

Higher Education Student Complaints Policy & Procedure

| | |
|--|--------------------------|
| Date Equality Impact Assessment Completed: | August 2021 |
| Approved By: | College Management Team |
| Date Approved: | August 2021 |
| Author: | Head of Higher Education |
| Review Date: | August 2023 |

| | | | |
|---------------|-------------|-------------------|--------------------|
| Published on: | Website (✓) | HE SharePoint (✓) | Learner Portal (✓) |
| | ✓ | ✓ | ✓ |

Available in large font and other formats on request

This copy may be out of date if printed

COLEG GWENT

Higher Education Complaints Policy and Procedure

POLICY STATEMENT

The college's vision is to be THE College of Choice. The college is committed to developing learning communities where learners are treated as equal partners in the shaping of their learning experience. Therefore, the college's quality strategy sits within a framework for engaging with its learners.

The management of formal complaints is just one of the vehicles that we use to improve our services. Other vehicles that we use to engage with our learners include regular questionnaires, learner forums and focus groups. Feedback from all of these is used consistently to improve our learner and wider stake holders experience of the College.

PURPOSE:

The College welcomes complaints as they help us to improve our service to all our stakeholders. This booklet sets out the framework for handling complaints. Providing a high quality service is important to us and is monitored through the College Learner Services Group (LSG).

This Policy embraces the requirement to have due regard to all groups of learners by equality protected characteristic and to ensure that all learners are able to access and properly pursue any complaints they have.

The college regards a complaint as an expression of dissatisfaction by one or more customers about the college's action or lack of action, or about the standard of service provided by the college or on its behalf. Examples of what constitutes a complaint are included at Appendix A, whilst Appendix B provides a distinction between serious and nonserious complaints.

Scope:

This policy applies to all Higher Education (HE) students who are studying a Higher Education Course at the College. The procedures are relevant to these HE students and to the College staff administering them.

If the course is delivered by the College but is in partnership with a university, then student complaints need to be directed to the College in the first instance, if the complaint is directly related to the College;

The contract between the University and Coleg Gwent states that:

- ❖ Partners will access the Student Complaints Regulations and Procedures where the complaint relates to academic matters; where matters are the responsibility of the partner, for example crèche facilities, learners should access Coleg Gwent's Complaints Procedures

If the complaint is directly related to the partner university then please inform your course leader that you have a complaint against the university, as they may be able to help or advise. In the first instance, speak with the Course Leader to try and resolve the matter informally;

For learners on partner University courses, please also refer to their Policy and Procedures:

For the University of South Wales: [USW Regulations-Policies and Procedures](#)

For the University of Worcester: [UW Policies and Procedures](#)

For Aberystwyth University: [AU Complaints Policy](#)

For Cardiff Metropolitan University [Cardiff Met Policies and Procedures](#)

Also refer to the Office of Independent Adjudicators for Higher Education (OIAHE):
enquiries@oiahe.org.uk

The procedures are designed to deal with any aspect of our services including teaching and training, support services, advice and guidance and college facilities, and where a complainant (s) feels they have been treated unfairly or inappropriately, or if they feel that the service they have received does not meet their expectations.

This policy does not cover representation by learners against decisions made in examinations and assessments as this is covered, for Pearson courses, in the [Pearson Academic Appeals Policy and Procedure](#). Learners on franchise University qualifications follow the appeals process on the above links to policies and procedures associated with the relevant University.

OUR PLEDGE:

- ❖ To publicise our Complaints Procedure to prospective learners, learners, parents, employers and members of the public, via the College website and Learner Portal. Hard copies will also be available at campus Receptions. As with other college publications, alternative media may be requested to meet individual requirements. This policy and procedure is also available in Welsh.
- ❖ To investigate complaints quickly and effectively in a polite and courteous manner.
- ❖ As far as possible, to handle complaints confidentially.
- ❖ To make sure complaints reach the right person straight away, and that the complainant knows who is dealing with it.
- ❖ To investigate complaints thoroughly, and to provide a speedy remedy if we are at fault to prevent the problem arising again.
- ❖ To keep learners and wider customers informed about our progress in resolving their problems.

- ❖ To monitor and analyse complaints regularly and use this information to improve our systems and services in the future.

