

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

Review

Formal Review Cycle	Biennially		
Latest Formal Review (date)	May 2023	Next Formal Review Due (date)	May 2025
Policy Owner	Associate Principal for Teaching, Learning and Quality		
Policy Author	Associate Principal for Teaching, Learning and Quality		

Approvals

Board of Corp Y/N	Y	Committee	CQSE	Date Board approved	09/05/23
SLT Y/N	Y	SLT date approved	21/03/23	Additional committee	

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,	Policy rewrite	VP SS&R	ELT
V2	01/02/2023	Policy reviewed and updated against the Office of the Independent Adjudicator which was revised December 2022.	AP TL&Q	ELT

		<p>General updates to owner of policy and job titles/roles.</p> <p>Policy Updates / inclusions</p> <p>2.2 definition of complaint to reflect OIA Good Practice Framework definition.</p> <p>2.6 updated list of what the policy does not cover.</p> <p>3.1 update to underlying principles.</p>		
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How are we performing? (Complaints, Suggestions & Compliments Policy)

1. Policy Statement

- 1.1.** This policy is a policy 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.
- 1.2.** Students, apprentices, and residential students will be referred to as “students” throughout this document.
- 1.3.** 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.
- 1.4.** The College recognises that the quality of service is an important measure of our effectiveness. Learning from complaints, suggestions and compliments is a powerful way of helping continuous improvement and enables us to better deliver to our values and strategic goals.
- 1.5.** 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
- 1.6.** When we get things wrong, we will act to:
 - accept responsibility and apologise
 - explain what went wrong and why
 - put things right by making any changes required
 - learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

2. Scope

- 2.1. This policy applies to all services the College provides and is available to students, parents/carers, employers, and members of public.
- 2.2. The College defines a **complaint** as: "An expression of dissatisfaction by one or more individuals about something the College has done or not done, or about the standard or service provided by or on behalf of the College."
- 2.3. The College defines a **compliment** as: "An expression of satisfaction or praise by one or more individuals about the College's action, or about the standard of service provided by or on behalf of the College".
- 2.4. The College defines a **suggestion** as: "Recommendations or ideas by one or more individuals on how we might do things better".
- 2.5. This policy **covers** complaints, compliments and suggestions about:
 - the standard of service you should expect from us
 - the behaviour of our staff in delivering that service
 - any action, or lack of action, by our staff or others engaged on College business
- 2.6. The College does not normally accept Anonymous Complaints due to the College not being able to fully investigate, however, there may be circumstances where the College deems it appropriate to investigate due to the nature of the complaint.
- 2.7. This policy **does not** cover:
 - complaints concerned with academic assessment decision, for which there is a separate Academic Appeals Policy and Procedure
 - complaints raised by students about their outcome following the Behaviour for Success policy including any appeal
 - complaints raised by students about their outcome following the Fitness to Study and/or Fitness to Practice policy including any appeal
 - matters related to the Student Loans Company. Please refer to the Student Loans Company complaints procedure
 - comments about our policies or policy decisions
 - matters that have already been fully investigated through this complaints procedure
 - whistleblowing
 - staff grievance
 - safeguarding

3. Underpinning Principles

- 3.1. We will:
 - 3.1.1. receive suggestions, compliments and informal complaints (made within three (3) months of the matter that prompted the complaint), verbally, in writing, or alternatively if required by virtue of reasonable adjustments
 - 3.1.2. receive formal complaints made within three (3) months of the matter that prompted the complaint in writing, or alternatively if required by virtue of reasonable adjustments
 - 3.1.3. provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding
 - 3.1.4. review the validity of evidence provided by the complainant
 - 3.1.5. treat all complaints seriously and confidentially

- 3.1.6. treat you with courtesy, respect, and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect, and fairness
 - 3.1.7. not penalise individuals who raise a complaint whether upheld or not upheld unless the complaint is determined to be vexatious or malicious (see 4.7 for definition)
 - 3.1.8. respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
 - 3.1.9. make the procedure easily accessible and publicised
 - 3.1.10. make the procedure simple to use and understand
 - 3.1.11. acknowledge receipt of a written complaint within three (3) working days where we have a return address
 - 3.1.12. carry out a full and impartial investigation, where appropriate
 - 3.1.13. address all points of issue, providing an effective response and appropriate redress, where necessary
 - 3.1.14. reply in full within 20 working days. In a few cases we will not be able to send a full reply within 20 working days of receipt, for example if your complaint is very complex. If this happens, we will tell you the reason why and let you know when we will be able to reply in full, keeping you fully informed of progress
 - 3.1.15. publish information in our Annual Report on the number and categories of complaints, and the percentage of those upheld
- 3.2.** The College values diversity and inclusion and is committed to promoting equal opportunities and eliminating discrimination. Therefore, staff will apply and administer this policy fairly and consistently to ensure that there is no discrimination on the grounds of age, disability, gender reassignment, marital and civil partnership status, pregnancy and maternity, race, religion or belief, sex, sexual orientation, young persons in care and care leavers, young carers and care givers, young parents, youth offenders, and those receiving free school meals.
- 3.3.** We will consider any request for this policy to be made available in an alternative format or language.

4. Key Terms

4.1. Anonymous Complaints

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

4.2. Complaints made on behalf of another

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.

4.3. Complaints by a third party

Complaints made by a third party (e.g., member of the community or customer) will be accepted under this policy.

4.4. 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 may be suspended until the disciplinary matter has been concluded.

4.5. 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 from the College.

