



# Complaints, Comments and Compliments Policy and Procedure

## 2023-24

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## Contents

1.	Introduction.....	2
2.	Aims of the procedure.....	3
3.	Scope .....	3
4.	Outside of Scope.....	3
5.	Comments .....	4
6.	Compliments .....	4
7.	Vexatious, malicious or frivolous complaints.....	4
8.	How to make a complaint .....	4
9.	Complaints for programmes delivered in partnership with Higher Education Institutions.....	5
10.	Complaints Procedure .....	5
	10.2 Stage 2: Formal Complaint .....	6
	10.3 Stage 3: Appeals Procedure.....	6
11.	Student complaints relating to members of staff .....	7
12.	External redress.....	8
	12.1 Further Education.....	8
	12.2 Higher Education .....	8
	Appendix 1: Complaints Procedure- <i>Flowchart</i> .....	9
	Appendix 2: Guidance Notes – How to Deal with a Complaint.....	10
	1. Investigating Officers.....	10
	2. The Investigation .....	10
	3. Appeals .....	10
	Appendix 3: Complaints: Investigating Officer Report.....	11
	Appendix 4: Appeals against Teacher Assessed Grades (TAGs) Summer 2021 ..	<b>Error! Bookmark not defined.</b>
	Appeals policy for Teacher Assessed Grades Summer 2021.....	<b>Error! Bookmark not defined.</b>
	Receiving your results.....	<b>Error! Bookmark not defined.</b>
	Teacher Assessed Grades Summer 2021 Appeals procedure .....	<b>Error! Bookmark not defined.</b>
	Stage 1: Centre review.....	<b>Error! Bookmark not defined.</b>
	Stage 2: Appeal to the exam board .....	<b>Error! Bookmark not defined.</b>
	Submitting your appeal .....	<b>Error! Bookmark not defined.</b>

## 1. Introduction

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- 1.1 The College will aim to listen to the views of all who use our services, learn from its mistakes and continually try to improve. The College wishes to encourage comments, compliments from stakeholders and effectively respond to complaints raised. Feedback from students is welcomed as part of the College's approach to the development and enhancement of the quality of its services.
- 1.2 A complaint is an expression of dissatisfaction with a service. Often when the College is aware of a problem it can remedy it quickly. The College is committed to taking all complaints seriously by:
- Making the process of complaining as straightforward and easy as possible
  - Listening and responding to all written complaints
  - Investigating in a thorough and professional manner
  - Informing the complainant of any outcomes
  - Using the information gathered to improve our services and provide staff training if required
  - Making sure our complaints service is accessible to individuals with learning difficulties and/or disabilities and those for whom English is a second language
  - Ensuring confidentiality is preserved during the investigation of a complaint to safeguard the interests of *everyone* concerned unless disclosure is necessary to progress the complaint.
- 1.3 The Comments, Compliments and Complaints procedure is communicated to students through the Induction process, through their progress and pastoral tutors and via course handbooks. Posters outlining KGV Qualities and Southport Standards are placed in all learning areas and key College areas. Comments, compliments and complaints boxes are placed in key areas within the College and on the College websites.

## 2. Aims of the procedure

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- To provide a clear framework for students and stakeholders to raise concerns, share comments and submit compliments;
- To give students the opportunity to raise matters of concern about their examinations or assessment via a formal and documented process.
- To protect the interests of all students.
- To facilitate a student's ultimate right of complaint to an awarding body, where it is appropriate.
- To support quality improvement in College services.
- To facilitate the sharing of good practice.

## 3. Scope

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- 3.1 The policy is applicable to all categories of students at all College sites including those studying full time and part time, apprentices and higher education students
- 3.2 Recent students, i.e. those who have completed their studies within the last 6 months, are also in scope for the purposes of this policy.
- 3.3 Visitors, service users or people external to the College may be in scope for this policy depending on the nature of their complaint.

## 4. Outside of Scope

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- 4.1 The Complaints Procedure does not apply where there are separate mechanisms in place:
- Appeals against assessment decisions (see 3.1);

- Freedom of Information or Data Protection;
- Staff Grievance Procedure;
- Appeals or Complaints relating to the admissions process;
- Complaints about student conduct;
- Appeals against Maintaining Student Responsibility Academic and Conduct Procedures.

4.2 The relevant procedures can be found at: <https://www.southport.ac.uk/about/policies-and-statements#academic>

4.3 This procedure will not be used for matters relating to assessment performance and academic judgement, except where a complaint about a service has to be resolved before an appeal decision can be made. The College reserves the right to reclassify a complaint as an academic appeal or vice versa, if the submission falls properly within the remit of one procedure rather than the other, or to consider matters together where there is good reason to do so.

