

## Complaints Policy

<b>Document number:</b>	6
<b>School:</b>	<i>Liverpool</i>
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<b>Owner:</b>	<i>Complaints Officer</i>
<b>Approved by:</b>	<i>The Executive Board</i>
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<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>2 of 20</b>	

## 1. Contents

<b>Contents</b>	<b>2</b>
<b>Issue and Revision History</b>	<b>4</b>
<b>Summary</b>	<b>4</b>
<b>Document Release</b>	<b>5</b>
<b>Purpose</b>	<b>6</b>
<b>Scope</b>	<b>7</b>
<b>Definitions and Acronyms</b>	<b>8</b>
<b>Key Contacts</b>	<b>8</b>
<b>The Process</b>	<b>10</b>
9.1 Principles for investigation	10
9.2 Timescales	10
9.3 Summary of the Complaints Procedure	11
9.4 Roles and Responsibilities	11
9.5 Implementation	12
9.6 Support and Guidance	13
<b>Complaints Procedure</b>	<b>13</b>
10.1 STAGE 1: Informal	13
10.2 STAGE 2: Formal Written Stage	14
10.3 STAGE 3: Appeal Stage	14
10.4 Referring complaints as part of this procedure	16
<b>Persistent Complaints</b>	<b>17</b>
11.1 Unreasonably persistent complaints	17
11.2 Steps we will take	18
11.3 Stopping responding	18
11.4 Duplicate complaints	19
11.5 Complaint campaigns	19
<b>Record-keeping and confidentiality</b>	<b>19</b>
<b>Continuous Improvement</b>	<b>20</b>

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>3 of 20</b>	
13.4 Suggestion Box		21	
13.5 Compliments		21	
<b>Metrics</b>		<b>21</b>	
<b>Quality Records</b>		<b>22</b>	

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>4 of 20</b>	

## 2. Issue and Revision History

Issue	Description	Author	Effective Date
1.0	Initial Release	T. Warner	10/03/05
1.1	Update of responsibilities and titles	T. Warner	01/09/12
1.2	Update reference documents 3 Equality and Diversity policy	T.Warner	2/09/13
2.1	Annual Review	T.Warner/ Jevon Payne	30/08/14
2.2	Annual Review	T.Warner	2/09/15
2.3	Annual Review add 2-7 Whistle-blowing policy to reference Documents	D.Payne	1/09/16
3.0	Annual Review	D.Payne	30/09/17
3.1	Addition of specific contact details for Complaints Officer and MD	T. Warner	15/08/19
4.0	Annual Review Addition of compliments at 4.5 Reference to Compliment/Complaint Log Reference to F0055QT You Said We Did Form Update to metrics section 4.2.5 Change working days to 7 from 15	T. Warner	12/10/21

## 3. Summary

Educ8 Group aims to meet its statutory obligations when responding to complaints from a Learner, parent/carer, visitor, customer, local authority, regulatory body or any other interested party. We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of Learners in our group.

We ask that complaints are raised within 3 months of the incident.

We adopt a 3-stage process for dealing with complaints:

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>5 of 20</b>	

- Stage One – Informal Stage
- Stage Two – Formal Written Stage
- Stage Three – Appeal Hearing

If the complainant is unsatisfied with the outcome of the complaints procedure and the complaint is regarding a school site not meeting the regulatory standards, the complainant can refer their complaint to the DfE.

Educ8 may take disciplinary action against a member of staff as a result of a complaint and may also refer to 3rd parties such as OfSTED, the DBS, or the Police.

A procedure is in place to deal with persistent and malicious complaints.

The site will record the progress of all complaints pertaining to their service, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. This material will be treated as confidential and held securely.

Continuous improvement is at the heart of this policy and as such regular review of the metrics recorded in relation to this policy are reviewed and appropriate actions to improve service delivery considered.

Both complaints and compliments are recorded and a suggestion box is available at all sites to allow Learners to make anonymous comments.

#### **4. Document Release**

This document has been reviewed in accordance with the Educ8 Quality System and the requirements of this policy/procedure. Staff have been made aware of its issue, including any updates/amendments to its contents and where necessary appropriate training has been provided to those staff.

Where policies are available for download online, the previous version is removed and this new version replaces it.

The release of this document is indicated by the effective date.

