# Complaints policy and procedure

Approval required by: SMT Y Governing Body N

SMT Lead: VP Quality and Student Experience

Responsible Manager: Director Quality (FE)

Date approved: May 2018

Date to be reviewed: May 2019

Relevant to: Students Y Staff Y

 Visitors Y

Relevant to: All students Y

 16-18 Vocational Y Sixth Form Y

 Higher Education Y Adults Y

Apprenticeships Y 14-16 Y

Other Y …………………………..

Relevant to: All staff Y

 Board Y SPH Y

Managers Y

 Teaching staff Y Support staff Y

Accessible to Students Y Staff Y

Friendly version Students (Appendix B) Y Staff Y

EQIA required Y

Significant changes to policy:

In order to be compliant with GDPR, a Retention Period has been set and also details what we will do with information relating to complaints.

Impact of changes

#  SCOPE AND PURPOSE OF POLICY

The complaints policy applies to all services the College provides and is available to students, former students, apprentices, employers and members of public.

The Policy and its associated procedures are designed to define the College’s open approach to praise and criticism of the full range of services it provides and to describe the procedures for reporting them.

This policy covers comments arising in relating to any of our services, except those concerned with academic assessment decision, for which there is a separate Academic Appeals Procedure.

#  OPERATIONAL CONDITIONS

## Anonymous Complaints

The College does not normally accept or act upon anonymous complaints, due to the College not being able to collect all relevant information for investigating such complaints and respond accordingly. There may, however, be exceptional circumstances where the College deems it appropriate to investigate a complaint from an anonymous source, which identifies a risk to the College community or the public.

## Confidentiality

Where possible, confidentiality will be observed, throughout the operator of this policy. Where a complaint relates to specific individuals, the College may seek permission to share such details with them. If permission is not given, it may not be possible for the College to fully investigate or resolve the complaint. The College will only disclose information to those who need to investigate the complaint, or to respond to any issues raised. The College Retention Period for information relating to complaints is 5 years after the complaint has been raised.

## Vexatious and Malicious Complaints

A vexatious or malicious complaint is defined as a complaint which is deemed unreasonable or untrue, having been put forward so as to abuse the complaints procedure, or an attempt to defame the name or character of another person. In cases where a complaint is considered to be vexatious or malicious, the College reserves the right to terminate investigation of the complaint.

## Permission to Disclose

If the complainant wishes for someone else to raise concerns with us on their behalf, the College has a legal obligation under the General Data Protection Regulation with regard to sharing information with third parties. The College will require written permission to share this information with them.

**Before** permission is given to share the information with others, the complainant must consider whether our response will include any sensitive information about them. The complainant is required to contact us in advance to tell us which sensitive information we can and cannot share.

## Multi-Issue Complaints

If a complaint identifies a number of issues which fall within the remit of other procedures, for example, an academic appeal or both, the content of such complaints will be reviewed. The complainant will then be notified and directed to the relevant policy and procedure.

## Collective/group complaints

Collective/group complaints are expected to identify how each individual has been personally affected by the issues which are being brought to the attention of the College. Each individual named in the collective complaint must agree with the content of the complaint before it is submitted and individually sign to say that they are in agreement of the same. Only the nominated spokesperson will receive communication/correspondence form the College.

## Complaints by a third party

Complaints made by a third party (eg parent or guardian) on behalf of a student will only be considered if a signed statement is received from the student confirming their agreement.

## Complaints about staff members

Where a complaint is made about a specific member of staff, the member of staff shall have the right to access and respond to any evidence provided. If it is determined that the matter should be investigated under staff disciplinary procedures, the complaints procedure shall be suspended until the disciplinary matter has been concluded.

The College operates a stage complaint procedure.

COMPLAINTS PROCEDURE **– see also Appendix A**

 The College strives to provide the best quality learning and services that meet or exceed the expectations of our students and users. The College promotes a culture that is responsive to feedback, whether complimentary or critical. Comments about our services are actively encouraged and acknowledged as a valuable source of information that we can evaluate and use to improve the quality of provision to students, other users and partners/stakeholders. Students and users can bring their concerns to the attention of the College either informally or formally.

#  INFORMAL COMPLAINTS

In the first instance complainants are strongly encouraged to resolve the matter informally with appropriate members of staff.

If a complaint is not resolved at this stage the complainant should be advised to progress their complaint through the college formal complaints procedure.

#  FORMAL COMPLAINTS

Complainants can make a formal complaint either verbally or in writing. All formal complaints should be passed to the Director of Quality.

All complaints will be formally acknowledged in writing upon receipt.

All formal complaints will be resolved within 10 working days of the receipt of the formal complaint or if this is not possible, the complainant will be advised on the progress made to address their concerns.

Upon completion of the investigation into the complaint the complainant will be notified in writing of the outcome.

If at this point the complainant feels their complaint has not been addressed to their satisfaction they can refer the complaint to the Vice Principal Quality and Student Experience for further consideration.

If after due consideration by the Vice Principal Quality and Student Experience the complainant feels their complaint has not been addressed to their satisfaction they can refer the complaint to the Principal.

If after due consideration by the Principal or a Senior Post holder the complainant feels their complaint has not been addressed to their satisfaction they can refer the complaint to the funding agency, or independent review body; details of which will be provided by the College.

# APPENDIX A

#  COMPLAINTS PROCEDURE

##  Stage 1 - Informal

 Students are encouraged to resolve issues informally before they become a complaint. Various avenues are open to students to do this.

