

# COMPLAINTS PROCEDURE

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Learners and other stakeholders who wish to record feedback regarding services provided by the College should be encouraged to raise the issue with the appropriate member of staff. Issues are best resolved informally with those directly responsible.

However, if the issue is not resolved informally, it should be treated as a formal complaint. Formal complaints must be in writing and forwarded to the Head of Quality at the College address or by email.

## HOW TO RECORD FEEDBACK ABOUT COLLEGE SERVICES

If learners/clients wish to comment or make a suggestion about improving one of the College's services, they can do so by using the Compliments, Comments and Complaints leaflet which is available on the intranet, from the main reception, YCUC office, Learning Centres and other public areas of the College. The College welcomes comments on the kind of service we provide, the way those services are provided and the level of service experienced.

## FORMAL COMPLAINTS

If it is not possible to resolve the complaint informally or if the complaint is considered too serious for informal resolution, complainants should be requested to provide full details as soon as possible. The details should be in writing, either using the Compliment, Comments and Complaints leaflet or by letter/email; this should be within six weeks of the events about which they are complaining.

Complaint details should include:

- name
- a contact address (and preferably telephone number and/or email address)
- programme of study (if a learner at the College)
- the date on which the problem arose
- whether anyone else was affected, or saw what happened
- any other relevant information

For complainants who have difficulty communicating in writing, a comprehensive record of the conversation and concerns, along with all necessary details must be made immediately. The standard Formal Complaint Record form (appendix 4) should be used to record and confirm the details. The complainant should sign the form and be given a copy of it to ensure they agree to it being factually correct.

Formal complaints should be addressed to the Head of Quality. All information gained when a formal complaint is made and investigated will be kept as confidential as is reasonably possible.

Once a complaint is received in writing it becomes a formal complaint and will be logged by the Personal Assistant to the Senior Management Team who will acknowledge receipt of the complaint within 3 working days, informing the complainant of the name and contact details of the person dealing with the complaint. This will normally be the appropriate curriculum manager or other senior manager.

A full investigation will be conducted with the aim of completing a written response within a maximum of 10 working days. If the complaint cannot be investigated within this period, the investigating manager must write to the complainant before the expiration of the 10 day investigation period, to explain what action is being taken and to provide an estimate of when a full response will be provided. A copy of this 'holding letter' must be forwarded to the Head of Quality and PA to the Senior Management Team who will update the College records accordingly. The Head of Quality will monitor compliance with the above service levels and, if necessary, issue a reminder to the investigating manager.

Complaint responses will set out how we have investigated the complaint, the evidence we have used, the conclusion we have reached and, if appropriate, the steps we intend taking to put matters right (see guidance in appendix 3). The Head of Quality will approve the overall content and tone of response letters before they are sent. Note that this is not to provide a proof reading service and that at least 2 working days must be allowed for this process within the 10 day investigation period.

There are separate policies/procedures for dealing with staff grievances, appealing against the outcome of academic assessments and for making disclosures in the public interest (whistleblowing). The complaints procedure cannot be used for any of these purposes.

Complaints procedures are separate from disciplinary procedures. The purpose of the complaints procedure is not to apportion blame amongst staff but to investigate complaints with the aim of satisfying complainants, while being fair to staff and to learn any lessons that may improve future service delivery. Should a complaint identify information about serious matters which indicate a need for disciplinary investigation, a case for considering disciplinary investigation can be suggested at any point during the complaints procedure but consideration of whether disciplinary action is warranted is a separate matter for management outside the complaints procedure and must be subject to a separate process of investigation. Where it is decided to take action under the disciplinary procedure, the complaint investigation will continue to be taken forward.

### **FORMAL COMPLAINT: APPEALS**

If complainants are not satisfied with our response and want to pursue matters further, they should write to the Principal within 10 working days of receiving the response, setting out why they are dissatisfied. The Principal will consult with the investigating manager and other staff as appropriate, and respond to the complainant in writing within 10 working days of receiving the appeal.

### **FORMAL COMPLAINT: FINAL APPEAL**

If complainants remain dissatisfied with our complaint appeal response and want to pursue matters further, they should write to:

Complaints Team  
Education & Skills Funding Agency  
Cheylesmore House,  
Quinton Road,  
Coventry,  
CV1 2WT

or by email to [complaints.ESFA@education.gov.uk](mailto:complaints.ESFA@education.gov.uk)

They should write within 3 months of the College making a decision on the complaint.

