

How are we performing? Procedure (Complaints, Suggestions & Compliments)

Review

Formal Review Cycle	Annual		
Latest Formal Review (date)		Next Formal Review Due (date)	2024
Procedure Owner	Associate Principal for Teaching, Learning and Quality		
Procedure Author	Associate Principal for Teaching, Learning and Quality		

Approvals

Committee		Date approved		Additional committee	
SLT Y/N	Y	SLT date approved	03/06/2020		

Publication

Website Y/N	Y	Intranet Y/N	Y	Student VLE Y/N	Y	Other	
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Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by
V1	28/05/2020	Procedure rewrite	VP SS&R	ELT
V2	02/10/2021	Review of job titles and addition of Appendix 1 table for clarity in investigating officer	VP Q&C	

V3	01/02/2023	<p>Procedure reviewed and updated against the Office of the Independent Adjudicator which was revised December 2022.</p> <p>General updates to owner of procedure and job titles/roles.</p> <p>Procedure updates/ inclusions: Paragraph 17, 18 and 19 – Complaints Paragraph 21, 22 (c) (iii) – Formal stage Paragraph 39-43 – Appeal Paragraph 46 – Post Appeal Appendix 1 – addition of guiding principles for assigning an investigating officer.</p>	AP TL&Q	
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How are we performing?

(Complaints, Suggestions & Compliments)

INTRODUCTION/PURPOSE

1. This procedure is a procedure of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.
2. The intention of the procedure is to define the College’s open approach to praise and criticism of the full range of services it provides and provide information to students and customers on how they may take forward complaints or suggestions and compliments.
3. We value feedback and expect to use it to help us to:
 - get things right in the future if we have not done so already
 - become more customer focused
 - be more open and accountable
 - act fairly and proportionately
 - seek continuous improvement
4. When we get things wrong we will act to:
 - accept responsibility and apologise
 - explain what went wrong and
 - put things right by making any changes required
 - learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

SCOPE

5. This procedure applies to written and/or verbal complaints, suggestions and compliments relating to all services the College provides and is available to students, former students, apprentices, parents/carers, employers and members of public.
6. Where a contract exists between the College and another party, the terms of the contract will apply following the informal stage of dealing with complaints.

PROCEDURE (STEPS)

Compliments

7. Compliments can be made verbally in writing or via social media platforms.
8. Compliments will be recorded by the member of staff receiving the compliment and be passed to the Quality department for recording on the Compliments Register.
9. Compliments received through social media channels such as Facebook, Twitter, Tripadvisor will be passed to the Quality department for recording on the Compliments Register by the member of the staff responsible for monitoring the platform.
10. Any member of staff identified as being the subject or contributing to any matter giving rise to the compliment will be notified within three working days.

Suggestions

11. Suggestions can be made verbally, in writing or via social media platforms.
12. Students are invited to make suggestions to improve their learning experience, as part of student voice activities
13. Suggestions will be recorded by the member of staff receiving the suggestion and be passed to the Quality department for recording on the Suggestions Register.
14. Suggestions will be acted on as the college's self-assessment/self-evaluation cycle and feedback through appropriate channels.
15. Suggestions received through social media channels such as Facebook, Twitter, Tripadvisor will be passed to the Quality department for recording on the Suggestions Register by the member of the staff responsible for monitoring the platform.

Complaints

16. Ideally the complainant should make their complaint as soon as possible, to enable the College to investigate and respond to their complaint in a timely manner, and they must make their complaint within three (3) months of the matter that prompted their complaint.
17. While a complaint is being investigated, students should continue to adhere to the expectations of their programme, including deadlines and attendance.
18. During the investigation should the genuineness of the evidence provided by the complainant be called into question it will be disregarded in concluding the complaint and may result in the complaint being withdrawn and/ or the complainant being referred to the Behaviour for Success policy.
19. If the complaint is against the Associate Principal for Teaching, Learning and Quality, the Vice Principal Curriculum and Student Services will review the complaint and carry out actions paragraph 22 (a), (b), (c) and (d).

Stage 1: Informal

20. It is recognised that complaints may be raised at any time and to any member of staff. These complaints should be dealt with immediately by the member of staff to whom the concern has been raised so that the issue does not escalate or impact on others. The College aims to resolve complaints quickly and to reach a satisfactory resolution.

