

## 3. Complaints Policy

### The purpose and scope of this policy statement

The aim of Tutor Led Learning is to provide outstanding tuition to children aged approximately 10-16 years of age. Tuition may take place on a one to one, one to small group (tutorial) or one to many (webinar) basis. Predominantly tuition is conducted online but could, occasionally, take place face to face.

The purpose of this policy statement is:

- to protect children and young people who receive Tutor Led Learning's services from harm
- to provide staff and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection.

This policy applies to anyone working on behalf of Tutor Led Learning, including senior managers, paid staff, volunteers, sessional workers, agency staff and students.

This Complaints Policy includes sections on:

- A. Managing complaints
- B. Managing allegations against staff and volunteers
- C. Whistleblowing

## Legal framework

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in England. A summary of the key legislation and guidance is available from [nspcc.org.uk/childprotection](https://www.nspcc.org.uk/childprotection).

## Supporting documents

This policy statement should be read alongside our organisational policies, procedures, guidance and other related documents:

- Policy 1: Safeguarding and Child Protection Policy
- Policy 2: Online safety policy
- Policy 3: Complaints policy (this policy)
- Policy 4: Behaviour and discipline policy
- Policy 5: Health and safety policy

# 3A Managing complaints

## 1. Complaints statement

Tutor Led Learning:

- is committed to providing a good standard of quality services to service users, other agencies and organisations
- will take seriously any concern or complaint and will look into it promptly, for resolution as quickly as possible
- recognises that all service users, agencies and organisations
  - have the right to raise concerns or complaints about our services
  - have access to clear information on how to voice complaints and concerns
- concerns and complaints procedure is open to everyone who receives or requests a service from Tutor Led Learning and people acting on their behalf
- will deal with complaints in line with Tutor Led Learning Confidentiality policy
- will keep a register of all complaints
- complaints procedure will be part of the process of monitoring the quality, effectiveness and non-discriminatory nature of its services
- All staff and volunteers are required to read, understand and comply with this policy and its procedures

## 2. Introduction

2.1 Tutor Led Learning strives for high standards in service delivery and welcomes feedback from individuals, users of our services, stakeholders, funding bodies and anyone who works with us, on all aspects of our services. Such feedback is invaluable in helping us evaluate and improve our work.

2.2 The objectives of Tutor Led Learning complaints policy and procedures are to:

- Ensure everyone knows how to make a complaint and how a complaint will be handled
- Ensure that complaints are dealt with consistently, fairly and sensitively within clear time frames
- Provide individuals with a fair and effective way to complain about our work
- Ensure that complaints are monitored to improve our services

2.3 Tutor Led Learning will ensure that we:

- Listen carefully to complaints and treat complaints as confidential, where possible
- Record, store and manage all complaints accurately and in accordance with the Data protection Act
- Investigate the complaint fully, objectively and within the stated time frame
- Notify the complainant of the results of the investigation and any right of appeal
- Inform the complainant of any action that will be implemented in order to ensure that there is no recurrence

## 3. Definition of a complaint

3.1 A complaint is any expression of dissatisfaction by an individual, whether justified or not.

3.2 An individual may make a complaint if they feel Tutor Led Learning has:

- Failed to provide a service or an acceptable standard of service or made a mistake in the way the service was provided
- Failed to act in a proper way

- Provided an unfair service

3.3 This policy and procedure relates only to complaints received about Tutor Led Learning and its services.

## 4. Concern or Complaint

4.1 It is important to establish the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the likelihood of their developing into formal complaints.

4.2 If you have any concerns about our work please tell the tutor or their manager as soon as possible, so they can quickly understand your concerns and try to put things right.

4.3 If you are not happy with the response to your concern and/or you want to make a formal complaint please follow the procedure below.

## 5. Complaints Procedure

5.1 Tutor Led Learning aims to settle the majority of complaints quickly and satisfactorily by the member of staff who provides the service. The complaint may be resolved quickly by way of an apology or by an acceptable explanation to the individual.

5.2 There are three stages to the complaint's procedure:

- Stage One – the complaint
- Stage Two – investigation
- Stage Three – appeal

## 6. Stage One - Complaint

6.1 The complaint can be written or if the individual prefers they can tell someone at Tutor Led Learning, or someone else, who will write it down for them. The complainant will need to sign it.

6.2 Individuals wishing to make a complaint should contact the person who provided the service, or their line manager.

6.3 The complaint should include the complainants name and address, the nature and date of the complaint and how they want to see it resolved.

6.4 On receipt, each complaint will be allocated a reference number and logged on the complaints register. Complainants must receive an acknowledgement within 3 working days of receipt of a signed complaint.

## 7. Stage Two - Investigation

7.1 All complaints at this stage should be dealt with by a manager. If they need to meet with the complainant, they will do so within seven working days of receiving the written complaint.

7.2 Complaints will be fully investigated, and a written response provided to the complainant within ten working days by the investigator.

7.3 The complainant will receive written confirmation of the outcome of any investigation any recommendations/remedies made, such as reviewing of policies, staff development and training or appropriate improvement to our services.

7.4 Where the complaint is upheld an apology should be offered.

7.5 Occasionally investigations may take longer, particularly if the complaint is complex. Should this be the case a holding letter will be sent after ten working days and a final date given for a conclusion to be reached.

7.6 If an individual remains dissatisfied with the outcome from Stage Two they can appeal within fourteen working days of the date of the outcome and progress to Stage Three.