Where Coleg Gwent's Complaints Procedures are followed, a Completion of Procedures letter (Appendix E) must be issued to the learner on closing the complaint. The complainant will then be able to access the Office of the Independent Adjudicator (OIA) where they wish to appeal against the decision. Refer to Appendix D

COMPLAINTS PROCEDURE:

Stage 1 (Front Line Resolution)

Where issues are straightforward and easily resolved, requiring little or no investigation, these should be discussed straight away with the staff directly concerned. Concerns about courses can be dealt with by the Course Tutor, Personnel Tutor, or Trainer. Concerns about learner support can be dealt with by the Head of Learner Services. If unsure the individual should contact the Head of Learner Services who will be able to advise you. (Refer to Useful Contacts at the back of this booklet).

Stage 2 (Formal Complaint)

Where it has not been possible to resolve matters under Stage 1, a Customer Feedback/Complaint Form should be completed, which can be found on the Learner Portal and on the College Website. Individuals who are already studying at the college will be prompted to ensure the correct channels have already been followed before recording a formal complaint, i.e. Stage 1 above.

The complaint will be submitted electronically and will be directed (automatically) to the nominated LEAD, as appropriate:

- ❖ **PA to respective Director of Faculty:** Concerns relating to campus facilities and concerns relating to Higher Education course delivery & quality of experience
- ❖ **Director of Quality & Learner Experience:** Concerns relating to College-wide issues, including complaints relating to compliance with the Welsh Language service delivery standards

An automated response will be sent to acknowledge receipt of the complaint. The lead will then review the complaint and send an acknowledgement (Annex C) within 5 working days, indicating:

- ❖ The manager that will be dealing with the complaint.
- ❖ How the complaint will be dealt with.
- ❖ When a full response can be expected (maximum 15 working days from receipt of the complaint)

If we cannot respond within this time, we will write to explain the reasons for the delay and specify when a response can be expected. A full response will be provided in writing.

In the event of an 'off-system' complaint (eg verbal, telephone, social media), the complaint will be logged onto the complaints portal by the nominated Lead and will be processed accordingly.

We aim to resolve any concerns quickly and to a high standard. However, if the individual is not satisfied with the outcome of Stage 2, an appeal (Stage 3) must be submitted within 15 working days of receiving the response from Stage 2.

If the complainant is not satisfied with the outcome of the decision they have the right to submit their complaint to their awarding Higher Education Institution Complaints Process for consideration.

Stage 3 (Appeals)

An Appeal must be made in writing to the Principal within 15 working days of the date of our response to Stage 2. The Principal's decision will be final.

Requests for an Appeal will only be considered where any of the following conditions have been met:

- ❖ New evidence can be presented which was not made available to the manager at Stage 2, and/or
- ❖ The investigation was not carried out fairly or thoroughly, and/or the findings were not borne out by the evidence.

If the Principal is satisfied that either of the above conditions applies, a further investigation will be undertaken. The individual will be notified of the result of the investigation in writing within 15 working days of receipt of the Appeal.

Note: If the complaint directly concerns the Principal, it should be sent directly to: Governance Officer, Usk Campus, Usk, NP15 1XJ.

Still concerned: If the individual is still concerned after exhausting the Complaints and Appeal procedures listed above and the learner is studying a HE course and is in receipt of WG student support funding, please refer to Appendix D.

Please be aware that the college also has an Anonymous Allegations Policy which can be found in the Policy Box on the college intranet.

Malicious Complaints

Where the College has investigated a complaint and the outcome is that the complaint is malicious, the College reserves the right to consider whether to bring action against the complainant if false statements and/or allegations have been made.

Where it is likely that a learner of the College has made false statements and/or allegations against the College or its members of staff, then the matter may be further pursued under the Learner Disciplinary Policy.

Monitoring and reporting of complaints

All complaints will be logged, tracked and managed by the Nominated Leads listed in Stage 2 (Formal Complaint) above.

The number and nature of complaints will be recorded and monitored by the Quality Team and used as the basis for a termly Complaints Report, detailing the number and nature of complaints, which will be presented to the College Senior Management Team. These reports

will then provide the basis for the presentation of an Annual Complaints Report to Corporation by the Vice Principal (Curriculum & Quality).