The College's internal complaints process must be exhausted before final appeals as above.

## **COMPLAINTS FOR STUDENTS STUDYING HIGHER EDUCATION COURSES AT YEOVIL COLLEGE**

Yeovil College University Centre offers Higher Education (HE) students a range of ways in which to raise concerns relating to their time at college through both formal and informal mechanisms. The Complaints Procedure recognises and adheres to the QAA Quality Code (B9)<sup>1</sup> and aims to provide procedures which are fair, accessible and timely and enable enhancement through the monitoring of complaints and the improvements made as a result.

Informal concerns will be dealt with and recorded under the feedback process detailed on page one of this document. However, we understand that some individuals or groups may wish to escalate concerns via a formal complaint to the College.

Yeovil College University Centre HE students submitting a complaint who are enrolled on an HE programme, such as HNC/HND, FdA/FSc, BA/BSc, will have their complaint dealt with under the College Policy and Procedures identified in this document.

All HE complaints will be reviewed by members of the HE management team in the first instance; thereafter, other members of the Curriculum staff and other Senior Management Team members may become involved as appropriate.

The response provided to the students will be entitled 'Completion of Procedures'. This denotes that the college has exhausted the internal complaints procedure. This does not prevent the complainant from appealing to the college (as detailed above), or referring their complaint to the relevant University if appropriate.

Students attending Yeovil College University Centre who are also enrolled on a partner University's programme will have their complaint progressed through the procedures outlined in this document in the first instance. Where an individual feels that their complaint has not been dealt with appropriately by Yeovil College they can then raise their complaint directly with the relevant University partner. Once internal procedures have been exhausted (or the University procedures) and the outcome is not satisfactory to the complainant, advice can be sought from the Office of the Independent Adjudicator who operate an independent review scheme acting as an appeal body. Details can be found at <http://www.oiahe.org.uk/>

If the complaint links to a claim of compensation under the YCUC Refund and Compensation Policy then a claim for compensation should be made in addition to the formal complaint and this will be assessed within the complaint investigation.

This document is available in an alternative format; please contact [Marketing@yeovil.ac.uk](mailto:Marketing@yeovil.ac.uk) for information.

### **Appendices**

Appendix 1 – Formal complaints flowchart

Appendix 2 – Formal complaints appeals flowchart

Appendix 3 – Complaints handling, staff guidance

Appendix 4 – Formal Complaint record form


Appendix 5 – Acknowledgement letter template

Appendix 6 – Response letter template

Appendix 7 – Text of Compliments, Comments and Complaints leaflet

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<sup>1</sup> <http://www.qaa.ac.uk/publications/information-and-guidance/uk-quality-code-for-higher-education-chapter-b9-academic-appeals-and-student-complaints#.WusrXO8vzcs>

