



# Further Education Complaints & Compliments Policy & Procedure

## Change Control

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## Revision History

Version	Type	Date	History
V1.0	New	18 July 2013	New
V1.1	Updated	25 June 2014	Amendment
V1.2	Updated OIA requirements Electronic Forms Job Roles	25 <sup>th</sup> November 2015	Amendment
V2	Amendment	March 2017	TAG Amendment
V2	Review	October 2017	No changes
V3	Replacement	June 2020	Amendment (HE removed, process amended from stages 1-3 to formal and appeal, templates added, procedure clarified)
V4	Amendment	April 2021	Policy reviewed to ensure suitability for ERC, plus the addition of compliments

*If you are a Higher Education Student please refer to the HE Concerns and Complaints Policy (HE20) found on the below link: <https://grimsby.ac.uk/documents/highereducation/quality/HE20/HE20-HE-Concerns-Complaints-Policy.pdf>*

*This policy applies to the TEC Partnership and incorporates Grimsby Institute of Further and Higher Education, Scarborough TEC, Skegness TEC, East Riding College, The Academy Grimsby and all wholly owned subsidiary companies of the Grimsby Institute of Further & Higher Education.*

*Note: There can be occasions where it has not possible to review this policy within the timescale indicated above, such as where there are imminent legislative changes and, in these cases, the existing policy will remain valid until renewal.*

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## **1. Introduction**

The objective of the TEC Partnership is to provide the highest quality services and facilities to all its learners and stakeholders. We hope you will find that this is so throughout your time with the TEC Partnership. However, if there are areas of our provision which concern you, about which you wish to complain or to provide a compliment, these policy details how to do so. This policy does not cover academic appeals.

This Policy is based on the following principles:

- Active promotion of equality of opportunity throughout all TEC Partnership activities and the learning experience
- Provision of an open and transparent process
- Resolution of complaints in a fair and equitable way within agreed timescales
- Absence of victimisation once a complaint has been reported
- Continuous service improvement
- Highlighting through good practice identified through compliments

### **1.1 Purpose**

It is in the context of a concern, complaint or compliment that this policy applies. The Partnership is committed to monitoring and evaluating standards of education and wider services. The Partnership uses feedback from learners and stakeholders to drive improvements and enhancements. An important part of the outcome of each complaint whether it is upheld or not, is the action taken and recommendations to prevent the recurrence of a complaint in the future.

### **1.2 Complaints and Compliments**

This policy deals with situations relating to concerns, complaints and compliments by learners, parents, employers and members of the public. The TEC Partnership welcomes comments and suggestions for the improvement of its services. In particular, the Partnership has established a variety of methods to ensure that learners and employers (where appropriate) can provide feedback. It is hoped that learners and employers will take full advantage of these processes and address comments and suggestions to an appropriate member of staff, which has the advantage of leading to a more immediate response. This policy covers complaints relating to requests for information and operating the publication scheme.

Complaints can only be raised by the complainant, the parent/careers of young learners under 18, and/or those learners with an Education Health and Care Plan (EHCP) plan.

### **1.3 Learner Complaints**

The policy applies only to acts or omissions which take place at a time when the complainant is an enrolled learner of the Partnership or one who is taking approved time out. It does not, therefore, apply to applicants prior to admission with the Partnership, or to former learners of the Partnership whose complaint refers to an act or omission which took place after their enrolment has ended. The definition of learner extends one month beyond the day of sending of final transcript or withdrawal from the programme of study.

### **1.4 Monitoring**

The Partnership produces an annual report setting out the key features, the outcomes and any recommendations that have been implemented in response to all the formal complaints that have been initiated during the previous academic year.

In all circumstances the Partnership is committed to expediting a concern or complaint in the most efficient way possible and in a manner that is appropriate to the level of investigation required. All concerns and complaints are treated with appropriate seriousness in a fair and understanding manner.

## **Section 2 Definition and Scope**

### **2.1 Concerns and Complaints**

Any individual who thinks that they have a justified cause for concern or complaint should feel able to raise the matter without fear of subsequent victimisation, as should any individual providing supporting evidence or representation. Whether the complaint is eventually upheld or not, the learner has a right to raise it as long as they do so in good faith.

