

Title of Policy: Compliments, Concerns and Complaints Policy

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Author	Executive Office
Responsible Manager	Chief Executive
Approved by	ELT
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Policy Statement

The aim of the Compliments, Concerns and Complaints Policy and its associated procedures is to ensure that all compliments, concerns and complaints are dealt with in a fair, equitable and timely manner by the college's staff.

A Guide for Students, Employers and other Members of the Local Community

SCOPE AND PURPOSE OF POLICY

We always strive to get it right and delight our students and customers. If you would like to give us a compliment please send an email, a letter or a Compliment & Complaint form to the Executive Office and we'll make sure it is recorded and sent to the right person.

The complaints policy applies to services the college provides and is available to students, former students, apprentices, employers and members of public.

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.

Anyone who feels it appropriate to express dissatisfaction is offered the opportunity to raise openly with full assurance that they will be dealt with courteously, fairly, objectively and in a timely manner.

Barnet Southgate College constantly seeks to improve the services it provides and welcomes feedback which may, from time to time, include dissatisfaction with aspects of its services. The outcomes from such complaints are used to support the continuous improvement of the College.

Any concerns relating to young people and adults with additional needs who are suffering, or are likely to suffer, significant harm, e.g. by neglect, physical injury, sexual abuse or emotional abuse or any aspect of bullying, harassment or coercion will be directed to the Safeguarding team.

A central log of complaints and appeals against complaint outcomes are maintained and monitored by Executive Office. A full list of complaints are reported annually to the College Governing Board.

Policy Aims

- 1. The procedures for raising compliments, concerns or complaints will be made available at all College campuses and on the College's website.**
- 2. The college will seek to resolve concerns through informal processes wherever possible.**
- 3. Concerns and complaints will be dealt with fairly, consistently and in a timely manner.**
- 4. Compliments and complaints will be monitored and used to improve our services.**
- 5. Details of formal complaints will be kept in accordance with the Data Protection Act.**
- 6. All complaints will be investigated by a named member of staff.**
- 7. The outcome of the investigation, including any actions, will be reported to the complainant.**
- 8. A college compliments and complaints report will be written every term and annually.**

OPERATIONAL TERMS

Anonymous Complaints

The college does not normally accept or act upon anonymous complaints, due to the college not being able to collect all relevant information for investigating such complaints and respond accordingly. There may, however, be exceptional circumstances where the college deems it appropriate to investigate a complaint from an anonymous source, which identifies a risk to the college, community or the public.

Confidentiality

Where possible, confidentiality will be observed, throughout the operator of this policy. Where a complaint relates to specific individuals, the College may seek permission to share such details with them.

If permission is not given, it may not be possible for the College to fully investigate or resolve the complaint. The College will only disclose information to those who need to investigate the complaint, or to respond to any issues raised. The College Retention Period for information relating to complaints is 5 years after the complaint has been raised.

Where a complaint is made by a guardian on behalf of a student over 18 years of age, the College must receive permission in writing from the student involved in order to give their permission to share their personal details with their parent/guardian.

Vexatious and Malicious Complaints

A 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 malicious, the college reserves the right to terminate investigation of the complaint.

A Vexatious Complaint is defined as there may be occasions when, despite all stages of the procedures have been followed, the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), the College reserves the right to end the complaint handling process and will inform the complainant in writing that the procedure has been exhausted and the matter is now closed.

Permission 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 with them.

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.

Multi-Issue Complaints

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

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.

Complaints by a third party

Complaints made by a third party (e.g. parent or guardian) on behalf of a student will only be considered if a signed statement is received from the student confirming their agreement. For example, where a complaint is made by a guardian on behalf of a student over 18 years of age, the College must receive permission in writing from the student involved in order to give their permission to share their personal details with their parent/guardian.

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 shall be suspended until the disciplinary matter has been concluded.

COMPLAINTS PROCEDURE

The college will not normally consider a complaint which is raised more than three (3) calendar months after the incident giving rise to the complaint unless there are good reasons for the delay. In the event that you feel there are good reasons for the delay, you should let the college know of those reasons as part of the complaint.

The College Compliments, Concerns and Complaints Procedure is **not** intended for:

- appeals against assessment decisions (see Assessment Appeals Policy);
- appeals against assessment malpractice (see Learner Malpractice in Assessment Policy);
- issues regarding compliance with the Freedom of Information Act (see Freedom of Information procedure);
- Issues regarding compliance with General Data Protection Regulations (see Data Protection Policy)
- appeals against Refund Request decisions (see Refund Policy)

Informal Resolution of Concerns

If you are studying at the College or training at employers' premises and have a concern connected with your course, please speak to one of the following:

- the person directly involved
- your student representative
- your lecturer
- your personal tutor or course leader
- a Manager or Head of the area

If you are not studying at the College or undertaking training through the College, or if you are studying here but the issue is not connected with your course, please speak to:

- the person directly involved
- a Manager or the Head of the area

Every effort will be made to resolve your concern at this informal stage.