#### **5. Purpose**

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>6 of 20</b>	

Educ8 Group aims to meet its statutory obligations when responding to complaints from a Learner, parent/carer, visitor, customer, local authority, regulatory body or any other interested party.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into site or group improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

Educ8 aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on our website.

## 6. Scope

This policy applies to all complaints received by any site or function within Educ8 Group and establishes a clear procedure for effective and efficient complaint management.

Educ8 will resolve concerns through day-to-day communication as far as possible. We intend to resolve concerns and complaints informally where possible, at the earliest possible stage.

Complaints may relate to any aspect of education, care, professional competencies or to any of the administrative or support services and may be made by telephone, in person, in writing or by email to any member of Educ8 Group personnel.

Any person, including members of the public, may make a complaint to Educ8 Group about any provision of facilities or services that we provide. Complaints may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>7 of 20</b>	

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of Learners in our group.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion (from Education provision)
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaints.

## 7. Definitions and Acronyms

Delivery Staff	Staff employed by Educ8 to provide instruction and tutoring services
Learners	All students, participants and users of Educ8 learning programmes. Generally these are under 18 years of age.
School	Educ8 Alternative Education Site registered with OfSTED as an independent school.
A Complaint	An expression of dissatisfaction however made, about actions taken, or a lack of action, by Educ8 or its employees.
A Concern	An expression of worry or doubt over an issue considered to be important for which reassurances are sought.

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>8 of 20</b>	

Complainant	Person, or legal body, raising the complaint.
Recipient	The person receiving the complaint
Executive Board	Directors/Senior staff with Governance responsibilities for the school(s)
DBS	Disclosure & Barring Service.

## 8. Key Contacts

### 8.1 School contacts:

Complaints not involving the Head of Centre should be directed to the Head of Centre.

Complaints involving the Head of Centre should be directed to the Executive Head.

Complaints involving the Executive Head should be directed to the Complaints Officer.

Complaints involving Head Office or Complaints Officer should be directed to the Chair of the Executive Board.

If the complainant is unsure who to write to, or if they require support, they should contact general enquiries.

Role	Name	Contact Details
<b>Head of School</b> <i>If you have a complaint about the site, service or a member of staff who you do not want to approach directly</i>	Rachael Smee	<a href="mailto:rachael.smee@educ8group.com">rachael.smee@educ8group.com</a>  07817 957 45
<b>Executive Head</b> <i>If you have a complaint about the Head of School or service and do not want to approach them directly</i>	Scott Thornton	<a href="mailto:scott.thornton@educ8group.com">scott.thornton@educ8group.com</a>  07817 957463
<b>Complaints Officer</b> <i>If you have a complaint about the Executive Head and do not want to approach them</i>	Tim Warner	<a href="mailto:tim.warner@educ8group.com">tim.warner@educ8group.com</a>  07817 641240



<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>9 of 20</b>	

<i>directly</i>		
<b>Chair of Executive Board</b>  <i>If you have a complaint about the Complaints Officer and do not want to approach them directly</i>	Jevon Payne	<a href="mailto:jevon.payne@educ8group.com">jevon.payne@educ8group.com</a>  07817 641238
<b>General Enquiries</b>  <i>If you are unsure who to contact or need any assistance with this policy</i>		<a href="mailto:enquiries@educ8group.com">enquiries@educ8group.com</a>  0116 403 0003  Educ8 Group 80 Jackson Road Bagworth Leicestershire LE67 1HL

## 9. The Process

### 9.1 Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

### 9.2 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term-time in an educational setting, we will consider them to have been received on the next working day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>10 of 20</b>

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

Please note working days within this policy excludes weekends, bank holidays and school/college holidays where applicable.

### 9.3 Summary of the Complaints Procedure

Educ8 Group have adopted a 3-stage process for dealing with complaints:

- Stage One – Informal Stage
- Stage Two – Formal Written Stage
- Stage Three – Appeal Hearing

### 9.4 Roles and Responsibilities

#### 9.4.1 The Complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Cooperate with the School and Educ8 Group throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Do not publish details about the complaint on social media

#### 9.4.2 The Recipient

- Will acknowledge the complaint
- Investigate and aim to resolve an informal complaint immediately
- Where an immediate resolution cannot be found the recipient will appoint an investigator
- Ensure the complaints file is maintained and update the [T00750P Complaints & Compliments Log](#) as necessary

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>11 of 20</b>

- Correspond with the complainant to review timescales where necessary and conclude the complaint once investigated

#### 9.4.3 The Investigator

When an individual is appointed to look into the complaint, and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the site lead or recipient which includes the facts, recommendations and potential solutions

#### 9.4.4 The Appeal Panel Administrator

The administrator will:

- Be the contact point for the complainant and the review panel, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

#### 9.4.5 The Appeal Panel Chair

The panel chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case
- Inform the complainant of the decision in writing

### 9.5 Implementation

All School Head of Schools' along with the Executive Head are responsible for ensuring this policy is implemented in their site.

