



Complaints Policy

Version	1.0
Effective Date	1.12.23
Review Date	1.12.25
Lead	Vice Principal
Agreed by	SLT

1. **Introduction**

1.1 We are committed to meeting the needs of all students, service users and all those who have an interest in the services provided by the college.

1.2 The college aims to resolve complaints quickly and without the need to use the formal procedures, where appropriate. However, sometimes this is not possible.

1.3 It is therefore important to have a fair, clear, transparent and impartial Complaints Procedure so that we can ensure all complaints are handled fairly, consistently, promptly and wherever possible, resolved to the complainant's satisfaction. We are also keen to receive feedback in order to improve the quality of our services.

2. **Scope of procedure and general principles**

2.1 **What is a complaint?**

2.1.1 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the college or its staff.

2.2 **Who can make a complaint?**

2.2.1 This policy reflects the principles and procedures that relate to responding to student complaints and complaints made by other stakeholders including partner organisations, employers, external bodies and members of the public.

2.3 **Responsibilities under the Complaints Procedure**

2.3.1 All college staff have a responsibility for receiving complaints, treating them seriously and dealing with them promptly and courteously in accordance with the procedure set out below.

2.3.2 Members of the College Management Team, Managers of cross-college services and a Vice Principal responsible for Quality have a responsibility for resolving a complaint and leading or contributing to an investigation into a complaint when this is considered appropriate.

2.4 **General principles**

2.4.1 The college aims to deal with complaints in a way that:

- is fair to all parties, open and efficient
- treats complaints seriously, with sympathy, and makes every effort to protect confidential information
- keeps everyone informed of progress
- facilitates early resolution

2.4.2 There may be occasions when the person dealing with a complaint will need to consider whether anyone else within the college needs to know about the complaint or whether the consent of another individual (for example, a student) is required,

so as to address it appropriately. If the complaint involves a member of staff, they will normally be informed immediately of the complaint and will be provided with an opportunity to respond to the matters raised. They will be kept informed of the progress of the investigation and final outcome.

2.4.3 Complaints that are made anonymously will be handled at the discretion of the college and may be considered using other procedures, depending upon the nature of the complaint. For example, anonymous complaints relating to (or appearing to relate to) a child protection matter or alleged criminal activity will be referred to as appropriate to the relevant college department/authorities.

2.4.4 The college reserves the right not to accept complaints (e.g. where upon investigation a complaint is judged by the college to be frivolous, vexatious or malicious). Students bringing complaints of this nature may be subject to the Student Learning and Behaviour Policy.

2.4.5 Some types of complaint may raise issues which need to be dealt with in a different way from the procedure below. In these circumstances, we will explain why this is so and will also notify the complainant of the steps to be taken. For example:

- where the issues would fall under those covered by an appropriate internal procedure (such as grievance, bullying and harassment or discrimination)
- where complaints are raised regarding members of staff, this procedure may be put on hold pending the issues being considered under the appropriate staff procedure (for example, the staff disciplinary procedure)
- where complaints are raised regarding other students, this procedure may be put on hold whilst the issues are being considered under the Student Learning and Behaviour Policy
- any complaint which involves a suspicion, concern or allegation of abuse of a child or vulnerable learner will be referred immediately to the college's Designated Safeguarding Lead

2.4.6 A class representative may raise student group complaints on behalf of the class only with the written consent of all of the students concerned (who will be asked to sign a Complaints Form or provide an alternative appropriate written consent).

2.4.7 A student complainant may be accompanied during any meetings and hearings held under the formal stages of this procedure by a fellow student or close family member. They may not be accompanied by a legal representative. The role of the companion is to accompany, rather than represent, the complainant during meetings and hearings.

2.4.8 If a complainant has any particular requirements which may assist them in bringing or progressing a complaint (e.g. English is their second language, they have a learning difficulty and/or disability) they should raise these promptly with the Quality Officer (Complaints Co-ordinator) who will take note of the request(s) and refer them to the Vice Principal responsible for Quality. The college will consider the points and offer support if, appropriate, with regard to what is reasonable in the circumstances.

