



**Croydon
College**

COMPLAINTS PROCEDURE
Approved by: Executive Group
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Strategy/Policy Responsibility: <i>Vice Principal Education and Quality</i>
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Complaints Procedure

1. Aims

- To provide a robust, clear and fair mechanism for complaints to be raised, investigated and resolved.
- All complaints wherever possible, are resolved to the complainant's satisfaction.

2. Context

Croydon College puts students first and in so doing we strive to ensure that all students have a successful and enjoyable experience. We are also committed to serving the wider business and social community.

We therefore have a commitment to our students and stakeholders to ensure that any complaints they may have about our service are dealt with fairly, efficiently and effectively. We also recognise that complaints can be used actively to improve our performance.

We make clear to complainants how to contact us when things go wrong and will ensure that we are sensitive to issues of confidentiality. We also set ourselves a deadline to respond to complaints. Complaints are regularly analysed and reported on to Senior Managers and to the Corporation.

3. Definition

The College has defined a complaint as 'any expression of dissatisfaction relating to an action taken by the College or lack of action, or about the standard of service provided by or on behalf of the College'. This definition will apply consistently across all areas of the College.

4. Principles and Scope

- 4.1. This Procedure is for use by students, potential students, parents/carers of under-19s, employers, clients and the general public.
- 4.2. The policy aims to be simple, clear and fair to all parties involved.
- 4.3. No complainant bringing a complaint under this procedure will be treated less favourably by any member of staff. If there is evidence to the contrary, the member of staff may be subject to disciplinary proceedings.
- 4.4. The College reserves the right not to investigate complaints which are found to be vexatious or malicious.
- 4.5. If a student is found to have made a vexatious or malicious complaint, this could lead to disciplinary action being taken.

- 4.6. Anonymous complaints will not normally be investigated. However, in exceptional circumstances this may be allowed. The Vice Principal Curriculum and Quality will decide whether there is a case to allow the anonymous complaint to be accepted and investigated. However, anonymous complainants may find the whistleblowing procedure more appropriate.
- 4.7 The College has a range of other procedures and mechanisms which may be more appropriate to use:
- Safeguarding procedure.
 - Student Discipline – covered by the Respect for All Policy and Student Disciplinary Procedure and the Student Code of Conduct.
 - Staff Complaints – covered by the Grievance Procedure.
 - Contractors' Complaints – will be dealt with as appropriate under the terms of the contract.
 - Allegations of malpractice – covered by the Whistleblowing Policy and the Anti-Bribery, Anti-Fraud and Anti-Corruption Policy within the Financial Regulations (Annex E).
 - Assessment procedures, e.g. academic appeals – covered by Academic Regulations.
 - Student feedback mechanisms – e.g. student parliament, National Student Survey

Complainants may be redirected to a more appropriate procedure or mechanism (above).

- 4.8 Complaints will be handled sensitively and with due consideration to confidentiality for both students and staff. Dealing with a complaint may involve discussion and liaison with College staff and students.
- 4.9 Staff and students named in a complaint or Review may be informed by the College of the substance of the complaint or Review and where appropriate may receive a copy of the complaint or Review. They may have the right of reply as part of any investigation.

5. Responsibility of the College

The College will:

- acknowledge all formal complaints and aim to respond within a stated period of time;
- deal reasonably and sensitively with all complaints;
- take action where appropriate;
- welcome issues being brought to its attention to enable it to improve its service and provision.

6. Responsibility of the Complainant

The Complainant will be expected to:

- bring their complaint to the College's attention within 12 weeks of the reason for the complaint occurring;
- explain the problem as clearly and as fully as possible, including any action taken to date, and provide all available evidence;
- allow the College reasonable time to deal with the matter; and
- recognise that some circumstances may be beyond the College's control;

Where a complaint is made by a group, one person should be selected (by the group) to be the central point of contact for the complaint.

COMPLAINTS PROCEDURE

7. Early Resolution - Stage 1

Many straightforward concerns can be addressed swiftly and at a local level to the satisfaction of the complainant. Therefore, every effort should be made to resolve problems as they arise by raising the issue with the relevant staff member.

