

COMMENTS, COMPLIMENTS AND COMPLAINTS PROCEDURE

Agreed: P&Q June 2016

To be reviewed: P&Q March 2017

It is intended that this procedure is 'fair to all'. Where any part could potentially lead to unequal outcomes, the policy then justifies why this is a proportionate means of achieving a legitimate aim.

1. Scope and Purpose

At Wiltshire College we welcome the receipt of comments, both positive and constructively critical. It is really important for us to know when we get things right and when there is a need for improvement.

All courses and services at Wiltshire College are reviewed regularly and your comments will help us to prepare and, when necessary, redesign or change the provision that we offer.

We want to hear from you if you feel we have done something well or, alternatively, if you think we have not.

It is our commitment to listen and to respond to the views of all users of the College and its services.

This procedure is designed to provide guidance to any student, visitor or other parties such as parents or employers who are dissatisfied with any aspect of the College, or have positive suggestions/comments. For higher education offered in partnership with Universities it is normal that this (the College process) is followed before invoking University procedures.

In dealing with complaints our aim is to respond quickly and positively and to reach a fair and satisfactory outcome for all concerned. We also aim to keep you informed of our progress in dealing with complaints and the personnel involved.

Where a complaint is fully or partially upheld, the College will take positive action to put things right and make every effort to prevent the same thing from happening again. If a complaint is not upheld, the complainant will be advised accordingly.

2. Accountability

Everyone has a responsibility to give full and active support for this procedure by ensuring that the procedure is known, understood and implemented across all areas of delivery.

2.1 Quality Manager

The Quality Manager is responsible for monitoring complaints and compliments and to look for trends and patterns. Regular reports will be presented to the Senior Management Team on the nature of the comments, complaints and compliments received and the manner and speed with which they have been resolved. The Quality Manager is also responsible for providing Staff Training and support.

2.2 Students

Responsibility is a two way process and if you are a student and you are making a complaint about your course or about the College, you also have responsibilities. We will expect you to have complied with the College Code of Conduct relating in particular to Attendance, Behaviour and Commitment (meeting deadlines etc.)

3. Complaints Procedure

3.1 Overview

- This procedure can be used by anyone using the services of Wiltshire College.
- It can be used by any student who has a complaint.
- All complaints submitted will be considered fairly.
- Anyone who invokes the procedure in good faith will not be discriminated by having done so.
- Every effort will be made to resolve issues in a friendly and informal way.

- Throughout the process the person complaining may have a friend to accompany them at all meetings.
- Complainants may be offered support in order to make their complaint. This support can be provided by the Students Union, member of the Student Services / Additional Learning Support Team, or indeed any member of staff.
- When a student complainant is found to be malicious, this could lead to disciplinary action.
- These are internal College procedures – at no stage is legal representation for any party allowed. Further rights to appeal will be made clear at each stage.
- For all complaints the privacy and confidentiality of the complainant will be respected.
- If disclosure is necessary to progress a complaint the complainant will be notified in advance.
- Appeals against academic decisions in relation to grading of work are dealt with by the Academic Appeals Procedure.
- If you are studying a course franchised from a University it is expected that most complaints can be dealt with between the College and the complainant, however you are entitled to invoke the University complaints procedure once all the College procedures have been exhausted.
- If a complaint is made about the performance of a staff member the Quality Manager and/or relevant Investigating Manager MUST inform the Director of Human Resources as the Staff Disciplinary Process may be initiated.

We hope that any difficulty can be resolved in a friendly and informal way.

3.2 How you can comment, compliment or complain

- Speak to the Subject or Personal Tutor or the Head of Department / Deputy Head of Department
- Provide feedback via student questionnaires, focus groups etc.
- Talk to the Student Engagement Officer, Student Services and Tutoring Manager or Student Union President
- Complete a College “Comments, Compliments and Complaints” Feedback card (available in all reception areas and via the college website)
- Write or send an email to the Quality Manager via the Quality Co-ordinator:

Wiltshire College
 Chippenham
 SN15 3QD
 CustomerFeedback@wiltshire.ac.uk
 Telephone 01722 344244

3.3 How are Complaints dealt with?

Complaints are dealt with in two ways:-

1. Informal – by talking to us
2. Formal – by putting the complaint in writing. (See Complaint Procedure flowchart at Appendix A.)

3.4 Outcomes of the Investigation

On completion of the investigation, the complaint will be classified in one of three ways:-

- **Upheld** – the complaint was fully justified and will result in corrective action being taken, e.g. an amendment of services/procedures, staff training, improved communications

- **Partially upheld** – certain aspects of the complaint were considered justified and will result in follow-up action
- **Not upheld** – the complaint was not justified.

3.5 The 4 stages of the Complaint Process

The following procedure has been agreed:

3.5.1 Stage One (Informal Complaint) – Discussion with Tutor/ Head of Department / Deputy Head of Department, Manager or Director

It is expected that most complaints can be resolved at an early stage by discussing the matter with an appropriate member of staff, usually the Tutor or relevant Head of Department / Deputy Head of Department. If there is a need to provide support or guidance for this discussion; this should be provided by the Quality Manager. They will respond as soon as possible with advice and guidance as to how to proceed from this point. It is expected that these complaints will be responded to promptly and should normally take place within 5 working days.

3.5.2 Stage Two (Formal Complaint) – Appropriate Investigating Manager appointed by Quality Manager

If the complainant is not satisfied with the outcome or does not wish to discuss the matter first they, or their representative, should email/write a letter to the Quality Manager via the Quality Co-ordinator handing this to reception at any campus. Receipt of the email/letter will be normally acknowledged in writing within 5 working days with a copy of the complaints procedure.

The email/letter will be copied to the appropriate Head of Department and Assistant Principal responsible for the area within which the complaint has arisen.

The Quality Manager will appoint an Investigating Manager as appropriate (this may be the same person from Stage One or a person from a different department/area and s/he will seek to normally resolve the issue within 10 working days by carrying out an investigation.

The College will write to the complainant the outcome of the investigation. Where a complaint is not upheld reasons will be given as to why this is so. Where a complaint is upheld a statement outlining the remedial action and timescale for implementation will be provided in writing to the complainant.

3.5.3 Stage Three – (Appeal) Investigation with Senior Manager/Assistant Principal and Quality Manger

If the person is not satisfied with the decision taken in respect of their complaint they should appeal by letter or email to the Quality Manager via the Quality Co-ordinator within 10 working days of receipt of the letter or email. Details of further evidence/documents a person wishes to support the review of the initial decision should be included. S/he will arrange for an investigation with the relevant Senior Manager/Director/Assistant Principal within 15 working days. The outcome of this meeting will be recorded and copied to relevant parties, including the Vice Principal. Where a decision is not upheld reasons will be given as to why this is the case. Where a decision is upheld a statement outlining the remedial action and timescale for implementation will be provided.

3.5.4 Stage Four – (Final) Referral to Senior Leadership Team (SLT)

If by this stage the person still believes the issue is unresolved the complaint can be referred

to the Vice Principal. They should appeal against the decision to the Quality Manager via the Quality Co-ordinator in writing within 10 working days of the date of the decision which forms the basis of Stage Three.

A complaint may be referred to the Vice Principal only where:

- The person reasonably believes that the **procedures** set out in this document have **not been complied with**; and/or
- **New evidence** has come to light which may affect the decisions already reached in relation to the complaint considered.

The Quality Manager will arrange for the referral to be heard by the Vice Principal whose decision is final except where there is a statutory provision of appeal to an external body as below. Where a referral is not upheld reasons will be given as to why. Where a referral is upheld a statement outlining the remedial action and timescale for implementation will be provided.

NB: If the complaint/ relates to one of the people outlined in this process it will be dealt with by another person of equal or greater status assigned by their direct line manager.

3.5.5 Rights of Appeal – Further Advice

If having **first exhausted the College's complaints procedure** you are still not satisfied with the outcome, you can contact a number of agencies depending on the complaint:-

- **The Awarding Organisation** (eg, OCR, Pearson-Edexcel, City & Guilds etc) directly (contact details are on the awarding organisation websites)
- **Ofqual** (Regulatory Body for Awarding Organisations) Spring Place, Herald Avenue, Coventry, CV5 8BA
- **The Clerk to the Corporation** (for attention of College Governors), Wiltshire College Chippenham, Cocklebury Road, Chippenham, Wiltshire, SN15 3QD
- **The Skills Funding Agency** (For students aged 19+ and apprenticeships), Complaints Team, Cheylesmore House, Quinton Road, Coventry, CV1 2WT
- **Education Funding Agency** (EFA), Complaints Providers, Standards and Intervention, Earlsdon Park , 55 Butts Road , Coventry , CV1 3BH (For students aged 14 - 19 OR 14 – 25 if there are learning difficulties)
- **OIAHE – Office of the Independent Adjudicator for Higher Education**, www.oiahe.org.uk The OIA Scheme Rules exclude complaints about admissions and academic judgment, complaints that are not brought within a given timeframe, and complaints about issues that do not materially affect the student as a student. The rules can be found at <http://www.oiahe.org.uk/decisions-and-publications/leaflets.aspx>

The OIAHE must receive your signed OIA Complaint Form **within twelve months** of the date of the Completion of Procedures Letter which you need to obtain from the college; otherwise they may consider your complaint to be out of time.

- **The Department for Education**, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ

3.6 Time periods

The time periods as set out in this procedure are for guidance and under some

circumstances may be subject to extension. Where any such extensions are made, the complainant will be notified.

NOTE: For all four stages above the college will set out clear and reasonable timescales relating to how long students will be given to respond to any requests for further information that may be required in order to process the complaint.

3.7 Serial and vexatious complainants

A serial and/or vexatious complainant is someone who acts in an unreasonable manner, is unreasonably persistent in the manner in which they raise their complaint. The College has a duty of care for its employees; when dealing with a serial and/or vexatious complainant we reserve the right to refuse to investigate a complaint and may, if appropriate, refer the matter to the College's solicitors.

3.8 Concluding actions

On completion of the investigation, the Investigating Manager will:-

1. Ensure the Quality Co-ordinator is in possession of all necessary information and paperwork to officially record and log the process.
2. Inform any members of staff who have been involved in the complaint of the outcome and any follow-up action. This will involve referral to Human Resources Department if the complaint is staff related.
3. Make sure the complainant has been fully briefed about the outcome.
4. Ensure if the complaint is about equality and diversity, safeguarding or disability that the appropriate College Head of Department / Deputy Head of Department have been notified.

4. Associated Documents (Linked policies etc.)

- Academic Appeals Procedure
- Student Disciplinary Procedures
- Student Code of Conduct
- Staff Capability & Disciplinary Procedures
- Equality and Diversity Policy
- College Customer Charter
- OIA's Good Practice Framework for handling complaints

5. Monitoring, Review and Evaluation

The Quality Manager will analyse statistical information relating to comments, compliments and complaints initiated under this Policy for trend information to ensure we identify areas of strength and areas for development and take appropriate action.

Reports will be published on a regular basis to the Senior Management Team on the outcomes of comments, compliments and complaints and our actions in response. Where possible the Quality Manager will also highlight case studies and examples to show how complaints have helped improve services. The Quality Manager will review these procedures annually.

