

POLICY ON COMPLAINTS AGAINST THE CORPORATION, GOVERNORS AND THE HEAD OF GOVERNANCE

1. A complaint against the Corporation, a Governor (including the Group Principal/CEO if the complaint relates to his/her role as a Governor) or the Head of Governance may be made by an individual or an organisation in relation to his/her or their dealings with the College. Complaints must relate to:
 - 1.1 the performance by the Corporation, a Governor or the Head of Governance of the functions respectively allocated to them under the Articles of Government of the College; and/or
 - 1.2 the exercise by the Corporation of its powers; and/or
 - 1.3 any other alleged breach or non-observance of the duties of the Corporation, individual Governors or the Head of Governance under the Instrument or Articles of Government of the College, its Code of Conduct for Governors or the ESFA Financial Memorandum or Funding Agreement or the Code of Good Governance for English Colleges.
2. All complaints should be made in writing or by email, identifying the complainant and addressed to the Head of Governance (save where the complaint is in relation to the Head of Governance in which case it should be addressed to the Chair of the Corporation) at Kingston College, Kingston Hall Road, Kingston upon Thames KT1 2AQ or by email to Helen.meredith@stcg.ac.uk.
3. The complainant will be expected to state clearly the nature of and grounds for the complaint (see paragraph 1 above) and if appropriate provide copies of any related documentation. The complainant should also state the remedy he/she is seeking. It is not possible for a complainant to seek the disciplining of a member of staff or the removal of a Governor or the Head of Governance since these are decisions for the Group Principal/CEO of the College and the Corporation respectively in accordance with the Instrument and Articles of Government of the College.
4. The Head of Governance will:
 - 4.1 acknowledge receipt of the complaint within ten working days; and
 - 4.2 provide an indication of when the complainant can expect to hear further;
 - 4.3 determine the nature of the complaint (complaint, enquiry or allegation);
 - 4.4 undertake to investigate the matter;
 - 4.5 endeavour to provide a written response to the complainant within ten working days from the date of the initial acknowledgement. If this is not possible the complainant will be provided with an interim statement of activity.

5. The Chair of the Corporation will advise as to the appropriate method of investigation of the complaint. Where the complaint is about the Chair of the Corporation the Head of Governance will liaise with one of the Vice-Chairs to ensure that the above procedures are followed.
6. The written response of the Head of Governance will include details of any arrangements for regulation within the FE sector where it is appropriate to do so.
7. The person(s) investigating the complaint shall:
 - 7.1 consider the complaint and, if necessary in order to determine disputed issues of fact, interview the complainant and those subject of the complaint. They may refer issues to the Corporation's auditors (external and/or internal) or other independent advisers as they feel appropriate; and
 - 7.2 produce a written report of their findings in relation to the complaint and provide the complainant and the Corporation with a copy of such report as soon as possible. In any event, they shall produce an interim report within 28 days of the complaint being referred to them.
8. The Corporation at its next scheduled Board meeting after receipt of the findings of the investigation shall consider the findings and determine whether they find the complaint substantiated in whole or part and, if so, what, if any, remedy should be granted to the complainant. Where the complaint relates to one or more specified Governors or the Head of Governance those persons shall withdraw and take no part in the discussion of the investigation outcome.
9. The Head of Governance shall within ten working days of the Board's determination of the complaint provide a written response to the complainant and to those subject of the complaint confirming the decision of the Corporation in relation to the complaint, with reasons for its decision. The response may include details of any arrangements for pursuing the matter with any relevant external body (e.g. the Secretary of State/ESFA).

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