## 5. Comments

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5.1 Comments, when received by the Complaints Manager, are shared with the appropriate departmental manager(s) who will consider any action and response as necessary.

## 6. Compliments

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6.1 Compliments received are shared with the member(s) of staff, their Line Manager(s) and the Human Resources Department. If a compliment is used by the College in any of its publications, an acknowledgement letter will be sent to the originator expressing the College's gratitude and detailing how the compliment has been used.

## 7. Vexatious, malicious or frivolous complaints

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7.1 The College reserves the right to terminate consideration of a complaint if it becomes clear that it is vexatious, malicious or frivolous. In these cases, the complainant will be notified by letter, outlining why the complaint is being terminated and explaining the right of appeal. Vexatious or malicious complaints may result in disciplinary action.

## 8. How to make a complaint

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8.1 There are three stages to the complaints procedure: **informal**, **formal** and **appeal**. Where possible informal suggestions and complaints should be dealt with and addressed by relevant staff in order to prevent the formal process being triggered.

8.2 If the formal process (Stage 2) is triggered, the flowchart on page 5 identifies the key stages through which a complaint is processed.

8.3 Complainants will register formal complaints in the following ways:

- In writing, by letter, by email to [learnervoice@southport.ac.uk](mailto:learnervoice@southport.ac.uk) or through the complaints form available from College Reception desks

8.4 Students and parents/carers/guardians may seek independent advice and support throughout this Procedure from the Student Guidance team. To contact the Student Guidance Centre please call 01704 392704 or email [guidance@southport.ac.uk](mailto:guidance@southport.ac.uk). If at any time, a student with a learning difficulty or disability or mental health condition is unable to engage with the Complaints Procedure, consideration will be given to putting the procedure on hold until support has been accessed.

- 8.5 Where complaints are raised collectively, the complaint should include a signed statement from all students confirming that they have been personally affected by the issue and authorising the College to correspond with a designated spokesperson.
- 8.6 Complaints made directly to the Principal will be directed to Stage 1 (Informal) or Stage 2 (Formal) of this Procedure dependent on the nature of the complaint.
- 8.7 Investigating Officers will be drawn from the College Management Team.
- 8.8 In the event of an appeal (Stage 3) against the outcome of an investigation, an independent member of the College Management Team will review the nature of the complaint and analyse the Investigating Officer's findings and report the outcome of the appeal to the Complaints Manager, who will then notify the complainant of this outcome.
- 8.9 A central database will record suggestions, compliments and complaints information. The Complaints Manager will ensure that complaints are processed effectively and categorised as academic or service-based complaints.
- 8.10 The Complaints Manager will present a semesterly report to SLT, will report to the Corporation on annual trends and will provide overall monitoring of the process including any actions arising.

## 9. Complaints for programmes delivered in partnership with Higher Education Institutions

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### 9.1 Pearson (Higher Nationals)

- 9.1.1 Students registered on a Higher National programme of study delivered at the College should, in the first instance, use the College's procedures for the remedy of complaints and should exhaust these procedures.
- 9.1.2 In the event of dissatisfaction upon exhaustion of the College's procedure, students may be entitled to submit their complaint to Pearson under stage 3 of their Complaints Procedure. Information is available here: [qualifications.pearson.com/complaintsandfeedback](https://qualifications.pearson.com/complaintsandfeedback)

### 9.2 Right to appeal

- 9.2.1 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.
- 9.2.2 For service related complaints please contact the Office of the Independent Adjudicator (see Section 11.2). For quality of learning complaints, please contact the relevant Higher Education establishment as set out above.

## 10. Complaints Procedure

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### 10.1 Stage 1: Informal Complaint

- 10.1.1 The purpose of this stage is to try to satisfactorily resolve a complaint at a local level in the shortest possible time; every effort will be made to resolve complaints immediately and in an informal way. If it is not possible to resolve the complaint at the informal stage or the nature of the complaint makes this stage inappropriate, it will be necessary to proceed directly to Stage 2.
- 10.1.2 Stage 1 concerns should be raised immediately and no later than three weeks after their occurrence.

- 10.1.3 Students can raise issues or make an informal complaint in a variety of ways. These include taking the complaint to the tutor, progress tutor/coach, pastoral tutor, curriculum leader, Curriculum Manager), Director of Curriculum, Student Guidance or to a student representative.
- 10.1.4 Members of the public, parents, employers and visitors may make an informal complaint in a number of ways including by telephone, email, letter, via Student Guidance or the relevant Head of Department.
- 10.1.5 Should an individual have cause to complain about any aspect of College provision, they are encouraged initially to approach the relevant member of College staff in the first instance who will deal with the situation as required.

