

Student Complaint Policy and Procedure



Statement of Intent

Emil Dale School of Performing Arts (EDSA) & Emil Dale Academy (EDA)*** pride ourselves on our openness and approachability. The school welcomes the expression of opinions and suggestions, and, in particular, recognises the right of students, parents/guardians and staff to express a concern or make a formal complaint if necessary.

For the purpose of this policy, the term “student” is used to mean anyone enrolled at EDA. Where the student is under 18, or classified as a vulnerable student, a parent, guardian or caregiver, may speak on their behalf.

Where a student is over 18, EDA will only speak to a parent, guardian or caregiver with the written permission of the student.

EDA recognise that, whilst they are committed to providing a high-quality, fair education experience for all, that unexpected problems may arise. All staff at EDA have a responsibility to receive complaints, to take them seriously, to deal with them promptly, or to pass them on to the relevant department, in accordance with the below procedure.

****In this policy, the abbreviation of EDA will be used but covers all private sector hours of the Emil Dale Academy.*

Complaints Policy and Procedure Summary

Stage 1 Informal	<ul style="list-style-type: none">Handled informally and internally, between student and any member of the EDA faculty
Stage 2 Formal Complaint - Initial Stage	<ul style="list-style-type: none">Complaint made in writingAcknowledged within 7 working daysInvestigator appointed
Stage 3 Internal Panel Review	<ul style="list-style-type: none">Internal Panel ReviewFormal written response
Stage 4 Advanced Complaints Stage	<ul style="list-style-type: none">Principal assembles Complaints PanelPanel hearing with Complaints Panel and ComplainantFinal written ruling from the Panel

Scope

This policy applies to all services offered by EDA under the private sector.

The Gap Year Programme is a fully private programme with no formal qualification that forms part of the provision. Therefore, the entire programme is Private.

The 2 Year Programme offers a BTEC Level Three Extended Diploma in Performing Arts (Musical Theatre) qualification which is taken in partnership with The Knights Templar School, Baldock. For these specific classes and units that each student is enrolled in, they do so as students of The Knights Templar School. In addition to the BTEC-specific classes and units, there are additional classes offered within this programme which are private sector classes.

The 3 Year Programme offers a BA Hons in Musical Theatre which is taken in partnership with The University of Bedfordshire. For these specific classes and units that each student is enrolled in, they do so as students of the University of Bedfordshire and as such are governed by their policies and procedures for these specific units. In addition to the degree-specific classes and units, there are additional classes offered within this programme which are private sector classes.

The policy applies to all students enrolled on an Emil Dale Academy vocational course, including the Sixth Form, Higher Education Course and Weekend School, and under it, all students will be treated equally, regardless of race, gender, disability, sexual orientation, age or religion. EDA is committed to receiving all complaints fairly, without prejudice, with the intent to deal with them in a constructive, transparent way.

The policy covers:

- BTEC specific academic complaints
- Complaints about staff
- Complaints about other students/The Student Council
- Complaints about third party providers where the service provided has directly impacted their experience whilst on site at EDA

For students studying on the degree course, The University of Bedfordshire has its own Academic Appeals Procedure which must be followed. This can be found on their site:

<https://www.beds.ac.uk/student-experience/academic-information/academic-appeals-policy/> (correct as of 25th June 2020).

This policy applies to all conduct at EDA and also to conduct outside of EDA that is related to EDA (e.g. at social events arranged by EDA) or which may impact on EDA's reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to EDA).

EDA cannot regulate or be held accountable for views shared on social media or communicated by students or staff when they are done so on personal accounts not related to EDA other than the fact that they are a student or staff member of EDA. This includes any messages, statements or communications in groups not specifically set up and monitored by EDA.

EDA cannot reasonably regulate or discipline students where situations occur outside of college hours or during school holidays where the only link to EDA is the fact that the people involved are EDA students/stakeholders.

This policy must be read in conjunction with the Disciplinary & Behavior Policy and Procedures, the Harassment, Bullying & Cyber Bullying Policy and the Appeals Procedure. For recruitment and admissions purposes, this policy must be read alongside EDA's Admissions Policy.

Aims

EDA's aim is to ensure complaints are managed efficiently, effectively and sensitively. All complaints will be handled at the appropriate level so that they may be resolved as soon as possible. Students should never feel that raising an issue will negatively impact their standing at EDA, or that their concern will be taken lightly. Whilst every complaint

will be taken seriously, EDA recognises the difference between a difficulty that can be resolved informally, and a formal complaint that requires an investigation.