2.4.9 All references to working days refer to days on which the college is open to students. Timescales for dealing with complaints may need to be extended and are dependent on circumstances.

2.4.10 The college will keep a written record of all complaints (including complaints raised informally and formally), including the date on which the complaint is received, the steps taken in relation to it, any documents used or created when considering the complaint (for example, notes of meetings held) and details of any findings, decisions and recommendations. These will be kept for one academic year.

2.4.11 If a complainant fails to respond to a request for a meeting within five days it will be assumed that the complaint is withdrawn. Exceptions may be made where the complainant is unwell and/or where there are other justifiable reasons for the failure to respond.

3. **Stages of Complaints Procedure**

3.4 There are three possible internal stages to the Complaints Procedure, which are referred to further below:

- Informal Stage
- Formal Stage
- Independent Review Stage

4. **Informal Stage**

4.4 The college recognises that the majority of concerns and complaints will be raised informally and that these can, and should, be dealt with as soon as possible and with the aim of seeking an agreed resolution.

4.5 We would expect any concerns or complaints to be raised as soon as possible and normally within five working days of any incident to enable those involved to deal with the matter effectively.

4.6 Informal complaints may be verbal or written. The college hopes that most complaints can be resolved through informal means but even in these instances the details should, where possible, be recorded on the appropriate Complaints Form indicating whether it has been resolved, to support monitoring and analysis of complaints. This record of complaints demonstrates to staff clearly where complaints have been resolved or are not upheld. No complaint appears on a staff member's records unless formal action is taken as the result of a complaint.

If possible, the complainant should try to discuss and resolve the concern or complaint directly with the person most closely associated with the issue (for example, the teacher or tutor). If this is not possible, the complainant should raise the concern or complaint with an appropriate member of staff (for example, a manager who is responsible for the programme area). If there is any doubt as to whom the matter should be raised with, the complainant should contact the Quality Officer (Complaints Co-ordinator).

4.7 If the concern or complaint is not resolved to the complainant's satisfaction at the informal stage, the complainant may raise the complaint at the Formal Stage within 10 working days of the informal stage being concluded.

5. **Formal Stage**

5.4 Every effort should be made to resolve complaints informally. For most complaints the formal stage should only be used after the informal process has been fully used and failed to resolve the matter. However, in particularly serious instances (for example, where the matter may lead to other college policies being invoked), a complaint may be treated formally from the outset.

6. **Formal Complaints Procedure**

6.4 All formal complaints need to be logged on the Complaint Form (see Appendix 1) which will be freely available to students at Reception, the Advice & Recruitment team, through the Students' Union, the Student Services team, the Learning Resources Centre and the college intranet.

6.5 The complainant should include clear detailed reasons for the complaint, an indication of the resolution or outcome sought and copies of any documents upon which the complainant wishes to rely. It may not be possible for the college to consider complaints which do not satisfy these criteria.

6.6 The completed form and any supporting documents should be sent to the Quality Office, e-mail: feedback@newvic.ac.uk

6.7 The Quality Office will log the complaint on a central database and assign a reference number.

6.8 The complaint will be acknowledged by the college, normally within five working days of the college's receipt of the complaint.

6.9 The Quality Office will forward the complaint, for action by an appropriate College Manager, having regard to the nature of the complaint.

On receipt of the complaint, the allocated member of staff (not necessarily a manager of the designated area) will investigate the complaint maintaining compliance with college guidelines. This may include but is not limited to:

- meeting with the complainant to discuss the complaint, the concern(s) and the resolution or outcome sought
- meeting with other individuals if they deem this necessary and/or appropriate (for example, individuals who may be witnesses)
- requesting further information or evidence from the complainant in connection with the complaint
- reviewing paperwork or second marking of assessments.