## **10.2 Stage 2: Formal Complaint**

- 10.2.1 Individuals may wish to, either because of the nature of the complaint or because of the result of Stage 1, progress to Stage 2 of the procedures. Stage 2 is the beginning of the formal process. Formal complaints must always be in writing.
- 10.2.2 Stage 2 concerns should be raised within three weeks of exhausting Stage 1.
- 10.2.3 Anybody can raise an issue or make a formal complaint by completing the **Comments Compliments Compliments form**, the enquiry form on the **College website's contact page** or **by sending a letter or email** to the Complaints Manager. Forms can be submitted via the boxes provided throughout the College or posted to the Complaints Manager, Southport College, Mornington Road, Southport PR9 0TT. Forms are also available on the College Intranet.
- 10.2.4 Comments, Compliments and Complaints leaflets are available from College Reception or can be requested to be sent by post by contacting the Student Support Administrator on 01704 392822.
- 10.2.5 The complaint will be acknowledged by letter or email within 5 working days of receipt by the Complaints Manager (subject to staff availability due to holidays or illness).
- 10.2.6 A senior manager will be appointed as Investigating Officer and will conduct a thorough and fair review of the complaint and will speak to all parties concerned: this may involve contacting the complainant if the nature of the complaint is complex. In appointing an investigating officer the Complaints Manager will seek to ensure that there are no conflicts of interest. At the end of the investigation the complainant will be contacted by the Complaints Manager who will inform them of the outcome of the investigation. Normally the complainant will be notified of the outcome of their complaint within 15 working days of its receipt (although this may be extended, subject to staff availability, holidays or illness). The Complaints Manager will notify them if this process is likely to take longer.
- 10.2.7 If the Investigating Officer reports that a complaint was justified, remedial action will be taken as soon as possible to address the problem. If the Investigating Officer reports that a complaint was unjustified, no further action will be taken. The complainant has the right to register an appeal against the outcome by writing to the Complaints Manager within 15 working days of date of receipt.

## **10.3 Stage 3: Appeals Procedure**

- 10.3.1 The complainant needs to inform the Complaints Manager of their wish to appeal and the nature of the appeal. The Complaints Manager will appoint an independent senior manager to investigate. The senior manager will review the nature of the complaint, analyse the Investigating Officer's findings and report the outcome of the appeal to the Complaints Manager. On completion the senior manager will choose one of the following three options based on the evidence gained.
- Uphold the original decision
  - Change the outcome based on the evidence presented
  - Continue and extend the investigation

10.3.2 At the end of the investigation the senior manager will make a final decision. The Complaints Manager will inform the complainant of the outcome through the issue of a **“Completion of Procedures”** letter. The Appeal Stage is the final stage of the internal Complaints Procedure within the College.

10.3.3 **NB:** *Complaints that refer to Governors or the Corporation should be triggered at Stage 2. In such cases, the Clerk to the College Corporation will investigate unless the Clerk is a subject of the complaint. Where the Clerk is the subject of the complaint the Chair of the Governing Board will investigate the complaint and appeals will be considered by an external, impartial person.*

## 11. Student complaints relating to members of staff

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11.1 The following applies to complaints relating to members of staff:

11.1.1 Where a student complaint received is with reference to a staff member the Complaints Manager will decide if appropriate to follow the complaints procedure or another College policy or procedure.

11.1.2 The Complaints Manager will inform appropriate manager, usually the line manager to trigger investigation.

11.1.3 Dependent on the content of the letter/complaint form, the line manager will outline in detail the nature of the complaint to the member of staff. Where necessary the complainant’s name will be withheld. Note that data protection requires that if the member of staff chooses, they may use their legal right to view the documentation using the appropriate channels although in certain circumstances identification of the complainant can be withheld.

11.1.4 The investigating manager will discuss the issues with all concerned (staff and students where this is possible) and make a judgement on the justification of the complaint.

11.1.5 In the case of an unjustified outcome, the Complaints Manager will issue the standard letter and line manager will inform the member of staff.

11.1.6 In the case of justified or partially justified complaint, the Complaints Manager and the investigating officer will agree content where appropriate. The investigating officer will then meet with the member of staff to share the contents of the letter. This may in serious cases signal the implementation of other formal College procedures.

11.1.7 The member of staff will have sight of the letter, prior to its release, which briefly reflects the justification as found by the manager investigating the complaint.