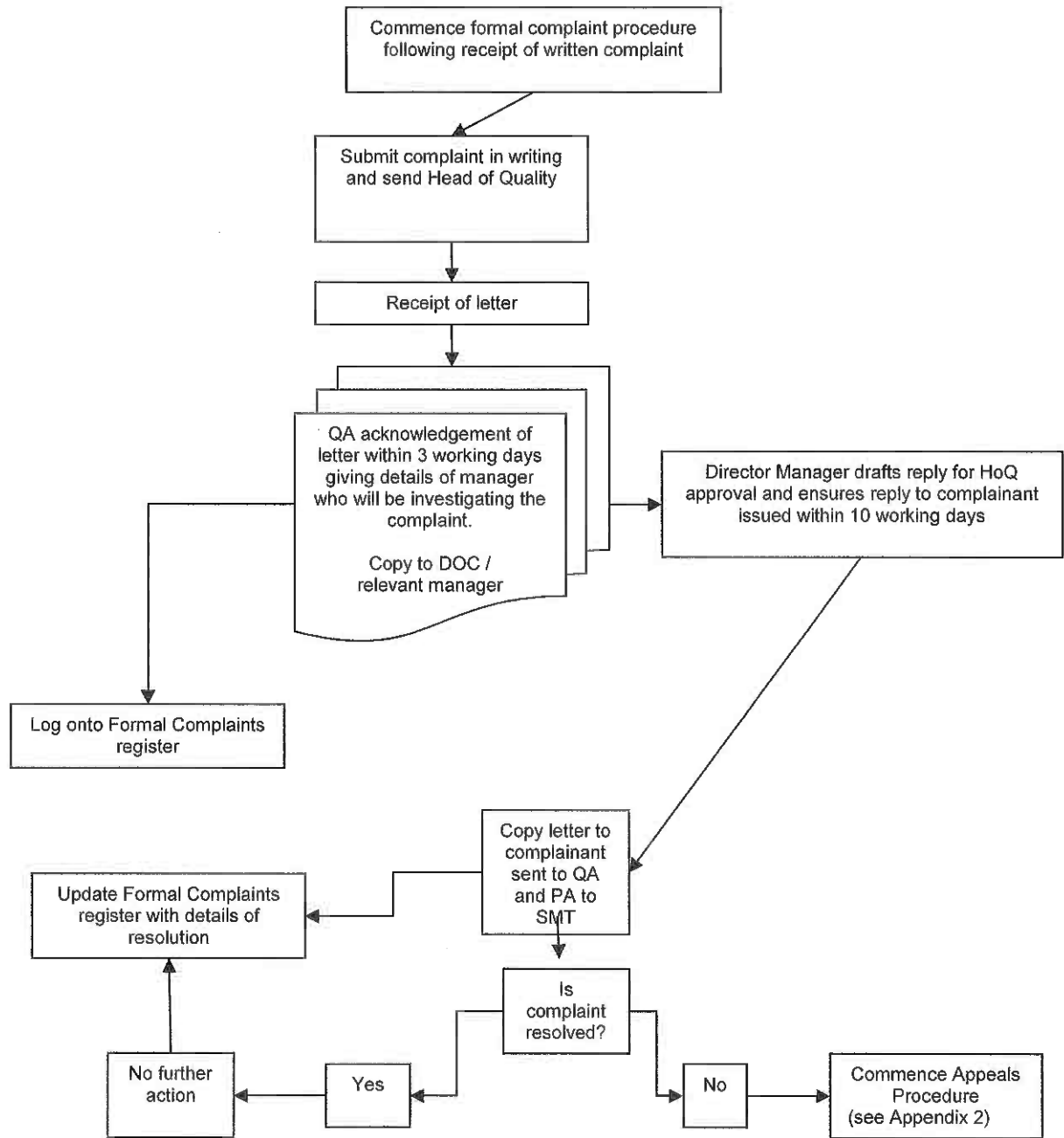
Policy Review				
Author	Position	Approved by SMT	Approval date	Review date
Mark Bolton	Vice Principal Curriculum & Quality	Signed: 	26.06.18	January 2020