Stage 2: Formal

21. If a complainant feels that a complaint has not been resolved appropriately through the informal stage, they can escalate this to a formal complaint, within 30 days of the outcome of the informal complaint, or if the complaint is of a serious concern, a decision will be made to have the matter investigated formally. The complainant may make a formal complaint in writing, using the complaints form and addressed to QTLA Administrator. Alternative formats and methods of complaints will be accepted such as an e-mail to Quality@educationpartnershipne.ac.uk or via the form on all College's website.
22. The Associate Principal for Teaching, Learning and Quality will:
- (a) Acknowledge receipt of a complaint within three (3) working days where we have a return address.
 - (b) Seek further clarification, if required.
 - (c) Using the EPNE definition of a vexatious or malicious complaint, determine whether the complaint falls within this category and inform the complainant that the complaint will not be investigated.
 - (d) Decide whether the issues raised fall within the scope of the complaints policy and procedure. Refer the complainant to a different policy or procedure where appropriate or allocate an Investigating Officer.
 - (i) If the nature of the complaint is of a serious nature and could constitute gross misconduct by a member of staff, the matter will be referred to the Director of People and Organisational Development for investigation. Examples may include theft, inappropriate behaviour, bullying/harassment, discrimination, bribery, fraud, breach of safeguarding, breach of legislation or procedures etc.
 - (ii) Where a complaint is made anonymously, the College will not be able to fully investigate and therefore, no action will normally be taken. An anonymous complaint may be sent to the relevant manager to investigate and take appropriate action where the complaint highlights a serious risk to the College community or public.
 - (iii) Where a complaint requires an expedited response, the Associate Principal for Teaching, Learning and Quality will adhere to the College's policies and procedures relating to the matter. Examples may include Health & Safety, gross misconduct.

The allocation of an investigation officer will be done within a reasonable timeframe, however, dependent on the nature of the complaint and the initial fact-finding meetings, this can increase the time scale for assigning an investigating officer.

Support

23. The College recognises that for a student making a complaint, the process can be daunting and stressful and thereby makes provision for a student to seek advice and support. Support can be accessed through Student Services or via a Student Progress and Development Tutor/Tutorial Mentor.
24. For a student with Special Educational Needs, they can also seek advice and support from their chosen member of the learning support team.
25. The College is committed to providing impartial advice and support for students wishing to complain. This is provided through the Students' Union who can be contacted at Student.President@educationpartnershipne.ac.uk

26. Where the complaint relates to a staff member, support will be provided for the staff member through People & Development.

Investigation

27. The Associate Principal for Teaching, Learning and Quality will allocate an Investigating Officer under a set of guidelines (please see Appendix 1) and conduct a briefing meeting ensuring clarity and scope of required investigation.
28. The Investigating Officer should list the issues raised by the complainant in a Checklist of Issues noting the action that needs to be taken to investigate each issue, e.g. hold meeting with witnesses to the incident, probe the issue further with the complainant to clarify, discuss with student's tutor, review any relevant documentation. A checklist of issues should be agreed by the complainant.
29. In order to ensure that a thorough investigation of a complaint is made, we expect to be able to collect appropriate information from all the parties involved.
30. Where a complaint is made anonymously, the College will not be able to fully investigate and therefore, no action will normally be taken. An anonymous complaint may be sent to the relevant manager to investigate and take appropriate action where the complaint highlight a serious risk to the College community or public.
31. A complainant may be invited to discuss the complaint or attend a meeting to establish further details regarding the cause of dissatisfaction or explore the solution being sought.
32. If a complainant does not engage with the Investigating Officer, the investigation will cease and the complaint may be found not justified.
33. If a complainant does not adhere to the dignity at work policy the investigation will cease and the complaint may be found not justified
34. At any meetings held as part of the investigation the complainant will have the right to be accompanied by one person (for example a friend, relative or Students' Union representative), who also has the right to speak on behalf of the complainant. However, this person is in addition to the complainant, not a substitute and cannot be a legal representative. The complainant must also be present, unless there is a good reason why this is not possible.
35. The complaint will be investigated and the Investigating Officer will decide on whether the complaint is justified or not justified.
36. The Investigating Officer will send an outcome letter to the complaint within 20 working days. If it is not possible to conclude the investigation within this time frame the College will keep the complainant advised of progress and a revised date for a resolution.
37. The time periods as set out in this procedure are for guidance and may be subject to extension, particularly outside academic terms. Where any such extensions are made, the complainant will be notified in writing.
38. The Investigating Officer will send a copy of their investigation report and outcome letter to the Quality Department for central recording.

Stage 3: Appeal

39. If the complainant feels that the formal complaint has not been dealt with fairly or in compliance with this policy and associated procedure, they have the option to request an appeal.