11.1.8 If the complaint is justified and the matter referred to other College procedures, the appeals process will be available under these procedures.

11.1.9 The complaints record will be stored in accordance with the Data Protection Act and the General Data Protection Regulation (GDPR).

11.1.10 In some cases, justified complaints can trigger the Performance Procedure. Managers need to be aware that a justified complaint should not circumvent other action. The letters sent in response to a justified complaint should be brief.

## 12. External redress

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### 12.1 Further Education

- 12.1.1 If a complainant wishes to complain about how a complaint has been handled, and all internal procedures have been exhausted, they may wish to contact the Education and Skills Funding Agency ESFA (within 3 months of final response)

Email: [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

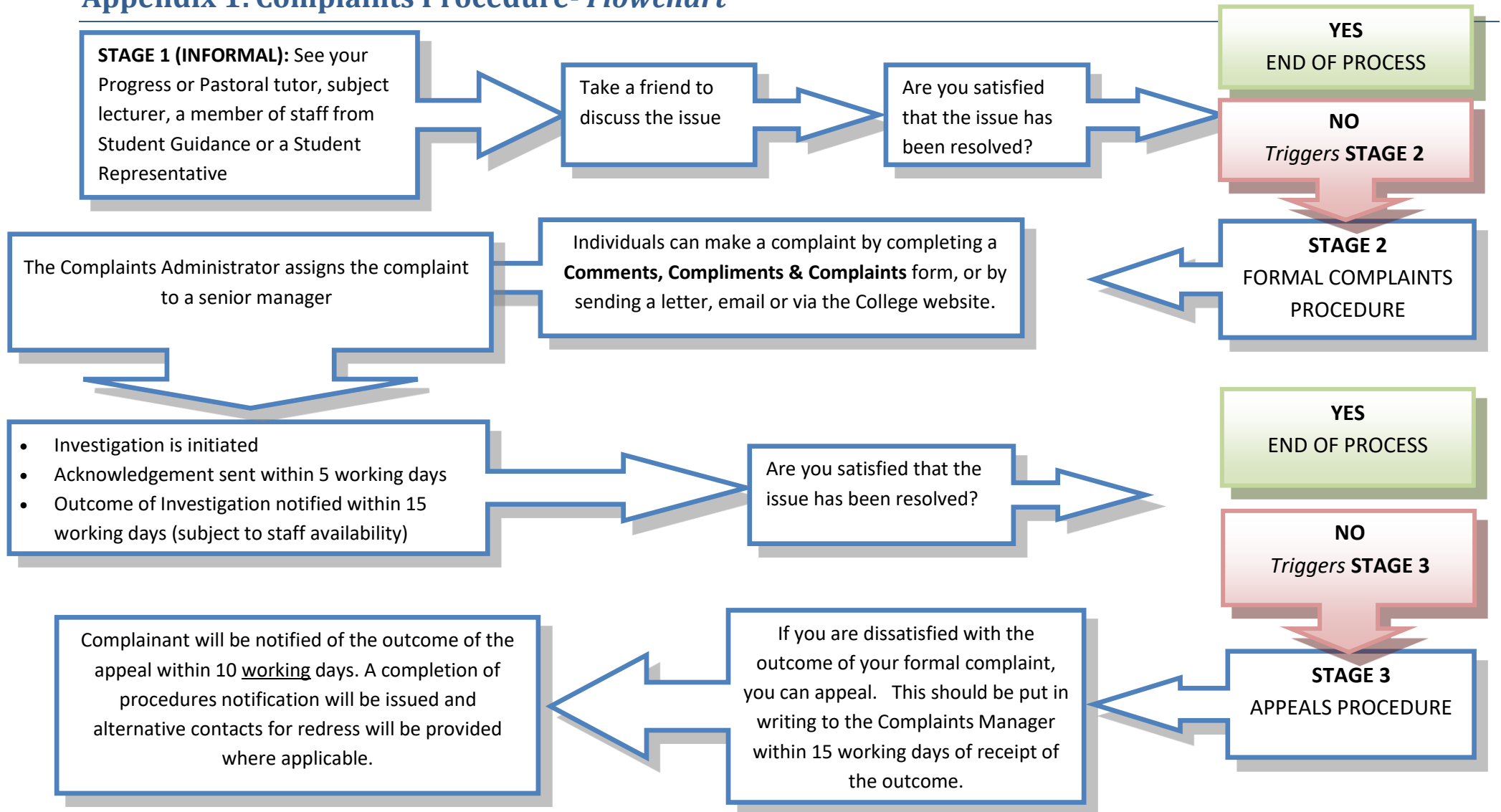
Address: The Complaints Team,  
Education and Skills Funding Agency  
Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