The Quality Team will issue a questionnaire designed to ascertain the complainant's perceptions of their experience of the complaints procedure. Feedback from the questionnaire returns will be included in the termly and annual complaint reports and used to improve the procedure, wherever possible.

Training

Training will be provided for the nominated Leads on an annual basis, in order to ensure a consistent application and understanding of the complaint procedures

Learning from complaints

At the earliest opportunity after closing the complaint, the manager that dealt with the complaint will inform the complainant and staff of the relevant school or department about the investigation's findings and any recommendations. As a minimum the college will:

- ❖ Use complaints data and themes to identify the root cause of complaints
- ❖ Take action to reduce the risk of recurrence
- ❖ Record the details of corrective action in the complaints file, and
- ❖ Systematically review complaints performance reports to improve service delivery.

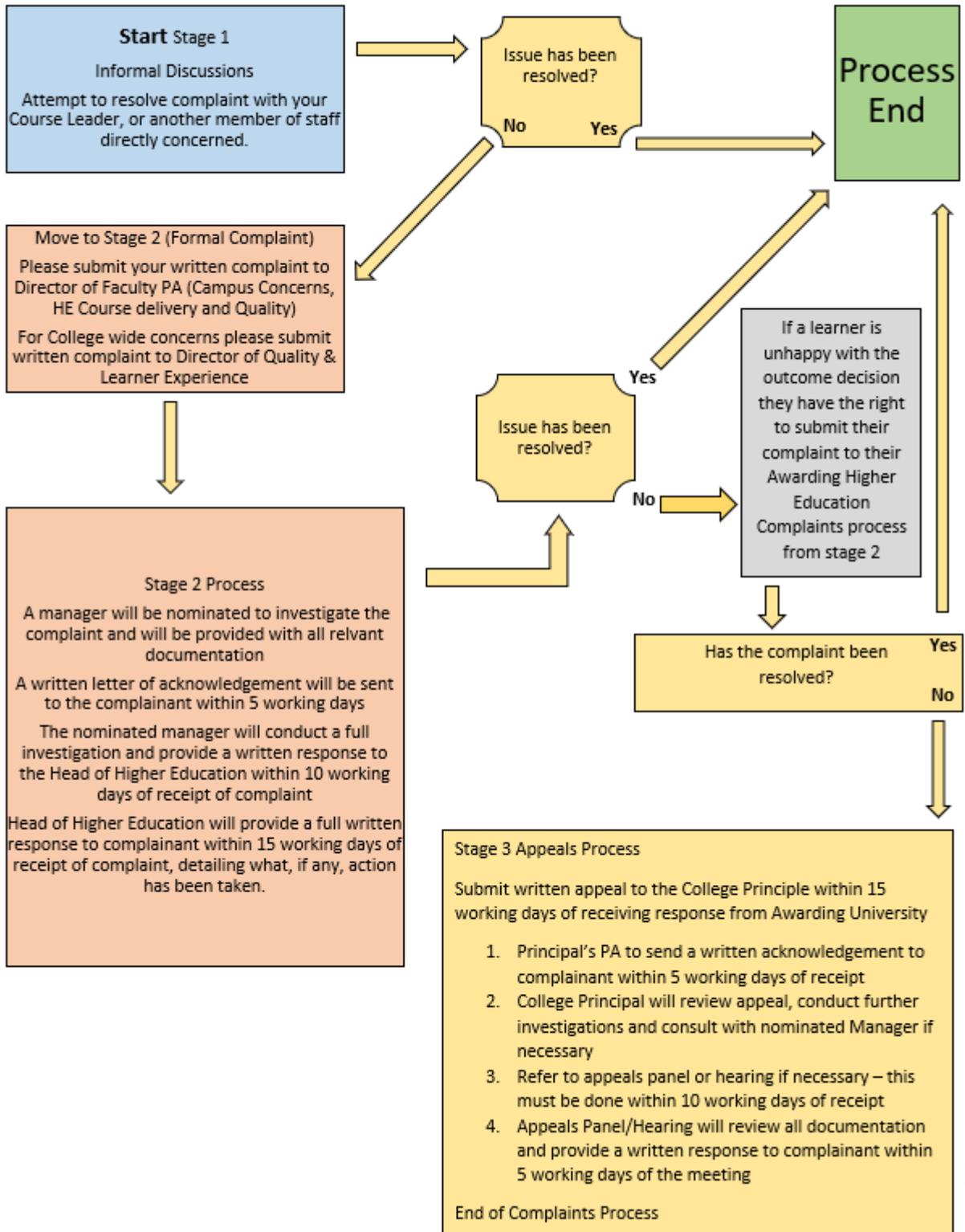
Getting help to make your complaint

We understand that some individuals may be unable, or reluctant, to make a complaint themselves. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend or relative, if they have been given consent to complain on the individual's behalf.

We are committed to making our services easy to use for everyone. In line with our statutory equalities duties, we will always ensure we make reasonable adjustments to help individuals access and use our services. This information can be made available in other languages and formats, such as large font or Braille, please contact Learner Services on campus, or the Designated Contacts identified in Stage 2 above.

Summary Flowchart of complaints processes

Coleg Gwent Higher Education Complaints process August 2021



Useful Contacts:

| Faculty (Creative & Technical Studies) | Telephone | E-mail |
|---|------------------|--|
| PA to Faculty Director | 01495 333003 | Catherine.cross@coleggwent.ac.uk |
| Head of Learner Services | 01495 333211 | BGLZHOLS@coleggwent.ac.uk |

| Faculty (Enterprise & Academic Studies) | Telephone | E-mail |
|--|------------------|--|
| PA to Faculty Director | 01495 333356 | Michelle.pike@coleggwent.ac.uk |
| Head of Learner Services | 01495 333440 | CrosskeysHOLS@coleggwent.ac.uk |

| Faculty (Care & Community Studies) | Telephone | E-mail |
|--|------------------|--|
| PA to Faculty Director | 01495 333322/ | meg.wright@coleggwent.ac.uk |
| Head of Learner Services | 01495 3333019/ | PontypoolUskHOLS@coleggwent.ac.uk |

| <u>College-wide issues</u> | Telephone | E-mail |
