

**Complaints Procedure**

**1. Introduction**

- 1.1. It is our intention to ensure that all complaints are handled promptly, fairly, consistently, and proportionately. This procedure applies to all complaints, both formal and informal, by students, customers and stakeholders.
- 1.2. This procedure can also be used to register concern over the College's approach to Equality and Diversity, or an allegation of discrimination or unfair treatment on the grounds of any of the 9 protected characteristics, which are; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation.
- 1.3. Members of college staff wishing to make a complaint should use the College Grievance Procedure.
- 1.4. Informal resolution of all complaints should be sought before submitting a formal complaint, unless this is impossible or inappropriate due to the complexity or seriousness of the case.

**2. Responsibilities**

- 2.1. The Quality Office will maintain the Customer Feedback database and produce termly reports for the Strategic Leadership Group and an annual report for Corporation.
- 2.2. All staff will ensure that all complaints they are aware of and/or addressed to them are recorded on the College's Customer Feedback database upon receipt, and will deal with complaints in the appropriate manner and according to timescales in this procedure.

**3. Complaints Procedure: Overview**

- 3.1. A complainant who wishes to make a complaint may do so either in writing or verbally. All complaints made in writing, whether using the College Complaint Form or not, are classed as formal complaints. All complaints made verbally will be classed as an informal complaint.
- 3.2. All complaints will be acknowledged within 5 working days. Following investigation, a response to the complainant will usually be provided within 15 working days unless the complaint is particularly complex, when the complainant will be informed of reasons for the delay (see 5.6).
- 3.3. The College will not accept a complaint lodged by a third party, other than a parent, carer or guardian of a 14-17 year old student.

#### **4. Complaints we cannot investigate**

4.1. The College will not record or investigate:

- A decision made where the correct procedures / processes / regulations have been followed (e.g. disciplinary and debt recovery).
- Anonymous communications.
- Something outside the control or responsibility of the College.
- Something that happened some time ago. Investigations will not take place after twelve weeks of an alleged incident occurring.
- Something involving an employee's personal life.
- A liability claim, or other litigation matter.
- A complaint regarding an academic judgement on HE work, for example the grade awarded for a piece of assessed work.

4.2. HE Academic appeals– specific procedures exist for these within Higher Education Academic Appeals procedure and also within the regulations and guidelines partner universities and awarding bodies, relating to the decisions made by exam boards.

4.3. Admissions appeals and complaints - specific procedures exist for these within our Higher Education Admissions (including Appeals) procedure.

#### **5. Procedure for Informal Complaints**

5.1. When a verbal complaint is made, the member of staff receiving it will report it immediately to their line manager who will record it on the College database.

5.2. A record of any action taken on the verbal complaint will be recorded on the database. This will not be communicated to the complainant unless requested by the complainant at the time the complaint is made.

#### **6. Stage 1 Procedure for Formal Complaints**

6.1. A complaint made in writing may either use the College Complaints Form or an alternative written method. This written complaint should be addressed to the Manager of the area concerned.

6.2. Where formal complaints are addressed to the Principal or Deputy Principal, they will make a decision whether to respond in person or pass the complaint to another suitable person.

6.3. On receipt of all formal complaints, the Manager will:

- a) Record the details of the complaint on the College database;
- b) Send an acknowledgement to the complainant within 5 working days of receipt of the complaint;
- c) Identify the most suitable person to carry out an investigation of the complaint.

- d) Ensure that any actual or potential conflict of interest or any other issue that might give rise to the perception of bias, for those investigating or deciding upon a complaint or appeal is identified and addressed
- 6.4. The investigation may include interviewing such persons as they believe may be able to assist, including, if they consider it appropriate, persons nominated by the complainant or the person(s) against whom the complainant has been made.
- 6.5. Following investigation, the Investigating Officer, will either:
- a) seek to resolve the complaint informally (eg, through mediation, or by following further enquiries at a local level);
  - b) uphold the complaint as a whole or in part (and take action accordingly);
  - c) dismiss the complaint if there is no case to answer; or
  - d) dismiss the complaint if it is judged to be trivial, vexatious or malicious (and take further action if appropriate).
- 6.6. The response will be sent to the complainant within 15 working days of receiving a complaint via the investigating officer; however complex cases may, unavoidably, take longer to investigate with due care and thoroughness. The complainant will, in any event, be kept informed of the progress of any investigation.

## **7. Stage 2 Appeal**

- 7.1. Any comments about the way in which the complaint was dealt with, or any appeal against the findings and action, should be made in writing to the Deputy Principal or representative, setting out the grounds for appeal, within 10 days of receipt of the outcome. The Deputy Principal or representative will review the evidence and respond to the appellant within 10 working days of receiving the appeal.

## **8. Stage 3 Student complaint investigations by external organisations**

- 8.1. External organisations will not investigate student complaints until the College's complaints procedure, including appeal, has been exhausted. Note: for higher education students a completion of procedures letter may be requested by the complainant if the awarding institution have heard final appeal and the complainant remains dissatisfied. These external organisations are:
- 8.2. For overarching regulator for External exams such as GCSE's please see OP\_1.330.
- 8.3. Further Education
- Awarding organisations, such as Edexcel and City and Guilds
  - Education and Skills Funding Agency
- 8.4. Higher Education

Where the complaint relates to quality of the programme

Awarding organisations:

**Royal Agricultural University**

**University of Hull**

**University of Huddersfield**

**University of Lincoln**

**City and Guilds (Level 5 Diploma in Education and Training)**

**Pearson (HNC/D programmes)**

- Office of the Independent Adjudicator for Higher Education once a completion of procedures letter has been issued either by the college or the relevant university

## **9. General Data Protection Regulations: Retention and sharing of information**

- 9.1. Complaints will be dealt with an appropriate level of confidentiality, disclosing information to only those who need it to investigate and respond to the issues raised.
- 9.2. The college retains a complaints database in order that it can monitor the number and type of complaints received, this informs reports to the college board of governors and identification of common themes. Any reporting anonymises personal information.
- 9.3. Higher Education: When a completion of procedures letter has been issued, by the awarding University, any information provided for the purpose of a complaint must be held for a further period of 15 months in order that the evidence is available to support any complaint which is subsequently referred to the Office for the independent adjudicator.

## **10. Related Documents**

JCQ Exam Complaints and Appeals Procedure	OP_1.33
Examples of Complaint Response letters	CQD13

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**Appendix 1: - Flowchart**