### Document Control – Revision History (Policies only)

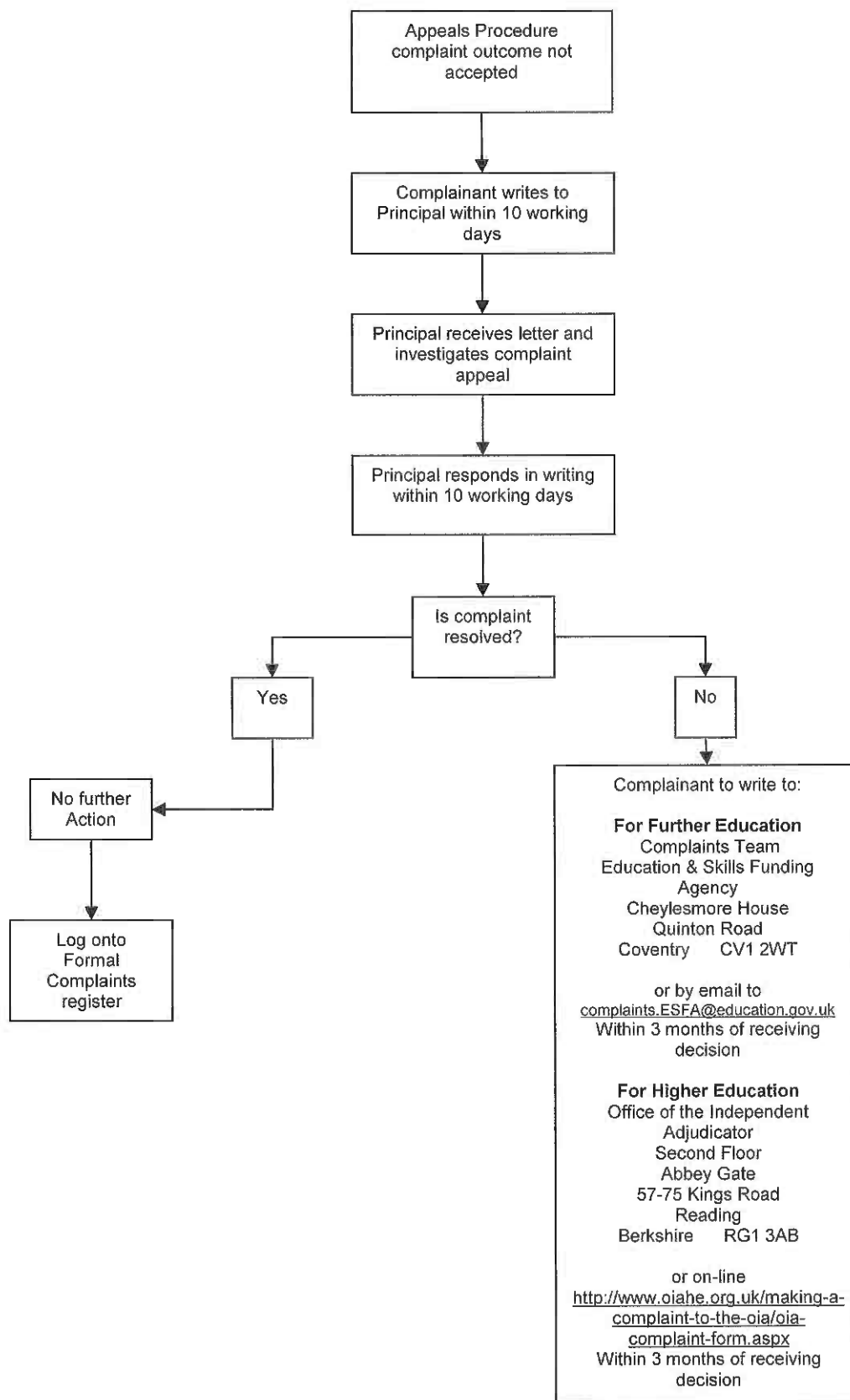
Author/Owner	Summary of Changes	Date	Date last reviewed by SED	Recommend to SED Y/N
Nikki Sendell	Updated to reflect changes in responsibility and to include procedure for Higher Education complaints	14.03.17	13.01.16	No
Nikki Sendell/ Rose Cooper	Minor amendments to clarify procedures	16.01.18	13.01.16	No
Rose Cooper/Nick Hardman	Changes to align with Office for Students initial registration submission	04.05.18	13.01.16	No

Initial Equality Impact Screening			
Have you consulted on this procedure? Yes Details: Consultation with Principal, VP Learning & Quality, Head of Marketing & Communications			
What evidence has been used for this assessment?			
Could a particular group be affected differently in either a negative or positive way? Indicate Y where applicable			
<b>Group</b> Age Disability Gender (incl. Transgender) Race (incl. Gypsy & Traveller) Religion or belief Sex Sexual orientation Marriage & civil partnership Pregnancy & maternity Other groups (see guidance)	<b>Negative impact</b>	<b>Positive impact</b>	<b>Evidence</b>
Please give details:			
If any negative impacts are identified, are there any related policies, services, strategies, procedures or functions that need to be assessed alongside this screening? If yes, please detail below:			
Should the procedure proceed to a full Equality Impact Assessment? No If no, please give reasons: No negative impacts identified			
<b>Declaration</b> We are satisfied that an initial screening has been carried out on this policy, service, strategy, procedure or function (delete those which do not apply) and a full Equality Impact Assessment is / is not required.  We understand that the Equality Impact Assessment is required by the College and that we take responsibility for the completion and quality of this assessment			
Completed by Author: Nikki Sendell		Position: VP Curriculum & Quality	Date: 08.07.15
Reviewed by Safeguarding, Equality & Diversity Group:			Date: 13.01.16
<b>Comments from Safeguarding, Equality &amp; Diversity Group Review:</b>			

Formal complaints flowchart



Formal complaints appeals flowchart



## Complaints handling, staff guidance

### Introduction

Complaints are one way of identifying learners'/clients' perspective of the service the College provides. They can act as an early indicator that a system is not functioning effectively and analysis of the factors that prompted the complaint can provide valuable insight into where service improvements may be required. Therefore, complaints can be used as a positive tool for promoting organisational and individual learning and customer service improvement.