|---------------------------------------|------------------|--|
| Director Quality & Learner Experience | 01495 333041 | LSSDirector@coleggwent.ac.uk |

| <u>Appeals</u> | Telephone | E-mail |
|--|------------------|--|
| PA to Principal | 01495 333532 | PrincipalsPA@coleggwent.ac.uk |
| Please forward any written appeals to: The Principal, Usk Campus, The Rhadyr, Usk, NP15 1XJ | | |

Customer Feedback/Complaint Form

Strictly Confidential

If you are already studying at the college:
Have you discussed the issue with your tutor or teacher? If you have and you are still not satisfied with the way it has been dealt with, please feedback using this form.

| | | | |
|-------------------|---|-------------|---|
| Name: | | | |
| Address: | | | |
| Telephone Number: | | | |
| Course: | | Learner ID: | |
| Campus: | . | Study Type: | Full Time; Part Time; HE, WBL, Comm Ed, Other |

Detail of Complaint:

Please provide as much detail as possible, e.g. as much as you can about what has gone wrong and how you want us to resolve the matter

APPENDIX A

Examples of types of complaint

- ❖ A failure to provide a service, or an inadequate quality or standard of service
- ❖ The admissions process
- ❖ The disciplinary process
- ❖ A request for a service or for information, which we have not actioned or answered
- ❖ Our policies
- ❖ Wrong information about academic programmes or our services
- ❖ The quality and availability of facilities and learning resources
- ❖ Accessibility of our buildings or services
- ❖ The behaviour of a learner, member of staff or contractor
- ❖ Treatment by or attitude of a member of staff or contractor
- ❖ Disagreement with a decision where you cannot use another procedure, e.g. appeal
- ❖ Our failure to follow the proper administrative process

Your complaint may involve more than one college service or be about someone working on our behalf, such as a contractor.

There are some things that we would not categorise as a complaint, either because they are requests or because we have other policies and procedures to deal with them. These include:

- ❖ A request for information or an explanation of policy or practice
- ❖ A disagreement with academic judgement
- ❖ A claim for compensation against the college
- ❖ Issues that are in court or have already been heard by a court or tribunal
- ❖ Disagreement with a decision where a right of appeal exists, e.g. Learner Appeals Policy
- ❖ A request for information under the Data Protection or Freedom of Information Act
- ❖ A grievance by a member of staff
- ❖ An attempt to have the college open up or reconsider a complaint we have concluded or given our final decision on.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help.