40. If the complainant wishes to appeal, they should complete an Appeals Form and send to quality@educationpartnershipne.ac.uk stating that they are unhappy with the outcome, outlining the reasons for appeal and what they will consider as an alternative outcome. This should be done within 30 days of the formal written resolution being sent to the complainant.
41. Appeals should not bring further evidence which has not already been included in the original complaint investigation.
42. The Associate Principal for Teaching, Learning and Quality will then review the appeal, including any investigation to date, clarify for any further information and assign to an appropriate Vice Principal to review.
43. Vice Principals will consider:
 - were the relevant procedures followed during the formal stage
 - was the outcome reasonable
 - has the complainant received clear reasons for the outcome

Stage 4: Post Appeal

44. If after exhausting the internal appeals process, the complainant feels that the complaint has not been dealt with fairly or in compliance with this policy and associated procedure they have the option to refer their complaint to:

45. Further Education programmes - Education and Skills Funding Agency (ESFA)

The complainant should send their complaint in writing, by email or post to the Complaints Adjudicator who can be contacted at:

*Complaints Adjudicator
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry, CV1 2WT
complaints.esfa@education.gov.uk*

The ESFA will not investigate complaints relating to exam results, curriculum content, employment issues, contractual disputes, cancellation or reimbursement of fees/loans, matters subject to legal action or allegations of fraud, financial irregularity or whistleblowing.

46. Complaints regarding the Institute of the Motor Industry (IMI) approved qualifications

The complainant should refer the complaint matter to the Institute of the Motor Industry (IMI). The IMI can be contacted at:

[IMI Complaints Form | Institute of The Motor Industry \(theimi.org.uk\)](#)

*Head Office
Institute of the Motor Industry
Fanshaws, Brickendon
Hertford, SG13 8PQ*

47. Higher Education programmes validated by Pearson

When the complaints procedure has been exhausted, the complainant will receive a Completion of Procedures Letter (CoP) from the College within 28 days of the internal procedure being completed.

If they are still not satisfied with the outcome, they may refer the matter to the Office of the Independent Adjudicator (OIA) within 12 months of the date of the CoP letter. The OIA can be contacted at:

*Second Floor
Abbey Gate
57 –75 Kings Road
READING RG1 3AB
www.oiahe.org.uk*

48. Higher Education validated by a University Partner

When the complaints procedure has been exhausted, if the complainant is still not satisfied, they should progress their complaint in accordance with the University's procedure:

University of Cumbria

https://my.cumbria.ac.uk/media/MyCumbria/Documents/Student-Procedures/Student-Complaints-Policy_Procedure-201920.pdf

Newcastle University

<https://www.ncl.ac.uk/students/progress/Regulations/Procedures/complaints.htm>

Sunderland University

<https://my.sunderland.ac.uk/display/SH/Student+Complaints>

When the procedure for dealing with the complaint has been exhausted they will receive a Completion of Procedures Letter (CoP) from the University/College within 28 days of the internal procedure being completed.