Formal Stage 1

If your concern has not been resolved informally, you may decide to make a formal complaint.

Complaint forms should be submitted on the college website [here](#) where forms are submitted electronically. They are also available at Reception Desk and should be completed and submitted by hand or post. You may also write directly to the Executive Office or e-mail to feedback@barnetsouthgate.ac.uk.

If you are a student at the College, you may wish to seek the help of the Executive Office, Student Services or your Personal Tutor when making a formal complaint.

The form should be completed as fully as possible and it is especially important that you tell us what your desired outcome would be.

The Executive Office will acknowledge your complaint within 3 working days of its receipt and arrange for an investigation to be carried out. The complaint will be monitored until conclusion by the Executive Office. Your complaint will be investigated by the Manager responsible for the course or service about which you are complaining. If the Manager is the subject of your complaint, an independent investigating officer will be allocated. During this stage we may need to contact you for further information.

During term time, you will receive a written response from the investigating Manager within 15 working days of the acknowledgement advising you of the outcome of the investigation. Should we think the investigation will take longer than 15 working days the investigating Manager or the Executive Office will inform you. This may occur in complex cases or during holiday periods.

Where a complaint is upheld, the college will explain how and when it will implement any remedy, whether that includes an apology and what the complainant can do if he or she remains dissatisfied.

Formal Stage 2 Appeal

If you are not satisfied with the written response you have received at Formal Stage 1 you should contact the Executive Office within 5 working days to request that your complaint is progressed to Stage 2 of the Complaints Procedure. You must tell us why you are not satisfied with the outcome at Stage 1; simply disagreeing with the outcome will not be enough. The grounds of appeal and any actions sought must be clearly stated at the time of making the appeal.

If the complainant wishes to appeal against decision made in response to a formal complaint, it can only be on the following grounds:

- A quality-of-service failure involving standards of teaching, student guidance, information given, discretions exercised, facilities, resources or accommodation.
- Unreasonable actions by the College or the College failing to do what is expected of it. The Executive Office will acknowledge your application to Stage 2 within 3 working days and will arrange for your complaint to be reviewed by the or a delegated Senior Manager.

The Chief Executive, or their nominee, will review the formal investigation and consider the following options:

- New evidence or circumstances have become known, which could not have reasonably been made known at the time of the complaint.
- The investigation was not conducted fairly or according to procedure and this may have affected the outcome.
- The decision and outcome of the complaint were unreasonable

During term time, you will receive a written response to a Stage 2 Complaint within 15 working days of its acknowledgement. Should we think the investigation will take longer than 15 working days the investigating Manager or the Executive Office will inform you. This may occur in complex cases or during holiday periods.

This decision constitutes the final stage of the College Complaints Policy and Procedure.

If you are not satisfied after Stage 2 you are able to refer your complaint to either the *Education Skills Funding Agency*, or the *Office of the Independent Adjudicator* for Higher Education courses or other relevant organisation in order to make a complaint about the college.

