

# COMPLAINTS POLICY

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<b>Welsh language Impact Assessment:</b>	03/03/2025
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<b>Author:</b>	Ivan Gregory - Assistant Principal Learner Inclusion and Support
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All of our policies and procedures are available in English and Welsh on the [staff intranet](#).

# COLEG GWENT

## COMPLAINT POLICY

### 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.

Providing a high quality service is important and the management of formal complaints is just one of the vehicles used to improve the customer experience. Other vehicles used to engage with learners include regular questionnaires, learner forums and focus groups. Feedback from all of these is used to improve the experience of learners and wider stake holders.

### PURPOSE AND SCOPE

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 guide to distinguish between serious and non-serious complaints.

This Policy covers complaints from prospective learners, learners, parents, employers, members of the public and other stakeholders, covering all aspects of college activity, e.g.: further and higher education courses, work-based learning, commercial courses and community education. The procedures are designed to deal with any aspect of our services including teaching and training, support services, advice and guidance and college facilities, 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 in the **Learner Appeals Policy & Procedures** which can be found at <http://learners.coleggwent.ac.uk/>. Learners may also refer to the appropriate awarding body policy on assessment and compliance.

### OUR PLEDGE:

- ❖ To publicise our Complaints Policy and 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 where appropriate 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.

## **LEARNERS STUDYING UNIVERSITY FRANCHISED HE COURSES:**

(University of South Wales, University of Worcester, Aberystwyth University)

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.

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 Leader, Success Coach, 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 (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 to the nominated LEAD as appropriate, for example:

- ❖ **PA to respective Assistant Principal Faculty:** Concerns relating to curriculum, teaching and learning
- ❖ **Head of External Delivery:** Concerns relating to Community Education
- ❖ **Assistant Principal (Learner Inclusion & Support):** Concerns relating to college-wide issues, including complaints relating to compliance with the Welsh Language service delivery standards
- ❖ **Head of External Delivery:** Concerns relating to work-based learning

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 the college cannot respond within this time, the LEAD 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 (e.g. verbal, telephone, social media), the complaint will be logged onto the complaints portal by the appropriate LEAD and will be processed accordingly.

The college aims 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.

### Stage 3 (Appeals)

Any appeal must be made in writing to the Vice-Principal (Partnerships & Learner Journey) within 15 working days of the date of our response to Stage 2. The Vice-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 Vice-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 or advised of a longer timescale.

In exceptional circumstances of complex or lengthy complaints the Principal reserves the option to carry out a review to provide additional assurance and identify any learning points for the college.

**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.

### 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 LEADs.

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 is presented to the Senior Leadership Team each term. These reports provide the basis for the presentation of an Annual Complaints Report to the Corporation by the Vice Principal (Partnerships and Learner Journey).

### 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
- ❖ Systematically review complaints performance reports to improve service delivery.

### **Getting help to make your complaint**

The college understands that some individuals may be unable, or reluctant, to make a complaint themselves. Complaints will be accepted from the representative of a person who is dissatisfied with the service provided. The college can take complaints from a friend or relative if they have been given consent to complain on the individual's behalf.

The college is committed to ensuring services are easy to use for everyone. In line with statutory equalities duties, the college will always take care to make reasonable adjustments to help individuals access and use college services.

This information can be made available in other languages and formats, such as large font or Braille. Please contact Learner Services on campus.

## **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"> <li>• Hate crime</li> <li>• Sexual harassment</li> <li>• Persistent systematic bullying or bullying of a more serious nature</li> <li>• Abusive language/threats</li> <li>• Carrying of offensive weapons</li> <li>• Being under the influence of drugs (including alcohol), in possession of drugs or buying or selling drugs on the college premises</li> </ul>
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"> <li>• Unhelpful staff and poor customer service provided</li> <li>• Learner refused enrolment</li> <li>• Invitation to enrol not sent out</li> <li>• Learner's examination not submitted for re-marking</li> <li>• Learner unable to progress to L3 with insufficient explanation</li> <li>• Misunderstanding between learner and lecturer concerning classroom behaviour of staff</li> </ul>
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"> <li>• Lectures or trip cancelled</li> <li>• Learner's car blocked in car park</li> <li>• Bus failed to stop at campus</li> <li>• First time request for grant information not responded to</li> <li>• Confusion over level of skills class to attend</li> <li>• Confusion over timetable and room</li> </ul>

**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

### **HE\* learners in receipt of WG student support funding:**

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

Office of the independent adjudicator (OIA): “for students in higher education”

<http://oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx#>

\*Does not include learners on HE courses awarded by a body other than a university, e.g. HNC/Ds awarded by Edexcel. Learners on these courses should be signposted to DfES

**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. 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](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]

## **Additional Guidance**

### **1.0 Legal requirement Impact Assessment.**

Legislation requires that public authorities to conduct an Impact Assessment upon their current or draft policies, practices, functions and services on the grounds of race, disability and gender. In anticipation of future legislative changes in relation to disability, the College's Impact Assessment will be implemented to consider the impact on all areas of diversity.

### **2.0 Examples of Equality Target Groups.**

#### **2.1 Age**

The definition of age groups will need to be sensitive to the policy under consideration. For example, in relation to employment policies the middle aged are often a vulnerable group and pensionable age is different for men and women.

#### **2.2 Gender**

Men (including boys), Women (including girls) and Transgender people. This can also include impact on a particularly gender who has caring commitments.

#### **2.3 Disability**

Persons with a disability as defined within the Disability Discrimination Act such as those with hearing impairment, visual impairment, physically disabled, learning disability or mental health problems.

#### **2.4 Racial Group**

A group of people defined by race, colour, nationality and ethnic or national origins. Examples include; Romany Gypsies, Jews, Sikhs, Chinese, Indian, Pakistani, Bangladeshi, Black African, Black Caribbean, White, Irish, Welsh, Turkish, Greek Cypriot, mixed ethnic group, any other ethnic group/nationality.

#### **2.5 Faith/Religion**

Religion or belief is any religion, religious belief or similar philosophical belief but does not include any philosophical or political belief unless it is similar to a religious belief. A religious belief is likely to include some form of collective worship, a clear belief system or a profound belief affecting the way of life or view of the world. Non-belief is also covered by the regulations. Examples include; Buddhism, Christianity (Protestant, Catholic etc), Hinduism, Atheist, Agnostic etc, any other religion.

#### **2.6 Sexual Orientation**

As defined under the Employment Equality (Sexual Orientation) Regulation 2003:

- Orientation towards persons of the same sex (gay/lesbian)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and the opposite sex (bisexual)

#### **2.7 Other (for example Welsh Language)**

This includes different contract types, such as full time, part time, hourly paid or any other area not already addressed, such as vulnerable people e.g. victims of domestic violence and forced marriages.