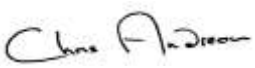


Document Control

Author / Contact	Rachel Jobes	
Document Path and Filename	IS / HR / Policies	
Document Reference	ISO04	
Version	V3	
Publication Date	18/09/2018	
Related Documents		
Guidance		
Review Date	26/02/2021	
Review Frequency	Annually	
Approved / Ratified by		Date: 02/03/2021
Distribution: Innersummit Village - SOLE		

Version	Date	Comments	Author
01	14/09/2018	First Draft	Rachel Jobes
02	18/09/2018	Second draft and comments	Gillian Forrester
03	18/09/2018	Baselined and uploaded onto The Village	Rachel Jobes
04	26/02/2021	Reviewed	Clint de Sousa

1. Background

The intention of this procedure is to provide a clear and transparent process that will enable complaints to be dealt with promptly, fairly and proportionately.

The procedure has been developed in accordance with guidance issued by the Department for Education (DfE) and the Education and Skills Funding Agency (ESFA) and satisfied the requirements of The Education Independent School Standards (England) Regulations 2014 and in particular Schedule 1 Part 7.

2. Scope of the Procedure

This procedure covers complaints received from learners, employers or if appropriate parents (and carers of students and other third parties).

A complaint is defined as an expression of dissatisfaction in relation to the service at Innersummit or a member of its staff that requires a response from Innersummit Ltd.

The procedure will not apply where there is an alternative Innersummit policy or procedure relevant to the issues raised. It will also not apply to complaints regarding admissions and exclusions, some safeguarding issues (especially matters likely to require a Child Protection Investigation), whistleblowing, the provision of collective worship and religious education.

Where complainants make allegations regarding members of staff this procedure may be stayed pending consideration of the issues under appropriate staffing procedures.

This procedure does not apply to complaints raised by employees of Innersummit in connection with their employment. Any such complaints should be raised via the appropriate staffing procedure, full details of which are available on Innersummit staff intranet page.

3. Introduction

Innersummit Ltd is committed to meeting the needs of learners (including their parents / carers if under 18) and employers. However, there may be times when complaints arise in relation to Innersummit and this document sets out the procedure we will follow in handling complaints.

All Complaints will be treated seriously and in an open and fair way.

At all times we will respect the rights and feelings of those involved and make every effort to protect confidential information.

There may be occasions when the person dealing with a complaint will need to consider whether anyone else within Innersummit needs to know about the complaint or whether the consent of a third party (including, for example, a student) is required, so as to address it appropriately.

Timescales for dealing with complaints may need to be extended following discussion with the complainant.

4. Anonymous Complaints

Complaints that are made anonymously will be handled at the discretion of Innersummit and may be considered using other procedures, depending on the nature of the complaint. For example, anonymous complaints relating to (or appearing to relate to) a child protection matter or alleged criminal activity may and will be referred immediately to the relevant authorities.

5. Recording of Complaints

Innersummit will keep a written record of all complaints, including the date on which they were received, the steps taken in relation to them, the stage of which the complaint proceeds to, any documents used or created when considering the complaint and details of any outcomes.

A copy of any findings and recommendations arising from the complaint will be sent by e-mail, or otherwise given to the complainant, and, where relevant, the person complained about;

All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them

6. Unreasonable Complaints

Please refer to Appendix 1 – Sub Policy for Unreasonable Complainants

7. Barring from Innersummit Premises

Please refer to Appendix 2 – Sub Policy for Barring from Premises

You should also be aware that you have the right to complain to Innersummit if you wish to challenge an appropriate aspect of the Innersummit Centre's operation.

You can complain about:

- Your access to assessment
- The process of your assessment
- Your access to Internal Verification
- How any appeal you have made has been handled
- Failure of Innersummit Centre to register you for a qualification or apply for a certificate.

Anyone wishing to complain should do so in writing to Chris Andreou at Innersummit within 20 working days of the issue arising.

