

<b>College Manual/Share Point Section:</b>	<b>Quality</b>			
<b>Responsibility:</b>	Chelsea Belcher	<b>Date doc. created:</b>	30/07/16	
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## New College Complaints and Compliments Procedure 2019/20

### Scope and purpose

At New College we are always open to receive comments, both positive and constructively critical. It is important for the college to know when process and procedure has been followed appropriately and when there is a need for improvement.

All courses and services at the college are reviewed regularly and stakeholder comments help the teams and managers to prepare and, when necessary, redesign or change the provision or service.

New College is committed to listen and to respond to the views of all stakeholders of the College and its services.

### Aims

This procedure is designed to provide guidance to any student, visitor or other parties such as parents or employers who are dissatisfied with any aspect of the College, have positive suggestions/comments and or wish to provide praise to staff or teams.

New College's aim is to respond quickly and positively, and to reach an outcome that is fair for all concerned. It also aims to keep the complainant informed of progress in dealing with the complaint and the personnel involved.

The purpose of the complaints procedure is to provide an opportunity for complaints to be resolved as quickly as possible by carefully logging and analyzing complaints, and as a means of identifying problems and potential faults in the services provided by the College.

**The Quality Team will share all compliments with the Line Manager of the subject of the compliment and those related to it.**

### Roles and responsibilities

#### Quality Team

The Quality Team are responsible for logging and monitoring complaints and looking for trends and patterns. They will make the initial response to acknowledge the complaint via face to face contact, email, phone or post.

They will support the Investigating Manager in gathering evidence to ensure complaint outcomes and documentation are submitted and communicated within the time constraints set out in this policy.

Summary reports will be regularly presented to the Senior Leadership Team on the nature of the complaints received and the manner and speed with which they have been resolved. These reports will also be presented to the Governors who represent the interests of the local community and the public in general.

#### Investigating Manager (IM)

Any New College manager can be allocated to investigate a complaint. Complaints will be allocated by the Quality Team using a list of college managers on a 'next on the list' basis. Complaints will not normally be allocated to the manager responsible for the area the complaint has been raised about. This is to ensure that the investigation is

completed impartially. It is the responsibility of the IM to inform the Quality Team of any potential conflict of interest, in which case the next manager on the list will be allocated.

Investigating Managers are expected to make initial contact with the complainant within 2 working days of being allocated the complaint. This is to introduce themselves as the IM and to give the complainant a point of contact specific to the investigation.

They will conduct an investigation which may include speaking to witnesses and others involved in the case and reviewing all evidence (emails, CCTV, documents etc.).

Once they have gathered all the evidence required to make a judgement, they are expected to complete the tracking form and respond to the complainant explaining their decision (see the outcomes section of the policy) and any recommendations (appropriate to the complainant) using the college complaint response letter template. This correspondence will be via letter and email and a hard copy will be retained by Quality. Completed tracking forms, all appropriate and relevant evidence and a copy of the response communication will be submitted by the IM, to the Quality Team, within 2 working days of the complaint being closed.

Complaints are to be investigated with a formal response given to the complainant within 15 working days where possible. In some circumstances, such as college holidays, there may be delays to this timeframe. In these instances it is vital that the IM informs the complainant of any delay.

The time periods as set out in this procedure are for guidance and under some circumstances may be subject to extension. Where any such extensions are made, the complainant will be notified in writing.

### **Appeals Manager (AM)**

Where complainants are unsatisfied with the outcome of the complaint, an appeal can be submitted in writing to the Quality Team at [ncsfeedback@newcollege.ac.uk](mailto:ncsfeedback@newcollege.ac.uk) within 15 working days of receipt of the formal outcome communication. A review of the matter will be undertaken by a different manager and overseen by a member of the Principalship Team.

In the event of an appeal, an Appeals Manager will be allocated by the Quality Team and will review the investigation process to confirm that it has been conducted and recorded professionally and impartially. Their role is to validate the judgement and NOT to reinvestigate the complaint.

Appeal Managers are expected to make initial contact with the complainant within 2 working days of being allocated the appeal. This is to introduce themselves as the AM and to inform the complainant that the appeal has been allocated and being reviewed.

They will review the investigation process carried out, which may include speaking to witnesses and others involved in the case and scrutinising any other evidence that was provided to the IM through the course of the initial investigation.

Once the AM has reviewed all the evidence required to make a decision, they are expected to complete the appeals tracking form and respond to the complainant explaining their decision (see the outcomes section of the policy) and any recommendations (appropriate to the complainant) using the college complaint appeal response letter template. This correspondence will be via letter and email and a hard copy will be retained by Quality.

Appeals are to be reviewed with a formal response given to the complainant within 15 working days where possible. In some circumstances, such as college holidays, there may be delays to this timeframe. In these instances, it is vital that the IM informs the complainant of any delay.

Completed tracking forms, all appropriate and relevant evidence and a copy of the response communication will be submitted by the AM, to the Quality Team, within 2 working days of the complaint being closed.

All complaint paperwork and personal details linked to these complaints are treated as sensitive and kept in secure, locked or password protected files. They will be kept in line with the GDPR retention timeframes.

