



# **Complaints Policy 2019-2021**

Responsible Officer: Principal  
Date: September 2019  
Review Date: September 2021  
Approval: Corporation  
Available: Website/Cloud/Intranet

## **1.0 Executive Summary**

Buckinghamshire College Group values the views of all its customers and aims to manage complaints in a way that is sensitive to the needs of both individuals and groups. This policy sets out how the College will provide a courteous, professional and efficient service to students, customers and other individuals and organisations with whom it works including those occasions when something goes wrong.

It is anticipated that most complaints will be dealt with through informal channels but if a customer feels that it is necessary to pursue a complaint formally, they can be assured that it will be treated seriously and that the College will deal with any complaint promptly and fairly.

The policy will be published on the College website, the Cloud (Student intranet), and the Intranet. Information leaflets outlining how to make a complaint will be published on the Cloud and the College website. Copies will be available at College receptions and Student Services.

## **2.0 Context**

### **2.1 Informal Complaints**

An informal complaint is a concern or issue, which a customer wants to raise with the College or member of staff without resorting to the formal complaints process. The issue is usually quick and straightforward to resolve and is unlikely to require in-depth investigation.

### **2.2 Formal Complaints**

A formal complaint is defined as an expression of dissatisfaction about the standards of service received from the College, or about an action or lack of action taken by the College or its staff

### **2.3 Complaints in General**

The College aims to balance the rights of the complainant with the rights of any person about whom a complaint is made, treating all parties with fairness and dignity. A complainant should not suffer any reprisals for making a complaint in good faith and any evidence of recrimination should be brought to the immediate attention of the Principal's Office. If, however, a complaint from a student that is not upheld is found to have been made maliciously, the student may be subject to disciplinary procedures.

### **2.4 Timescales for Making a Complaint**

Complaints should be raised as soon as possible and within 3 months following the original event, action or issue causing dissatisfaction. Complaints from students no longer attending the College must be made within 3 months of their course completion date.

## **2.5 Expectations**

The College will:

- Acknowledge receipt of the complaint, provide information on the investigating officer, expected timescales and a copy of this policy within 2 working days of receipt
- Listen and deal with the complaint reasonably, sensitively and respond within a stated period of time
- Take follow up action where appropriate
- Welcome issues being brought to its attention to prevent a possible recurrence of the problem
- Provide feedback to complainants

The complainant will be expected to:

- Explain the problem clearly and fully, including any action taken to date
- Allow the College reasonable time to deal with the matter
- Recognise that some circumstances may be beyond the College's control

### **3.0 The Policy**

#### **3.1 Informal Complaints**

- 3.1.1** In the first instance, individuals wishing to raise a concern should discuss the problem with the staff member directly involved, or the person with responsibility for the area where the issue has occurred, at a mutually convenient time, and appropriate action agreed
- 3.1.2** Complaints relating to teaching, learning or course delivery will normally be dealt with by the Lecturer or Curriculum Manager
- 3.1.3** In other matters, the manager of the service area involved will normally handle the complaint
- 3.1.4** Verbal complaints to Reception, staff in public areas and requests to meet the Principal will be referred to the Duty Manager
- 3.1.5** A response should be made within a maximum of 5 working days but preferably within a timescale to ensure the matter is resolved as quickly as possible
- 3.1.6** The person receiving the complaint should obtain contact details of the person making the complaint, make notes on its nature, how it was dealt with and the outcome. This should be forwarded with all associated paperwork, letters and emails to the Principal's Office who will enter the details onto the complaints log and retain information and records securely and confidentially

#### **3.2 Formal Complaints**

- 3.2.1** Formal complaints may be made if the complainant feels that an informal complaint has not been satisfactorily dealt with, if the issue is of a serious nature or if the complainant wishes to progress straight to the formal complaint stage
- 3.2.2** Formal complaints may be made verbally (face to face or telephone conversation), in writing by letter or email to **complaints@buckscollegigroup.ac.uk**. Complaints in writing may be handed to any member of College staff
- 3.2.3** Formal complaints received by members of staff should be forwarded promptly to the Principal's Office for attention and further investigation
- 3.2.4** An acknowledgement will be made within 2 working days of the complaint being received to the Principal's Office with, where possible the details of the investigating officer, a clear indication of when the complainant can expect to hear from the College again, and a copy of this Complaints Policy
- 3.2.5** The nominated investigating officer will investigate the matter with relevant members of staff and students, or through a nominated person
- 3.2.6** A response will be made in writing within 10 working days from the acknowledgement of the complaint being given. If the matter is particularly serious or complicated it may

take longer to resolve the issue, but information on progress will be provided to the complainant