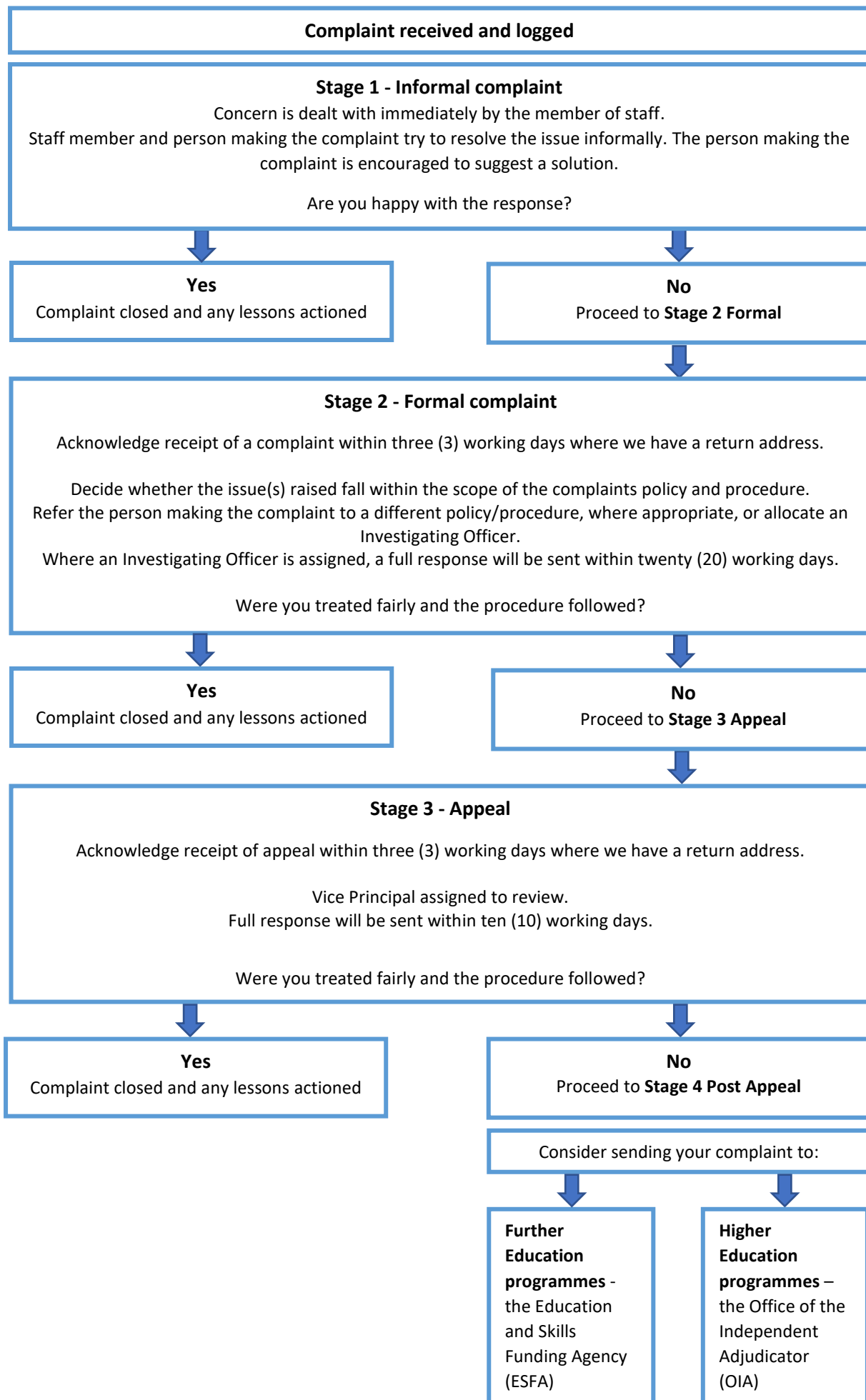
The responsibility for issuing the CoP will be dependent on the nature of the complaint; the University and the College therefore have a duty to liaise and agree whose responsibility it is to issue the CoP.

If the complainant is still not satisfied with the response to their complaint, they may refer it to the Office of the Independent Adjudicator (OIA) as detailed in section 3.3.4.2 of this procedure.

49. Complaints relating to Governance

Any governance complaints and Senior Postholders should be addressed to the Head of Corporate Governance and Policy. Complaints against the Chief Executive, Principal, Chief Operating Officer, Clerk or a governor, will be dealt with by Chairperson of the Corporation. Complaints against the Chair of the Corporation, will be dealt with by the Chair of the Audit Committee.

How are we performing? Complaints Procedure Flow Chart



ROLES/RESPONSIBILITIES

Associate Principal for Teaching, Learning and Quality

50. The Associate Principal for Teaching, Learning and Quality has overarching responsibility for this policy and procedure and is responsible for the implementation of the procedure and collation of information relating to the investigation of complaints, receipt of compliments and suggestions, and reporting to Governors on this.

Investigating Officer

51. An Investigating Officer is a member of the extended leadership team with knowledge of and/or experience in the field relevant to the complaint. An Investigating Officer has overall responsibility for investigating the complaint at Stage 2 Formal and has no responsibility for or prior involvement with the service being complained about.

Quality Department

52. The Quality Department will ensure that the policy and procedure are followed, act as a central point of information for complaints, suggestions and compliments and that complainants are informed of the actions taken to resolve their complaint.

Complainant

53. Complainants will use the policy and procedure to raise complaints, make suggestions or give compliments.
54. Students will adhere to the College Charter throughout the use of this policy and the procedure.
55. Ensure that members of staff have dignity at work and not subject to abuse verbally or written.

