

## COMPLAINTS POLICY

**The purpose of this policy is to set out The College's procedures for:**

- **bringing matters of dissatisfaction to the attention of the college**
- **investigating and responding to those concerns**
- **improving services as a result of the concern raised**

### **Who does this policy apply to?**

This policy applies to everyone working, studying at or visiting The College. This includes all staff, volunteers, Governors, external agencies, parents/carers and students.

### **Why do we need this policy / background information?**

The complaints policy is intended to enable any person(s) to bring matters of dissatisfaction or concern to the attention of The College, so that those concerns can be investigated with the aim of reaching a satisfactory resolution and instigating changes which lead to improved services.

A complaints process is necessary to ensure The College is accountable to students, parents, customers, employers, contractors, local residents and visitors.

Effective complaint handling can provide key benefits to The College such as:

- Providing information that can lead to improvements in service and curriculum delivery.
- Improving the reputation of, and strengthening public confidence in, The College's administrative processes.

The College operates a four stage complaints process.

#### **Stage 1 (informal complaints)**

This is the informal stage and enables the complainant to address their concerns directly with the person(s), team or Directorate concerned.

- It is recommended that complaints are dealt with informally wherever possible. In the first instance issues should be raised with the relevant staff member. If the complainant requires assistance in contacting a member of staff, they should contact main reception on 01202 205205.
- If the staff member is unable to resolve the complaint, or it does not specifically relate to a particular person, the complaint should be raised with the relevant Manager who will investigate and respond directly to the complainant.
- Verbal complaints to reception and staff in public areas and requests to meet the Principal should be referred to the relevant Director.
- If the Quality Team receive a complaint in writing or by email and consider it to be a Stage 1 complaint, they will acknowledge the complaint and send to the relevant staff member / area to deal with.

- If the complaint is resolved at this level, it must be recorded on the curriculum area's complaints log and documentation retained for 2 years. Where the complaint is not satisfactorily resolved at this level, the complaint may be escalated by the complainant to Stage 2 (formal complaints).

### **Stage 2 (formal complaints)**

Every effort should be made to resolve complaints informally at Stage 1, but if this is not possible, a complainant can request that the complaint moves to Stage 2.

Formal complaints should be submitted in writing either by letter or email to [quality@bpc.ac.uk](mailto:quality@bpc.ac.uk), providing name; contact details; facts supporting the complaint; reasons for escalation to Stage 2; and what outcome is being sought.

A complaint must be escalated immediately to Stage 2 (formal) where any part of it relates to:

- Equality and Diversity (i.e. discrimination, bullying and harassment)
- Safeguarding
- Health and Safety
- Requests for fee refunds or waivers

### **Process**

- All formal complaints will be logged and acknowledged by the Quality Team within 2 working days of receiving the complaint. A response detailing the outcome of an investigation will be provided within 10 working days. Where it is not possible to provide an outcome with 10 working days, the complainant will receive a holding reply, with an explanation of the delay and a date for when the full response can be expected.
- The Quality Team will nominate the appropriate Manager / Director to investigate who will respond to the Quality Team with the outcome within 7 working days, if this timeframe has not been met this will be escalated to their Line Manager.
- Where a complaint involves the Director, the Assistant Principal or any other nominated senior person will lead the investigation with the support of the Quality Managers as required. If the complaint is about a member of staff and the nominated Manager / Director finds that there are issues of capability or that disciplinary action is required, the Manager / Director should prepare a Management Case on the staff member to include all the evidence and notes taken during the investigation and refer the complaint to Human Resources.

The Manager / Director will report back to the Quality Team with a recommendation that the complaint is either:

1. **Dismissed**, as the complaint as unfounded (providing reasons).
2. **Partially upheld**, with a suggestion for an amicable resolution.
3. **Upheld**, offering an apology and steps to address the issue and avoid a similar problem arising in future.

### **Monitoring of stage 2 complaints**

- Recommendations resulting from investigations will be formally recorded and monitored by

the Quality Team to ensure that all actions are clearly owned and fulfilled. Overall data will be regularly analysed to look for trends and to ensure service improvement.

- The Board of Corporation will receive updates on complaints relating to Safeguarding, Equality and Diversity or Health and Safety in the annual report.

### **Friends and Supporters**

Anyone making a complaint may use an advocate/friend (a person who speaks on their behalf) during the process. However, where a complainant is aged 18 years and over or is a vulnerable adult, details of the complaint cannot be discussed with any other person unless permission is explicitly given by the complainant.

Where a complaint is made directly by a third party, the person that the complaint relates to will be contacted to confirm that they are happy for the third party to act on their behalf and that the information relating to the complaint is accurate. If the person concerned does not wish for the complaint to be investigated, then the third party will be advised of this and an investigation will not take place. However, should the third party's complaint raise significant concern, i.e. safeguarding or criminal activity then it may be that an investigation is required, and the person concerned will be informed and involved in the process. If required, support will also be provided to the person whom the complaint relates to.