7.1. The complainant should raise their concerns with the member of staff who has direct responsibility for the matter in question to try to achieve a satisfactory resolution, where possible within 5 working days.

7.2. If the complainant does not feel that their concerns have been addressed by the member of staff with direct responsibility, then they should make a formal complaint to the Vice Principal: Curriculum & Quality. (Stage 2)

8. Formal Stage - Stage 2

This stage is used when a student is not satisfied with the outcome of the Early Resolution stage or where the nature of the concern is significant due to the character, complexity or seriousness of the case.

8.1. On receipt of a formal complaint (which can be made in writing, in person or by telephone), the Vice Principal: Curriculum & Quality will log the complaint and acknowledge its receipt within 3 working days.

8.2. If any member of the College staff team receives a formal complaint in writing they must add the date when it was received before passing the communication immediately to the Vice Principal: Curriculum & Quality who will log it and acknowledge its receipt to the complainant.

8.3 The Vice Principal: Curriculum & Quality will write to the complainant to inform them if it is deemed that another procedure would be more suitable to resolve the matters raised (see paragraph 4.7). Where a case contains multiple matters, the Vice Principal: Curriculum & Quality will write to the complainant to inform them about which matters will be dealt with under the complaints procedure and which matters will be dealt with under other procedures.

- 8.4 The Vice Principal: Curriculum & Quality will then appoint an appropriate investigating manager who will conduct an investigation, reaching a view on the balance of probabilities, and this will normally be the relevant Head of School/Head of Business area. However, if that person has already had substantial involvement with the issue or due to the nature of the complaint, another Head of School/Head of Business Area will be appointed to conduct the investigation.
- 8.5 The Vice Principal: Curriculum & Quality will ensure that the complainant is made aware of appropriate available support within the College to ensure that they are clear on the process being followed and any specific requirements.
- 8.6 Within 15 working days of receiving a complaint from the Vice Principal: Curriculum & Quality, the investigating manager will provide the Vice Principal: Curriculum & Quality with the results of the investigation and a signed letter of reply for the complainant detailing the outcome and actions arising from the investigation.
- 8.7 In cases where the investigating manager is unable to meet the above timescale, the investigating manager will inform the Vice Principal: Curriculum & Quality who, in turn, will communicate this to the complainant in writing.
- 8.8 The Vice Principal: Curriculum & Quality will advise the College's Executive Team of any investigations where a complaint has not been fully resolved.

9. Review Stage

The complainant has the right to a review of the response to their complaint.
Requests to review the outcomes of Stage 2 investigations will be considered in terms of whether any of these conditions are met:

- a. **There were procedural irregularities in the investigation of the complaint**
- b. **Fresh evidence can be presented which was not or could not reasonably have been made available to the investigator at Stage 2; or**
- c. **The finding of the investigation was against the weight of the evidence.**

Review Procedure

The complainant should request a review by either:

- a. (for FE courses and HE courses unless the complaint falls into category i. or ii. below) writing to the Vice Principal: Curriculum & Quality within 15 working days of the date of the Stage Two (Formal Stage) outcome letter. The request should clearly state the grounds for the review (see above).
- b. (for courses validated by London Metropolitan University or the University of Sussex where the complaint falls into category i. or ii. below) writing to the validating University, within timescales and to the contact stipulated by the University and specified in the Stage Two (Formal Stage) outcome

letter issued by the College.

Students may only request a review by the validating University if their complaint raised specific concerns about matters directly affecting:

- i. The quality of a student's learning opportunities and/or
- ii. The academic standards of its awards

This could be the delivery of teaching and learning or its associated resources (e.g. library provision). The validating University will not become involved if a complaint covers other aspects of a student's experience or relates to the College's services. For example, these might be concerns about pastoral provision, accommodation or finance.

The validating University will then consider the review according to its published procedures, available on:

(<http://student.londonmet.ac.uk/your-studies/student-administration/rules-and-regulations/complaints-procedure/>)

(<http://www.sussex.ac.uk/ogs/complaintsappeals/students>)

The College will liaise with the validating University according to agreed processes to ensure that eligible complainants are signposted to the review stage in a timely manner. This could involve, for example, a process whereby the College notifies the validating University of all complaints at Stage 2 so that the University can confirm which of these would qualify for a review by the University, prior to the Stage Two (Formal Stage) letter being issued.

