

Policy Title: Compliments / Complaints Policy and Procedure

Created By: Quality Manager

Approved By: Principalship

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Responsible Manager: Quality Manager

Policy Category: Quality

Related Policies: Positive Behaviour Policy
Student College Agreement
Disciplinary Policy &
procedure

Policy Location: SharePoint Policy Hub

Contents

1. Scope and Purpose.....	3
2. Definition.....	3
3. Aims.....	3
4. Compliments	
5. Responsibilities	3
6. Procedure - Complaints	4
7. Appeals - internal.....	5
8. Appeals - external	
9. Complaints for Higher Education Courses at New College Swindon.....	6
10.Retention of Data.....	7
11. Duty of Care.....	7
12.GDPR	8
13.Version Control	8

1. Scope and Purpose

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

2. Definition

A complaint is defined as an expression of dissatisfaction by a stakeholder about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider.

3. 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 or comments and or wish to provide praise to staff or teams.

New College Swindon'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 complaint's 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.

4. Compliments

The College welcomes positive feedback which is used to celebrate the performance of staff. If users of the College's services want to acknowledge excellent support or service, the Quality Team should be informed at feedback@newcollege.ac.uk. If staff receive positive feedback from users, they should forward this onto feedback@newcollege.ac.uk so this can be recorded.

5. Responsibilities

The Quality Team is responsible for monitoring complaints and will analyse trends and actions annually. Any complaint/complaints letter or e-mail should be directed to the Quality Team at feedback@newcollege.ac.uk.

Any compliment/complaints letter or email should be directed to the Quality Team at feedback@newcollege.ac.uk

The Senior Leadership Team may review a complaint and give a decision without formal investigation.

The Quality Manager will review this document and the quality of responses to customers on an annual basis.

Customers should bring compliments and complaints to the attention of the College as soon as possible. Complaints should be written and submitted within 20 working days of any alleged incident.

Compliments and complaints raised by representatives are only permitted if an individual is under 18 years old or if the individual has a learning difficulty or disability. If the individual is 18 (or older) and does not have a learning difficulty or disability, then the learner must be included in all correspondence related to the complaint.

The Quality Team will ensure all compliments are passed onto the staff/teams to whom they are directed.

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 happening again and will ensure the customer is kept fully informed. If a complaint is not upheld, the customer will be notified accordingly.

In order to address and contain complaints, a member of the Quality Team will contact any complainant to discuss concerns and, if appropriate, negotiate an acceptable solution.

6. Procedure- Complaints

Stage1 - Informal concerns

- In the first instance individuals should discuss issues with the member of staff directly involved at a mutually convenient time and appropriate action should be agreed.
- In academic matters the concern will probably be dealt with by the lecturer, Progress Coach, Programme Leader or Higher Education (HE) Programme Leader.
- In other areas, staff or manager of the service area involved will manage the concern.
- If there is no satisfactory outcome or agreed action after the response has been received by the customer, a formal complaint (stage 2) can be made to the Quality Team within 10 working days of the response being received.
- Customers should receive a response to their concern within 10 working days.

Stage 2 - Formal complaints

- If the outcome of Stage 1 is unsatisfactory, contact should be made with the Quality Team within 10 working days of the response being received.
- Customers wishing to make a formal complaint should be directed to do so in writing and address it to the Quality Team in the first instance within the 10 day time-frame.
- Upon receipt of any formal complaint a record will be entered on the appropriate

tracking sheet in the Compliments and Complaints Folder. An acknowledgement of receipt will be set to the complainant within 5 working days.

- The Quality Team will identify the most appropriate member of the College Management Team to direct the complaint to.
- The Quality Team will then proactively monitor progress in order to ensure timescales are being adhered to.
- The customer will receive a formal response to their complaint within 10 working days of acknowledgement of receipt. If the matter is particularly serious or complicated it may take longer to provide an adequate response. If this is the case, the customer will be provided regular updates. In the case of Higher Education (HE) complaints, the relevant HEI may need to be kept informed and, on occasion, further advice sought.

The outcome of any complaint investigation will be classified in one of three ways:-

- Upheld – complaint was fully justified and will result in corrective action being taken.
- Partially upheld – certain aspects of the complaint were considered justified and will involve some corrective action to be taken.
- Not upheld – the complaint was not found to have sufficient grounds for further action.
- The letter detailing the outcome of any investigation will be sent to the customer within 10 working days of the cessation of investigation along with the appeals procedure.

7. Appeals - internal

If customers are not satisfied with the outcome of their complaint they can request a review of the matter which will be undertaken by a member of the Senior Leadership Team, overseen by the Principal.

Appeals should be made in writing to the Quality Team within 10 working days from the date that the final response was sent by the College. The letter of appeal must indicate the reasons for the appeal and should include any new information that has since come to light.

The appeal will be acknowledged within 5 working days of receipt, and responded to within 10 working days of the appeal notification being received.

