

Title	Author	Approved By Corporation 10 th July 2018		Review Date
Complaints Procedure	Shelley Bratton	Latest Update: SB Latest Review SMT	June 2018 26 th June 2018	June 2021
Impact Assessment				Nov 2015

To be reviewed every 3 years

COMPLAINTS PROCEDURE

1.0 Background

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 relation to any of our services, except those concerned with academic assessment decisions, for which there is a separate Academic Appeals Procedure.

2.0 Scope

This Complaints Procedure is designed to ensure Selby College's complaint handling processes and practices are accessible, clear and fair to all parties.

The Procedure covers Further and Higher Education students.

For Higher Education/ Undergraduate Students please see also the Academic Appeals Procedure. All appeals shall be conducted in accordance with the following regulations and the precepts set out in the Quality Assurance Agency Code of Practice for the Assurance of Academic Quality and Standards in Higher Education – Section 5: Academic Appeals and Student Complaints on Academic Matters (March 2000) and the Office of the Independent Adjudicators' The Good Practice Framework for Handling Complaints and Academic Appeals (2014).

The Procedure will also be conducted in accordance with the following linked Policies and Procedures:

- FE Assessment Appeals Policy and Procedure
- HE Academic Appeals Procedure
- Complaints Against the Corporation Procedure
- Grievance procedure for Staff

3.0 What is a Complaint?

For the purpose of this procedure, and in line with the HE QAA code, a complaint is described as an expression of dissatisfaction or concern either by a student, their representative or another third party; whether oral or written, and whether justified or not, about the conduct, standard of service, actions or lack of action by the College, its partners or its staff.

i. **What is an Academic Appeal**

An academic appeal relates to the outcome of an assessment or examination, or a students' progression. For further details of Higher Education complaints handling/ Appeals, please see the separate Academic Appeals Procedure for Higher Education.

ii. **Complaint or Academic Appeal – Deciding which Process to Use**

Students studying a Further Education or Higher Education Course who have a complaint that doesn't fall neatly into the category of either a complaint or academic appeal should seek advice from their Tutor or a member of the College's Higher Education Team.

Alternatively, the College might decide to consider the matters raised together. For example, where a complaint covers issues that fall within the remit of other procedures, such as the Further Education Assessment Appeals Procedure or the Higher Education Academic Appeals Procedure, or where the complaint covers issues of service delivery as well as the conduct of an individual member of staff, investigations can be conducted collaboratively by the respective college departments/ Managers where possible. In such circumstances, all parties including the complainant should be clear where responsibility for the overall conduct of the matter lies and who will issue the final decision response.

The member of staff conducting the investigation of the matter will inform the complainant of the implications, if any, of following the two aspects at the same time, particularly where one procedure may be suspended pending the completion of another.

4.0 **Who can make a Complaint?**

Selby College strives to provide the best quality learning and services to meet or exceed the expectations of our learners 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 learners, other users and partners/ stakeholders. All Learners and users can bring their concerns to the attention of the College either informally or formally.

- i. Students who have recently left a programme can only raise issues of complaint within 12 weeks of the end of their studies. Any complaint raised after this period of time will only be investigated at the discretion of the College. Please see point 6.5 of this Procedure.

Anonymous Complaints

Complaints received anonymously will not be accepted by Selby College as it would impede the investigation and communication of the outcome.

Complaints made by staff

Some complaints made by staff may be recognised as a Grievance and in these instances staff members will be referred to the College Grievance Procedure.

Students on Higher Education Course validated by a Partner University

A student can make a complaint to the awarding body/ university in the following instances:

University of Hull

A student is entitled to make a complaint to the University in the following circumstances:

- a) If the complaint relates to their experience at the college, they can complain to the University only if they have made a complaint to the college first in accordance with its complaints procedures, and they believe that the college has failed to follow those procedures. In such cases the

University will not review the merits of their complaint but will seek to determine whether the college has followed its procedures and if it has not, require it to do so.

- b) If the complaint relates to a service provided by the University, they must complain to the Dean or Director of Student Services overseeing the relevant University department/service (using a separate form, available on request).