7.7 The complaints register will be updated, and any pending complaints flagged so they are followed up

## 8. Stage Three - Appeal

8.1 If after Tutor Led Learning has been through the first two stages and the complainant is still not satisfied with the result, they should be advised that there is no further right of appeal with Tutor Led Learning but they could approach any of the following agencies for advice:

- A solicitor
- Citizens Advice Bureau
- This should be done within one month of receiving the outcome from the appeal.

## 9. Anonymous complaints

9.1 Complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation.

## 10. Data protection

10.1 To process a complaint Tutor Led Learning will hold personal data about the complainant, which the individual provides, and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint. The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applied or allegations are made which involve the conduct of third parties

10.2 Tutor Led Learning will normally destroy complaints files in a secure manner six years after the complaint has been closed.

## 11. Monitoring

11.1 Complaints are an important tool which, alongside data provided by exit surveys, stakeholder surveys, user feedback and focus groups, will allow us to learn about the services we provide. They provide a useful source of information about how individuals see our services and how we are serving them. To ensure we can learn from complaints the following data will be collected:

- Name and address
- Name of person dealing with the complaint

- Date of complaint and response
- Nature of complaint
- Action(s) taken/recommendations made in response to the complaint Lessons learnt

11.2 Complaints information will be considered on a regular basis by the Management Team. Wherever possible the data will be used to improve and develop the service.

## 3B Allegations against staff and volunteers

Any allegation or concern that an employee or volunteer has behaved in a way that has harmed, or may have harmed, a child must be taken seriously and dealt with sensitively and promptly, regardless of where the alleged incident took place.

Depending on the situation, an appropriate response may involve:

- the police investigating a possible criminal offence
- your local child protection services making enquiries and/or assessing whether a child is in need of support
- your organisation following the relevant disciplinary procedures with individuals concerned.

You should also make sure any children involved are given appropriate support.

This page shares best practice for managing allegations or concerns about abuse by someone who works or volunteers with children.

### Procedures for managing allegations and concerns

All organisations that provide services for or work with children should have clear procedures for dealing with allegations of abuse, complaints or concerns about a member of staff or volunteer as part of their overarching [safeguarding and child protection policies and procedures](#).

This includes people who you do not directly employ but who are working or volunteering with the children and young people in your care, for example supply teachers.

All staff and volunteers should read and understand your policies and procedures for managing allegations.

### Roles and responsibilities

Every organisation should have a senior manager who is responsible for dealing with allegations or suspicions of abuse about someone who works with children. For Tutor Led Learning this is the Designated Safeguarding Lead.

Make sure that all staff and volunteers know who the responsible person is and how to contact them. If there is a concern about the nominated person, it should be reported to their deputy or another senior manager.

The nominated person should be fully trained in managing allegations against or concerns about abuse by a member of staff or volunteer. They should know who to contact if any concerns are raised, such as the police or local child protection services.

In England, this includes the local authority's designated officer (sometimes called the LADO or DOLA) who manages allegations against people who work with children.

### Responding to concerns and allegations

Your organisation must take any concerns raised about staff or volunteers seriously, regardless of who the person is, how long they've been involved with the organisation, or whether they are directly employed by you.

You should not attempt to investigate the matter, but you should gather the facts of the case and keep written records.

If an allegation is made that a staff member or volunteer has:

- behaved in a way that has harmed, or may have harmed a child
- possibly committed a criminal offence against, or related to, a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- behaved in a way that indicates they may not be suitable to work with children.

You must report this **immediately** to the relevant agencies (for example the [NSPCC helpline](#) on **0800 800 5000**, your local child protection services or the police).

[> Find out more about recognising and responding to abuse](#)

Liaise with your local child protection services and the police to ensure that you are responding appropriately. If the allegation is against someone you do not employ directly, then the organisation they work or volunteer for should be involved in the investigation.

In England, each local authority must have one or more designated officers whose role is to manage and oversee investigations of allegations against people who work with children (Department for Education, 2018c).

The Department for Digital, Culture, Media and Sport (DCMS) has created an [online portal for charities in England to help manage safeguarding allegations](#) made against an employee or volunteer.

## Confidentiality and support

You should make every effort to maintain the confidentiality of all parties while an allegation or concern is being investigated. Make sure everyone involved in the investigation understands this.

Consider how best to support the children involved, their parents or carers, and individuals who have had an allegation made against them. This includes:

- telling parents or carers and the employee or volunteer concerned about the allegation as soon as possible (as long as this does not place any children at further risk of harm)
- telling them how you are going to manage the allegation
- keeping everyone informed about the progress and outcomes of the case.

## Record keeping

It's important to keep a clear and comprehensive summary of:

- all allegations that have been made
- details of how allegations have been followed up and investigated
- decisions made about the allegation and actions taken.

## 3C Whistleblowing

Staff and volunteers should feel confident about challenging the behaviour of others and voicing concerns. They should also know who to contact if they feel unable to report an incident within their organisation. They can make a report to the police or local child protection services, or by contacting our Whistleblowing Advice Line:

- 0800 028 0285
- [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## Contact details

Nominated child protection lead

Name: Andrew Milson

Phone/email: [andy@tutorledlearning.com](mailto:andy@tutorledlearning.com)

Deputy child protection lead(s)

Name(s): David Martin

Phone/email: [David@tutorledlearning.com](mailto:David@tutorledlearning.com)

NSPCC Helpline 0808 800 5000

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on: .....10 January 2024.....(date)

Signed: ...  . Date: 10 January 2024.....