

# R U N S H A W C O L L E G E

**POLICY TITLE:** Complaints Policy

**APPROVED BY:** Governing Body

**AUTHOR:** Tanya Meredith

**POLICY OWNER:** Tanya Meredith

**POSITION:** Quality Director

**VERSION:** 5.1

**LAST UP-DATED:** July 2021

**REVIEW DATE:** July 2022

## 1. SCOPE

This policy applies to complaints from any person who wishes to express dissatisfaction with any aspect of College activities (including raising concerns about malpractice). Separate Grievance Procedures and Whistleblowing procedures exist for staff.

## 2. PURPOSE

- 2.1 The College aims to ensure that all complaints received are dealt with promptly, fairly, professionally and in a non-discriminatory manner, and that appropriate action is taken.
- 2.2 Every complaint will be taken seriously and viewed positively as an opportunity to receive constructive feedback so that improvements may be made.
- 2.3 The Complaints Procedure should be clear, easy to access and use and open to public scrutiny.
- 2.4 In dealing with complaints, the College will, at all times, take account of and promote its Equality and Diversity practices.

## 3. PROCEDURE

### 3.1 Complaints from students

- 3.1.1 Students may express dissatisfaction about any programme of study or related facility or any other service provided by or on behalf of the college, which has materially affected their experience as a student of the College.
- 3.1.2 **STAGE 1: Informal resolution**  
It is expected that day-to-day issues will be resolved promptly and informally between a student and their subject/course tutor or progress mentor.
- 3.1.3 **STAGE 2: Formal stage of investigation and determination of complaint**  
When it is felt that an issue has not been resolved, or the issue is considered to be of a significantly serious nature, or it is more appropriate to refer the issue, a student should submit their formal complaint in writing to the Head of Studies for their programme.

Students may approach Student Services staff if they require assistance in formulating or writing their complaint or any other support or guidance.

The Head of Studies will normally acknowledge the complaint within two working days of its receipt.

The Head of Studies will deal with the complaint or forward to the appropriate manager. This manager will normally be someone who has had no prior involvement at Stage 1. After investigating the complaint, they will normally respond within ten working days of receipt, or the student will be advised of any delay and the likely timescale in which they should receive a reply.

The manager will provide details of the outcome of their investigation. They will confirm whether the complaint is upheld, partly upheld or not upheld. They will provide clear reasons for the decision reached and forward a copy of the complaint and the response to the internal #Complaints mailbox to log the complaint.

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 student can do if he or she remains dissatisfied.

The decision should also give information about the student's right to take the complaint to the review stage.

#### 3.1.4 STAGE 3: Review (internally)

If the matter is not resolved to the satisfaction of the student, the complaint should then be escalated to the Principal.

A request for a review may be on limited grounds, including but not confined to:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable
- new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

The Principal will normally acknowledge the request to review the complaint within two working days of its receipt and after investigating the complaint, normally reply within ten working days, or the student will be advised of any delay and the likely timescale in which they should receive a reply. The Principal reserves the right to delegate this responsibility to another senior manager

The review stage will not usually consider the issues afresh or involve a further investigation.

A complaint must have been considered at the formal stage before it can be escalated to the review stage.

The purpose of the review stage is to ensure that appropriate procedures have been followed and that the decision, following the formal investigation, was reasonable. This stage does not necessarily require a reconsideration of the issues raised.

The manager investigating the complaint will write to the student setting out its decision at the conclusion of this stage. They will confirm whether the complaint is upheld, partly upheld or not upheld. This will be a Completion of Procedures letter for university course students registered for a UCLan award.

They will provide clear reasons for the decision reached and forward a copy of the complaint and the response to the internal #Complaints mailbox to log the complaint.

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 student can do if he or she remains dissatisfied.

The decision should also give information about the student's right to raise the complaint via the Education and Skills Funding Agency (ESFA) or the Office for the Independent Adjudicator for Higher Education.

#### 3.1.5 STAGE 4: Review (externally)

If internal complaints procedures have been exhausted and the complaint remains unresolved to the satisfaction of the student, s/he may complain to the ESFA by contacting them via <https://www.gov.uk/complain-further-education-apprenticeship>.