The Stage Two (Formal Stage) outcome letter will include a confirmation on whether to request a review by the College or by the validating University.

Complainants on relevant higher education courses who are signposted to a review stage carried out by the College but who do not submit a request for a review to the College by the deadline will receive a letter informing them that they are out of time to request a review and have not therefore exhausted the College's internal procedures but that despite this they can request a formal Completion of Procedures letter.

Reviews carried out by the College

The Vice Principal: Curriculum & Quality will ask a member of the College Senior Management Team (or a Head of School/Head of Business area with no substantial previous involvement in the case) to conduct the review.

The record of the decision of the review will be provided in writing within 10 working days.

In exceptional circumstances, the manager leading the review will convene a panel. This would only occur where significant new material evidence has been received, as described above.

It is the responsibility of the manager to convene the review panel which will consist of a member of the Executive Team and another senior manager who has not been substantially involved in the original investigation.

The panel chair agrees a date for the review hearing and confirms details in writing to the complainant. Where possible, the review panel meeting is arranged within 20 working days of the receipt of the grounds for the review.

The complainant will be offered the opportunity to be accompanied by a friend or a representative (who may not be a practicing solicitor or barrister).

The review panel considers the matters identified in the grounds for review and may uphold, amend or overturn the original decision of the College.

The record of the decision of the review panel will be provided within 10 working days of the panel meeting.

There is no further right of review within the College's procedures.

Complainants can contact the relevant external agency if they consider the College has not dealt with their complaint according to this procedure. Contact details will be provided in the outcome letter following a review, whether or not it was upheld.

For complainants studying on relevant higher education courses whose review has been carried out by the College, a 'Completion of Procedures' letter will be issued at this point.

10. Monitoring and Reporting

- 10.1. The Vice Principal: Curriculum & Quality will oversee the tracking and monitoring of complaints progressed through the procedure.
- 10.2. The Complaints Procedure is one aspect of the College's quality assurance procedures; therefore termly reporting will be sent to the Senior Management Team and used to facilitate improvements to services and facilities.
- 10.3. The Corporation will receive a regular report on complaints as part of its oversight role and responsibility for Quality.



Making a complaint

Stage One (Early Resolution/Informal)

Speak directly about your dissatisfaction with the individual(s) involved to see if an informal resolution is possible.

If your complaint is not resolved informally to your satisfaction you can make a written complaint via post/email to the Vice Principal: Curriculum & Quality (VPCQ) which will be acknowledged within the 3 working days.

Your complaint is passed to an appropriate manager (see section 8.4) to carry out an investigation.

If the complaint relates to student behavior and has the potential for disciplinary action, the VPCQ will ask the appropriate Head of School to investigate under the Student Disciplinary Procedures.

The VPCQ will write to the complainant with the outcome of the complaint and any actions to be taken by the College within 15 working days and the complaint will be closed. The complainant will be informed if a response cannot be provided within this timescale.

Review Stage

You can request a review of the complaint if you consider we have not followed our complaints procedures and/or significant new material evidence emerges that was not available at the time of the original complaint. You must contact us or the validating University within 15 days (or within the deadline specified by the University and noted in the outcome letter) of the date of the Stage 2 outcome letter clearly stating the grounds for the request.

The review is considered by a member of the SMT or other relevant manager at the College or, in eligible cases, at the validating University (or a panel is convened in exceptional circumstances). The Stage 2 outcome can be upheld, amended or overturned. The complainant will be informed of the review outcome within 10 working days of the request being received or within 30 working days if a panel is convened. These timescales may vary for reviews carried out by the validating University. The decision is final and there is no further right of appeal through College procedures.

There exists the right to contact the relevant external body - the Education & Skills Funding Agency, the Office of the Independent Adjudicator (for HE provision) or other appropriate statutory bodies if you remain dissatisfied with the review outcome. The appropriate routes differ depending on the type and level of course and nature of complaint ; details will be provided to you in the review outcome letter.