### **Stage 3 (internal appeals)**

This is the appeals stage. If a complainant is dissatisfied with the response they receive, they have 10 working days from receipt of response to put their grounds for appeal (in writing) to the Assistant Principal. The appeal will then be forwarded to the College Executive for final investigation.

To lodge an appeal, there must be evidence of one or more of the following:

- The College has not followed the formal procedure as described in this policy.
- Incorrect evidence was used during the investigation or new evidence has arisen.

The Assistant Principal will make the decision as to whether an appeal meets the criteria as set out above. If the appeal does meet the criteria then the appeal is forwarded to the Executive to consider. If it does not, the appeal will be rejected and the complainant will be informed in writing within 10 working days, with the reasons.

### **Stage 4 (external appeals)**

- If at Stage 3 the complainant remains dissatisfied, they will be advised as to which external agency is most appropriate for the complaint to be referred to. This may include organisations such as the Education and Skills Funding Agency (ESFA) or the Office of the Independent Adjudicator (OIA).
- College employees must use the internal Human Resources Grievance Procedure where a complaint is about another member of staff, but they can use this policy where a complaint is about a college service.
- Historical complaints, i.e. complaints made 6 months after completion of study at The College, will not be accepted. However, in some cases, such as complaints with safeguarding implications, an individual approach will be taken. This will be assessed on an individual basis.

## **Roles and Responsibilities**

### **Staff**

All College staff have a responsibility for treating complaints seriously and dealing with them promptly, courteously and in accordance with this policy. Staff are also expected to provide any assistance to support a complainant when making a complaint. All staff have a responsibility to try and resolve a complaint at Stage 1.

### **Quality Team**

The Quality Team is responsible for deciding at which stage a complaint should be managed. Stage 1 complaints are forwarded to the team who will manage the complaint. The Quality Team will have no further involvement in a Stage 1 complaint.

When dealing with a Stage 2 complaint, the Quality Team will record and acknowledge the complaint; allocate a Manager / Director to investigate; monitor the progress of the investigation; ensure the quality of the response; and provide the final written response. In addition, the Quality Team will monitor the progress of the recommendations and actions as well as provide reports to the Senior Leadership Team, the Executive Team and the Board of Corporation.

### **Director of Apprenticeships**

The Director of Apprenticeships will be informed of any complaint made by an apprentice or relating to an apprenticeship. The investigation will be completed by the relevant Apprenticeship Manager. The Director of Apprenticeships is responsible for responding to any trends or recurring themes concerning apprenticeships and instigate appropriate action.

### **Director of Student Experience**

The Director of Student Experience will be responsible for managing complaints where serious safeguarding or Prevent concerns are raised.

### **Assistant Principal**

The Assistant Principal has responsibility for approving or declining a request to appeal the outcome of a complaint and taking the relevant course of action. If the complaint is in reference to the Assistant Principal the appeal request will be decided by the Vice Principal.

### **College Management Team**

All members of the College Management Team have a responsibility for resolving a Stage 2 complaint, and leading or contributing to an investigation into a complaint when this is considered appropriate.

### **The Principal**

The College Principal is responsible for resolving complaints which have reached the appeals stage and may nominate any member(s) of the Executive Team who has not previously been involved in the investigation.

### **Board of the Corporation**

The Board of Corporation is responsible for ensuring that the Complaints Policy is operating effectively and may become directly involved if a complaint relates to the Principal or members of the Board. The Board of Corporation will also approve any changes to the policy.

## **Liaison with external agencies**

If the investigation uncovers serious criminal behaviour or activity (i.e. theft, racism, homophobia, physical or verbal abuse, and threats of radicalisation or violent/non-violent acts of extremism) then the investigation may be passed over to the Police and/or other appropriate external agencies.

## **Links to college values and other college policies**

This policy should be used in conjunction with the following policies and procedures:

- Safeguarding Policy
- Equality, Diversity and Inclusion Statement
- Health and Safety Policy
- E-Safety Policy
- Managing Student Behaviour Policy
- Bournemouth and Poole College Mission, Vision and Values
- Freedom of Speech and Expression Policy (Including Visiting Speakers and Events)
- Data Protection Policy
- Acceptable Use of IT Policy
- Staff Grievance Procedure

## **Who needs to understand this policy and how will they know about it?**

The following training and awareness will be put in place:

<b>Who?</b>	<b>How?</b>
Students	Policy available on the college website, reference made to it in the Student Handbook and Student Induction, advice and support given when enquiring about making a complaint.
College managers	Include in College wide communication, training for investigating managers; copies of the policy available on mybpc.
All teaching staff	Briefing by Directors and Learning Managers; copies of the policy available on mybpc.
Business Support staff, including reception staff who interact with students	Briefing by line managers; copies of the policy available on mybpc.