4.6. Multi-Issue Complaints

If a complaint identifies a number of issues which fall within the remit of other procedures, for example, an academic appeal, 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.

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

5. Responsibilities

5.1. Governors

The Governors will approve the policy and procedure for the College and review “how we are performing” outcomes including remedial actions. 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.

5.2. Senior Leadership Team

Senior Leadership team will review reports on “how we are performing”, make changes to address consistent poor performance and will act as investigating officers for complaints involving Directors and Senior Leadership Team (except senior post holders).

5.3. Associate Principal for Teaching, Learning and Quality

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.

5.4. Leadership Team

The Leadership team will act as College representatives and ensure timely action for complaints at the informal stage, will review suggestions and celebrate compliments. They will act as independent investigators for complaints at formal outside of their areas of accountability.

5.5. Investigating Officer

An Investigating Officer is an appropriate manager 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 and has no responsibility for or prior involvement with the service being complained about.

5.6. Quality Department

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.

5.7. Student Progress & Development Tutors

Student Progress & Development Tutors/Tutorial Mentors will make students aware how to make a complaint, suggestion or compliment as part of the Induction to their studies. They will act as an advocate for students who need support with any aspect of the process.

5.8. Students' Union

The Students' Union will represent the interests of students and support students of the College with making complaints, suggestions or compliments.

5.9. Complainant

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

6. Implementation

6.1. The Procedure

6.1.1. The College's has a four (4) stage complaints procedure:

- 6.1.1.1. Stage 1: Informal Stage: We encourage all complaints to be resolved at the informal stage.
- 6.1.1.2. Stage 2: Formal Stage: If the complaint is not resolved at the informal stage, or is of a serious nature, it can be escalated to the formal stage.
- 6.1.1.3. Stage 3: Appeal: 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.
- 6.1.1.4. Stage 4: Post Appeal: 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:
 - 6.1.1.4.1. Further Education programmes - the Education and Skills Funding Agency (ESFA)
 - 6.1.1.4.2. Higher Education programmes – the awarding organisation (e.g. Pearson or University) or the Office of the Independent Adjudicator (OIA)

6.2. Redress

6.2.1. The action the College takes to put matters right (i.e., redress) in response to a service complaint can include any combination of the remedies set out in the list below. The College will take all steps possible to follow the general principle that a complainant should, so far as possible, should be put in the position they would have been in, had things not gone wrong.

6.2.2. The remedy applied needs to be proportionate and appropriate to the failure in service and take into account what redress is sought by the complainant. An apology is generally the most appropriate action, but other action may also be necessary in some circumstances.

6.2.3. List of potential remedies:

- A full apology, explaining what happened and/or what went wrong (an apology is not an acceptance of liability under Section 2 of the Compensation Act 2006)
- Remedial action, which may include reviewing or changing a decision on the service given to a complainant
- Provide the service required in the first instance (immediately, if appropriate)
- Putting things right (for example a change of procedure to prevent future difficulties of a similar kind, either for the complainant or others)
- Training or supervising staff; or a combination of both

6.3. Support

- 6.3.1. 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 or Programme Leader.
- 6.3.2. For a student with Special Educational Needs, they can also seek advice and support from their chosen member of the learning support.
- 6.3.3. 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 or via Student Services.
- 6.3.4. Where the complaint relates to a staff member, support for the staff member will be provided through People & Development.

6.4. Confidentiality

- 6.4.1. Where possible, confidentiality will be observed throughout the operation of this policy. Where a complaint, suggestion or compliment relates to specific individuals, the College will share such details with them. The College will only disclose information to those who need to investigate the complaint, or to respond to any issues raised.

6.5. Records management

- 6.5.1. Staff must maintain all records relevant to administering this procedure and associated policy in a recognised college record keeping system.
- 6.5.2. Complaint, compliment and suggestion details, outcomes and actions taken are recorded by us and used for service improvement. We record all complaints, compliments and suggestion 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.

6.6. Data Protection

- 6.6.1. 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.
- 6.6.2. Consent 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.
- 6.6.3. 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.
- 6.6.4. The Retention Period for information relating to this policy is five (5) years after the complaint has been raised.

7. Associated Documents

- How are we performing? - (Complaints, Compliments & Suggestions Procedure)
- Academic Appeals Policy and Procedure
- Child Protection & Safeguarding Policy
- Data/GDPR Policy & Procedures
- Equality, Diversity and Inclusion Policy
- Exams Policy

- Fees Policy
- Health & Safety Policy
- Positive Behaviour (Student Disciplinary) Policy
- Residential Handbook
- Special Education Needs and/or Disability (SEND) Policy
- Staff Capability Policy & Procedure
- Staff Disciplinary Policy & Procedure
- Student Handbook
- Whistleblowing Policy

8. Policy Monitoring and Review

8.1. Termly Monitoring:

8.1.1. 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 Curriculum Quality and Student Experience Committee and shared with the College's Performance, Quality and Standards Committee.

8.2. Annual Monitoring:

8.2.1. The Associate Principal for Teaching, Learning and Quality 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.

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

8.3. Review of Policy

8.3.1. This policy will be reviewed biennially by the Regional Board of the Corporation.

9. Equality Impact Assessment

Have you sought consultation on this policy?		Senior Leadership team Member of Equality, Diversity & Inclusion Committee		
Details:				
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 policy 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>Policy includes provision for impartial support for the complainant.</p> <p>Easy read version of the policy will be produced for the college website and reception areas.</p>			