For Higher Education students, who are dissatisfied with the outcome of their complaint and have exhausted their institution's complaint process, options are available to seek resolution through further levels of investigation. For service-related complaints students should contact the Office of the Independent Adjudicator. For quality of learning complaints, students should contact the relevant Higher Education establishment and follow their procedure

Advice and guidance on these procedures is available from Student Services staff.

#### 3.1.6 **Higher Education (UCLan) students**

The college will deal with all stage 1 complaints raised by university course students registered for a UCLan award.

If the complaint relates to service-related issues, stages 2 and 3 will also be dealt with by the college.

If the complaint relates to academic standards or the quality of the learning opportunity and is not resolved by the partner at stage 2, stage 3 will be dealt with by UCLan. In this scenario, the complainant must submit their complaint to the university under stage 3 of their procedure (Students Complaints Procedure of the University of Central Lancashire) within 15 working days of the date of the College's final response. The University will review the actions taken by the partner with a view to reaching a positive resolution, although it should be recognised that we may not always have the authority to determine matters at partner institutions.

If the matter brought forward as a complaint falls under another specific policy or procedure at UCLan that has its own complaints scheme then the student will be advised accordingly and supported in pursuing their complaint through these alternative channels if appropriate.

3.1.7 Some aspects of the College's work are also governed by the complaints procedures of other external organisations. In the case of Awarding Bodies, the Examinations Office will advise learners of the procedure to be followed.

3.1.8 The appropriate senior manager will deal with a complaint that relates to the personal conduct or actions of one of their managers. In the case of a complaint against the Principal, the matter will be directed to the Chair of the Corporation. The Chair or Deputy Chair will deal with a complaint that concerns a Governor.

- 3.1.9 Complaints should be notified in a timely manner and in any case not exceeding 12 months from the incident in question.

## **3.2 Other Complainants**

- 3.2.1 Any person, other than a member of staff (who should use the Grievance Procedure) or a student who is dissatisfied about any aspect of the College's activities, should direct their complaint in the first instance to the relevant college manager or, if this is not known, to the Director of Quality. The complaint will normally be acknowledged within two working days of receipt and forwarded to be dealt with by the appropriate manager.
- 3.2.2 The appropriate manager will investigate the complaint and will make a written response to the complainant, normally within ten working days of the complaint being received, or the complainant will be advised of any delay and the likely timescale in which they should receive a reply.
- 3.2.3 If the complainant is not satisfied with the reply, the Principal will consider the complaint. S/he will normally acknowledge the complaint within two working days of its receipt and, after investigating the complaint, normally reply within ten working days, or the complainant will be advised of any delay and the likely timescale in which they should receive a reply. The Principal reserves the right to delegate this responsibility to another senior manager.
- 3.2.4 At this stage the complainant will be notified of their right to complain to (and how to contact) the Education and Skills Funding Agency, or, in the case of Runshaw HE learners, to the Complaints Liaison Officer at the Academic Quality Standards Unit at the University of Central Lancashire. It is expected that this procedure will only be followed when the above internal steps have been fully exhausted and the complaint remains unresolved to the satisfaction of the complainant.
- 3.2.5 The appropriate senior manager will deal with a complaint that relates to the personal conduct or actions of one of their managers. In the case of a complaint against the Principal, the matter will be directed to the Chair of the Corporation. The Chair or Deputy Chair will deal with a complaint that concerns a Governor.

## **3.3 Complaints against the conduct or actions of the Corporation**

Where it is considered by the Director of Quality that the nature of the complaint is against the conduct or actions of the Corporation, the Head of Governance, acting independently, will investigate the complaint. The Clerk will normally reply within ten working days, or the complainant will be advised of any delay and the likely timescale in which they should receive a reply.

## **3.4 Unacceptable Complainant Behaviour**

- 3.4.1 The College is committed to dealing with all complainants fairly and impartially and to providing a high quality service, but it is not expected that staff should have to tolerate behaviour, which is considered to be unacceptable, for example, any communication which is:
- abusive, offensive, defamatory or distressing;
  - aggressive, threatening, coercive, malicious or intimidating;
  - unreasonably persistent or demanding.

When it is considered that the behaviour of a complainant is unacceptable, staff will refer to the 'Policy for the Protection of Staff from Abuse, Aggression and Unreasonable Behaviour'.

