally re-investigate the complaint unless significant new evidence has become available or there is evidence that the original investigation was not conducted fairly or in accordance with this Procedure.

A final written outcome will normally be issued within twenty working days.

The outcome of the review represents the completion of AS2Educate's internal Complaints Procedure.

Persistent, Unreasonable or Unreasonably Persistent Complaints

AS2Educate is committed to listening to concerns and ensuring that all complaints are considered fairly, respectfully and objectively. We recognise that raising a complaint can be stressful, and we will always seek to work collaboratively with complainants to achieve a positive resolution.

Occasionally, however, a complainant's behaviour may hinder the effective operation of this Procedure or place an unreasonable burden on staff and resources. This may occur where a complainant continues to pursue a matter after the Complaints Procedure has been exhausted, repeatedly raises substantially the same issues without presenting new evidence, or behaves in a manner that is abusive, threatening or unreasonable.

Examples of unreasonable behaviour may include:

- repeatedly making the same complaint after a final decision has been reached without providing significant new information;
- refusing to accept findings following a fair investigation;
- making excessive or unreasonable demands on staff time or resources;
- using abusive, offensive, discriminatory or threatening language or behaviour;
- making malicious, knowingly false or vexatious allegations;
- repeatedly contacting multiple members of staff regarding the same matter after being asked to follow this Procedure; or
- recording meetings or conversations without the knowledge or consent of those present, where this is inappropriate or unlawful.

Where a complainant's behaviour becomes unreasonable, AS2Educate will normally explain why the behaviour is causing concern and ask that it changes.

Where the behaviour continues, AS2Educate may take proportionate steps to manage future communication. This may include:

- requiring communication to be made through a single point of contact;
- limiting communication to written correspondence;
- limiting the frequency of responses where repeated correspondence raises no new issues;
- declining to respond to repeated correspondence that raises no substantially new information after the Complaints Procedure has concluded; or

- ending correspondence where it is clear that the complaint has been fully investigated and there are no further reasonable actions available.

Any decision to apply these measures will be made by the Provision Manager or another appropriately authorised senior leader who has not been directly involved in the complaint wherever practicable. The complainant will be informed in writing of the reasons for the decision and any arrangements for future communication.

These measures will never prevent a complainant from:

- raising new concerns;
- providing significant new evidence relating to an existing complaint;
- reporting safeguarding concerns;
- reporting criminal activity; or
- exercising any legal rights or statutory routes of complaint available to them.

AS2Educate remains committed to treating all complainants with dignity, fairness and respect, recognising that even where communication becomes challenging, concerns should be managed professionally and proportionately in keeping with our trauma-informed and relational approach.

Confidentiality

All complaints will be handled fairly, sensitively and, wherever possible, confidentially. Information relating to a complaint will only be shared with those who have a legitimate professional need to know in order to investigate, respond to or resolve the matter, or where disclosure is required by law or safeguarding responsibilities.

AS2Educate recognises that confidentiality is essential to maintaining trust. However, confidentiality cannot be guaranteed where a complaint identifies concerns relating to the safety or welfare of a child, criminal activity or other matters requiring referral to external agencies.

No individual will be disadvantaged, victimised or treated less favourably for raising a genuine concern or complaint in good faith.

Record Keeping

A confidential record of all formal complaints, investigations, correspondence, actions taken and outcomes will be maintained securely by the Provision Manager.

Records will be retained in accordance with AS2Educate's Data Protection and GDPR Policy and Records Retention Schedule.

Complaint records will be reviewed regularly to identify recurring themes, lessons learned and opportunities to improve policies, procedures and practice.

Monitoring and Review

The Provision Manager is responsible for monitoring the implementation and effectiveness of this Procedure.

This Procedure will be reviewed annually, or sooner where required following changes in legislation, statutory guidance or organisational practice.

Learning identified through complaints will be used to inform staff development, policy review and the continuous improvement of AS2Educate's provision.

Complaints Form

A Complaints Form is available on request from the AS2Educate office or by emailing office@as2educate.co.uk.

Reasonable adjustments will be made where required to support individuals in making a complaint, including providing assistance with completing the form or making information available in an alternative format.

Complaints can also be made to the Local Authorities we serve using the following information:

Central Bedfordshire:

Email: customer.relations@centralbedfordshire.gov.uk

Telephone: 0300 300 4995

Hertfordshire County Council:

Email: complaints@hertfordshire.gov.uk

Telephone: 01992 556685

Bedford Borough:

Email: FeedbackTeam@bedford.gov.uk

Telephone: 01234 267422

AS2Educate Complaints Form

AS2Educate Complaints Procedure

Thank you for taking the time to tell us about your concern.

AS2Educate is committed to listening to feedback and resolving concerns fairly, respectfully and promptly. Before completing this form, we encourage you to speak with the relevant member of staff if you feel comfortable doing so, as many concerns can be resolved informally.

If you wish to make a formal complaint, please complete this form and return it to:

Provision Manager

AS2Educate

Email: office@as2educate.co.uk

If your complaint concerns the Provision Manager, please address it to the **Assistant Provision Manager with responsibility for Human Resources, Vishalie Yadav**.

Section 1 – Your Details

Full Name:

Address:

Telephone Number:

Email Address:

Please indicate your relationship to AS2Educate (tick one):

- ☐ Parent / Carer
- ☐ Student / Former Student
- ☐ Local Authority Representative
- ☐ External Professional
- ☐ Visitor
- ☐ Member of the Public
- ☐ Other (please specify)

Section 2 – About Your Complaint

Who or what is your complaint about?

Date(s) of incident (if applicable)

Location(s)

Please describe your complaint.

(Please include as much detail as possible, including what happened, who was involved and why you are dissatisfied.)

(Continue on a separate sheet if required.)

Section 3 – Previous Action Taken

Have you already discussed this concern with a member of staff?

☐ Yes

☐ No

If yes:

Who did you speak to?

When?

What was the outcome?

Section 4 – Outcome Sought

What would you like AS2Educate to do to resolve your complaint?

Section 5 – Supporting Information

Please list any documents or evidence you have included.

☐ Emails

☐ Letters

☐ Photographs

☐ Witness Statements

☐ Other

Please provide details:

Section 6 – Additional Information

Is there anything else you would like us to know?

Section 7 – Accessibility and Support

Do you require any reasonable adjustments to enable us to manage your complaint?

☐ Yes

☐ No

If yes, please tell us how we can support you.

Declaration

I confirm that the information provided in this complaint form is true and accurate to the best of my knowledge.

I understand that AS2Educate will investigate my complaint in accordance with the Complaints Procedure and may need to share relevant information with those involved in investigating the complaint, or where required by safeguarding responsibilities or law.

I understand that knowingly providing false or malicious information may affect the handling of my complaint.

Name:

Signature:

Date:

Office Use Only

Date Complaint Received:

Received By:

Reference Number:

Acknowledgement Sent:

Investigating Officer:

Stage:

☐ Informal

☐ Stage 1

☐ Stage 2 Review

Outcome:

☐ Upheld

☐ Partially Upheld

☐ Not Upheld

Response Issued:

Date Closed:



Further Action Required:

Records Filed:

- ☐ Complaint Register
- ☐ Individual File (where appropriate)
- ☐ Lessons Learned Log

Reviewed by:	Richard Fihosy and Claire Ames
Policy Commencement Date:	September 2022
Ratified by:	Provision Manager and DSL
Review:	Annual
Next Review:	Autumn Term 2027
Review Date September 2024	Page and Sections Page 1 - Former Provision Manager's name was deleted.
Review Date August 25	Full Policy Review
August 26	Full Policy Review