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>12 of 20</b>

## 9.6 Support and Guidance

The Executive Head will provide guidance and support at site level and the Complaints Officer will provide guidance and support at group level.

## 10. Complaints Procedure

### 10.1 STAGE 1: Informal

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Educ8 takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

In the first instance, concerns should be addressed to the member of staff in question (the recipient) who will try to clarify the nature of the concern and the outcome being sought. An informal complaint can be made in person, in writing or by telephone.

If you have difficulty discussing a concern with a particular member of staff, you may wish to raise the matter with the Head of School (or Executive Head or directly with the Complaints Officer); we will respect your views. Similarly, if the member of staff directly involved feels unable to deal with a concern, the recipient will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

Key Contact details can be found in section 7 of this policy. If the complainant is unsure who to complain to, they should contact the Complaints Officer they will ensure a recipient is appointed.

The recipient will **acknowledge informal complaints, in writing, within 3 working days and investigate and provide a response within 10 working days of the acknowledgement.**

If the complainant is unhappy with the response at stage 1 and wishes to proceed to the next stage of the procedure, they should inform the Complaints Officer within 10 working days of receipt of the response.

We understand that there are occasions when people would like to raise their concerns formally. In this case, Educ8 will attempt to resolve the issue internally, through the stages outlined below.

### 10.2 STAGE 2: Formal Written Stage

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>			Page #: <b>13 of 20</b>

The formal stage involves the complainant putting the complaint into writing by email or letter. This should provide details such as:

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

The letter or email should be submitted alongside copies of any relevant documents in support of their complaint. Please refer to the key contacts in section 7 of this policy for details of where to send the letter of complaint.

If complainants need assistance raising a formal complaint, they can contact General Enquiries referred to in section 7.

The recipient will **acknowledge formal complaints, in writing, within 3 working days.**

The recipient (or another person appointed by Educ8 Group for this purpose) will then conduct their own investigation and **provide a response within 20 working days of the acknowledgement.**

If the complainant is not satisfied with the response and wishes to Appeal, they should inform the recipient in writing within 10 working days of receipt of the response.

### 10.3 STAGE 3: Appeal Stage

Complaints will be escalated to the Appeal stage if the complainant is not satisfied with the response to the complaint at the second, formal written stage.

A panel will be appointed by, or on behalf of, the Executive Board and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the site. (The panel will not be made up solely of Executive Board members, as they are not independent of the management and running of the site.)

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. We will **aim to find a date within 7 working days of the request**, where possible.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. However, if the complainant rejects the offer of 3 proposed dates without good reason, we will set a date.

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>14 of 20</b>

The hearing will go ahead using written submissions from the complainant.

Neither the complainant nor Educ8 Group will bring legal representation as the panel meeting is not a form of legal proceedings. The aim of the panel hearing is reconciliation and to put right things that may have gone wrong. However, we recognise there are occasions where legal representation may be appropriate during panel hearings. For example, if an employee is a witness in a complaint, they may be entitled to bring union or legal representation

At the review panel meeting, the complainant and representatives from the site/Educ8 Group, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the site/Educ8 Group representative(s) will be given the chance to ask and reply to questions. Once the complainant and site representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Executive Board and Head of School.

The panel chair will **inform those involved of the decision in writing within 7 working days.**

#### 10.4 Referring complaints as part of this procedure

If the complainant is unsatisfied with the outcome of the complaints procedure and the complaint is regarding a school site not meeting the regulatory standards, the complainant can refer their complaint to the DfE concerning any of the following areas:

- Education,
- Pupil welfare and health and safety,
- School premises,
- Staff suitability,
- Making information available to parents, or
- The spiritual, moral, social or cultural development of pupils.