ENQUIRIES

56. The Quality Department will act as a central point of information for this policy and procedure and will take enquires from parents/carers, employers and members of the public:

Email: Quality@educationpartnershipne.ac.uk

Sunderland Tel: 0191 511 6000

Northumberland Tel: 01670 841200

57. Students of the College should take enquires regarding this policy and procedure to the Student Union

Email: Student.President@educationpartnershipne.ac.uk

58. Staff of the College should take enquires regarding this policy and procedure to their Line Manager.

REPORTING

Termly Reporting:

59. The Associate Principal for Teaching, Learning and Quality will produce a report encompassing complaints or suggestions and compliments and identifies emerging themes by provision type or business area that will be presented to the local boards and shared with the College's Performance, Quality and Standards Committee.

Annual Reporting:

60. The Associate Principal for Teaching, Learning and Quality will produce a report will produce an annual report of complaints received to include the outcome of investigation, lessons learned

and actions taken. The report will be submitted to the Regional Board of the Corporation and shared with the Leadership and Excellence Group.

61. Publish information in our Annual Report on the number and categories of complaints, and the percentage of those upheld.

RECORDS MANAGEMENT

62. Staff must maintain all records relevant to administering this procedure and associated policy in a recognised college recordkeeping system.
63. Complaint, suggestions and compliments details, outcomes and actions taken are recorded by us and used for service improvement. We record all complaints, suggestions and compliments details that we receive and collate data from them to help us understand what things we do well, what types of problems are most prevalent, and how well we are doing to resolve them.

Data Protection

64. We will handle your information so that it is only processed and retained appropriately and legally, in line with the Data Protection Act 1998, subject to the need to disclose information as required by statutory authorities, and/or as a result of statutory, or legal obligations placed on the College.

Consent to Disclose

65. If the complainant wishes for someone else to raise complaints 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.
66. 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.

Retention Period

67. The Retention Period for information relating to this policy is five (5) years after the complaint has been raised.

DEFINITIONS

Compliment

68. An expression of satisfaction, praise, or recommendation by one or more individuals about the College's action, or about the standard of service provided by or on behalf of the College.

Suggestion

69. Ideas by one or more individuals on how we might do things better.

Complaint

70. An expression of dissatisfaction by one or more individuals about the College's action or lack of action, or about the standard of service provided by or on behalf of the College, whether justified or not.

Anonymous Complaints

71. Anonymous complaints does not allow the College to identify who the complaint is from or contact them.

Complaints made on behalf of another

72. Complaints made by a parent, guardian or an advocate on behalf of a student will only be considered if a signed statement is received from the student confirming their agreement.

Complaints by a third party

73. 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.

Complaints about staff members

74. 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

Collective/group complaints

75. 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 from the College.

Multi-Issue Complaints

76. 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. If appropriate, both will be investigated simultaneously.

Vexatious and Malicious Complaints

77. 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 or the College. In cases where a complaint is considered to be vexatious or malicious, the College reserves the right to terminate investigation of the complaint.

REFERENCES

- How are we Performing? Policy (Complaints, Suggestions & Compliments)
- Complaint Investigation Protocol

EQUALITY IMPACT ASSESSMENT

Have you sought consultation on this procedure? Details:		Senior Leadership team Member of Equality, Diversity & Inclusion Committee		
Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/ Justification
Protected characteristics under the Equality Act 2010				
Age	N			
Disability	N			
Gender Reassignment	N			
Marriage and Civil Partnership	N			
Pregnancy and maternity	N			
Race	N			
Religion or belief	N			
Sex	N			
Sexual Orientation	N			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	N			
Young Carers & Care Givers	N			
Young Parents	N			
Youth Offenders	N			
Those Receiving Free School Meals	N			
If there is no impact, please explain:	<p>The procedure attempts to remove barriers to providing feedback, allowing for Complaints, suggestions, and compliments to be made verbally / support provided by the College to complain in writing. Complainants are encouraged to complete a form in writing, but complaints received in other formats e.g., e-mail, are accepted.</p> <p>Procedure includes provision for impartial support for the complainant. Easy read version of the procedure will be produced for the college website and reception areas.</p>			

☐ **Compliment**

☐ **Suggestion**

Name:	
Student Number (if applicable):	
Contact Number(s):	
Email address:	
Person taking details:	
Details of Compliment or Suggestion:	
Additional Information:	
Actions taken as a result of Compliment / Suggestion:	
Signed:	
Date:	

Complaint

Please complete this form and return to the Quality, Teaching, Learning & Assessment department or via email at: Quality@educationpartnershipne.ac.uk

