



**SMS Coaching Ltd
Learner Complaints Procedure**

Version 1 2018/2019

Should learners wish to complain about any services or personnel provided by SMS COACHING, they are advised to follow the procedure stated below. In the unlikely event that learners exhaust this procedure and remain dissatisfied with the decision made by SMS COACHING, they may take their complaint to the Management Team.

It is ultimately the responsibility of the Head of the Centre, Tony Rafferty and Proprietor, Jonathan Davies, to ensure that this procedure is published and accessible to all personnel, students and any relevant third parties.

Complaints and appeals procedure

If a candidate (or his/her parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification he/she is following, SMS Coaching encourages him/her to try to resolve this informally in the first instance. A concern or complaint should be made in person, by telephone or in writing to the head of centre.

If a complaint fails to be resolved informally, the candidate (or his/her parent/carer) is then at liberty to make a formal complaint.

How to make a formal complaint

A complaint may be made in person, by telephone, or in writing by completing a Schools complaint Form:

- ▶ Forms are available from our office
- ▶ Completed forms should be returned to The Head of Centre
- ▶ Management will monitor the level and nature of complaints, and review the outcomes on a regular basis to ensure the effectiveness of the procedure, making changes where necessary
- ▶ Forms received will be logged by the centre and acknowledged within 15 school days

How a formal complaint is investigated

- ▶ Informal Stage - dealing with concerns: initial concerns are heard by a class teacher, head of year or another appropriate member of staff on an informal basis, either in person, by telephone or in writing.
- ▶ Formal Stage 1: a formal written complaint is considered by the Headteacher/Investigating Officer, or - if the complaint is about the head teacher – by the Chair of Governors or nominated governor. The decision of the Headteacher or management at this stage is usually final.
- ▶ Formal Stage 2: If Stage 1 has been worked through and the complainant is unhappy with the way in which their complaint has been handled, the case can be referred to a panel of three governors. The panel will carry out a review of the investigation carried out at formal stage one to consider the way the complaint has been investigated and handled by the school. This stage does not involve a rehearing of the complaint.

Appeals

- ▶ Following the outcome, if the complainant remains dissatisfied and believes there are clear grounds, an appeal can be submitted.
- ▶ If the complaint has already been through Stage 1 and the complainant is unhappy with the way in which it has been handled, they may take it to Formal Stage 2. This comprises a hearing before a Management Appeal Panel. This is a formal process and the ultimate recourse at school level.

- ▶ An appeal to Formal Stage 2 must be made to the Chair of Governors within 10 school days of the receipt of the outcome of Stage 1 of the procedure.
- ▶ The school will aim to convene the appeal hearing within a further 20 school days. The complainant, the Headteacher/Investigating Officer, the governors and any other relevant parties will be informed of the date, time and venue of the appeal hearing. Any documentation relating to the hearing will be sent to the parties 5 school days in advance of the hearing.
- ▶ The purpose of the appeal hearing is to give the complainant the chance to present their concerns with regards to whether the investigation has been conducted fairly and the correct procedures followed. This will be done before a panel of governors who will have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice. The panel will consist of three persons not directly involved in the matters detailed in the complaint.
- ▶ One member of the panel is independent of the management and running of the school.
- ▶ The aim of a Panel is not to rehear the complaint: they will not go through the case again. Their role is to review the way in which the complaint has been investigated and to determine whether this has been done fairly and that the correct procedure has been followed. It will also make appropriate recommendations.
- ▶ The complainant may ask someone (not acting in a legal capacity) to accompany them to the meeting for support and to help them to explain the reasons for their complaint. The choice of person is the complainants own but it is preferable to involve someone in whom they have confidence but who is not directly connected with the school.
- ▶ A copy of the outcome will be provided to the complainant and where relevant the person complained about.
- ▶ The Panel will hear the report of the Headteacher/Investigating Officer at Stage 1 and any submissions on that report by the complainant. The review should not entail a rehearing of the case.
- ▶ The Panel may:
 1. dismiss the complaint in whole or in part;
 2. uphold the complaint in whole or in part;
 3. decide on the appropriate action to be taken to resolve the complaint;
 4. recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

A decision will be made within 3 school days. This will be communicated in writing. The decision of the panel is final.

All correspondence, statements and records of complaints must be kept confidential but must be shown to Ofsted/ISI when they inspect. Copies must also be made available to the Registration Authority on request.

SMS will provide a written record of complaints and actions whether they are resolved following a formal procedure or a panel hearing.

SMS will show the actions taken as a result of the complaints.

Version and Date		Author	Committee Responsible	Review frequency	Approval by the SMT	Next Review Due
1.0 1.1	Version 2	Anne Davies	SMS	Annual	27/3/2019	27/3/2020