8. Appeals – external

If the complainant has exhausted all avenues within the College policy and remains unsatisfied with the resolution and or outcome provided by the College, they can then seek redress from the awarding body (e.g. Pearson, City & Guilds, NCFE), where appropriate. Alternatively, the complaint can be taken to the Education and Skills Funding Agency (ESFA) about how your complaint was handled.

The complainant must contact the ESFA within 3 months of getting a decision from the College. Complaints can be e-mailed or posted to the ESFA complaints team. ESFA complaints team complaints.

ESFA@education.gov.uk

Complaints team

**Education and Skills Funding Agency Cheylesmore House
Quinton Road Coventry CV1 2WT**

ESFA will acknowledge the complaint within 5 days.

If the complainant is still unsatisfied after the ESFA response they can write to the complaints adjudicator to decide on the case.

Complaints adjudicator

**Legal and information compliance Education and Skills Funding Agency Cheylesmore House
Quinton Road Coventry CV1 2WT**

9. Complaints for Higher Education Courses at New College Swindon.

New College Swindon offers Higher Education students a range of ways in which to raise concerns relating to their time at college through both formal and informal mechanisms. The Complaints Procedure recognises the Core Practices of the QAA UK Quality Code and aims to provide fair and transparent procedures which are accessible to all students. The outcomes and monitoring of complaints will be used to improve quality of provision and student experience.

Informal concerns will be dealt with and recorded under the processes highlighted in Section 4 (above). However, we understand that some individuals or groups may wish to escalate concerns via a formal complaint to the College.

New College Swindon HE students submitting a complaint who are enrolled on an HE programme such as HNC/HND will have their complaint dealt with under the New College Swindon Policy and Procedures identified in this document.

All HE complaints will be reviewed by members of the HE management team in the first instance. Thereafter, other members of the Curriculum staff and other Senior Management Team members may become involved as appropriate.

The student will receive a written response detailing the college's decision. If the complaint is not upheld a letter entitled 'Completion of Procedures' will be issued which denotes that the college has exhausted the internal complaints procedure.

A student whose complaint is upheld or partially upheld may request a Completion of the Procedures Letter. This does not prevent the complainant from appealing to the College (as detailed in Section 5 above), or referring their complaint to the appropriate University.

Students attending New College Swindon who are also enrolled on a partner University's programme will have their complaint progressed through the procedures outlined in this document in the first instance. Where a student feels that their complaint has not been dealt with appropriately by New College Swindon, they may refer the complaint to the University by writing to the Student Disputes Officer and enclosing the college 'Completion of Procedures' letter.

Once internal College procedures have been exhausted, or in the case of a student enrolled with a partner University, the College and University procedures have been exhausted, and if the outcome is not satisfactory to the complainant, the student can refer their complaint to the Office of the Independent Adjudicator. This OIA must receive the complaint within 12 months of the issue date on the Completion of Procedures letter. The OIA operate an independent review scheme acting as an appeal body. Further details and information for students can be found at

<http://www.oiahe.org.uk/>

10. Retention of Data

All correspondence relating to any complaints or appeals will be retained in an electronic form by the College for a period of no more than 3 years from the end of the academic year in which it was received.

All hard copy relating to any complaint or appeal will be scanned electronically and the hard copy destroyed within 3 months of the Complaint/Appeal resolution.

11. 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. Examples of such cases may include but are not exhausted to:

- Complaints which are harassing, obsessive or repetitive
- Insistence on pursuing non-meritorious complaints and unrealistic or unreasonable outcomes
- Insistence on pursuing what may be meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose of value

12. GDPR

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.

13. Version Control

Document location.

*This document if printed can only be considered up to date on the day that is was printed.
For current version of this document please see the central storage Library*

Revision History

Date of this Revision: January 2022

Date of next Revision:

Version	Date	Author	Change Description
1.0	May 2021	Quality Manager	Document Created
1.1	January 2022	Kat Armstrong	HE addition
2.0	September 2022	Darren Cass	Updated title and process.

Approvals

This document requires the following approvals:

Committee/Principalship	Date
Senior Leadership Team	11 October 2022

Distribution

This document has been distributed to:

Title/External Organisation/All Staff	Date of Issue	Version
All Staff	Oct 2021	1.0
All Staff	Jan 2022	1.1
All Staff	Oct 2022	2.0

EQUALITY IMPACT ANALYSIS	DATE: September 2022
Function: Equal Opportunities	
<p>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).</p>	
<p>1. If Equality Impact Analysis is not relevant to this function, give reasons and proceed to section 5 below.</p> <p>N/A</p>	
<p>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?</p> <p>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.</p>	
<p>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?</p> <ul style="list-style-type: none"> • 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 	
<p>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?</p> <ul style="list-style-type: none"> • 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. 	
<p>5. Name and job title of manager responsible:</p> <p>Darren Cass, Interim Quality Manager Review Date: September 2022</p>	