Name of person making complaint:	Student Name:	Student ID No:
Contact Telephone Number:	Contact Email Address:	Campus Studying at (if applicable):
Stage 1: Informal		
<p>1. Have you talked through the issue with a member of staff? If 'yes', and you are not satisfied with the outcome, then complete this form (if you need support, then please ask a member of staff). If 'no', then please talk through the issue with a member of staff first. We would hope to resolve your issue at this point.</p>		
Stage 2: Formal		
<p>1. What is the reason for the complaint? What is the action or loss of service that has adversely impacted on you?</p>		
<p>2. When did this happen?</p>		
<p>3. Who was involved?</p>		
<p>4. What do you hope the outcome will be?</p>		
Signed:		Date of complaint:

Complaint Appeal Form

Please complete this form and return to the Quality, Teaching, Learning & Assessment department or via email at: Quality@educationpartnershipne.ac.uk

Name of person requesting appeal:	Student Name:	Student ID No:
Contact Telephone Number:	Contact Email Address:	Campus Studying at (if applicable):
Stage 3: Request for Appeal		
<p>Please outline the reasons for the request to appeal, indicating how the formal complaint has not been dealt with fairly or in compliance with the policy and procedure. Please provide any evidence you have to support your appeal.</p> <p>This should be done within 30 days of the formal written resolution being received.</p>		
Please state the name of the Investigating Officer who dealt with the formal complaint:		
If your appeal is successful, please state what you hope the alternative outcome will be?		
Please provide a copy of your formal complaint outcome letter when submitting this form, this will help to speed up the process your request.		
Signed:	Date:	

Appendix 1 Complaint Investigating Officer Guidelines

Wherever possible, the Associate Principal for Teaching, Learning and Quality will not appoint an investigating officer who:

- was directly involved in the delivery of the service complained about;
- was directly involved in the assessment that is the subject of an academic appeal;
- has previously investigated or reached decisions on complaints or appeals from the individual student, or disciplinary or fitness to practise matters involving the student;
- has previously been the subject of a formal complaint from the student;
- has a close personal connection to the student or to other people involved in the complaint or appeal;
- has a personal interest in the outcome of any decision being made.

Stage of Complaints	Investigating Officer	Quality
Stage 1 - Informal Complaints	Curriculum manager for the area QTLA manager for an area Work Based learning manager Appropriate manager within Business support Informal SEND complaints will be investigated by the curriculum manager of the area supported by the Head of SEND	QTLA Administrator will request update to ensure resolution has been reached
Stage 2 – Formal Complaints – Curriculum	Faculty/Curriculum Director, Associate Principal from an area outside of the curriculum where the complaint originates. Support in resolving complaints should be sought from experts within the College: e.g., Director of Finance for fees related complaints, Executive Director for Estates for complaints about facilities, Director of Inclusive learning for complaints involving those with additional learning support.	Associate Principal for Teaching, Learning and Quality will assign the investigating officer QTLA Administrator will update complainant with timescales QTLA Administrator will manage the adherence to the timescales of the policy QTLA Administrator will send the final outcome letter
Stage 2 – Formal Complaints – Business	Business Support Director from an area outside of the business where the complaint originates.	Associate Principal for Teaching, Learning and Quality will ensure investigating officer has the knowledge and experience appropriate to investigation QTLA Administrator will update complainant with timescales

		<p>QTLA Administrator will manage the adherence to the timescales of the policy</p> <p>QTLA Administrator will send the final outcome letter</p>
Stage 2 – Formal Complaint SEND	<p>Director of Inclusive Learning will investigate any complaint from a Learner with SEND.</p> <p>Complaints which include the Director of Inclusive Learning will be investigated by Associate Principal for Teaching, Learning and Quality.</p>	<p>QTLA Administrator will update complainant with timescales</p> <p>QTLA Administrator will manage the adherence to the timescales of the policy</p> <p>QTLA Administrator will send the final outcome letter</p>
Stage 3 – Appeal	<p>Curriculum – Investigated by Vice Principal (from another area)</p> <p>Apprenticeship and Subcontracting – Investigated by Vice Principal for Partnerships and Commercial</p> <p>SEND Appeals – Investigated by Vice Principal SEND Curriculum</p> <p>Business Support Appeals – Investigated by Vice Principal Curriculum and Student Services, Vice Principal People & Resources, or Chief Operating Officer</p>	<p>Associate Principal for Teaching, Learning and Quality will appoint appropriate business support appeal investigator based on nature/ area of complaint</p> <p>QTLA Administrator will update complainant with timescales</p> <p>QTLA Administrator will manage the adherence to the timescales of the policy</p> <p>QTLA Administrator will send the final outcome letter</p>