Once a determination is reached, the complainant will be informed in writing of the outcome of the complaint and any resulting action (normally using the Complaint Outcome form provided - see Appendix 2) normally within 10 working days of the original receipt of the complaint, signed by the appropriate College Manager. Correspondence should be copied to the Vice Principal responsible for Quality.

6.10 There may be occasions when matters cannot be investigated and determined within 10 working days (for example, where the issues raised by a complainant are serious ones or to take account of college vacations). In these circumstances, a realistic timescale will be set and the complainant will be informed in writing.

6.11 If the complainant completed their programme of study, any complaints must be raised within 10 working days of the date of the last attendance.

7. Independent Review Stage

7.4 If a complaint is not resolved to the satisfaction of the complainant at the Formal Stage, the complainant may ask for the complaint to be reviewed by the college's Independent Review Panel on one or more of the following grounds:

- new material evidence has come to light which was not reasonably available at the time of the complaint investigation
- the outcome of the complaint was manifestly unreasonable/any resulting action was disproportionate
- the complaints procedure was not followed

7.5 The complainant must explain clearly the reasons for their request for a review including the grounds upon which it is based, an indication of the resolution or outcome sought and enclose copies of all the documents they wish to rely upon. The request should be raised with the Vice Principal responsible for Quality in writing within ten working days of receiving the response to the Formal Stage.

7.6 The Vice Principal will consider the request for a review and determine whether it discloses one or more of the above grounds.

7.7 If the Vice Principal determines that one or more of the above grounds are not disclosed, the college will not consider the request for a review.

7.8 If the Vice Principal determines that one or more of the above grounds are disclosed in the request for a review, an Independent Review Panel will be convened to consider the review.

7.9 The panel will meet as required, normally within ten working days of notification, and its composition will usually be as follows:

- Vice Principal (Chair)
- Quality Officer (as clerk in attendance for procedural issues)
- Support Manager or Head of Curriculum who considered and determined the complaint at the Formal stage and who will present his/her findings
- Curriculum Team Leader for the relevant curriculum area may also be invited to attend at the Vice Principal's discretion.

7.10 The complainant may attend the meeting and may be accompanied during the meeting in accordance with paragraph 2.47 above. The complainant must confirm to the college the identity of their proposed companion at least five working days before the meeting.

7.11 The complainant will be asked to provide the college with copies of any documents they wish to present and details of any relevant witnesses who they wish to call during the meeting, at least five working days before the meeting. The complainant will be provided with copies of any documents which the college wishes to present and details of any relevant witnesses which the college proposes to call during the meeting, at least five working days before the meeting.

7.12 Complainants will be informed in writing of the Review Panel's findings and decision in relation to the complaint and any recommendations made by the review panel normally within five working days of the Review Panel meeting. A copy of this correspondence will be sent to the Quality Officer, the Vice Principal and the relevant line manager.

8 External Appeals

8.1 If the complainant remains dissatisfied following their complaint being considered at the Independent Review Stage of the complaints procedure then they may be able to raise a complaint with the Education and Skills Funding Agency by sending their complaint to:

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

8.2 Further information relating to the Education Funding Agency's complaints procedure is available via the following link:

www.gov.uk/government/publications/complaints-about-post-16-efa-funded-institutions/how-to-complain-about-post-16-efa-funded-institutions

9 Complaints Monitoring

9.1 A termly review of complaints will be prepared by the Quality Officer and made available to the Vice Principal responsible for Quality.

9.2 An annual report will be prepared as part of Annual Self-Assessment and for College Governors.

9.3 Reports also include audits as to:

- the stage at which complaints were resolved
- whether response times have been met
- the number and type of complaints concerned with each category of complaint

Appendix 1



COMPLAINTS FORM

Use this form to record the nature of your complaint. Please give as much detail as possible so that it can be dealt with immediately by the appropriate person. Complaints will be actioned from the DATE RECEIVED by the Complaints Co-ordinator.