- 3.4.2 As per the guidance in the '*Policy for the Protection of Staff from Abuse, Aggression and Unreasonable Behaviour*', when it is considered that the behaviour of a complainant is unacceptable, they will be told why the behaviour is unacceptable and asked to modify it. If the behaviour continues, or where exceptional circumstances are such that the initial behaviour has been significantly concerning (such as a physical assault), action will be taken to restrict their contact with staff and students at the College.
- 3.4.3 The decision to restrict access will be taken a member of the College's Senior Management Team (or nominee) after careful consideration of the all the circumstances. Any restrictions imposed will be appropriate and proportionate and may include, but will not be limited to:
- asking the complainant to enter into an agreement about their conduct;
  - requesting contact in a particular form e.g. letters only;
  - requiring contact to take place with a named person;
  - restricting telephone calls to specified days and times; and/or
  - asking the complainant to appoint a representative to correspond with us;
- 3.4.4 The complainant will be informed why their behaviour is unacceptable, what action is being taken and the duration of that action. Any action will be proportionate to the nature and circumstances of the incident.
- 3.4.5 Where a complainant behaves unacceptably during a telephone conversation, as a last resort the call may be terminated.
- 3.4.6 Where a complainant continues to behave in a way that is considered to be unacceptable, it may be decided to terminate contact with them. This may mean that the college will not continue with the handling of their complaint.
- 3.4.7 Where the behaviour threatens the safety and welfare of College staff and/or students, other options will be considered, for example, but not restricted to:
- action under the College Disciplinary Regulations (including suspension from the College),
  - reporting the matter to the police,
  - taking other legal action.

#### **4. RECORDING**

- 4.1 Complaints may be received verbally or in writing. In all cases, when a manager receives a complaint, a written record will be made, supported by accompanying documentation.
- 4.2 Should an individual require assistance in formulating or writing their complaint, Student Services staff or the Director of Quality will provide support and guidance.
- 4.3 Details of any complaints from HE students registered for a UCLan award that reach stage 3 should be provided to UCLan at the time (via [cliaison@uclan.ac.uk](mailto:cliaison@uclan.ac.uk)).

#### **5. MONITORING QUALITY ASSURANCE AND CONTROL**

- 5.1 Managers must provide written details of the action taken and the outcome of the complaint and forward a copy of this, with supporting documents attached, to the #Complaints mailbox-
- 5.2 The Head of QMIST will monitor all complaints for issues of discrimination. Where such issues are identified, the complaint record will be up-dated, appropriate actions instigated and the matter will be brought to the attention of the Deputy Principal and Director of Quality.
- 5.3 The Director of Quality will monitor the operation of the procedure to ensure that it is effective.
- 5.4 The Director of Quality is responsible for logging, recording and reporting complaints to Senior Management Team Monitoring meetings where each complaint is considered in detail. Additionally, the Senior Management Team Meetings receive periodic reports which analyse trends, including issues relating to discrimination and diversity. In all cases recommendations are considered and actions taken to deal with any identified issues. Information will be used to improve services for our stakeholders and the student experience.
- 5.5 The Governing body will receive an overview of complaints on an annual basis.

## **6. POLICY REVIEW**

- 6.1 This policy will be reviewed every two years or in line with legislation and / or best practice in the sector.

## **Addendum – TAGs – Summer 2021**

1. Any student who believes that the centre’s decision to withdraw an entry due to insufficient evidence on which to determine a Teacher Assessed Grade, or not to make an entry in the first place, must raise such concerns through Runshaw’s complaints process.
2. Any continuing concerns following completion of the complaints process may subsequently be raised through the awarding organisation’s complaints process.
3. Complaints about the award of Teacher Assessed Grades (“TAGs”) as part of the 2021 Summer Exam series are outside the scope of this policy and will be considered under the separate Centre Policy for Determining Teacher Assessed Grades in Summer 2021. This is save for where matters relate to TAGs but lie outside of the “Centre Policy for Determining TAGs in Summer 2021’s” remit and at the express discretion of Runshaw College e.g.
  - a. any decision to withdraw an entry due to insufficient evidence on which to determine a Teacher Assessed Grade, or not to make an entry in the first place.
  - b. any failure or delay in offering or following the Centre Policy for Determining Teacher Assessed Grades in Summer 2021.
4. Any continuing concerns following completion of Runshaw’s complaints process may subsequently be raised through the awarding organisation’s complaints process.”