

Audience	All Stakeholders
Status / review cycle	Three Yearly
Current review	March 2026
Next review	March 2029
Review committee	Strategy & Policy Committee & Full Board
Staff lead	Dan Hards (Principal)
Trustee lead	None

1. Introduction

Esher Sixth Form College is committed to resolving complaints promptly, fairly and proportionately. The College recognises that most concerns can be resolved informally and at an early stage and therefore places strong emphasis on local resolution wherever possible.

This procedure:

- complies with the requirements of the College's Funding Agreement;
- is appropriate to a 16–19 educational environment, recognising the increasing autonomy of students;
- provides a clear and transparent escalation route where informal resolution is not possible.
- in accordance with the Equality Act 2010, Esher Sixth Form College seeks to ensure that its complaints procedures are fair, transparent, and non-discriminatory.

2. Who May Use This Procedure

Complaints may be made by:

- students;
- parents/carers of students;
- other stakeholders, at the discretion of the College.

3. Matters Not Covered by This Procedure

This procedure does not apply to:

- academic appeals or examination matters (including awarding body decisions);
- admissions or exclusions appeals;
- safeguarding concerns;

- staff grievances or disciplinary matters;
- whistleblowing disclosures.

The College has a Confidential Reporting (Whistleblowing) Policy for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers who do not want to raise matters directly with their employer.

4. Complaints Relating to College Policies

- Complaints which solely challenge the existence, content or approval of a College policy or procedure, where that policy has been approved and correctly applied, will not normally be progressed under this procedure.
- Complaints relating to the application, implementation or impact of a policy in an individual case may be considered under this procedure.

5. Principles for Handling Complaints

The College will ensure that complaints are handled:

- as close to the point of concern as possible;
- within published timescales (working days exclude weekends, college holidays, bank holidays and INSET days);
- fairly, objectively and without prejudice;
- with respect for confidentiality;
- in a manner that supports learning and improvement.

Complaints will normally only be considered where:

- they are raised within one month of the incident or matter giving rise to the complaint; and
- requests to progress to the next stage of the procedure are made normally within 10 working days of the outcome of the previous stage.

The College may, at its discretion, consider complaints or escalation requests outside these timescales where there are exceptional circumstances.

6. The Complaints Procedure

Concerns

- The College recognises that most issues can be resolved quickly and informally and encourages concerns to be raised at the earliest opportunity.

- Concerns should normally be raised within one month of the incident or matter giving rise to the concern.
- Concerns can be raised via email with the appropriate member of staff or their line manager. If there is any doubt as to whom the appropriate member of staff or line manager is, email info@esher.ac.uk who will forward your concern to the relevant member of staff.
- At this stage, concerns are not treated as formal complaints. The focus is on clarification, discussion and early resolution.
- The staff member who is responsible for responding to the concern, will where possible acknowledge receipt via email within two working days.
- The staff member may ask the individual raising the concern what outcome they are seeking, to help identify a fair and proportionate resolution.
- Where possible, the staff member will endeavour to provide a written or verbal outcome within 5 working days.
- A brief record of the concern, outcome and date of outcome should be recorded by the staff member and made available to the Principal's Personal Assistant; in the event a Stage 1 Formal Complaint being raised.
- If the student or parent remains dissatisfied, they may request that the matter be considered as a formal complaint under Stage 1. Raising a concern does not limit the individual's right to pursue a formal complaint under Stage 1.

Stage 1 Formal Complaint

- Formal complaints must be submitted via the provided form and within 10 working days of the outcome of the concern being provided.
- Where appropriate, and at the discretion of the Deputy Principal, concerns raised may be managed as a Stage 1 Formal Complaint.
- Formal complaints should be submitted via the form to the Principal's Personal Assistant (pa@esher.ac.uk who will acknowledge receipt and arrange for the complaint to be investigated.
- The complaint will be investigated by a senior member of staff not previously involved, normally a Director or a member of the Senior Leadership Team.
- The investigation may include meetings with the complainant and other involved parties. The investigation may also include the review of any other available evidence which will be retained securely by the investigator.
- A written response will be issued via the Principal's Personal Assistant normally within 20 working days.

Stage 2 Principal's Review

If the complainant remains dissatisfied with the outcome of a Stage 1 Formal Complaint, they may request a review by the Principal. Requests must be made in writing to the Principal's Personal Assistant within 10 working days of the outcome of the Stage 1 and should set out briefly the reasons for dissatisfaction with the outcome of Stage 1 and the aspects of the complaint they wish to be reviewed.

- Requests for a Principal's Review should be submitted in writing to the Principal's Personal Assistant, who will acknowledge receipt and coordinate the review process.
- The Principal will consider:
 - whether the procedure has been followed correctly;
 - whether the investigation and response were reasonable and proportionate;
 - whether the complaint is eligible to progress further.

A written outcome will be issued within 10 working days.

The Principal will not rehear the complaint in full or substitute their own judgement for that of the investigator.