EDA is committed to ensuring that decisions are made consistently, at the appropriate level, with appropriate action being taken on identified issues, and information gathered will be used to improve the service for all students.

EDA aims to operate a fair and cohesive complaints procedure, ensuring students will not suffer any detriment during, or after, raising a complaint.

This policy is designed to mitigate complaints, and to, where possible, handle situations at an internal level. EDA will handle complaints in a fair and confidential manner, provided it is not a safeguarding matter, and expects complainants to do the same. This applies to social media including Facebook, Instagram, Twitter and Snapchat.

Definitions

The Department for Education outlines the difference between a complaint and a concern.

1. A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. EDA will resolve concerns through internal communication where possible.
2. A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or lack thereof”. Complaints will be handled using the following procedure.

Accountability

- Students have a responsibility to raise concerns in the first instance, and at the earliest opportunity.
- All college staff have a responsibility to receive complaints, taking them seriously, dealing with them promptly and without prejudice.
- The Management have a responsibility to track, record and report the outcome formal complaints. The record will be confidential but will include the date, person(s) concerned and how it was resolved.
- Members of The Management and Course Leaders have a responsibility to assist with resolving a complaint, contributing to the investigation when it is considered appropriate.
- The Principal is responsible for resolving complaints at the appeal stage.
- EDA is responsible for ensuring the complaints procedure is operating effectively, regularly updating their policy.

Procedures

Complaints can be made in person, on the telephone, or in writing, in either letter, email or fax (not be social media). Regardless of the form of the complaint, it will taken seriously by all staff members, and handled with respect.

If a complaint is found to be malicious, the complainant may be subject to disciplinary procedure. Unfounded complaints, or those without substance, will be dismissed. Anonymous complaints will not be investigated.

EDA operates a four stage process for complaints:

STAGE ONE	STAGE TWO	STAGE THREE	STAGE FOUR
Informal Resolution	Formal Complaint - Initial Stage	Internal Panel Review	Advanced Complaints Stage
An internal discussion to resolve the complaint informally	Complaint put into writing and an investigator is designated to look into the complaint	An internal, impartial review panel will convene to review the case	Complaints Panel adjourned to review the case and decisions made

Stage One

Complaints, by their nature, will vary in severity, and it is EDA's aim to try to resolve any complaint informally in the first instance. Concerns about any aspect of a student's education or wellbeing can be raised to the relevant subject teacher, course leader or Deputy Head. If the situation cannot be addressed on the spot, a meeting will be arranged to discuss the complaint.

We ask that complaints are made at the earliest opportunity, and not later than within 10 days of the incident. Complaints made beyond this time will not be rejected, but may prove more difficult to resolve satisfactorily.

EDA aims to resolve concerns swiftly and locally, before a student escalates them into a formal complaint. This might include, for example, face to face discussions with the student, asking for an appropriate member of staff, or mediator or conciliator, to deal with the matter. Effective ways of dealing with the complaint at this stage may include:

- Giving more information or a more detailed explanation
- Suggesting solutions
- Being empathetic and understanding when there is no apparent solution
- Giving an apology where it seems appropriate to do so
- Introducing student and staff conciliators

Where it is clear early resolution is not appropriate or possible, and that a concern will need to proceed immediately to the formal stage.

Stage Two

If the complaint cannot be resolved informally, the complainant should make a formal complaint in writing, or seek support from a member of staff to do so. An email detailing their situation and the desired remedy should be sent to accounts@emildale.co.uk FAO the Business & Strategy Manager - Private. This should be sent within 20 working days of the concern arising. Upon receipt of the email, the Business & Strategy Manager will respond within 7 days.

The Business & Strategy Manager will then refer the complaint to an appropriate person for consideration ("The Investigator"). This will usually be the Head of Faculty or the Deputy Head. In the event that a complaint is made against the Business & Strategy Manager, another member of staff will be appointed to deal with the issue.

The Investigator is responsible for informing the student of the approach they will take and the outcome. The Investigator may:

- Find a suitable solution to resolve the complaint
- Choose to convene with other members of staff to resolve the issue
- Refer the complaint to the Principal
- Dismiss the complaint, giving reasons, and issue a Completion of Procedures letter
- Suggest a timeframe for further investigations.

Where appropriate the Investigator may suggest mediation. If all parties agree, the investigation will be suspended. At the end of mediation, either the complaint will be resolved or the investigation will resume.