8. Stage One - Informal Complaint

- 8.1 Most concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight through the learning coach, the administrative staff, the Director or the Executive Board depending on the nature of the complaint.
- 8.2 If the person first contacted cannot deal with the matter immediately it will be recorded, date, name, contact address or telephone number and the nature of the complaint.
- 8.3 If the complaint cannot be resolved by the learning coach, it may be necessary for him / her to consult the apprenticeship manager or a member of the senior team.
 - 8.3.1 On certain issues, the Director may decide to deal with concerns directly at this stage.
 - 8.3.2 If the complaint relates to the Director, the individual is advised to contact the Executive Chair.
 - 8.3.3 Complaints made informally to Executives will be referred to the Director or to the Executive Chair where appropriate.
- 8.4 Complaints made directly to a member of the senior team or Director, will usually be referred to the appropriate staff

member, unless that member of staff deems it appropriate to deal with the matter personally.

- 8.5 The person dealing with the complaint must make clear to the complainant what action/monitoring of the situation will take place, putting this in writing only if this seems the best way of making things clear.
- 8.6 Should the matter not be resolved within 14 working days of the complaint being received, or in the event that the Innersummit representative and the complainant fail to reach a satisfactory resolution, they will be advised of their right to proceed with their complaint with stage 2 of this procedure. If this is not possible, we will advise the complainant of the revised timescale and any reason(s) for this.

9. Stage Two - Formal Stage

- 9.1 If the complaint cannot be resolved on an informal basis, then the complaint should put in writing to the Director or Executive Chair). When a formal complaint is made, it will be acknowledged in writing within 3 working days. The Director (receiving the complaint) will decide after considering the complaint, the appropriate course of action to take.
- 9.2 The Director will acknowledge the complaint in writing within 3 working days of receiving the written complaint. The acknowledgement will give a brief explanation of Innersummit's complaints procedure and a target date for providing a response to the complaint. This should normally be within 10 working days: if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.
- 9.3 The Director (or designate) may provide an opportunity for the complainant to meet with them to supplement any information provided previously. It is made clear to the complainant that if they wish they may be accompanied to any such meeting by a friend, relative representative, or advocate who can speak on their behalf, and asked if they have any special requirements Innersummit needs to be aware of e.g. wheelchair access, signing etc. It must be noted that this representative / advocate cannot be a lawyer or be an employee of Innersummit or parents / carers of a learner of Innersummit.
- 9.4 If necessary, the Director (or designate) should interview witnesses and take statements from those involved. If the

complaint centres on a learner, the learner should also be interviewed. Learners may be interviewed with parents/guardian present (if learner is a child). In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a learner has specifically said they would prefer that parents or guardians were not involved.

In such circumstances another member of staff with whom the learner feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind.

- 9.5 The Director (or designate) will keep written records of meetings, telephone conversations and any other relevant documentation.
- 9.6 Once all relevant facts have been established, the Director (or designate) should then produce a written response to the complainant or may wish to meet the complainant to discuss/resolve the matter directly.
- 9.7 A written response will include a full explanation of the decisions and the reasons for it. Where appropriate, this includes what action Innersummit will take to resolve the complaint. The complainant is advised that should s/he wish to take the complaint further s/he should notify the Executive Chair within 5 days of receiving the outcome letter.
- 9.8 If the complaint is against the Executive Chair or Director, or if the Director has been very closely involved at stage 1, the Executive Chair should consider carrying out the stage 2 procedures. This must also involve a named person who is external and independent to the Academy if the complaint involves the (Executive) Director.

10. Stage 3 - Formal Complaint to Chair of Governors

- 10.1 Upon receipt of a written request by the Complainant for the complaint to proceed to stage 3, the procedures outlined below will be followed.
- 10.2 The Executive Chair body should write to the Complainant to acknowledge receipt of the written request. The acknowledgement should inform the Complainant that the complaint is to be heard by the Executive, usually within 20 working days of receiving the complaint. The letter should also explain that the complainant has the right to submit any

further documents relevant to the complaint. These must be received in time for the documents to be received and considered by the Chairman.

- 10.3 The Executive Chair will appoint a panel to hear the complaint comprising of least two Executives with no prior involvement and an additional external person independent of the running and management of the school.
- 10.4 It will be made clear to the complainant that if they wish they may be accompanied to any meeting by a friend, relative representative, or advocate who can speak on their behalf, and asked if they have any special requirements Innersummit needs to be aware of e.g. wheelchair access, signing etc. It must be noted that this representative / advocate cannot be a lawyer or be an employee of Innersummit or by parents / carers of a learner of Innersummit.
- 10.5 The Chairman's panel will then consider the complaint and all the evidence presented and (a) reach a decision on the complaint and (b) and decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to Innersummit's systems or procedures to ensure that problems of a similar nature do not happen again.
- 10.6 The panel's decision will be final and there will be no further right to appeal. A written statement outlining the decision of the panel will be sent to the complainant and Director, usually within 15 working days. If relevant, it will also be sent to the person at whom the complaint was directed.