A complaint must be made within 21 days of being informed in writing of the outcome of your complaint by the college or within 21 days of the expiry of any published deadline for action by the college (eg if the college has promised a response but not provided it). More information can be found at the following link:

http://www2.hull.ac.uk/administration/leap/quality_standards/quality_standards_framework/e_-_appeals_and_complaints.aspx

University of Huddersfield

Selby College will be responsible for progressing a student's complaint using the University's Student Complaints Procedure in the first instance; however, if the College is not able to resolve the complaint via the University's Student Complaints Procedure then the complaint should be referred to the University, via the Designated Academic Liaison Officer, and it will enter the procedure at the formal stage. For more information please refer to Section 9 of the Student Handbook for the University of Huddersfield: <http://www.hud.ac.uk/registry/regulationsandpolicies/studentregs/>

Pearson

Selby College will be responsible for progressing a student's complaint, using this procedure in the first instance; however, if the College is not able to resolve the complaint then the complaint can be referred to the Awarding Body. For more information please refer to:

<http://qualifications.pearson.com/en/support/contact-us/feedback-and-complaints.html>

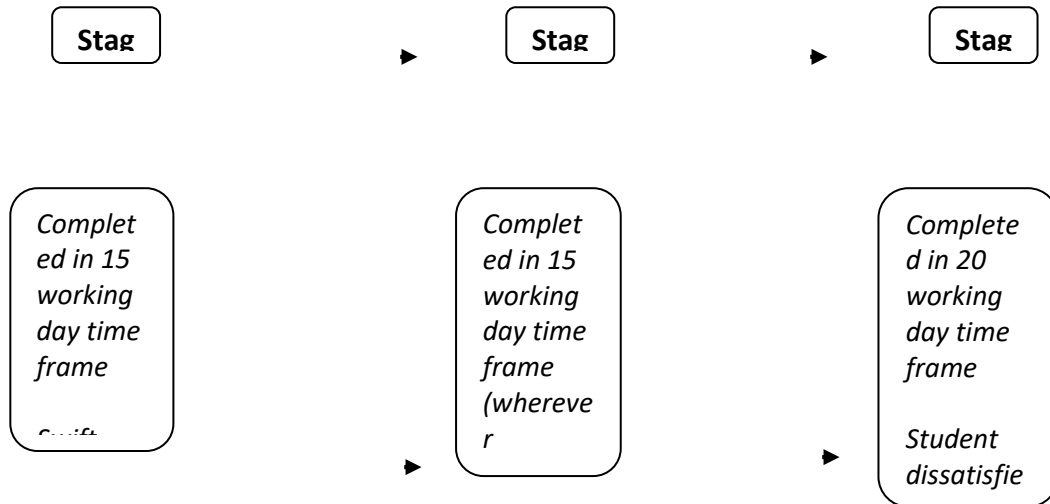
If the complaint is about malpractice, the complainant can contact the Awarding Body, Pearson, directly. For more information about reporting malpractice, please refer to:

<http://qualifications.pearson.com/en/support/support-topics/exams/examination-guidance/malpractice-and-plagiarism.html>

Reception and Student Services Staff are there to assist anyone wishing to make a complaint in any way they can in ensuring that their problem is dealt with as quickly as possible.

An informal record will be kept of any concerns raised as the College's Management Team constantly look at ways to improve the service the College provides to customers.

5.0 The Complaints Process



5.1 Stage 1 (Informal Complaint Resolution)

- In the first instance complainants are strongly encouraged to resolve the matter informally with the appropriate member/s of staff and/or their line Manager.
- The purpose of informal resolution is to attempt to resolve as quickly as possible concerns which are straight forward and require little or no investigation. Concerns raised at this stage can be handled by a face-to-face discussion between the complainant and the staff member and/or their line Manager
- If a complaint is not resolved at this stage the complainant should be advised to progress their complaint through the college formal complaints procedure (Stage 2).