The aim of this guidance is to help staff understand their responsibilities in complying with the complaints policy and procedure; and offers guidance on good practice at each stage of the process to help ensure a consistent, fair and just approach to both complainants and any staff who may be involved in the complaint investigation.

Learners/clients have a right to complain should they feel that the service they have received or the way that they have been treated has been deficient. The fact that a learner/client has made a complaint will not affect the subsequent service they receive nor will they be treated less favourably.

There are separate policies/procedures for dealing with staff grievances, appealing against the outcome of academic assessments and for making disclosures in the public interest (whistleblowing). The complaints procedure cannot be used for any of these purposes.

Where concerns, queries or complaints are received in person or over the telephone, every effort must be made to resolve the situation at the time. Where the individual receiving the complaint is unable to do this then assistance from the relevant line manager should be requested.

### Verbal complaints

In some cases the complainant may not feel comfortable in making a complaint to those directly delivering the service. If the complainant will not speak with a local manager, they must be offered alternative ways to make their complaint, for example by using the Compliments, Comments and Complaints leaflet. For complainants who have difficulty communicating in writing, a comprehensive record of the conversation and concerns, along with all necessary details must be made immediately. The standard Formal Complaint Record form (appendix 4) should be used to record and confirm the details. The complainant should sign the form and be given a copy of it to ensure they agree to it being factually correct. The complaint is then treated as a formal complaint and passed to the Head of Quality.

### Guidance on dealing with verbal complaints

- deal with concerns/complaints promptly to reduce the likelihood of issues escalating
- if possible, take action to resolve it informally
- be polite, courteous and helpful. It makes all the difference!
- build rapport
- establish key concerns
- show understanding
- present your / the College's position – explain what you can and cannot do
- reach agreement on action/way forward
- thank the person

## **Written complaints**

Written complaints deemed to be of a formal nature received by any Curriculum area, support department or by any member of staff must be passed on to the Head of Quality without delay.

## **Comments/informal complaints**

Comments and complaints deemed to be informal may be resolved and responded to locally.

## **Disciplinary procedure**

Complaints procedures are separate from disciplinary procedures. The purpose of the complaints procedure is not to apportion blame amongst staff but to investigate complaints with the aim of satisfying complainants, while being fair to staff and to learn any lessons in service delivery. Should a complaint identify information about serious matters which indicate a need for disciplinary investigation, a case for considering disciplinary investigation can be suggested at any point during the complaints procedure but consideration of whether disciplinary action is warranted is a separate matter for management outside the complaints procedure and must be subject to a separate process of investigation. This investigation will be actioned under the College's Disciplinary Policy & Procedures. Where it is decided to take action under the disciplinary procedure, the complaint investigation will continue to be taken forward.

## **Guidance on writing responses**

This guidance aims to assist staff in preparing written responses to formal complaints. It outlines the College's commitment to ensuring that complainants receive appropriate, timely and constructive responses, which address their concerns and provide information on options for further action. Great care needs to be taken when drafting responses to ensure they are written sensitively, most complainants are distressed by having to complain in the first place.

Read the complaint and identify the key issues.

- address each issue as identified by the complainant
- think of what the complainant wants, not what you think needs answering
- give explanations
- avoid using complex educational terminology or being verbose, use laypersons' terms
- outline action taken to prevent the event occurring again
- avoid using 'if', use 'that', therefore acknowledging the complainant's version of events
- leave the complainant feeling that they have been taken seriously and their concerns have been listened to and acknowledged
- avoid being patronising or defensive
- ensure that all facts are correct

Good responses will include:

- an acknowledgement of the complainant's feelings/concerns and an apology
- excellent vocabulary and grammar, avoid College jargon
- answers to all the points raised
- details of the actions taken and any changes following the complaint – demonstrating organisational learning
- details of what the appeals process if they are not satisfied by the response



Think of the positive value of Complaints:

- as a measure of quality (or lack of it)
- as a catalyst for change
- as an aid to future planning
- as reflecting the opinions and views of our learners/clients
- as an opportunity to change perceptions/project a positive image of the College
- as an 'early warning system'

Possible shortfalls include:

- responses that are defensive rather than constructive
- absence of detail that demonstrate an investigation has been undertaken
- statements from the complainant not acknowledged
- absence of options for further action
- responses are unduly delayed
- not addressing or answering key points
- not acknowledging feelings or perceptions
- responses which are too technical, patronising or defensive
- factual inaccuracies and mistakes
- using complex language which can come across to the complainant as 'showing off'
- no details of appropriate changes/improvements are given
- too much repetition of what the complainant has already told you in their letter