If the complainant is still not satisfied with the outcome, contact:

- The Clerk to the Corporation, New College Swindon, New College Drive, Swindon, SN3 1AH, or
- The Education Skills Funding Agency (ESFA), Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Stone Street, Manchester, M1 2WD (students aged 14 - 19 OR 14 – 25 if there are learning difficulties)

### **How to complain**

The complaints procedure is designed to help customers register their concerns and to help the College respond effectively and appropriately. Complaints are dealt with in two ways:-

1. Informally – by informing the college of concerns which will be addressed directly by the line manager without formal investigation.

An informal complaint can be made by:-

- Speaking to a Course Teacher, Progress Mentor or Curriculum Manager
- Providing feedback via student surveys, during a focus group or to a student representative
- Talking to any member of staff

2. Formally – by putting the complaint in writing to be addressed via formal investigation.

A formal complaint can be made by:-

- Completing a College feedback card (available in all reception areas)
- Contacting a member of the **Quality Team** at [ncsfeedback@newcollege.ac.uk](mailto:ncsfeedback@newcollege.ac.uk)

For assistance with logging a complaint, contact Student Services or Customer Services.

### **Complaint withdrawals**

The college has the right to withdraw from investigating a complaint if there is no response or communication from the complainant or other relevant parties after 15 working days. The complainant will be contacted a maximum of three times before being informed in writing that due to continued lack of response the college is now withdrawing the complaint.

Complainants can withdraw their complaint at any time and the investigation will cease. All evidence and documents will be filed in accordance with GDPR regulations should they be required for future reference.

### **Outcome of the investigation**

On completion of the investigation, the complaint will be classified by one of four outcomes:-

- **Upheld** – the complaint was fully justified and will result in corrective action being taken, e.g. an amendment of management/service procedures, staff training, improved communications etc.
- **Partially upheld** – certain aspects of the complaint were considered justified and will result in follow-up action
- **Not upheld** – the complaint was not justified
- **Withdrawn** – complaint withdrawn by the college or the complainant

Where a complaint is fully or partially upheld, the College will take positive action to put things right, make every effort to prevent the same thing from happening again and will ensure the complainant is kept informed throughout, where appropriate. If a complaint is not upheld, the complainant will be advised accordingly.

### **Concluding action**

On completion of the investigation, the investigating manager will:-

1. Ensure the **Quality Team** is in possession of all necessary information and paperwork to officially record and log the process. Completed tracking forms, all appropriate and relevant evidence and a copy of the response communication will be submitted by the IM within 2 working days of the complaint being closed.
2. Inform any members of staff who have been involved in the complaint of the outcome and any follow-up action. This may involve referral to **Human Resources Department** and the **Deputy Principal Curriculum and Quality** if the complaint is regarding members of staff.
3. Make sure the complainant has been fully briefed about the outcome with information provided in writing.
4. Ensure that if the complaint is regarding equality and diversity, safeguarding or disability that the appropriate college manager has been notified.

### **Duty of Care**

The College has a duty of care for its employees and applies a Zero Tolerance Policy to acts of violence or aggression towards our staff, students and visitors. The Police may be called to deal with such incidents and disciplinary or legal proceedings may follow.

In the case of a serial and/or vexatious complainant, the College reserves the right to refuse to investigate a complaint and may, if appropriate, refer the matter to the College's solicitors.

**Linked Policies:**

- New College Charter
- Student Behaviour Support & Disciplinary Policy
- Student Code of Conduct
- Student College Agreement

**NEW COLLEGE EQUALITY IMPACT ANALYSIS****DATE: July 2019****Function: Equal Opportunities**

This policy, plan, procedure, process has been examined for equality impact, i.e., the impact that this function will have on different groups of actual and potential learners, service users and staff taking account of the protected characteristics of the Equality Act 2010 (**age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation**).

- 1. If Equality Impact Analysis is not relevant to this function, give reasons and proceed to section 5 below.**

N/A

- 2. In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?**

There could be resource limitations in helping students whose first language is not English to follow all of the requirements of this procedure. We would explore all the options available to us in order to support all users in their understanding and application of the procedure. We would make every effort to breakdown any barriers for disabled people and endeavor to make reasonable adjustments to the procedure if required.

- 3. In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?**

- This policy aims to be an open access and all-inclusive process.
- The annual analysis of complaint records presents a report of the different types of complaint received.
- The annual analysis of complaints is fed back to Managers and also presented as a report to the Governors. There is an expectation that recurring issues will feature in team quality improvement plans.
- The annual review of complaints will look to identify any patterns and trends.
- Consideration will always be given to whether any complaints issue relate specifically to any diversity and equality groups. The log will record if any complaint has an E&D/Disability/Safeguarding dimension

- 4. What evidence supports your judgment e.g. consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?**

- Comprehensive and up to date records are kept and readily available.
- If appropriate complaints can help inform areas for improvements in Team QIPs and the College Annual QIP. These are reviewed at regular intervals though the year.
- The 'Complaints Team' meets regularly to review the complaints record and follow up on any outstanding issues.
- Records are kept of student appeals relating to this procedure.

- 5. Name and job title of manager responsible:**

Chelsea Belcher, Quality Coordinator

Review Date: August 2020