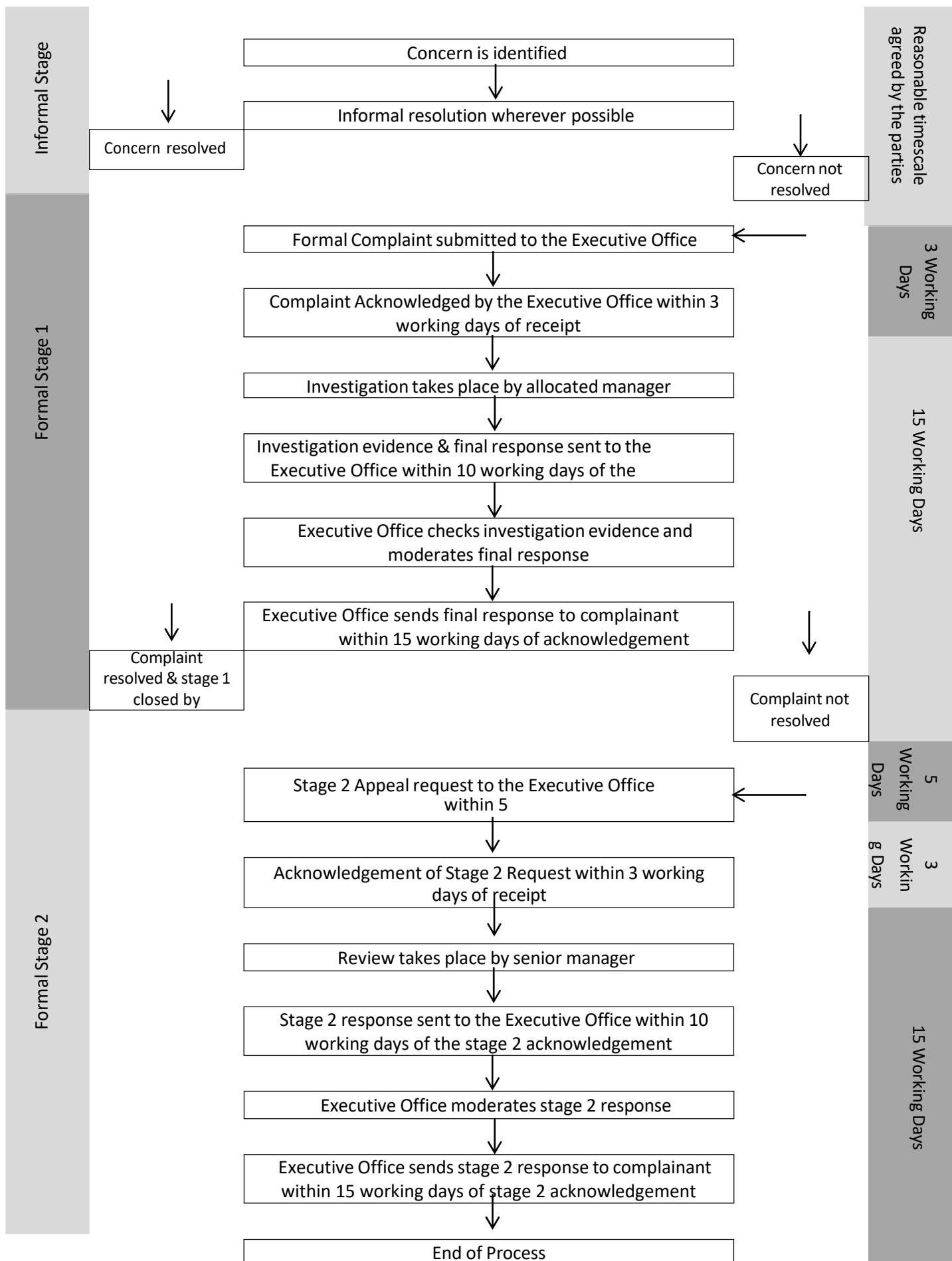
Please find copies of their policies at the below web addresses or from the Executive Office and all college receptions on request:

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

<https://www.oiahe.org.uk/>

If you require further information please contact the Executive Office.

Appendix 2: Concerns and Complaints Procedure Flow Chart



Appendix 3: Complaints Procedure Guidance for Investigating Managers

Informal Stage - Concerns

In the course of your daily duties you may come across informal concerns expressed to you by students, apprentices, learners at employers' premises, visitors or other stakeholders. It is desirable that all concerns are resolved informally at this stage.

Please keep a brief record of concerns you deal with in case a formal complaint arises from it in the future.

Formal Stage 1 – Complaints

A concern or complaint becomes formal when it is submitted to the Executive Office. The Executive Office will acknowledge the complaint within 3 working days of receipt and an investigating manager will be allocated.

The general principles you should work to in a complaint investigation are those of *objectivity* and *transparency*.

Objectivity. It is important that you are not perceived as an advocate for either the complainant or the subject of the complaint (whether this be a person, a course or a process). Remain even handed and open minded in all your investigative activities. Your role is to establish the veracity of the complaint and where upheld make recommendations to resolve it.

Transparency. Documents (including the complaint itself) relating to the investigation may be shared with relevant parties subject to reasonable safeguarding of individual well-being and third party confidentiality. If in doubt about this please seek guidance from Executive Office. In most cases it is reasonable to assume that the complainant would not object to their original complaint being seen by the subject of the complaint, and that the subject would not object to the complainant receiving their views of the complaint.

As investigating manager you will gather relevant evidence and information relating to the complaint, including if necessary speaking to staff, students or other parties. If meeting with people in the course of an investigation you should let them know beforehand what the meeting is about.

You should complete the investigation and report your findings to the Executive Office within 10 working days from the day the complaint was acknowledged to the complainant.

If you believe the investigation will take longer than 10 working days you must inform the Executive Office when you expect the investigation and report to be completed.

Your investigation evidence and final response communication must be sent to the Executive Office for filing and moderation.

This must include the below information:

- Evidence of any communications within the investigation
- If the complaint is upheld or not
 - A complaint which is upheld is when you feel the complainant is justified in making the complaint.
- Clear actions required to close the complaint
- Information regarding any changes to procedure or practice that have taken place as a result of this complaint

The Executive Office will be responsible of the formal closure of all complaints.

Details of compliment/complaint – Continuation Sheet

For Office Use Only

Received	Ack, log and File	Sent to Mgr	Manager	Upheld	Closed	Reported
<i>Date/initials</i>	<i>Date/initials</i>	<i>Date/initials</i>	<i>Name</i>	<i>Y/N</i>	<i>Date/Init</i>	<i>Date/init</i>