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>15 of 20</b>

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage:  
<https://www.gov.uk/complain-about-school>

10.4.1 As the nature of our work involves working with children or vulnerable people, we are especially aware of our duty to ensure safe and ethical practices. In some cases therefore, whilst confidentiality may be requested, we are obliged by law to report this to the appropriate body. If, through the course of managing a complaint, we discover that a referral to an independent body (eg. the DBS, OfSTED, the Police) is required, this may be made separately to any disciplinary investigation that may take place.

10.4.2 If a complaint prompts an investigation into the behaviour or actions of one or more of our employees, we will use our disciplinary procedure to fairly deal with the matter. This may mean that details of the complaint are used as evidence in disciplinary proceedings. The customer/service user will be made aware of this and will be asked whether they agree to have their name disclosed.

## 11. Persistent Complaints

### 11.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the Educ8 Group complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to cooperate with this complaints procedure, or insists that the complaint is dealt with in

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>16 of 20</b>

ways that are incompatible with this procedure and the time frames it sets out

- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on the site's or group's time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### 11.2 Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the site or group in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

### 11.3 Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.



<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>17 of 20</b>

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our sites.

#### 11.4 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE or CQC as applicable if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

#### 11.5 Complaint campaigns

Where a site receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the site, the site may respond to these complaints by:

- Publishing a single response on the site's or group's website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## 12. Record-keeping and confidentiality

12.1 The site will record the progress of all complaints pertaining to their service, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held securely, and will be viewed only by those involved in investigating the complaint or on the Appeal Panel.

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>18 of 20</b>

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection or police investigation.

- 12.2 Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and the Educ8 Group retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared beyond those who need to know in case an Appeal panel needs to be organised at a later point.

- 12.3 Where the senior team and those undertaking a governance role at a site are aware of the substance of the complaint before the Appeal panel stage, Educ8 Group will arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by Educ8 Group, who will not unreasonably withhold consent.

### 13. Continuous Improvement

- 13.1 The Complaints Officer will review any underlying issues raised by complaints with the Head of School or specific members of the local site team where appropriate, and respecting confidentiality, to determine whether there are any improvements that the site can make to its procedures or practice to help prevent similar events in the future.

- 13.2 Educ8 Group will receive regular reports on the types of complaints received in each site in order to support the development of appropriate support structures, and to inform any improvements to procedures or practices.

- 13.3 The Executive Board will review any underlying themes and issues raised by complaints across the group and determine whether there are any improvements that sites can make to their procedures or practice to help prevent similar events in the future.

- 13.4 Suggestion Box

As well as learning from complaints, we want to know any comments or suggestions that Learners may have to help us improve our services. Learners can do this by telling a member of staff about their comment or

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title:	<b>Complaints</b>		Page #: <b>19 of 20</b>

suggestion or by putting their comment or suggestion in writing using [F0055QT You Said We Did Form](#). These are made available at all Schools in paper form and can be completed anonymously.

### 13.5 Compliments

Where you are particularly happy with the service you have been provided you may feel it appropriate to pass a compliment.

Please either pass this on to the Head of School verbally or provide it in written form via email to [enquiries@educ8group.com](mailto:enquiries@educ8group.com)

In addition Learners can also complete [F0055QT You Said We Did Form](#) as described above.

## 14. Metrics

The Complaints Officer will report on the number of complaints and compliments received on a termly basis to the Executive Board.

Compliments and Complaints will be logged within a site Complaints & Compliments Log.

The number of complaints per academic year (preceding year only) will be displayed for each site on the company website

## 15. Quality Records

The following Quality Records shall be generated and managed in accordance with

Doc. 10:

Required Record	Custodian
Written Complaints recorded in Site Complaint Log	Complaints Officer
Written Compliments recorded in Site Complaint Log	Complaints Officer
Completed F0055QT You Said We Did forms	Head of School

<b>Procedure</b> ISO 9001 – Educ8		Document #: <b>6</b>	Issue: <b>4.0</b>
Title: <b>Complaints</b>		Page #: <b>20 of 20</b>	

## 16. Form(s)/Template(s)

The following form(s)/template(s) are required for this document:

Form Number	Title
F0055QT	<a href="#">You Said We Did</a>
T0075OP	<a href="#">Complaints &amp; Compliments Log</a>