Which may lead to:

- delays in meeting the agreed timescale when rewrites are required
- adverse involvement of external bodies, media, MP's, etc.
- the appeals process being invoked
- cases being referred to the Education & Skills Funding Agency/Office of the Independent Adjudicator
- dissatisfied complainants / further correspondence
- an invitation to litigate

**How to ensure the tone of your response is right:**

- If the tone of your complaint response is in jeopardy of showing a negative view of complaints, it may be better to allow someone else to read it to see if they pick up a negative tone. This practice is recommended for all final responses.
- Take the time to do a personal check, where you step out of your role and put yourself in the shoes of the complainant to see if you have satisfactorily answered the complaint. Look at the situation from their point of view – **would you be satisfied with the response?** Re read their letter against your response.
- Remember to:
  - address the complainant directly
  - keep sentences short and simple
  - explain any abbreviations
  - avoid College jargon

**Helpful phrases for complaint responses**

The following phrases may prove helpful in drafting responses:

- I write further to your letter dated.....

- Your concerns have been investigated by.... who would like to apologise for the delay in responding to you. This was due to .....
- I was sorry to hear that you were unhappy with.....
- I am sorry that you found (xx) to be upsetting, as this was not the intention.
- The normal is (xx). I am sorry that in this instance this did not occur.
- I apologise for any upset/concern/anxiety this caused.
- As a result of your letter.....
- I trust that my letter has answered the issues you raised and I sincerely regret that this situation arose.
- It is always our intention to provide excellent and responsive service to learners / clients and I am sorry this was not the case on this occasion.
- Your experience of our services falls short of the standards we set for the College and I would like to apologise for the upset / concern / anxiety this has caused you.
- I should also like to take this opportunity to thank you for contacting us about your concerns. The opinions of those who use our services give us valuable insight into the service that we provide and areas where improvements might be made.

## FORMAL COMPLAINT RECORD FORM



Form to be completed by College staff to record formal complaint from complainant who is unable to make their complaint in writing. Recorded complaint should be read back to learner/client who should then sign to agree accuracy of record. Copy to be given to complainant, original retained by College and forwarded to the Head of Quality.

### Essential Information:

Name:

Address and/or email address:

Telephone no:

Learner details if different from above:

Date of incident if applicable:

**Details of complaint:** (including course and any witness details if applicable)

### Action Taken/Agreed

Signature:

Date:

Staff signature:

Date:

### Forward to the Head of Quality

**Acknowledgement letter template** (use with College headed paper)

Date\*\*\*\*

Dear\*\*\*\*

**Complaint:** \*\*\*\*

Thank you for your letter received in my office on ----- . I am sorry that it has been necessary for you to make a complaint regarding the above.

I am writing to advise that we will investigate this matter as a formal complaint. Your complaint has been referred to a senior manager and will be investigated by \*\*\*\*, Curriculum Area Manager for \*\*\*\*. It is our policy to complete investigations and to respond fully to complaints within 10 working days of receipt of your letter; you can therefore expect to hear from \*\*\*\* by \*\*\*\*.

Thank you for bringing this matter to my attention.

Yours sincerely

**Mandy Morton**  
**Personal Assistant to Senior Management Team**

**Complaint response letter template** (use with College headed paper)

Date\*\*\*\*

Dear\*\*\*\*

**Complaint:** \*\*\*\*

I am writing to you *following my investigation into your complaint or further to your letter to* ..... regarding the ..... you experienced on *day month year*. .....**or** *and would like to apologise for the delay in responding to your concerns which was due to the need for through investigation etc.* (use the latter if the complaint has been delayed).

The issues you raised have been taken very seriously and have been thoroughly investigated and I am now able to respond.

Main body of complaint to include:

- appropriate personalisation
- responses to each issue raised by the complainant following the formula of:
  - brief outline of what happened for each issue, where appropriate
  - an apology if the complaint is justified or an apology for the complainant's perception and feelings
  - the action that will be taken to prevent a future reoccurrence, improvement or change to systems / policies etc. and the timescale.
  - explanation of any terminology used

**Responses to be checked to ensure they are high quality and that they include the correct name, address and reference number and that the font is Arial 11.**

In conclusion the College will be taking the following actions in relation to the issues you have raised. **Here you must add – actions to be taken, timescales and who is responsible.**

Once again please accept my sincere apologies for any upset or distress *that was caused to you or upset or distress you felt.* (Use the former phrase if the complaint was justified)

I can assure you that every effort will be made to ensure that all future dealings that you may have with the College will prove to be satisfactory.