Learners should note that raising a vexatious or malicious complaint may lead to disciplinary action. A complaint that is categorised as vexatious may be rejected by the Partnership; in such instances the learner will be notified in writing 10 days after the decision to reject has been made, with reasons as to why the decision has been made.

The Partnership within this policy clearly distinguishes between a concern (which is an opportunity for an individual to bring a matter that they are unhappy about directly to the individual concerned within the area which they are studying) and a complaint (which is a formal statement by an individual to the Partnership, which must be formally responded to and which the individual has the right to pursue if they are not satisfied with that response).

At all the stages of the process following the submission of a formal complaint, the complainant has a right to be accompanied to any meeting called by the Partnership as part of the complaint process by a friend, who may not be a lawyer acting in a professional capacity. The friend may not speak on behalf of or otherwise represent the interests of the individual concerned unless invited to do so by the Partnership. There is no equivalent right to be accompanied where a complainant is raising a

concern, although the member of staff to whom the concern is addressed may agree to the complainant being accompanied if they believe this will help resolve the issue.

Complaints may be raised individually or collectively. In the case of a group complaint, each complainant must complete a separate form although these may refer to a common statement of the matter(s) complained of. The Partnership may clarify which individuals are associating themselves with a submitted complaint before responding to it. Individuals who have not associated themselves with the complaint at that point will not normally be permitted to do so subsequently. The Partnership may ask the group to nominate one learner to act as a group representative.

It is expected that all individuals will exhaust this policy before taking legal action, although this cannot and does not purport to remove the right of any individual or the Partnership to seek a legal remedy for their dispute.

## **2.2 Compliments**

Compliments received by managers or other staff will normally be passed on to the individual or individuals who is or are the subject of the compliment. A central record will be maintained by Quality at GIFHE and STEC and by Learner Services at ERC. Managers will use compliments to motivate staff and, where appropriate, support the promotion of the College's activities.

## **2.3 Key members of staff**

The Complaints Officer, or equivalent, will acknowledge the complaints and ensure the process and timescales are followed, and acts as the first port of call for the complainant. Within the respective college the Complaints Officer, or equivalent, will consult with relevant members of the respective Senior Management Team (SMT) to identify the most suitable Investigating Officer depending on the nature of the complaint

The Investigating Officer is a member of staff who will investigate the complaint.

## **Section 3 Raising a Concern or Complaint**

### **3.1 Concern**

It is expected that, where a complainant is dissatisfied with the general provision of a service, they will normally first raise their concern through one of the mechanisms referred to in Appendix 2.

If the complainant feels able to they are encouraged to informally approach the person(s) directly concerned.

If a concern is not resolved through normal means or the concern is of a serious nature, staff members should advise the learner as appropriate. It is expected that the concern then becomes raised as a formal complaint through the complaints process. If a member of staff is unsure about when it is appropriate to do this, advice can be obtained from the Complaints Officer, or equivalent.

### **3.2 Formal Complaint Stage**

The formal complaint stage can be initiated if -

- Following the raising of a concern, the learner does not feel satisfied with the early resolution and initiates the formal stage of the process
- The issue has not previously been raised as a concern but the learner wishes to raise a formal complaint based on the seriousness of the issue
- The issues raised are complex and will require detailed investigation, for example where a complaint relates to the conduct of staff members or covers a number of different incidents

A complaint must be raised by the individual complainant using the complaints form.

The Complaints Officer, or equivalent, shall acknowledge the complaint in writing within 10 days of its receipt.

This is available electronically at:

<https://tecpartnership.com/partnership-feedback/#1501672889199-d0950462-b97c>

A formal investigation will consider the context of the complaint and the evidence provided by the learner. If a complaint is upheld, the response will determine the remedy offered, including for example, an apology and when the remedy can be expected.

Once a formal stage outcome has been provided to the complainant within 20 working days of receipt of the complaint, if no further response is received the complaint will automatically be closed within 10 working days.

### **3.3 Appeal Stage**

A formal appeal must be made in writing to the Complaints Officer, or equivalent, who will acknowledge the formal appeal in writing within 10 days of its receipt.

A referral will then be made to an Investigating Officer who has not been involved in earlier processes and who will respond within 20 days of the formal appeal being received.

The appeal should be based on:

- *The TEC Partnership did not follow its own complaint processes correctly, or;*
- *There is new evidence which could materially change the outcome of the investigation which was not provided earlier in the process.*

The appeal will be considered by a member of the respective Senior Management Team as the Investigating Officer/s.