- 3.2.7** The investigating officer will forward the details of the complaint with any associated paperwork within 2 working days to the Principal's Office who will enter the details onto the complaints log and retain information and records securely and confidentially

### **3.3 Appeals**

- 3.3.1** If the complainant remains dissatisfied following the outcome of the investigation, they may appeal against the decision by contacting the Principal's Office in writing by letter or email within 10 working days. Receipt of the appeal will be acknowledged within 2 working days of receiving it.
- 3.3.2** The complaint appeal will be investigated by a nominated member of the Executive Team independent of the original complaint. The outcome of the appeal will be confirmed to the complainant in writing within 10 working days from the acknowledgement of the appeal being given
- 3.3.3** If the complainant believes that the College did not handle their complaint in accordance with the published College policy or acted unreasonably in the exercise of their duty, the complainant may make a final appeal in writing to the Principal within 10 working days
- 3.3.4** Receipt of the appeal will be acknowledged within 2 working days, with the outcome confirmed to the complainant in writing within 10 working days from the acknowledgement of the appeal being given. This concludes the Buckinghamshire's College Group Complaints Policy and Process

### **3.4 College Accountability**

- 3.4.1** All College staff have a responsibility for receiving complaints, treating them seriously and dealing with them as set out in this policy
- 3.4.2** All staff have a responsibility to ensure information relating to complaints is treated in the strictest confidence
- 3.4.3** The Principal's Office is responsible for managing the Complaints process and system
- 3.4.4** The nominated lead manager Investigating Officer is the owner of the complaint until the response and outcome is communicated in writing to the complainant.
- 3.4.5** For appeals, the nominated member of Executive is the owner of the complaint until the response and outcome of the appeal is communicated in writing to the complainant
- 3.4.6** All staff have a responsibility for the resolving of complaints and contributing to an investigation into a complaint when this is considered appropriate
- 3.4.7** The College Principal is responsible for the final appeal decision
- 3.4.8** The Corporation Board is responsible for ensuring that the Complaints Policy operates effectively and may become directly involved if the complaint is against the Principal, The Clerk to the Corporation, Senior Post Holders or member/s of the governing body

### **3.5 Complaints against the Principal, Corporation Board, Governors or the Clerk to Corporation**

**3.5.1** Complaints against the Principal should be addressed to the Clerk to the Corporation

**3.5.2** For complaints against the Corporation Board, a member of the Board or the Clerk to the Corporation, refer to the Complaints against the Corporation Board policy, which is published on the governance section of the website

### **3.6 Confidentiality**

If the complainant wishes specific information within a complaint be kept confidential, this should be made clear to the person to whom the complaint is addressed. Complainants should understand that in some circumstances, it might be difficult for requests for confidentiality to be respected, for example, where the complaint relates to a possible criminal offence or potential gross misconduct. In addition, in some circumstances a request for confidentiality might make it difficult for the College to investigate or resolve a complaint.

### **3.7 Anonymous Complaints**

The College will not normally investigate anonymous complaints

### **3.8 Special Arrangements not in Scope of this Policy**

#### **3.8.1 Safeguarding Children and Vulnerable Adults**

Complaints about safeguarding matters (child protection) and safeguarding (adults at risk of harm) are handled under our Safeguarding Policies and Procedures and in accordance with relevant statutory guidance. They are not dealt with under this general complaints policy and procedures. Please find details of the College's Safeguarding Officers on our website who will be able to advise you.