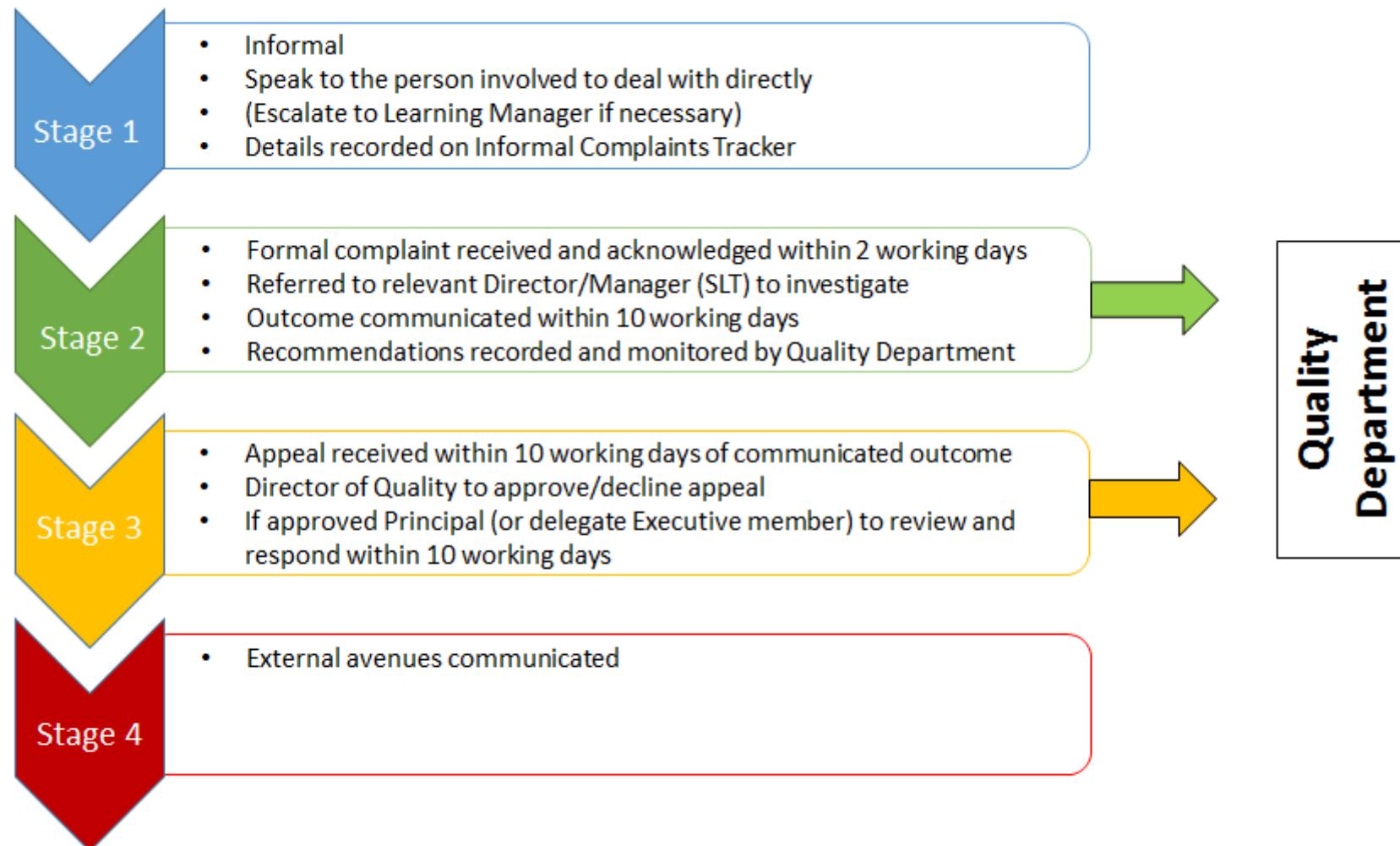
## **How does this policy fit with The College's Equality and Diversity policy?**

Bournemouth and Poole College Equal Opportunities
<b>This policy has been examined for equality impact i.e. the impact that this policy will have on different groups of current or potential learners, service users and staff taking into account the protected characteristics of the Equality Act 2010 (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation)</b>
<b>1. If equality impact analysis is not relevant to this function give reasons and proceed to section 5 below</b>
<b>2. In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?</b> This policy is intended to provide a positive, supportive and transparent approach to all, as such no groups of students with protected characteristics should experience a negative impact.
<b>3. In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?</b> This policy supports all members of the college community by swiftly addressing issues arising of dissatisfaction or concern.
<b>4. What evidence supports your judgements? E.g. Consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?</b> Policy updated by the Quality Department including the lead for Equality & Diversity. Reviewed by the policy review group.
<b>5. Name and job title of manager responsible</b>  Quality Department

**Policy approved by:** SLT

**Date:** June 2020

## Complaints Policy and Procedure - Summary



Complaints will be dealt with at the appropriate level and may go directly to either Stage 1 or 2 depending on the nature of the complaint