

Complaints and Compliments Policy

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Changes made:

Version	Author	Date	Section	Changes summary
3	Gemma Conti	13.08.2024	All areas	<p>New template Amendments to full policy</p> <p>Changes to job title ‘Quality Manager’ to Head of Professional Development</p> <p>Addition to the policy with a ‘statement of authority’ being included.</p> <p>Complaints form included in the appendices.</p> <p>Vexatious or Malicious Complaints definition included.</p>

## **Introduction**

Craven College aims to provide an excellent service to all its customers but understands that sometimes things can go wrong. The College also recognises that students have a right to make a complaint or voice a concern, and the feedback may help staff and the College to learn valuable lessons and improve the quality of the service provided to students and the wider community.

Craven College welcomes feedback and takes all complaints seriously, whilst also valuing compliments. We will act appropriately whenever complaints are received. The College takes the view that a complaint is an opportunity to improve our level of service.

When a complaint or compliment is sent it will be received by the Quality Team for recording and disseminating as appropriate.

## **Scope**

All individuals should expect and receive fair and reasonable treatment during the investigation of a complaint by all staff at Craven College. Decision making will be unbiased and transparent. This Policy applies to compliments, complaints and feedback relating to the College's Further Education, Higher Education or Continuing Professional Development courses. The Policy will also apply to complaints received from members of the local community or those who are affected by the College's activities.

### **1. Equality, Diversity and Inclusion**

1.1 Craven College recognises that it is an integral part of the local and wider community. The College serves the needs of a wide range of individuals from the diverse ethnic and social mix of multicultural Britain. The College adheres to the Equality Act 2010, values difference and recognises that people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions and encourage harmony and understanding in the College community.

1.2 The College will not discriminate against a complainant on the basis of any protected characteristics, including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation, as well as any other factors such as political beliefs or socioeconomic status.

1.3 The College will monitor and analyse complaints received including by ethnicity, gender, disability, religion, age and sexual orientation.

2. **Special Educational Needs, Mental ill Health or Disability** (inc. medical or health conditions) The College welcomes disabled students and has a dedicated team providing support, advice and guidance to those students.

2.1 If there are overriding concerns relating to fitness to study, i.e.:

- A presentation of a serious mental ill health issue,
- A learning disability which may restrict a student in engaging with the process, or
- Incidents which cause disruption to the College's ability to provide a service or comply with a relevant legal duty), the complainant will be involved in discussions to explore options and, if necessary, to find a suitable alternative way of dealing with the complaint.

- In such circumstances, the Investigating Officer will close the complaint and refer the matter to an alternative procedure.

### **3. Personal Data**

3.1 Information held by the College in relation to a complaint, will be treated in confidence, in line with the Data Protection Act 1998 and the GDPR. The Complaint will not be discussed with third parties, unless consent has been granted by applicants.

3.2 If a crime has been committed, the College may share information with, or refer the matter to, the Police. This will be done in line with the rights of the individual.

3.3 Complainants have a right to access personal data held about them by the College by making a 'Data subject access request'. Information on how to do this can be found on the College's website. [Craven College – Enriching lives through learning \(craven-college.ac.uk\)](https://craven-college.ac.uk)

### **4. Compliments and feedback**

4.1 The College welcomes feedback from all users and beneficiaries of the College's services. A compliment may be submitted for a member of staff, a team or a specific organisation.

4.2 Compliments will be passed on to relevant staff, their line manager and are used to identify areas of good practice and opportunities for development.

4.3 Compliments can be submitted in writing to [feedback@craven-college.ac.uk](mailto:feedback@craven-college.ac.uk) or by post to Quality Team, Craven College, Gargrave Rd, Skipton BD23 1US

4.4 Compliments are used to enable service and individual developments, and employees will be recognised appropriately.

### **5. The College categorises complaints as informal or formal**

5.1 **Informal Resolution/ Mediation.** It is easier for the College to resolve complaints if individuals raise them as soon as they become aware of the issue, and directly to the service concerned. We always advise individuals to talk to a member of staff within the department they are complaining about so that they can try to resolve any problems as soon as possible. Individuals will be expected and encouraged to discuss their complaint with the relevant department and if they have not done so, they may be referred to the department. If individuals do not feel able to speak to anyone in the area about which they are complaining, they should explain this when completing the complaint form.

5.2 **Stage 1 Formal complaints** will be investigated by an appropriate manager. The Complaints and Compliments Procedure does not apply to appeals against an assessment decision relating to an academic award or progression on a programme of study. These matters are covered by the Academic Appeals Procedure. If the College receives a complaint that the College believes would be more appropriately dealt with as an academic appeal, it may decide to follow the Academic Appeals Procedure.