11. Further Options

If the complainant has been through all stages of **Innersummit's Complaints Procedure** and remain dissatisfied, they can ask the Education Skills Funding Agency to review the handling of their complaint. Parents / carers may contact the Education Skills Funding Agency by:

Accessing the complaints about academies page on the ESFA website
<https://www.gov.uk/complainfurthereducationapprenticeship>

You must contact the ESFA within 3 months of getting a decision from your organisation.

Email or post your complaint to the ESFA complaints team.

ESFA complaints team complaints.ESFA@education.gov.uk

ESFA will acknowledge your complaint within 5 days and will let you know what will happen next.

12. Chartered Management Institute Appeal Procedure for Candidates

A candidate must in the first instance follow Innersummit's Appeal procedures. Only when this route has been exhausted can a candidate appeal to the Chartered Institute of Management:

- A candidate may appeal to the Institute regarding decisions of an Approved Centre on the following grounds:
 - a) discrimination of any sort
 - b) dissatisfaction over assessment decisions
 - c) dissatisfaction over quality of tuition
- In all cases, appeals must be submitted, in writing, to the Accreditation Quality Manager, who will provide a copy to the Centre's External Verifier
- A written acknowledgement of the appeal, stating when the appeal will be heard, will be issued within two working days.
- The Centre's External Verifier will investigate the appeal and report her/his findings, in writing, to the Accreditation Quality Manager within 21 working days
- The appeal decision will be given to the candidate, in writing, within 28 working days of receipt of the written appeal
- The Head of the Accreditation Operations and Regional Accreditation Co-ordinator, and where appropriate the Appeals Committee, act as the ultimate arbiters in the case of dispute between candidate and Centre.

Note:

Please note that in certain cases, at the Institute's discretion, the timescale for the appeal decision may have to be extended.

Chartered Management Institute, Management House,
Cottingham Road, Corby, Northamptonshire, NN17 1TT

Appendix 1 - Unreasonable Complainants

Innersummit is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our organisation. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Innersummit defines unreasonable complaints as 'those who, because of the frequency, or nature of their contacts with the organisation, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint: -

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- refuses to accept that certain issues are not within the scope of a **complaint's** procedure.
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or raised large numbers of details but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that **complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the ESFA**
- seeks and unrealistic outcome
- makes excessive demands on Innersummit time by frequent, lengthy, complicated and stressful contact

regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with. A complaint may also be considered unreasonable if the person making the complaint does so either face to face, by telephone or in writing or electronically:

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;

Publishing unacceptable information in a variety of media such as in social media, websites and newspapers. Complainants should limit the numbers of communications with the Academy while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. Whenever possible, the Principal or chair of governors will discuss any concerns with **the complainant informally before applying an 'unreasonable'** marking. If the behaviour continues, the Principal will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Innersummit causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing and the police informed. This may include banning an individual from Innersummit.

Appendix 2 – Barring from Premises Policy

Although fulfilling a public function, Innersummit is a private place. The public has no automatic right of entry. Innersummit will therefore act to ensure it remains a safe place for learners, staff and other members of our community.

If someone's behaviour is a cause for concern, Innersummit can ask them to leave the premises. In serious cases, the Director will notify them in writing that their implied licence to be on the premises has been temporarily revoked subject to any representations that the parent may wish to make in writing.

The bar will then be reviewed taking into account any written representations from the parent and will be either confirmed or lifted. If the decision is confirmed, the parent will be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Director or Executive Chair. However, complaints about barring cannot be escalated to the SFA. Once complaints procedures have been followed, the only remaining avenue of appeal is through the courts and independent legal advice must therefore be sought by the complainant.

COMPLAINT FORM

Please complete and return to Administration

Your Name:

Learners Name:

Relationship to learner:

Address:

Postcode:

Best Contact Number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was your response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so please give details?

Signature:

Official Use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: