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Summary available:	NO		

Complaints Policy and Procedure 2019/20 – 2021/22

(For Students and Members of the Public)

**This document can be made available in other formats,
on request**

Complaints Policy and Procedure

1 Introduction

- 1.1 Newbury College is committed to providing a high quality service for all its students, clients and the community. Its policy is to welcome and to try to satisfy complaints and observations from all who use the College and to use the information to improve the services it offers.
- 1.2 The College will deal with legitimate complaints in a fair, prompt and objective manner. Complaints will be handled without recrimination and students and members of the public will not be disadvantaged by raising a complaint. Anonymous complaints will not be accepted. All information will be kept in strict confidence and shared only on a need-to-know basis. College staff are expected to respond positively to complaints and to alert students or members of the public to the Complaints Procedure.
- 1.3 The College will be fair in its treatment of all those who complain irrespective of all protected characteristics (See Single Equality Duty Policy).
- 1.4 Higher Education Students who are enrolled with a University or partner organisation but who study at Newbury College are able to follow the complaints procedure of that organisation/ University if stage 1: of this policy is unsuitable or unable to resolve the issue.
- 1.5 Complaints will be dealt with promptly and constructively. The outcomes of any complaint will be shared with the complainant and any College staff involved. Complaints made which, on investigation, turn out to be malicious, may result in disciplinary or other further action.
- 1.6 If the complaint is about a course or a service offered by the College, the manager of the area concerned will be the complaints officer deliberating on the complaint unless the complaint is about that manager. The Vice Principal Students and Curriculum will deal with all appeals against the outcomes of complaints unless that complaint involves the Vice Principal Students and Curriculum in which case the appeal will be heard by another senior manager.
- 1.7 The Vice Principal Students and Curriculum has overall responsibility for the Complaints Procedure and may nominate another person to investigate a complaint if there is a conflict of interest between being the manager of an area and being the complaints officer investigating the complaint as outlined in 1.5 above.
- 1.8 If the complaint is against the Principal or a member of the SMT, then the Complaints Officer will be either the Principal if not the subject of the complaint or the Chair of the Audit Committee, the Safeguarding

Governor, Governor overseeing E&D or Staff Governor of the Corporation.

2 Scope of Complaints Procedure

- 2.1 The Procedure deals with complaints arising from:
- The quality of the provision of academic services or training including teaching, course content, tutoring and student support
 - Incorrect or misleading information about services provided by the College
 - The quality of support services provided by the College including administration of fees and grants, enrolment and examination registration
 - Unacceptable behaviour by College staff
- 2.2 Separate procedures exist for:
- Public interest disclosure (Whistleblowing)
 - Student discipline
 - Academic assessment appeals
- 2.3 Any incidents that may be related to radicalisation must be reported to the Safeguarding Team and the Principal or Vice Principal Students and Curriculum even if, subsequently, it is identified as a false alarm.

3 How to complain

- 3.1 The Student Charter in the student handbook prompts guidance from Course Leaders as to how comments and complaints may be made and how to obtain impartial advice. All students will receive a copy of the Charter at Induction and are able to access this on the VLE.
- 3.2 The Staff Guidelines refers to policies and procedures and new staff are informed of this Complaints Procedure during their induction programme.
- 3.3 The Complaints Procedure and Complaint forms are available from Reception, Information Services, the LRC and IT Centres. It is available in other forms on request from Information Services. The Complaints Procedure and Complaint form is accessible through the external web site and through the VLE..
- 3.4 If a complainant writes directly to the Principal or the Vice Principal Students and Curriculum, (either directly or via their PA) the complaint will be forwarded to the Complaints Officer, as per section 5 of this document. The Principal and Vice Principal Students and Curriculum cannot be involved at this stage with the investigation of the complaint. An acknowledgement will be sent to the complainant.

NB Very serious complaints, for example those that involve the Police, will be responded to in writing by the Student Services Manager, Vice Principal Students and Curriculum or the Principal as appropriate.

4 Support for those involved in a complaint

Support, if required, is available for all those involved in a complaint:

- Representation: parent, guardian, friend, employer, supporter, Student Services.
- Help with completing the Complaint Form: Student Services Manager
- Guidance in understanding the procedure: Student Services Manager
- Support during the procedure: College Wellbeing Officer, Student Services Team.

If any further help is needed, Information Services should be contacted.

5 Complaint Procedure

Stage 1: Informal resolution of complaints

- 5.1 Most complaints should be able to be resolved immediately with discussion between the complainant and the appropriate member of staff. The complaint must be made orally or in writing and the manager receiving the complaint should make a response within 10 working days, orally or in writing. It is expected that staff are tactful and courteous in dealing with a complaint. If the complainant is dissatisfied with the response received, they should then be guided to using the formal procedure.
- 5.2 If a complaint is raised with the expectation of a refund or partial refund, the student or member of the public must make that clear at the time of raising the complaint. The student or member of the public will then be notified of the College's Refunds Policy.

Stage 2: Formal procedure

- 5.3 If Stage 1 is unable to resolve the complaint informally, a formal complaint should be made in writing within 5 working days of the feedback.. In exceptional circumstances, a longer period will be considered. The formal complaint should be sent to the PA of the Principal and the Vice Principal Students and Curriculum as in 3.4 above and will be logged. The formal complaint will be acknowledged in writing to the complainant within 5 working days.
- 5.4 The Complaints Officer or delegated independent investigator will acknowledge the complaint and carry out an assessment of the complaint within 5 working days. More serious or unusual complaints that may represent a conflict of interest, will be investigated by an alternative Complaints Officer appointed by the College and the complainant will be notified of any additional time required in this situation.
- 5.5 The Complaints Officer will carry out an investigation of the complaint and may interview the complainant; the respondent; witnesses to the matter or events and anyone they believe may have a role in establishing or disproving the complaint, as necessary. They will prepare a summary report within 10 working days of the assessment.

- 5.6 The Complaints Officer will record the outcome of the complaint in the Register of Complaints and either arrange a meeting to deliver the outcome or notify all those involved in writing as appropriate. All outcomes will be confirmed in writing to all those involved.
- 5.7 If the complaint involves a student, they will be offered the support of a relevant member of staff as set out in 4 above. All students will be encouraged to bring a supporter to the interview. Vulnerable Adults and those under 16 years of age must have the support of their care worker, or a person of their choice, who can act as their advocate and the Principal must be informed.
- 5.8 If the complaint involves the Principal, the investigator (who will be the Chair of the Audit Committee or equivalent, (see section 1.7) will report the outcome of their investigation to the Chair of the Corporation.
- 5.9 A formal complaint should be resolved within 20 working days of the receipt of the original formal complaint. If it appears that a decision will not be reached within the due period, those involved will be advised of the need for a longer period.

N.B. The Principal of the College has the right to assign different post holders to those stated above to ensure that the complainant gets a fair consideration of their complaint.

6 Stage 3: The Appeals Procedure

- 6.1 Either the complainant or the respondent may appeal in writing, stating detailed reasons for their appeal to the Vice Principal Students and Curriculum within 5 working days of receiving written confirmation of the outcome of the formal complaint. The appeal will be acknowledged within 5 working days and the Vice Principal Students and Curriculum or designated senior manager will review and notify the final decision in writing to all those involved within 20 working days of receiving the appeal.

Stage 4: Conduct of Appeal

- 6.2 If the complainant is not happy with the conduct of the appeal, the complaint can be taken further to the Principal of the College, who will investigate the conduct of the investigation. This would be to review the performance of the procedure and not the appeal decision.
- 6.3 If the College does not resolve the appeal to the complainant's satisfaction, then they should contact:

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

Students on CMI courses who remain dissatisfied with the internal outcome of their complaint will be referred to the CMI Complaints procedure.

Higher Education students will be issued with a Completion of Procedures (COP) letter that will inform them of their entitlement to complain to the Office of the Independent Adjudicator and will inform them of the deadline 12 months from the date of the decision by which any complaint must be submitted.

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Newbury College is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your complaint. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>.

You normally need to have completed the Complaints Procedure before you complain to the OIA. Newbury College] will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your complaint is not upheld we will issue you with a Completion of Procedures Letter automatically. If your complaint is upheld or partly upheld you can ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

7 Monitoring the Procedure

- 7.1 It is essential that complaints are resolved promptly. The Teaching and Quality Manager will check the Register of Complaints every two weeks to identify outstanding complaints and ensure that the procedure follows the set time limits.
- 7.2 The Teaching and Quality Manager will present a schedule of complaints received and outcomes to the Senior Management Team on a termly basis. The Vice Principal Students and Curriculum or the Teaching and Quality Manager will produce an annual report for the Corporation, based on the Register of Complaints analysis, covering the following items:
- Number of complaints of each type
 - Time taken to process complaints
 - List of outstanding complaints
 - Outcomes to complaints
 - Appeals made and results of appeals
 - Analysis of complaints and outcomes by certain protected characteristics.

7.3 The Vice Principal Students and Curriculum will hold a record of all complaints for 3 years for audit purposes.

8 Complaint Procedure – Summary Table

Complaint stages	Resolved	Not resolved
<p>Stage 1: Informal resolution An informal discussion between the complainant and the appropriate member of staff takes place</p>	<p>Feedback to complainant Within 10 days</p>	<p>If the complainant is dissatisfied with the response received, s/he should then be guided to Stage 2</p>
<p>Stage 2: Formal procedure A Complaint as set out in 1 above) is assigned to investigate the complaint</p>	<p>Feedback to complainant Within 15-20 days</p>	<p>If the complainant is dissatisfied with the response received, s/he should then be guided to Stage 3 of the procedure</p>
<p>Stage 3: Appeal procedure The Vice Principal Students and Curriculum or a designated Appeals Officer is assigned to investigate the complaint.</p>	<p>Feedback to complainant <i>N.B. The outcome of the appeal is final.</i></p>	<p>If the complainant is dissatisfied with the response received, s/he should take the matter to external agencies (see 6.3)</p>
<p>Stage 4: Conduct of the Appeal If the complainant is not happy with the conduct of the appeal, the complaint can be taken further to the Principal of the College</p>	<p>The Principal will investigate the conduct of the appeal and not the appeal decision. If the Principal finds there process was not followed as per the College procedure, then a new complaints officer will be assigned and stage 2 will be re-started.</p>	

N.B. In the case of appeals, the Principal of the College has the right to assign different post holders to those stated above to ensure that the complainant gets a fair consideration of their complaint.

Date: February 2012

Reviewed: February 2014 (minor amendments only), July 16 (minor update), March 17, Nov 17 (minor amendment). Reviewed December 2019

Next Review: September 2023

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