### **6. Making a Complaint**

6.1 Individuals are required to complete the Complaints form ([Appendix 3](#)). Please tell us: your full name and address, as much as you can about the complaint, what has gone wrong, how you would like us to resolve the matter.

6.2 Anonymous complaints will not be investigated.

6.3 Vexatious or Malicious Complaints: Complaints that an investigating manager considers to be vexatious or malicious will not be investigated. 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. In cases where a complaint is considered to be vexatious or malicious, the College reserves the right to terminate the investigation of the complaint and may consider an alternative process to address the issue (including disciplinary action against the complainant or referring a matter to the Police).

6.4 Multi-Issue Complaints: If a complaint identifies several issues which fall within the remit of other procedures (for example, an admissions decision or an academic appeal), the content of such complaints will be reviewed in accordance with the specific Policy and process outlined in the area of College activity, department or service. In such circumstances, the complainant will then be notified and directed to the relevant Policy.

The complaints form should be emailed or posted to the Quality Team

- [feedback@craven-college.ac.uk](mailto:feedback@craven-college.ac.uk)
- Quality Team, Craven College, Gargrave Rd, Skipton BD23 1US.

## 7. Complaints by a third party on behalf of a student

7.1 Where appropriate, complaints should be made directly by the student/apprentice themselves and not by a third party on their behalf. Where this is not possible, complaints that are made by a third party (e.g. parent, guardian, employer) will ordinarily only be considered if a signed statement is received from the student/apprentice confirming their agreement for the complaint to be investigated and for all information to be shared with the complainant.

7.2 It is the responsibility of the student/apprentice to advise the College if there is any sensitive information that may be part of the investigation and response that they do not wish to be shared with the complainant. It should be noted to the complainant that if this is the case, this may hamper the investigation and may limit the response the College is able to give.

7.3 Where a third-party complaint raises safeguarding concerns, an investigation may take place without the student/apprentice's consent.

## 8. Formal process

8.1 The College will acknowledge the complaint, normally within **5** working days.

8.2 The complaint will be received by the Quality Team. It is the responsibility of the Quality Team to check that where the complaint is from a third party, the student/apprentice themselves has provided a signed statement of authority ([see appendix 4](#)) and to ensure the investigating manager is made aware of any sensitive information that must not be disclosed to a third party. Where a signed statement of authority does not accompany a complaint, the Quality Team should respond to the complainant stating that the complaint cannot be investigated and to draw the complainant's attention to the relevant section of this Policy.

8.3 The Head of Quality & Professional Development may delegate the investigation of the complaint to the relevant Business Support Services Manager or Curriculum Manager (if they have not been involved with the matter). They will aim to complete their investigation **within ten working days**. If there is any delay, the College will inform the complainant. 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, they will be notified to the complainant in writing.

8.4 The manager investigating the complaint may contact the complainant to discuss the case in more detail.

- (If the Head of Quality & Professional Development / Manager believes that the complainant has not considered or exhausted the 'Informal Resolution and Mediation' stage as outlined in 5.1, the complainant may be referred back to section 5.1 and the investigation suspended, if it is appropriate to do so.).

Once the investigation is complete, the Head of Quality & Professional Development / Manager will communicate the decision in writing to the complainant. Clear reasons on how the decision was reached will be provided.

8.5 Once a complaint has been logged as a formal complaint and an investigation is underway, **all communication must go through the Quality Team**. This will enable all communication to be filed and will ensure consistency in our approach to responses. It will also enable the Quality Team to track key issues and actions taken because of formal complaints.

## 9. Stage 2: Appealing the Outcome of a Complaint

9.1 The complainant can appeal against the outcome of the investigation. The complainant must identify that:

- a) the initial complaint was not investigated according to this procedure and/or
- b) all the evidence available at the time of the investigation was not considered.  
(Additional evidence cannot be produced at this point).

**An appeal is not another investigation of the facts of the original complaint.**

9.2 The appeal must be in writing and received by the Head of Quality & Professional Development (feedback@craven-college.ac.uk), **within ten working days** from the date of the written response outlining the outcome of the original complaint. The Principal will review the appeal, but this may be delegated to another member of Senior Leadership Team (SLT) as appropriate. The Principal (or other member of SLT) will then decide if the appeal is valid before investigating the circumstances surrounding the initial investigation or assigning a new investigating (appeal) manager to do this. Appellants will be informed of the decision made at this point.

9.3 Appellants may be invited to a meeting (face-face or online) to consider the appeal, and this will ordinarily take place within ten working days of the College receiving a written notice of appeal. Where it is not possible to hold such a meeting within this timescale, the appellant will be kept informed. Ordinarily, appellants will receive written notification of the appeal decision within these timescales:

- where no meeting is held - within ten working days of the College receiving the written notice of appeal
- where a meeting is held - within eight working days of the meeting.

The decision reached, following consideration of the appeal, will be final. Appellants will be sent a "Completion of Procedures at Craven College" (CoP) letter stating that they have come to the end of the Craven College complaint procedure and outlining if there is a right to appeal to any external organisation. In many cases, external bodies will not accept complaints unless a CoP letter has been issued by the College. If the complaint is in relation to an aspect of

College activity which is not funded from an external funding body, then there is no automatic right of appeal to a further body.

There are three situations in which such appeals can be made. These are:

- a) Complaints from students undertaking College run courses, where the Awarding Organisation allow appeals from students studying their qualifications within the College.

Some Awarding Organisations allow students who have been studying at the College the right to appeal any complaint that the College has dealt with to them. CoP letters will ensure that appellants are made aware of the contact details, timescales and other information required to appeal the College's decision should that facility exist.

- b) Complaints from students undertaking courses funded by the Education and Skills Funding Agency (ESFA)

Where the course has been funded by the ESFA, appeals about the outcomes of a complaint should be directed to them. The ESFA will not usually investigate complaints until the College's procedure, including the appeal, has been exhausted. Appeals to the ESFA should be made within 3 months of receiving a decision from the College. More information can be found [here](#)

- c) Complaints Relating to Higher Education (HE) provision

If after the internal procedures for Craven College have been exhausted the complainant remains dissatisfied, they have the right to refer the matter to the relevant Awarding Provider ([University of Hull](#)) rather than appeal to College. Once the complainant has appealed to the Awarding Provider and no resolution has been reached, providing that institution's procedures have been completed, they may seek an independent review by the Office of the Independent Adjudicator for Higher Education (OIA). If the Awarding Provider does not offer this opportunity, or the complaint is not under their scope the complainant will be able to request a review from the OIA. The College's Completion of Procedures at Craven College letter will make it clear which of these options is available to the complainant. The OIA is an independent body established to consider student complaints which have not been resolved internally. Appeals to the OIA should be made within 12 months of getting a decision from the College. This service is free to students. More information can be found on the [OIA website](#)

10. Complaints against the Chief Executive/Principal or a member of the Senior Leadership team, should be addressed to the Principal (if not the subject of the complaint) or to the Director of Governance. Contact [customerservices@craven-college.ac.uk](mailto:customerservices@craven-college.ac.uk) or 01756 791 411

11. Support For Employees Who Have Been the Subject of a Complaint: In the first instance, staff members who have been subject to a complaint should seek support from their line manager or Chair of the Board. For information on the support and counselling service available to employees of the College please contact the HR Manager.

12. Learning Lessons: The Board will review any underlying issues raised by complaints with the Principal where appropriate, and respecting confidentiality, to determine whether there are any improvements that the College can make to its procedures or practice to help prevent similar events in the future.

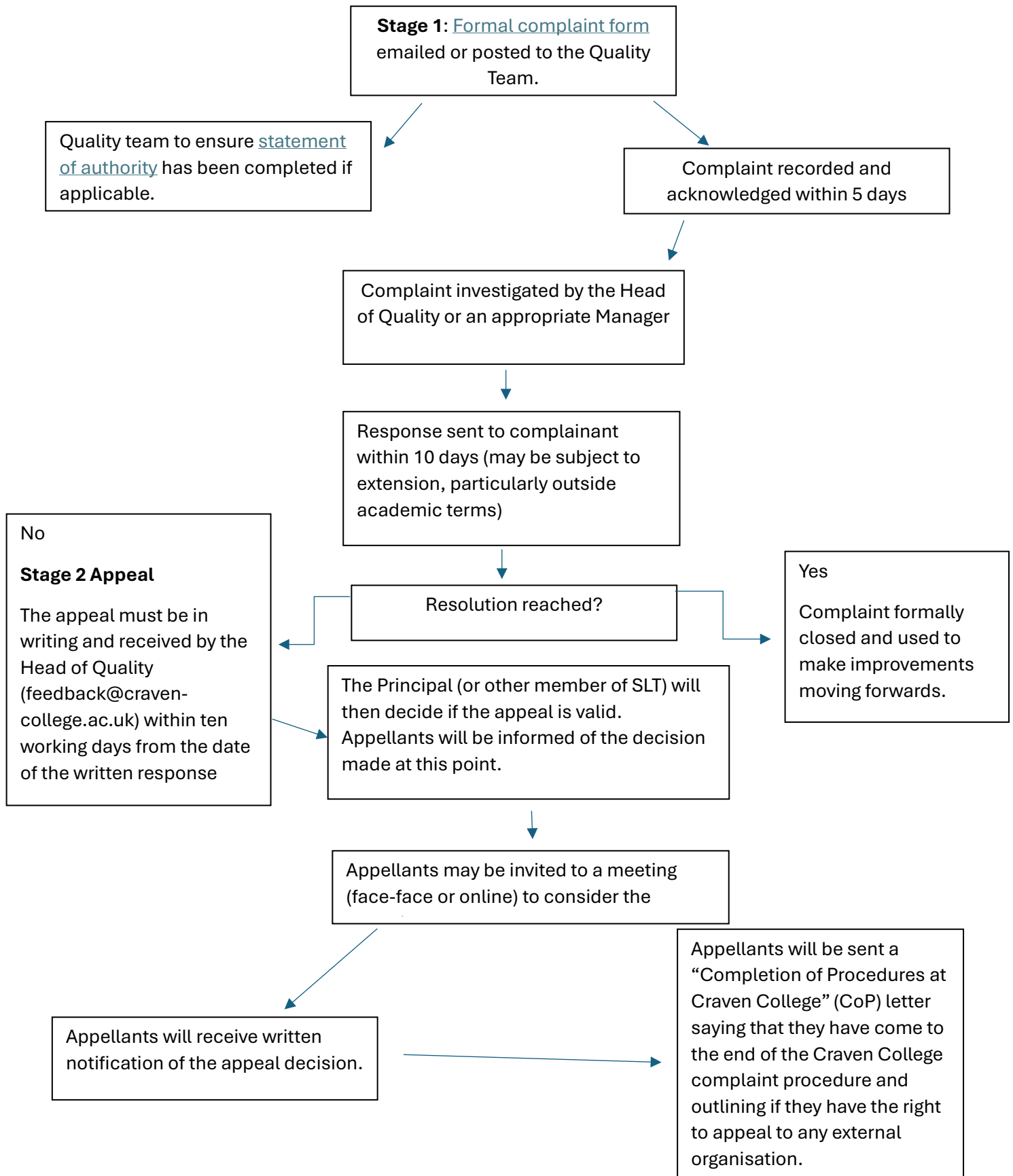
13. Monitoring Arrangements: The Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Board will track the number and nature of complaints and review underlying issues.

14. This policy will be reviewed by the Board every three years, considering the latest guidance issued by the DfE.

15. Linked Policies

a. [Fitness to study policy](#)

## Appendix 1: Flow Chart of Stage 1 Formal Complaints Procedure





## Appendix 2: Table of Timescales

Stage of complaint	Responsibilities	Timeframe
Informal	Head of Department, Programme Leader, Business Support manager	N/A
Stage 1 Formal Complaint	Head of Quality & Professional Development / appropriate manager	Approx. 10 days
Stage 2 Appeal	Principal/ SLT member	Approx. 10 days
Stage 3 External Complaint	Dependant on the complaint	N/A

## Appendix 3: Stage 1 Formal Complaint Form

Name				
Address				
Email				
Telephone No.				
Date				
Please place X in the appropriate box	Student <input type="checkbox"/>	Visitor <input type="checkbox"/>	Employer <input type="checkbox"/>	Other <input type="checkbox"/>
Course Details (if applicable)				
<ul style="list-style-type: none"> <li>Tell us what happened</li> <li>What have you done so far to resolve the issue? (Informal resolution)</li> <li>The response(s) from staff you have already had to date,</li> <li>What outcome you want from the College as a result of this formal complaint?</li> </ul>				

*When you have completed this complaint form, please send it to the Quality Team [feedback@craven-college.ac.uk](mailto:feedback@craven-college.ac.uk), hand in at a reception desk or administrative office in any of the College's buildings or by post to Quality, Craven College, Gargrave Rd, Skipton BD23 1US.*

For office use only:

Complaint Reference:	
Received by Quality (date)	
Acknowledgement sent (date)	
Assigned by Quality (date) (staff)	

Signed statement of authority received (if applicable)	
Tracking notes:	
Outcome sent:	
Complaint closed (date):	

#### Appendix 4: Statement of Authority

I, [Your Full Name], have read through the complaint and I am satisfied with its contents.

I authorise [Authorised Person's Full Name] to make this complaint on my behalf.

Signed,

[Your

Signature]

[Date]