I hope you will view this response as helpful in addressing your concerns. However if you have any further concerns, require any information, or would like to attend a meeting to discuss your complaint further, please contact me to resolve any outstanding issues you may have. I enclose a copy of the College's Compliments, Comments and Complaints leaflet which includes details of how to proceed if you are not satisfied with the way your complaint has been handled.

I should also like to take this opportunity to thank you for contacting us about your concerns. The opinions of those who use our services give us valuable insight into the service that we provide and areas where improvements might be made.

Yours sincerely

... ..  
(title) ... ..

**Text of Compliments, Comments and Complaints leaflet****HOW TO RECORD FEEDBACK ABOUT COLLEGE SERVICES**

If you want to record compliments, comments or make suggestions about improving the College's services, you can do so by using the Compliments, Comments and Complaints leaflet which is available on the intranet, from the main reception, YCUC office Learning Centres and other public areas of the College. We particularly welcome comments on the kind of service we provide, the way those services are provided and the level of service you have experienced.

**Complaints**

If you have issues with any of the College services, you are encouraged to raise the issue with the appropriate member of staff. Issues are best resolved informally with those directly responsible. Wherever possible, we ask that you try to resolve your complaint at the point it arose, with the members of staff concerned.

However, if you are not satisfied with how your issue has been dealt with, you should put your complaint in writing and send this to the Head of Quality at the College address.

**Making a formal complaint**

If you are unable to resolve your complaint informally or if the complaint is considered too serious for informal resolution, you will need to provide us with details as soon as possible after the events about which you are concerned occurred. The details should be in writing, either using the Compliment, Comments and Complaints leaflet or by letter/email. This should be within six weeks of the event about which you are complaining, as we may not be able to investigate your complaint properly if you delay. You will need to tell us:

- your name
- a contact address (and preferably telephone number and/or email address)
- your programme of study (if you are a learner at the College)
- the date on which the problem arose
- whether anyone else was affected, or saw what happened
- any other relevant information

The complaint should be addressed to the Head of Quality. All information gained when a formal complaint is made and investigated will be kept as confidential as is reasonably possible.

Once a complaint is received in writing it becomes a formal complaint and will be logged by the Personal Administrator to the Senior Management Team who will acknowledge receipt of the complaint normally within 3 working days, informing the complainant of the name and phone number of the person dealing with the complaint. This will normally be the appropriate Curriculum area manager or other senior manager.

We will then carry out an investigation and aim to achieve a satisfactory outcome within 10 working days. If the complaint cannot be investigated within this period, we will contact you to explain what action is being taken and to provide an estimate of when a full response will be provided. Our response will set out how we have investigated your complaint, the evidence we have used, the conclusion we have reached and, if appropriate, the steps we intend taking to put matters right.

### **Formal complaint: appeals**

If you are not satisfied with our response and want to pursue matters further, you should write to the Principal within 10 working days of receiving the response, setting out why you are dissatisfied. The Principal will consult with the manager concerned and other staff as appropriate, and respond to you in writing within 10 working days of receiving your appeal.

### **Formal complaint: final appeal (Further Education)**

If you are not satisfied with the Principal's response and want to pursue matters further, you may write to the Education & Skills Funding Agency within 3 months of the College making a decision on your complaint:

Complaints Team  
Education & Skills Funding Agency  
Cheylesmore House,  
Quinton Road,  
Coventry,  
CV1 2WT

or by email to [complaints.ESFA@education.gov.uk](mailto:complaints.ESFA@education.gov.uk)

The College's internal complaints process must be exhausted before making an appeal to the Education & Skills Funding Agency.

### **Formal complaint: final appeal (Higher Education)**

If you are not satisfied with the Principal's response and want to pursue matters further, you may write to the Office of the Independent Adjudicator. You should write within 3 months of the College making a decision on your complaint.

Office of the independent Adjudicator – online form <http://www.oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>

Office of the Independent Adjudicator  
Second Floor  
Abbey Gate  
57-75 Kings Road  
Reading  
Berkshire  
RG1 3AB

The College's internal complaints process and, if relevant, the partner university's complaints process, must be exhausted before making an appeal to the Office of the Independent Adjudicator.