Last Name		Mr	Mrs	Miss	Ms	Other
First Name		Student ID (if applicable)				
Address		Postcode				
Telephone	Home	Mobile		Work		
Student <input type="checkbox"/>	Parent/Guardian <input type="checkbox"/>	Visitor <input type="checkbox"/>	Organisation <input type="checkbox"/>	Employee <input type="checkbox"/>	Other <input type="checkbox"/>	
Course (if applicable)		Tutor (if applicable)				
Subject of complaint and details:						
To be completed by a member of staff receiving a complaint. The complaint was made:						
in person <input type="checkbox"/> by phone <input type="checkbox"/> by letter <input type="checkbox"/> by e-mail <input type="checkbox"/> (please tick as appropriate)						
Signed			Print Name			
Team			Date			

This form should be handed in to the Complaints Co-ordinator (**Room A80**) **together with any copies of letters or relevant papers.** If completed electronically, please email to: feedback@newvic.ac.uk

Monitoring Form

Data Protection and GDPR statement											
By submitting this form I consent for the personal information about me provided on the form to be held, recorded and processed by Newham Sixth Form College. This may include information of a sensitive nature. I understand that the information will be treated in confidence and used internally for specific purposes as laid out in the College's Data Protection Policy.											
(Please tick)											
1. Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>											
2. Age: under 25 <input type="checkbox"/> 25-35 <input type="checkbox"/> 36-50 <input type="checkbox"/> over 50 <input type="checkbox"/>											
3. Religion: Buddhist <input type="checkbox"/> Hindu <input type="checkbox"/> Muslim <input type="checkbox"/> Christian <input type="checkbox"/> Jewish <input type="checkbox"/> Sikh <input type="checkbox"/>											
OtherNone <input type="checkbox"/> Prefer not to say <input type="checkbox"/>											
4. Do you have a disability? Yes <input type="checkbox"/> No <input type="checkbox"/>											
5. Do you have a learning difficulty? Yes <input type="checkbox"/> No <input type="checkbox"/>											
6. Ethnic origin (relates to a sense of identity/belonging on the basis of race/culture) I would describe myself as: (choose ONE section from A to D, and then tick the appropriate box to indicate your cultural background). Please tick if you do not wish to disclose your ethnic background <input type="checkbox"/>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">A) Asian/Asian British</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Indian</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Pakistani</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Bangladeshi</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Chinese</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Any other Asian background</td> </tr> </table>	A) Asian/Asian British	<input type="checkbox"/> Indian	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Chinese	<input type="checkbox"/> Any other Asian background	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">B) Black/African/Caribbean/Black British</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> African</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Caribbean</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Any other Black/African/Caribbean background</td> </tr> </table>	B) Black/African/Caribbean/Black British	<input type="checkbox"/> African	<input type="checkbox"/> Caribbean	<input type="checkbox"/> Any other Black/African/Caribbean background
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C) Mixed/Multiple/other ethnic groups											
<input type="checkbox"/> White and Black Caribbean											
<input type="checkbox"/> White and Black African											
<input type="checkbox"/> White and Asian											
<input type="checkbox"/> Any other Mixed/ multiple ethnic background											
D) White											
<input type="checkbox"/> White British											
<input type="checkbox"/> White Irish											
<input type="checkbox"/> Gypsy or Irish Traveller											
<input type="checkbox"/> Any other White background											

<input type="checkbox"/> Arab	
<input type="checkbox"/> Any other ethnic group	

Appendix 2
Complaint Outcome Form

Nature of complaint:

Informal stage:

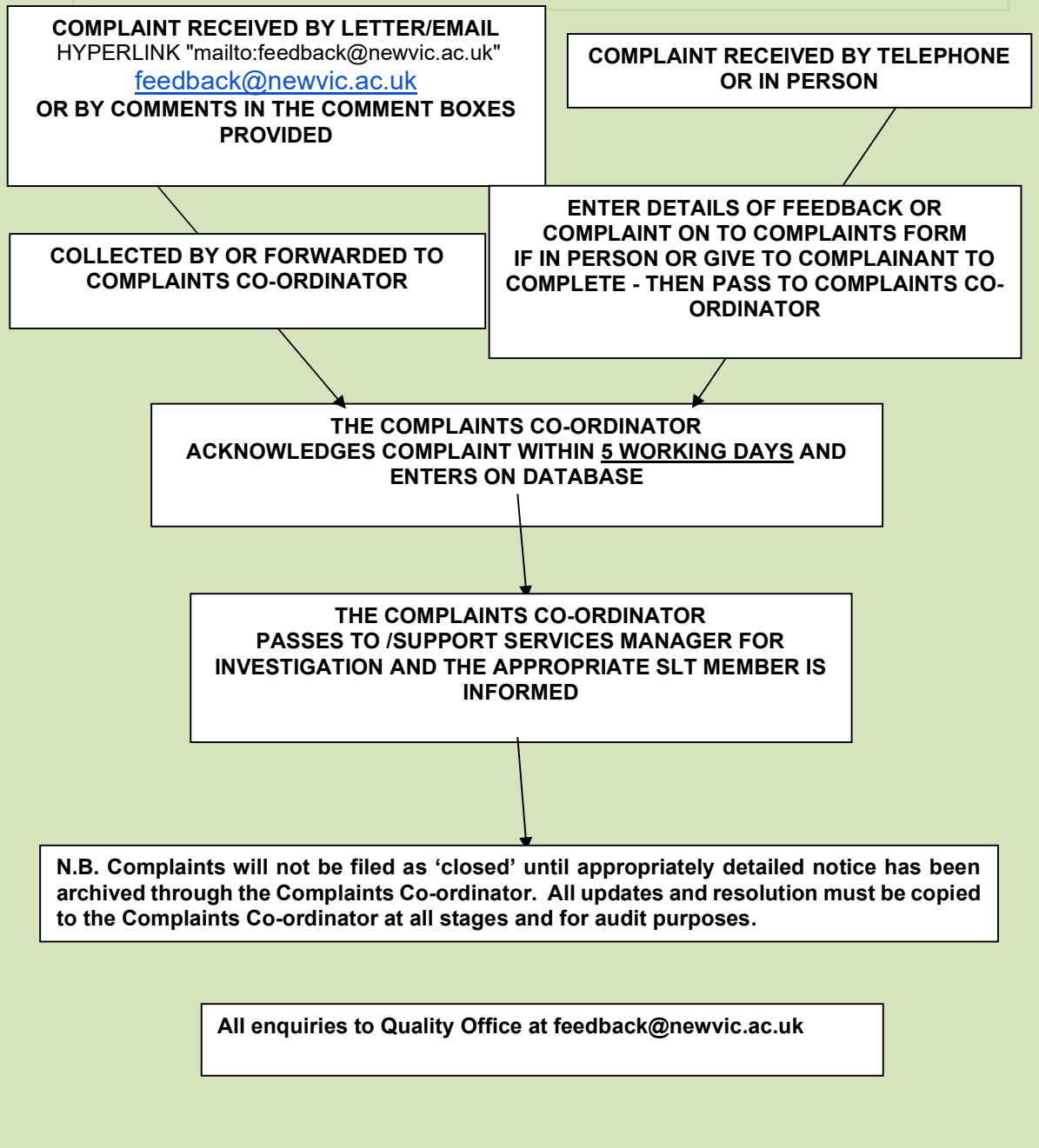
(If the complaint could not be resolved at the informal stage, please explain the reason.)

Investigation:

Outcome: (ie Was the complaint upheld? At which stage of the procedure was the complaint resolved? Was there a breach of college procedures? How has the complaint been resolved?)

Signed: **Date:**

NewVic Complaints Flowchart



Once a determination is reached, complainants will be informed in writing of the outcome of their complaint and any resulting action (normally using the Complaint Outcome form provided - see Appendix 2) normally within 10 working days of the original receipt of the complaint, signed by the appropriate College Manager.