* Students may raise their concerns directly with the person who, in their opinion, is responsible for the problem or with a lecturer/course/pathway leader for their course.
* Students may raise issues with their course or programme representatives who may take those issues to staff meetings or to the student forum/panel meetings.
* Directly with the Head of Department.

Employers, Parents and other members of the public or any incidental user of the College services should, in the first instance, raise the issue directly with the person who, in their opinion, is responsible or with the supervisor or manager of the area concerned.

Former students are expected to raise any concerns within three months of completing their programme of study.

# STAGE 2 - FORMAL

If appropriate, and your complaint has not been resolved at Stage 1, you may choose to progress your complaint to Stage 2.

Complainants can make a formal complaint either verbally or in writing. All formal complaints should be passed to the Director of Quality.

All complaints will be formally acknowledged in writing upon receipt.

All formal complaints will be resolved within 10 working days of the receipt of the formal complaint, or if this is not possible, the complainant will be advised on the progress made to address their concerns.

Upon completion of the investigation into the complaint the Director of Quality will notify the complainant in writing of the outcome.

If at this point the complainant feels their complaint has not been addressed to their satisfaction they can refer to the complaint to the Vice Principal Quality & Student Experience for further consideration.

If after due consideration by the Vice Principal Quality & Student Experience the complainant feels their complaint has not be addressed to their satisfaction they can refer the complaint to the Principal (Final Stage).

We aim to provide you with a formal response within 10 working days. If we are unable to do this you will be kept informed of our progress.

# STAGE 3 – FINAL STAGE

Where a complaint has not been resolved satisfactorily at Stage 2 you may choose to progress your complaint to Stage 3 which is the final stage of the College complaints procedure.

This should be made to the Principal in writing within 10 working days of when you received the Stage 2 response. Again you should explain why the outcome of the Stage 2 process is not satisfactory and what you would like us to do next.

If after due consideration by the Principal or a Senior Post holder the complainant feels their complaint has not be addressed to their satisfaction they can refer the complaint to the relevant Funding Agency or independent review body.

Students enrolled on Higher Education courses would also be directed to the relevant partner university, or the awarding organisation Pearson.

Following the Final Stage, students on Higher Education programmes will be issued with a Completion of Procedures letter

## Independent Review of Student complaints

The Office of the Independent Adjudicator (OIA) provides an independent scheme for the review of complaints from students on course validated by a qualifying institution. University Campus Barnsley (UCB) is a member of the OIA Scheme. For further information on the scheme see the OIA website: <http://oiahe.org.uk/>. Students have 12 months from the date of the Completion of Procedures letter to bring a complaint to the OIA.

#  Equality and Diversity

This policy and its supporting procedures apply equally to all students of the College, employers or work-placement providers of college students and other users of the College’s services any of whom have the right to representation by parents, guardians, carers or other advocates on their behalf.

Equality Impact Assessment attached.

#  Linked Policies and Procedures

The Complaints Policy and Procedure is linked to:

* Student Attendance Policy
* Code of Conduct
* The Single Equality Scheme
* Academic Appeals Policy
* Behaviour Support Disciplinary Policy
* [QAA Quality Code B9: Academic Appeals and Student Complaints](http://www.qaa.ac.uk/en/Publications/Pages/Quality-Code-Chapter-B9.aspx#.WvLL60xFy70)

# Location and Access to this Policy

Buzz/polices

Barnsley College websites

**APPENDIX B: COMPLAINTS PROCEDURE FLOW CHART**

**Stage 1 - Informal** resolution directly with person / service involved

Individual wishes to make a complaint

Resolved

Not resolved

**Stage 2 -Formal**

to

Director of Quality

Acknowledgement

Investigation

Formal response within 10 days (or regular updates if this is not possible)

Resolved

Not resolved

to

VP Quality and Student Experience

Acknowledgement

Investigation

Resolved

Formal response within 10 days (or regular updates if this is not possible)

Not resolved

**Stage 3 Final**

Complaint referred to Principal

or other Senior Post Holder

Resolved

Not resolved

Complaint referred to appropriate Funding Agency, or

OIA (HE)

**APPENDIX C: COMPLAINTS FORM**

**COMPLETE IN BLOCK CAPITALS OR TYPE**

**Personal Details**

Full Name: ………………………………………………………. Student Number:.……………………….….

Course and Year: ………………………………………………………………………………………………………..….…

Address for Correspondence:

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Postcode: …………………………………………………………………………………………………………………………….

Telephone / Mobile Number: ………………………………………………………………………………………………

Email: ……………………………………………………………………………………………………………………………………

**Nature of Complaint**

Please include as much detail as possible (use additional sheets if necessary):

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Please detail what action you have taken to try and resolve the issue informally:

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What action or resolution are you seeking, if your complaint is found to be justified?

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**Supplementary Information**

Have you attached any supplementary information in support of your complaint?

Yes / No *(delete as appropriate)*

Please list attachments:

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**Declaration**

I declare that the information given on this form is true, and that I am willing to answer further questions relating to it if necessary.

I understand that appropriate members of staff, including any staff mentioned in the complaint, will have access to the information provided in support of this complaint.

**Signed:** ………………………………………………………………………………………………………………………………….

**Date:** ……………………………………………………………………………………………………………………………………..

*Please note that complaints made by a third party (e.g. parent or guardian) on behalf of a student will only be considered if a signed statement is received from the student confirming their agreement.*