The appeal will not involve further investigation or reconsideration of the original evidence; only new evidence will be considered at the appeal stage.

If the appeal is upheld, the Investigating Officer will write to the complainant and explain the conclusion and how the issue will be remedied. If the conclusion is that the formal stage has not been completed, the timeframe for the new investigation will be stated.

If the appeal is not upheld or the complainant remains dissatisfied, the complainant will be informed of their rights to complain to the Education and Skills Funding Agency (ESFA).

Details of the ESFA process can be found at:

<https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa/complaints-about-post-16-education-and-training-provision-funded-by-esfa>.

Please read this guidance on the process carefully as it provides details of how to complain. The contact details for the ESFA are: [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

Customer Service Team,  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry CV1 2W

Where a complaint specifically relates to a National Examination Board in Occupational Health (NEBOSH) qualification, and the complainant remains dissatisfied with the outcome of the Partnership's investigation, they may escalate their complaint directly to NEBOSH. Further information can be found on the NEBOSH website or is available on request from learner services.

At the conclusion of the NEBOSH complaints process, if the NEBOSH qualification is accredited by SQA Accreditation and the assessment took place within the UK, the student may also seek regulatory advice from SQA Accreditation.



# Complaints Procedure

## Procedure Overview

A concern can be raised if you wish to raise a matter of dissatisfaction with regards to a service or facility of the TEC partnership.

- A concern is usually investigated by the area in which the dissatisfaction is highlighted and a response provided with actions (where applicable).
- The person approached with the concern should respond orally, followed up in writing, normally within 10 working days of the concern being raised.
- If you remain dissatisfied, then you can then refer to the formal stage of the policy by submitting a formal complaint for investigation. This should only be submitted if an unsatisfactory response to the concern is received.
- If the concern received is of a serious nature, then this will be automatically referred to the formal stage of the policy as a complaint.

## Formal Stage

A formal complaint can be submitted if you have a matter that is of a serious nature with regards to the services or facilities of the TEC Partnership. A formal complaint can also be submitted if an unsatisfactory response is received to a concern as stated above.

- A formal complaint must be submitted in writing via the online complaints form which is available electronically and paper based (upon request).
- The Complaints Officer, or equivalent, will acknowledge receipt of the complaint within 10 working days and allocate an Investigating Officer.
- The Investigating Officer will respond to the complaint within 20 working days of receipt of the complaint (unless an extraordinary timeframe is allocated).
- You can only refer to the next stage of the policy for appeal if the response received from the Investigating Officer did not follow the complaints process correctly or new evidence is provided.
- If a response is provided to you and no further response is received within 10 working days, then the complaint will be closed.

## Appeal Stage

An appeal can be submitted following a formal complaint if:

*The TEC Partnership did not follow its own complaint processes correctly, or;*

*There is new evidence which could materially change the outcome of the investigation which was not provided earlier in the process.*