5.2 Stage 2 (Formal Complaint)

- In the first instance complainants are strongly encouraged to resolve the matter informally with appropriate member/s of staff and/or their line Manager.
- If a complaint is not resolved at this stage the complainant should be advised to progress their complaint through the college formal complaints procedure.
- This should normally be done either by letter, telephone, email or by completing a green Complaints Form (kept at the Main Reception or from Student Services in the Jubilee

Building)

- Please ensure your own contact details are clear including a full name, email address, and contact telephone
- Please address any correspondence to the Quality Manager, Selby College, Abbot's Road, Selby YO8 8AT
Telephone 01757 211000
- In all cases a formal complaint will be recorded and acknowledged in writing, where possible, within 3 working days. The acknowledgement will give the complainant the name of a contact person who will co-ordinate the handling of the complaint
- The Quality Manager will investigate, or appoint an appropriate Director/Senior Manager, to investigate the complaint
- All formal complaints will be resolved within 15 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 Quality Manager or their representative, usually a Director, 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 the complaint to the College Principal for further consideration. This is the Appeal Stage 3.

5.3 Stage 3 Appeals (Review) Process

- If the complainant is not satisfied with the conclusion of the formal complaint, the complainant can write to the College Principal, c/o Selby College, Abbot's Road, Selby, North Yorkshire, YO8 8AT,
 - Any such Appeal request from the complainant should list:
 - The reason(s) for the Appeal
 - What outcome the complainant is seeking
- Any material evidence that wasn't available/ considered when the matter was being investigated
- The Principal will investigate, or appoint an appropriate Director, usually the Deputy Principal, to investigate the way in which the complaint was handled
The complainant's letter to the Principal will be acknowledged in writing within 3 working days and a written response sent to the complainant as quickly as possible, normally within 20 working days of receipt of the complainant's letter
- If the complainant moves the matter to Appeal Stage 3 and would prefer to telephone or meet the Deputy Principal in person, please contact the PA to the Deputy Principal Tel 01757 211153 and they will make the necessary arrangements for the complainant to meet or speak to the Deputy Principal or their nominated appointee
- The Deputy Principal will normally be asked to review the investigation and respond
The Appeal will not consider the issues afresh or involve a further investigation. A complaint must have been considered at the formal stage before it can be escalated

5.4 Closing the Complaint at the Appeals Stage

- **If the Appeal is not upheld**, the outcome of the Appeal will be communicated to the complainant in writing as soon as possible within 20 working days. This letter will include a clear explanation and outline of the reasons for the decision.
- For Further Education course complaints if you are still not happy, you can refer your complaint externally to the Education Funding Agency (EFA) or the Skills Funding Agency (SFA).
- For Higher Education course complaints, the decision should also advise the complainant of their right to submit a complaint to the Office of the Independent Adjudicator (OIA), the Independent Ombudsman Service, as a last resort. The College will issue a Completion of Procedures letter within 28 days (see appended template). If the complaint is submitted to the OIA, it should normally be done within three months of the date of the Completion of Procedures letter.
- Where the appeal is upheld and the ~~Where~~ a complaint is found to be justified the College will explain in the response giving an apology and the remedial action it intends to take. All complaints are logged centrally by the College and reviewed on an annual basis by the Senior Management Team and the College Governing body to confirm what corrective action was taken that will:
 - Identify the root cause of complaints
 - Allow actions to be taken to reduce the chance of problems reoccurring
 - Allow details of corrective action to be recorded for ongoing review
 - Allow formal reviews of complaints involving each department and the College as a whole to improve performance.

6.0 Equality and Diversity Statement

Selby College welcomes and celebrates equality and diversity. We believe that everyone should be treated equally and fairly regardless of their age, disability, gender, gender identity, race, religion or belief, sexual orientation and socio-economic background. We seek to ensure that no member of the College community receives less favourable treatment on any of these grounds which cannot be shown to be justified.

This document is written with the above commitment, to ensure equality and diversity is at the centre of working life at Selby College.

7.0 Safeguarding Policy

Selby College recognises its moral and statutory responsibility to safeguard and promote the welfare of students. We work to provide a safe and welcoming environment where students are respected and valued. We are alert to the signs of abuse, neglect, radicalisation and extremism and follow our procedures to ensure our students receive effective support, protection and justice. Selby College expects Governors, staff and volunteers working on behalf of the college to share this commitment.

8.0 Fraud, Bribery & Corruption

Selby College follows good business practice and has robust controls in place to prevent fraud, corruption and bribery. Due consideration has been given to the Fraud Act 2006 and the Bribery Act 2010 in the development/review of this policy document and no specific risks were identified.

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