#### **3.8.2 Statutory Assessment of Special Education Needs**

Concerns about statutory assessments of School Educational Needs should be raised with Bucks County Council Local Authority

#### **3.8.3 Staff Conduct**

Complaints about staff will be dealt with under the College's internal Disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a member of staff as a result of a complaint. However, the complainant will be notified that the matter is being addressed

#### **3.8.4 Student Disciplinary Intervention**

This policy does not cover complaints and appeals relating to student disciplinary, which are handled through the Student Disciplinary Policy and Procedures

#### **3.8.5 Services by Other Providers who may use College Premises or Facilities**

Complaints about services by other providers who may use the College premises or facilities will have their own procedures to deal with complaints about their service. Please contact them directly

#### **3.8.6 Appeals against Assessment Decisions or Academic Misconduct (Plagiarism)**

This policy does not cover appeals against assessment decisions or Academic Misconduct. The Student Appeals Procedure and the Academic Misconduct Policy, which can be found on the student intranet, handle these

#### **3.8.7 Fitness to Study Policy**

Fitness to Study matters are dealt with through the Fitness to Study Policy

### **3.8.8 Public Body Investigation**

The College is normally unable to investigate complaints that are subject to other Public Body Investigation, for example the police, local authority, safeguarding teams, Tribunals until those public bodies have completed their investigations. The College will seek advice from the relevant body

### **3.8.9 Staff Grievances**

Complaints from staff are deal with under the College's internal grievance procedures

### **3.9 Aggressive or Abusive Complaints or Behaviour**

Complainants should be aware that our staff have the right to work in a pleasant and safe environment. The College will not tolerate aggressive, abusive, violent behaviour, bad language, racist, sexist or any discriminatory comments and reserve the right to close matters if this should occur

### **3.10 Vexatious Complaints**

There will be occasions when, despite all stages of the procedures have been followed the complainant remains dissatisfied. If the complainant tries to re-open the same issue, the relevant member of the Executive will inform them in writing that the procedure has been exhausted and the matter is now closed.

If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the College to respond.

### **3.11 Equality Statement**

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and to complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations

### **3.12 Taking a Complaint Further**

**3.12.1** If a complainant remains dissatisfied with the College's response following the appeals process, they may refer their complaint to external agency/ies. This does not apply where a complaint is the subject of legal proceedings or relates to the quality of service provided by external organisations such as an examination board. Only after all College procedures have been exhausted should the complaint be referred by the complainant to the Funding Body or relevant Government Agency

**3.12.2** If a complaint against the College remains unresolved, the complainant may refer the complaint to the Education and Skills Funding Agency. The College is able to provide further information about this process. Complaints should be sent in writing to the ESFA, Complaints Team, Cheylesmore House, Quinton Road, Coventry, CV1 2WT or by email to [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

**3.12.3** For higher education, if a complainant remains dissatisfied after the College or relevant University procedures have been exhausted, the complainant can make a formal complaint to the Office of the Independent Adjudicator for Higher Education (OIAHE). For more information go to <http://www.oiahe.org.uk>

### **3.13 Written Records and Confidentiality**

The College will keep confidential, accurate written records securely for three years, of all complaints, the action taken and at what stage they were resolved. Recording and storing is within compliance of GDPR regulations.

### 3.14 Monitoring and Reporting

The Principal and Executive review the record of complaints and outcomes regularly so that any patterns can be identified and appropriate interventions made. The Corporation Board reviews an annual anonymised report.

#### Equality Impact Statement

We have a duty to consider the impact of changes on groups with Protected Characteristics (race, disability, age, sexual orientation, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership)

What are the overall aims of the change? Why are you proposing it?	The aim of this policy is to provide a framework to ensure that the policy has the procedures and guidelines in place to support all stakeholders
Given the aims of your proposal, what issues does your data/information highlight?	Everybody is included within this policy, and all groups are given equability in regards to their needs and provisions
How could the proposed change affect positively/negatively on groups with protected characteristics?	This has a positive impact on all groups with protected characteristics, as they are ensured equal treatment and provision based on their needs. Risk assessments may be carried out to ensure that this is the case and provisions maybe altered to accommodate specific needs
What actions will you take to mitigate any negative impact?	No negative impact to having this policy
Is there any potential negative impact justified in light of wider benefits of the proposal	No negative impact to having this policy
Recording final decision	This policy requires Corporation Board approval
Has the policy taken into consideration the requirements of GDPR regulations? Are there any actions that need addressing, eg; data sharing agreement; has data consent been considered; data retention timescales?	GDPR regulations have been considered and actions comply with data protection requirements.