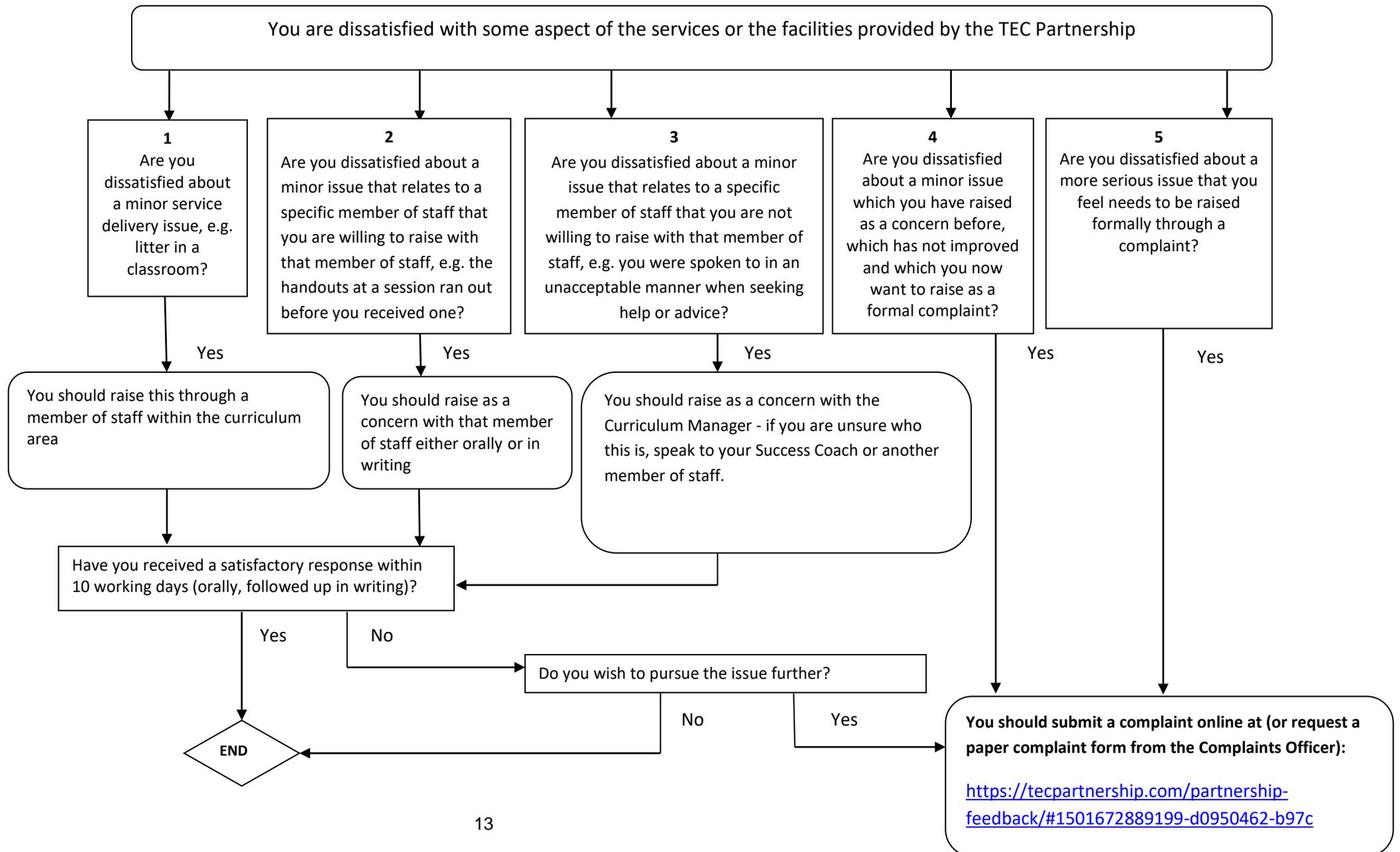
- A formal appeal must be made within 10 working days of the outcome of the complaint having been communicated and must be made in writing to the Complaints Officer, or equivalent (who will respond within 10 working days)
- A member of the Senior Management Team (SMT) will be allocated as an Investigating Officer will be allocated who will respond within 20 working days of receipt once the appeal has been reviewed.
- An appeal will only be considered if it is in relation to the procedure not being followed correctly or that new evidence is to be considered.
- If the appeal is upheld a remedy will be provided by the Investigating Officer.
- If the appeal is not upheld, the complainant will be informed of their rights to complain to the ESFA.