Once the Investigator has collected and assessed information from all key people involved, they will use the balance of probabilities, and their judgement on what is reasonable to write a report supporting one of the four following recommendations:

1. The complaint is fully upheld and remedy is proposed;
2. The complaint is partially upheld and a remedy is proposed for the successful part;
3. The complaint is not upheld;
4. The case is so complex that the findings would benefit from discussion through an internal review, consisting of three impartial nominees.

EDA aims to complete stage two within 30 working days of receiving the complaint.

Stage Three

Where a complainant is not satisfied with the response at stage two, or when recommended by the Investigator, the complaint may progress to stage three, an internal panel review.

The Principal will nominate three impartial nominees to review the details of the complaint. They will all be internal staff members with no prior knowledge or experience of the case. They will conduct a review similar to that of the Investigator, and consider the Investigator's findings also. They will seek the same recommended outcomes as the Investigator; however in the event that the Internal Review is not enough, they may recommend progressing the complaint to the Advanced Complaints Stage.

Complaints should be dealt with as quickly as possible. Receipt of formal complaints will be acknowledged. All formal complaints will receive a written response stipulating the outcome and the right of appeal, where appropriate.

Stage Four

If the complaint cannot be resolved at stage three, or the complainant is not satisfied with the response at stage three, a Complaints Panel will be organised by The Principal.

The Complaints Panel will consist of three members of academic staff:

- Chair: An Associate from outside EDA but has academic standing at a partner institution, or nominee
- 2 members of academic staff who are unconnected to the case

At the panel hearing, the complainant may attend, and may be accompanied by a relative or friend. This companion may attend as support but cannot address the panel. The name and details of the companion should be sent to EDA at least 7 calendar days before the Complaint Panel meeting.

As the procedure is not an adversarial one, therefore legal representation is not required by any of the parties involved and will not be permitted.

The student will receive formal notification at least 14 calendar days prior to the hearing, which will include the names of all panel members. If the student believes there is a conflict of interest with any panel members, they must inform EDA at the earliest opportunity so that an alternative may be found, but this any delay the date of the hearing.

Where possible, the panel will resolve the problem at the hearing. Where further investigation is required, the panel will reach a decision and make its recommendations known within 14 working days.

The panel can reach one of following decisions:

1. Uphold the complaint, and decide resolution
2. Partially uphold the complaint, and decide resolution
3. Reject the complaint

Clear and concise reasoning will be given for any decision made. The written decision will be held with the Complaints Log by the Principal. All rulings by the Panel are final. Where repeated attempts are made to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of the policy.

Outside of Term Time

During school holidays, it will not be possible to acknowledge and follow up complaints on the same timescale. The period of availability will depend on the staff availability. In any event, EDA aims to resolve the complaint within 60 days.

N.B. During the period of the pandemic it may take longer to acknowledge and deal with a complaint as a consequence of disruption or staff absence. If we anticipate any delay we would try to contact the parents as soon as we can. Please be assured that we would still aim to resolve any complaint as quickly as possible.

Safeguarding

Wherever a complaint indicates that a student's well-being or safety is at risk, EDA is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the EDA's Safeguarding and Child Protection Policy, found on the school's website.

Where a student is over 18, the student themselves will be encouraged to seek avenues for support under the support and guidance of EDA.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, EDA requests the complainants not discuss complaints publicly via social media such as Facebook, Twitter, Instagram and/or Snapchat.

Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

Record Keeping and Reporting

All formal complaints and their outcomes will be recorded by EDA. All records relating to complaints should be retained for a maximum of three years.

Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full
If a BTEC student is the complainant and feels that EDA and the Complaints Panel board acted 'unreasonably' in the handling of the complaint, they can complain to the Education and Skills Funding Agency after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances.

<https://form.education.gov.uk/submitform.php>

Academies Central Funding Unit (Academy Complaints)
Education and Skills Funding Agency (ESFA)
Cheylesmore House
5 Quinton Road
Coventry CV1 2WT
Email: academy.questions@education.gov.uk

OR

If a Degree student is the complainant and feels that EDA and the Complaints Panel board acted 'unreasonably' in the handling of the complaint, they can complain to the Office of the Independent Adjudicator

<https://www.oiahe.org.uk/>

0118 959 9813

OR

If the complainant is a Gap Year Student or Weekend School member, feels that EDA and the Complaints Panel board acted 'unreasonably' in the handling of the complaint, they can write directly to the Principal for a further review. However, if this is dismissed, there are no further appeals procedures to follow, and the case will be closed.

Version Number	Date of Issue	Review Date	Author	Changes Made/ detail
01	22.11.2020	22.11.2021	Sarah Hooper	First draft
02	29.04.2021	July 2021	Sarah Moore	Adding contact details of external organisations