APPENDIX B

RAG Criteria: Distinction between Serious and Non-Serious Complaints

| Rating | Criteria | Example complaint/issues |
|--------|---|---|
| Red | Serious issues which require a full investigation and are likely to have a reputational impact on the college, or where the complaint results in irreparable damage to the college/customer and/or learner/peer relationship | <ul style="list-style-type: none"> • Hate crime • Sexual harassment • Persistent systematic bullying or bullying of a more serious nature • Abusive language/threats • Carrying of offensive weapons • Being under the influence of drugs (including alcohol), in possession of drugs or buying or selling drugs on the college premises |
| Amber | Issues that require further investigation and are likely to have a negative impact on the customer experience, e.g. where the college fails, or continues to fail to provide an acceptable standard of service or where learner/staff behaviour provides a cause for concern | <ul style="list-style-type: none"> • Unhelpful staff and poor customer service provided • • • Learner refused enrolment • Invitation to enrol not sent out • Learner's examination not submitted for remarking • Learner unable to progress to L3 with insufficient explanation • Misunderstanding between learner and lecturer concerning classroom behaviour of staff |
| Green | Minor issues which are likely to have a minimal impact on the customer experience and which are straightforward and easily resolved, requiring little or no investigation | <ul style="list-style-type: none"> • Lectures or trip cancelled • • • Learner's car blocked in car park • Bus failed to stop at campus • First time request for grant information not responded to • Confusion over level of skills class to attend • Confusion over timetable and room • |

Note: Customer refers to prospective learners, learners, parents, employers, members of the public and other stakeholders

APPENDIX C

Acknowledgement of complaint

Dear (first name)

Complaint Reference: (CRM Ref)

Thank you for bringing your concerns to my attention, which I received on (day/date). I would like to assure you that we will investigate the matter quickly and thoroughly.

The manager investigating your concern is (*name/title*) and (*he/she*) will provide you with a full response by (*Date: 15 working days from receipt of complaint*). If we cannot respond within this time, we will write to you again to explain the delay and confirm when you can expect a response.

The college is grateful for all forms of feedback as we use it as a means of improving our services.

If you have any questions or wish to discuss your concerns, please do not hesitate to contact me.

Yours Sincerely,

Extension to 15 working days to respond to complaint

Dear (first name)

Complaint Reference: (CRM Ref)

I am writing to let you know we will not be able to provide you with a full response until (*date*). This is because:

- Reason 1
- Reason 2

I would like to apologise and thank you for your patience. Please do not hesitate to contact me if you wish to discuss your concerns further.

Yours Sincerely,

APPENDIX D

Still concerned: If you are still concerned after exhausting the Complaints and Appeal procedures listed above, you may refer your complaint to the following:

HE* learners in receipt of WG student support funding:

Office of the independent adjudicator [OIA - HE](#) “for students in higher education programmes”

For more information about following up a complaint via the OIA – HE please follow the below link:

[OIA - HE - Can you complain to us?](#)

Note: A Completion of Procedures Letter (Appendix E) will need to be completed for any HE learner who wishes to make an appeal to the OIA Scheme, this must be dated in the last twelve months. The OIA rules exclude complaints about admissions and academic judgment, complaints that are not brought within a given timeframe, and complaints about issues that do not materially affect the learner as a learner

APPENDIX E

Completion of Procedures Letter Template

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included.

Dear [Name of complainant],

Completion of Procedures Letter

This letter confirms that the internal procedures of [name of higher education provider] in relation to your *complaint / appeal etc** regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal etc** were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc* was / were*: [brief summary of the complaint etc].

The final decision of [name of higher education provider] is* [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

[Name of provider] subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form must be received by the OIA within 12 months of the date of this letter, that is, it must be received by the OIA on or before [insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016].

Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from http://oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf. Alternatively, you can telephone or write to the OIA for a form. You should send a copy of this letter to the OIA with your OIA Complaint Form.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

[Authorised signatory]