## **APPENDIX 1 - Complaints Form**

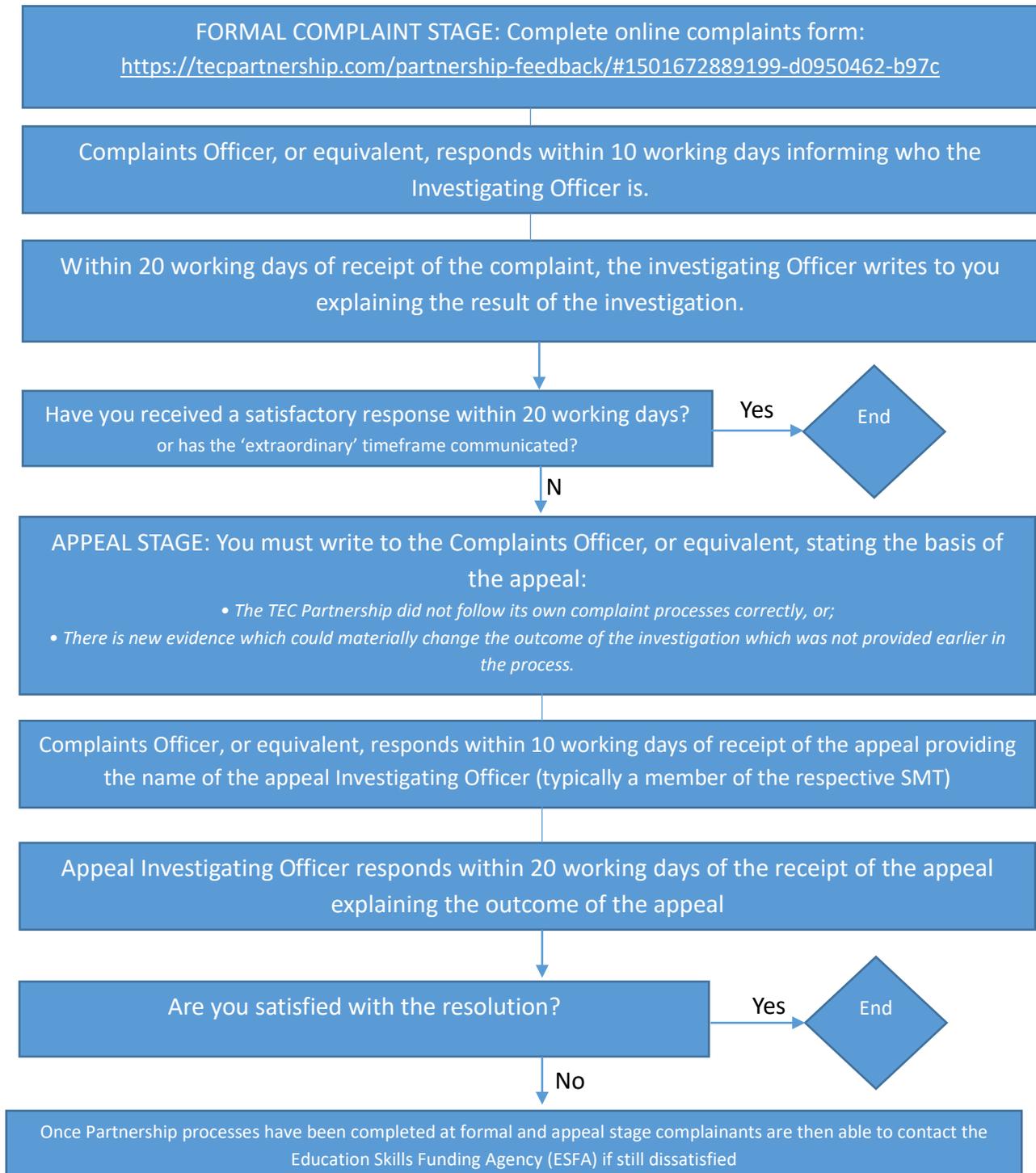
The complaints form can be found at the below link:

<https://tecpartnership.com/partnership-feedback/#1501672889199-d0950462-b97c>

## APPENDIX 2 - Raising a Concern



### APPENDIX 3 - Formal Complaint Process Timeline



APPENDIX 4 – Investigation Report Template



**Complaint Investigation Report**

<b>Investigating Officer:</b>  <b>Supported by:</b>
---

<b>Decision of Investigating Officer</b>
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<b>Recommendation of Investigating Officer:</b>  Complaint was {upheld/not upheld/partially upheld} for the following reasons:
--

<b><u>Summary of Complaint Investigation</u></b>
--

<b>Signed {Investigating Officer}:</b> _____
<b>Date:</b> _____

<b><u>Appendices</u></b>	
<b>Appendix No</b>	<b>Document</b>

*When completed the Investigating Officer should forward the report to the Complaints Officer, or equivalent, who is supporting the process.*

## APPENDIX 5 – Investigation Timeline Template



### Complaint Investigation Timeline

*To be completed by Investigating Officer*

Provide dates and details of the investigation, and reference any accompanying evidence

#### **Receipt**

**Date:**

Received complaint from **{name of complainant}** on in relation to **{nature of complaint}**

#### **Investigation**

**Date(s):**

Identify dates of meetings held and any statements taken

Meeting 1 – meeting with complainant

Meeting 2 – meeting with **{relevant member of staff}**

#### **Response**

**Date:**

Identify when response letter sent to complainant.



**Complaint Investigation Meeting**

**Complainant:**

**Date:**

**1) Introductions and process**

*Explain complaint process*

**2) Investigating Officer to give a brief summary of complaint received:**

**3) Complainant to provide any further information in relation to complaint:**

**4) Next steps explained by Investigating Officer:**

## APPENDIX 7 - Formal Response Letter Template

Date:

Address of complainant:

Dear **{name of complainant}**

Thank you for contacting the college with the complaint regarding **{description of complaint}**.

I have investigated your complaint and have identified the findings below for each aspect of your complaint.

- Description of each complaint issue and findings.

Overall as Investigating Officer I have **{upheld/not upheld/partially upheld}** your complaint and we will be taking the following actions:

**{List the actions}**

Thank you for bring this issue to our attention and we hope that you find the outcome satisfactory. If we have not been able to resolve the issue to your satisfaction, please note the following grounds for appeal:

- *The TEC Partnership did not follow its own complaint processes correctly, or;*
- *There is new evidence which could materially change the outcome of the investigation which was not provided earlier in the process.*

If you do wish to appeal, please ensure you provide details of your grounds for appeal.

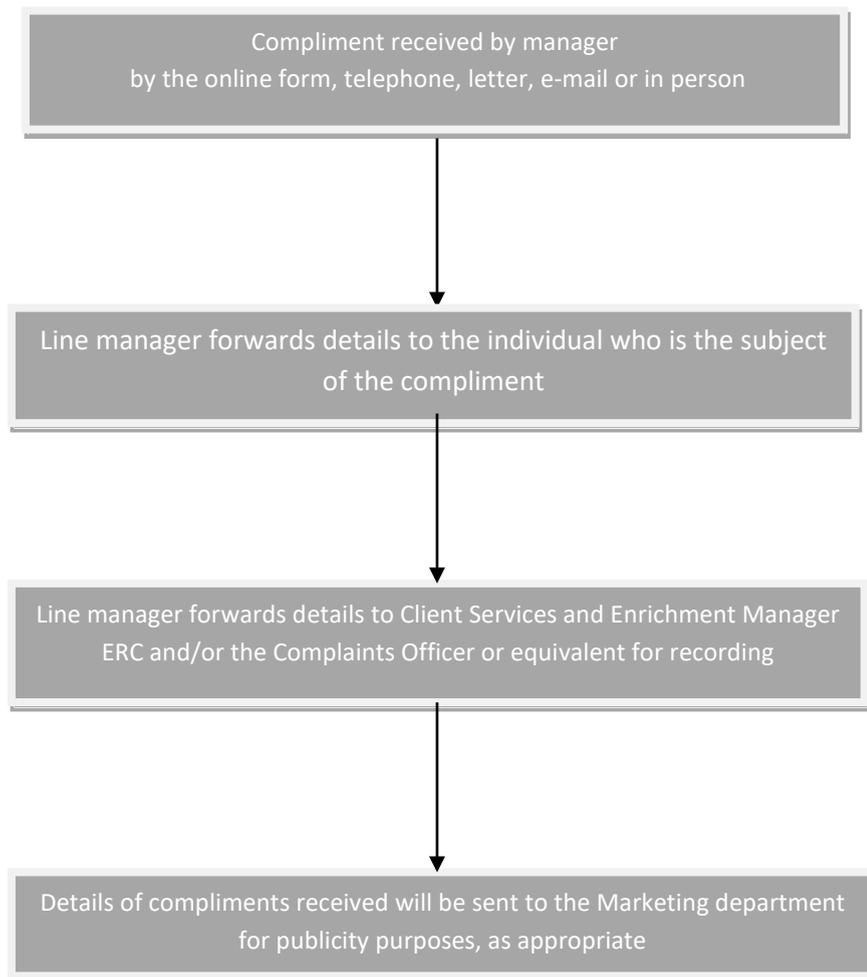
More details can be found in the Complaints Policy or by contacting the Complaints Officer **{give details of complaints officer or equivalent}**

Yours sincerely,

**{Name of Investigating Officer}**

## APPENDIX 8 – Compliments Flow Chart

### COMPLIMENTS – FLOWCHART OF PROCESS





# TEC Partnership

Training • Education • Careers