### 12.2 Higher Education

- 12.2.1 If a higher education student is not content with the outcome of their complaint and all internal procedures have been exhausted, they may make an application to the Office of the Independent Adjudicator for Higher Education (OIA).
- 12.2.2 An OIA “Completion of Procedures” letter will be issued when a student has exhausted all internal procedures available. Specific details of how to pursue redress via the OIA will be provided on completion of the internal processes. Policies and procedures governing independent review are determined by the OIA.
- 12.2.3 Students may request a Completion of Procedures letter even if the internal procedure has not been exhausted and can be made to [learnervoice@southport.ac.uk](mailto:learnervoice@southport.ac.uk). The letter will note what steps were taken and confirm that not all internal steps available under the Complaints Procedure have been exhausted. The Office of the Independent Adjudicator will advise about any steps they may then be able to take.
- 12.2.4 Information on whether your complaint will be considered is available here: <https://www.oiahe.org.uk/students/can-you-complain-to-us/>
- 12.2.5 Information on how to make a complaint to the OIA is available at: [www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx](http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx)



## Appendix 1: Complaints Procedure- *Flowchart*



## Appendix 2: Guidance Notes – How to Deal with a Complaint

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### 1. *Investigating Officers*

- a) As a member of the College Management Team, you may be asked to investigate a complaint. Investigating Officers will be managers who are directly involved in the area of work against which the complaint has been made unless, in the context of the complaint, this is deemed inappropriate, in which case an objective officer shall be appointed.
- b) Investigating officers receive briefings on the complaints procedure at least annually. New officers are provided with support by the Complaints Manager.

### 2. *The Investigation*

- a) The investigation must be conducted in strict accordance with all the tenets of natural justice, e.g. fairness and consistency, impartiality and opportunities for complainants to state their case.
- b) The Investigating Officer should conduct the investigation ensuring that evidence statements etc. are obtained from all parties to the complaint. All notes should be retained and returned to the Complaints Manager. Any staff named in correspondence must be notified of the outcome by the Investigating Officer.
- c) The Investigating Officer has 10 working days to conduct a thorough and fair review of the complaint: this may involve contacting the complainant if the nature of the complaint is complex. After day 5, the Complaints Manager will send a red email reminder alert to the Investigating Officer. A formal written report and response letter should be received and logged by the Complaints Manager by day 12 of the investigation. This document will then be proof read along with all supporting investigation material.
- d) The outcome of the complaint will be conveyed, by letter, to the complainant. All letters will be approved in terms of content by the Investigating Officer, the Complaints Manager and a member of SLT before dispatch.
- e) The Complaints Manager will notify the complainant if this process is likely to take longer.

### 3. *Appeals*

- a) If the complainant disagrees with the outcome of the investigation, the Complaints Manager records the details of the appeal and forwards them to a member of the Senior Leadership Team (SLT).
- b) The SLT member will then review the manner in which the complaint has been investigated and the basis on which the conclusion was reached.
- c) The Complaints Manager will inform the complainant of the outcome through the issue of a **“Completion of Procedures”** letter. The Appeal Stage is the final stage of the internal Complaints Procedure within the College. The Completion of Procedures letter will include information regarding external forms of redress.

## Appendix 3: Complaints: Investigating Officer Report

# Investigating Officer's Report

<b>Complaint Ref:</b>	
<b>Complaint from:</b>	
<b>Course:</b>	
<b>Department/Faculty:</b>	
<b>Date complaint received:</b>	
<b>Received by:</b>	
<b>Investigating Officer:</b>	
<b>Deadline for IO to return to Quality:</b>	
<b>Format:</b>	
<b>Nature of complaint:</b>	<copy of correspondence received>
<b>Acknowledgement sent:</b>	
<b>Outline the Course of your Investigation, <i>i.e. people interviewed, information gathered etc.</i></b>	
<b>Rationale for Outcome:</b>	
<b>Do you consider the complaint to be justified?</b>	<b>YES / NO</b>
<b>Where the complaint relates to a member of staff, has the member of staff concerned been informed of the outcome and seen your written response?</b>	<b>YES / NO</b>
<b>If 'no' please state why this is the case</b>	
<b>Response to Complainant:</b> <i>This section will be copied into the main body of the standard outcome letter</i>	<u>THIS MUST BE WRITTEN IN LETTER FORMAT</u>
<b>Is there anything that can be learnt following the investigation?</b>	
<b>Action Taken</b>	