A request to progress beyond this stage may be declined where:

- the complaint is out of scope;
- the complaint is out of time with no exceptional circumstances;
- the complaint has already been fully considered with no new substantive evidence;
- earlier stages have not been completed;
- the complaint solely challenges the existence of an approved College policy;
- the complaint is vexatious, harassing, making unrealistic demands, abusive, refusal to accept decisions or repetitious.
- serial complaints where the complainant repeatedly raises the same or substantially similar issues after being fully addressed via the complaints procedure without presenting any new and relevant evidence.

Stage 3 Complaints Panel

- If the complainant remains dissatisfied, they may request that the matter be considered by a Complaints Panel. Requests must be made within 10 working days of the Stage 2 outcome and be sent to the Clerk to the Board of Trustees (clerk@esher.ac.uk) and explain why the complainant remains dissatisfied with the outcome of the Principal's Review and what aspects they wish the Panel to consider.
- The Clerk to the Board of Trustees will record the date the complaint is received and acknowledge receipt via e-mail within 5 College working days.

- The Trust Board will convene a Panel of at least three people comprising of two Trustees and including at least one independent member within 20 working days of the Stage 3 Complaint Panel request being received by the Clerk to the Board of Trustees.
- Panel members will have had no prior involvement in the complaint.
- The complainant will be invited to attend the hearing either in-person or remotely and can be accompanied. The hearing will be arranged with a minimum of 10 working days' notice.
- One of the members of the Panel will be appointed as Panel Chair. The Panel and the complainant will receive all relevant information pertaining to the complaint, including the Stage 1 and 2 responses. At the Panel Hearing, the complainant, and representative(s) from the College, as appropriate, will be present. Each will have an opportunity to set out written submissions prior to the meeting.
- At the Complaints Panel everyone will have the opportunity to give a statement in respect of the complaint. The Panel, the complainant and the College representative(s) will be given the chance to ask and reply to questions.
- Once the complainant and the College Representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered by the Panel.
- After consideration of the case and possible further investigation, the Panel will produce a summary of their decision. Where there is a disagreement within the Panel, a majority view will be taken.
- The Panel Chair, via the Clerk to the Board of Trustees, will inform the complainant and the College Representative(s) of the Panel decision within 10 College working days after the hearing.
- The Panel will consider:
 - whether the complaints procedure has been followed;
 - whether the decisions reached were reasonable and proportionate.
- The Panel can:
 - uphold the complaint in whole or in part;
 - dismiss the complaint in whole or in part.
- If the complaint is upheld in whole or in part, the Panel will:
 - decide on the appropriate action to be taken to resolve the complaint;
 - where appropriate, recommend changes to the College's systems or procedures to prevent similar issues in the future.
- The Panel's decision is final within the College.

7. Complaints Involving Actual or Threatened Legal Action

- Where a complainant explicitly threatens or initiates legal action against the College or the Trust in relation to the same subject matter, the Complaints Procedure will be paused.

- The College will notify the complainant in writing that the internal procedure cannot continue while legal action is being threatened or pursued. Once any legal process has concluded, the College will determine whether it is appropriate to resume consideration of the complaint.
- References to external bodies such as the Department for Education do not constitute legal action for the purposes of this clause.

8. Record Keeping and Confidentiality

- Records of complaints and outcomes will be maintained securely.
- Information will be processed in accordance with data protection legislation.

9. Complaints Concerning the Principal, Deputy Principal or Board of Trustees

- Complaints relating to the conduct or actions of the Deputy Principal, Principal or individual Trustee this should be submitted in writing to the Clerk to the Board of Trustees for the attention of the Chair of Trustees.
- Where a complaint concerns the Chair of Trustees, it should be submitted in writing to the Clerk to the Board of Trustees for the attention of the Vice Chair of Trustees.
- Complaints concerning the Board of Trustees collectively should be submitted in writing to the Clerk to the Board of Trustees, who will determine how the complaint should be managed to ensure independence, fairness and appropriate separation of roles.
- If the complaint is about the Chair and Vice Chair, or the entire or majority of the Board of Trustees then Stage 1 will be considered by an independent investigator appointed by the Members.
- Stage 2 Principal's Review is not available for any complaints that fall under Section 9.
- Trustees who are the subject of a complaint will take no part in the consideration or determination of that complaint, including at any Complaints Panel stage.
- With all the above, the investigation will include consideration of relevant documentation and may include a meeting with the complainant where appropriate. A written response will be issued in due course.

10. Escalation Beyond the College

- Once this procedure has been exhausted, complainants may refer the matter to the Department for Education if they believe the College has failed to follow its Complaints Procedure.

Stage 1 Formal Complaint Submission Form

1. Date of Concern Stage Outcome:
2. Student name: Date of birth: Parent/carer name: Contact details:
3. Summary of the complaint – who, what, where, when, why (maximum of 500 words):
4. Why are you dissatisfied with the Concern Stage outcome?
5. What outcome are you seeking?
6. Supporting documents (if any):
7. Signature:

