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1. GENERAL PRINCIPLES

Shrewsbury College is committed to ensuring the high quality of its provision and the satisfaction of all those who attend the college along with members of the wider community.

The aim of the HE Compliments and Complaints Policy is to apply a constructive approach to the resolution to any complaint and dissemination of compliments.

2. COMPLIMENTS

Compliments can be made via the college email address info@scg.ac.uk or directly to a member of staff or department concerned. Any compliments received will be forwarded to the Quality Assurance Coordinator.

Compliments will be logged for reference, with copies circulated to relevant staff and managers complimented. We encourage the identification and acknowledgment of compliments in the review and evaluation process, in supporting and sharing best practice. A summary of the compliments received is reported to the Governor's Quality & Standards Committee.

3. COMPLAINTS

It is our intention that all complaints will be dealt with:

- Promptly – Within the timelines indicated in the policy. Complaints made outside of term time may be subject to longer response times.
- Objectively – those investigating a complaint will take into account the views of all concerned and consider all relevant evidence.
- Confidentially – we will aim to maintain confidentiality wherever reasonable, however it may not always be possible to investigate and respond to a complaint whilst maintaining anonymity.
- Fairly – if action is required, it will be taken appropriately and in accordance with the general procedures and policies of the college.

The college will consider four initial questions when an individual wishes to lodge a concern or complaint, these are considered in sequence:

- (i). Is there a potential for risk of harm to a student?

If any student could be at risk of harm, the issue must be referred to the college's safeguarding team immediately, there should be no delay caused by instigating the concern or complaint process.

- (ii). Is the issue a student conduct matter?

If the issue raised is highlighting unacceptable behaviour of a student, the matter should be referred into the Student Conduct process. This does not preclude that the matter may become a concern or complaint, however it is important that action is taken through the correct procedure to maintain transparency. For example, if a member of the public reports a student for dropping litter, the student would be disciplined through the Student Conduct process and the member of the public receive a response through Stage 1 of the complaints process. Where a student conduct process has been initiated, any complaints relating to matters leading to the conduct hearing or to the conduct process itself, cannot be accepted until the conduct process has concluded.

- (iii). Has the college, through its action or inaction, caused the reported issue?

It is important to consider whether it is reasonable to conclude that the college has **caused** the issue being reported. If the college has not caused the issue, the complaints process cannot investigate and reach a conclusion on the issue. This does not prevent question (i) or question (ii) above being relevant but may result in a response to the individual denying the concern or complaint. For example, a student lodging a concern about the behaviour of another student should be considered by the Student Conduct process first.

- (iv). Does the concern or complaint directly affect the individual reporting the issue?

To effectively investigate and respond to the report of a concern or complaint the individual lodging the complaint must be directly affected by the substance of the issue. For privacy reasons, a complaint cannot be accepted without the individual affected agreeing to the submission. This does not preclude an individual submitting a concern or complaint on behalf of someone who is not able to do so themselves including parents/guardians. For example, a student cannot submit a complaint about an issue affecting another student without that student's express permission. Duplicate concerns or complaints will not be accepted, and a response will only be provided to the student directly affected.

Parents/guardians submitting a complaint on behalf of their child, where communication consent has not been withdrawn, will be contacted directly.

If the complainant wishes to lodge an Appeal against assessment or progress decisions, the *Internal Assessment Appeals Policy* should be referred to.

If the purpose of the complaint is to seek refund or compensation, the *Fee and Refund Policy* should be referred to in the first instance. Raising a complaint would not normally be a route to a refund or compensation.

Where a complaint is found to be of a malicious nature, the college reserves the right to invoke any of its other policies, including the Student Conduct Policy or Staff Disciplinary Policy as appropriate.

3.1. Stage 1: Informal Process – Concerns

Concerns are defined where a person wishes to register unhappiness about a situation without (at least initially) proceeding to make a formal complaint. This is the first step when considering a complaint as it may be possible to resolve concerns using the Informal Process. The Stage 1 – Informal Process should be lodged as soon as possible but normally not more than 10 calendar days of the incident.

The following procedure will apply:

- Students, including prospective students, wishing to raise concerns or comments about aspects of a course or college service should contact the teacher directly involved, the Curriculum Director, or their personal tutor. They may also wish to be accompanied by a fellow student/apprentice, parent, or other nominated person (including their employer).
- Employers working with students or apprentices from the college wishing to raise concerns or comments about any aspect of a course or college service should contact the Curriculum Director or Teacher of the course concerned.
- If unsure where to direct concerns or comments, these should be emailed to complaints@scg.ac.uk, where they will be redirected accordingly.

- The agreed outcome of the informal stage will be recorded locally by the member of staff involved and shared with the Quality Assurance Coordinator to be logged as a concern on the general register of complaints.
- Stage 1 concerns aim to be completed within a reasonable timeline dependent on the nature of the complaint.
- If the issue or concern is not resolved at this initial stage, then a formal complaint can be made – refer to the process under “Stage 2”.

Members of the public wishing to raise concerns or comments about aspects of the college should email complaints@scg.ac.uk. An acknowledgement of the communications will be made and this will be forwarded to the appropriate member of staff responsible for that area of concern. Subsequent action taken relating to the concern may be included in the response. The outcome of community related concerns will be logged on a central register of complaints.

3.2. Stage 2: Formal Process – Complaints

If concerns cannot be settled through a Stage 1, complainants can escalate their concern to Stage 2: Formal Process

A formal complaint should be lodged to the complaints email within 10 calendar days of the outcome of Stage 1 – Informal Process or within 20 calendar days of the incident whichever is the latest.

Only in exceptional circumstances will a complaint be considered outside this timescale at the discretion of the Vice Principal for Quality, Apprenticeships & Information.

All written complaints including those addressed to Governors or the CEO will initially be forwarded to the complaints email – complaints@scg.ac.uk.

Complaints are formally documented and logged, with a written record of the complaint and a written response to the complainant.

The following procedure will apply:

- Requests to escalate will be acknowledged within 10 working days of receipt by Complaints.
- Where the grounds for escalation have been reviewed and accepted, the complaint will progress to a Stage 2 investigation.

- An Investigating Officer will be appointed, the complaint details are shared with them.
- The Investigating Officer will investigate the matter in accordance with the principles outlined above and report the outcome to the Vice Principal for Quality, Apprenticeships & Information via the complaints email.
- A written response to the complainant based on the investigation will normally be sent within 20 working days of the matter being received into Complaints, outlining any specific actions which may be appropriate.
- If the matter is likely to take longer to investigate, the complainant will be informed of this before 20 working days have lapsed and kept informed as the investigation proceeds.
- The outcome of the formal process will be one of the following:
 - o Not upheld, giving reasons or
 - o upheld, or partially upheld, identifying the actions to address the issue.
- Whilst confidentiality will be respected as far as possible, it is not normally possible to resolve complaints without disclosing details of a complaint to relevant staff and to allow the college a fair opportunity to resolve the issue.

It is expected that most complaints will be resolved at Stage 2 and that the matter will be closed. However, if this has not been possible, the complainant has the right of Appeal. Refer to the process under "Stage 3".

3.3. Stage 3: Appeal

If the complainant remains dissatisfied with the outcome of the investigation then they may appeal directly to the Principal in writing within 20 calendar days of the outcome of the formal complaint process. The Appeal should include the grounds on which the Appeal is based.

The Appeal is not intended to repeat the detailed investigation of the complaint, but to focus on specific factors which the complainant feels have received insufficient consideration, and are grounds of the Appeal, for example:

- Inappropriate conduct of the investigation,

- Investigation did not consider all the evidence available,
- New evidence in relation to the complaint subsequently coming to light.

The following procedure will apply:

- The Appeal will be acknowledged within 5 working days of receipt within the Principal's office. Timescales may be affected where an Appeal spans a period of college closure or a break in the teaching calendar.
- The Principal will reconsider the matter directly in accordance with the principles set out above.
- Depending on the nature of the Appeal, it may be deemed appropriate to arrange an Appeal hearing. Refer to Appeal Hearings process below.
- Appeals will be considered by the Principal, unless the complaint is about the Principal, in which case it will be addressed by a panel of Governors.
- A formal response to the Appeal will normally be issued within 20 working days of the receipt of the Appeal. Timescales may be affected where an Appeal spans a period of college closure or a break in the teaching calendar.
- If the matter is likely to take longer to consider, the complainant will be informed of this before 20 working days have lapsed and informed of the reason.
- The outcome to the Appeal process will be one of the following:
 - o Uphold the original decision,
 - o Dismiss the complaint,
 - o Uphold or partially uphold the complaint.

3.4. Appeal Hearings

- Where an Appeal hearing is convened, it will be held as soon as reasonably practicable following receipt of the Appeal.
- The complainant has the right to be accompanied to the hearing by a person of their choosing, however, this cannot be in the form of legal representation.
- The name and status of the accompanying person is to be notified to the Principal at least 5 calendar days in advance of the hearing.

- A college administrator may be present at the hearing to keep a record of proceedings. The college reserves the right to have a legal adviser present during the hearing.
- Both parties, the complainant and the college representatives (previously involved at an earlier stage), will be invited to submit and present evidence and to be questioned on the evidence provided.
- Witnesses may be called by the Principal as part of the evidence and all parties will have the right to question such witnesses.
- There will be an opportunity to ask questions during the Appeal Hearing process.
- When all the evidence has been heard, the hearing will be adjourned for the Principal will consider the merits of the complaint before reaching a decision.
- The Principal will, whenever possible, inform the complainant in writing of the outcomes of the hearing, no later than 10 working days after the hearing. A summary of the hearing will be prepared and issued to the complainant.
- For HE complaints, the Principal will follow the OIA guidance in communicating the final outcome in the form of a Completion Of Procedure letter.
- If the matter is likely to take longer to consider, the complainant will be informed of this within 10 working days and informed of the reason.

The decision of the Principal is final and there will be no further right of Appeal to Shrewsbury College.

Recording of any part of the Appeal Hearing is strictly prohibited. Any covert recordings will result in the complaint being immediately dismissed and further actions against the complainant may be taken.

4. RIGHT TO COMPLAIN FOLLOWING A STAGE 3 OUTCOME

Education and Skills Funding Agency (ESFA)

Following conclusion of the college's complaints process, the complainant has the right to complain to the ESFA if they remain dissatisfied.

The ESFA Complaints Procedure can be found at this web address:

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

Alternatively, a complaint can be made in writing to: Complaints Team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.

The Office of the Independent Adjudicator for Higher Education (OIA)

Shrewsbury Colleges Group subscribes to the independent scheme for the review of Higher Education student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your complaint 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 the outcome letter.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. 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. The letter received following the conclusion of an Appeal should be considered as the Completion of Procedure (COP) letter for the purpose of pursuing the complaint with the OIA.

West Midlands Combined Authority

Following the conclusion of the college's complaints process, the complainant has the right to complain to the WMCA if they remain dissatisfied.

You should email complaints to: aeb.enquiries@wmca.org.uk

Alternatively, a complaint can be made in writing to: West Midlands Combined, Authority Adult Education Budget Team, Productivity and Skills, 16 Summer Lane, Birmingham B19 3SD

Guidance on submitting a complaint to the WMCA can also be found on their website- <https://www.wmca.org.uk/documents/policies/aeb-complaints-procedure/aeb-complaints-procedure/3-when-should-you-contact-the-west-midlands-combined-authority/>

Greater London Authority

Following the conclusion of the college's complaints process, the complainant has the right to complain to the GLA if they remain dissatisfied.

You should email complaints to: aebcomplaints@London.gov.uk

Alternatively, a complaint can be made in writing to: Provider complaints, Skills and Employment unit, Greater London Authority, 169 Union Street, London SE1 0LL.

Guidance on submitting a complaint to the GLA can also be found on their website: - <https://www.london.gov.uk/programmes-strategies/jobs-and-skills/training-providers-teaching-skills/adult-education-budget/guidance-learner-complaints?ac-1994=1987>

5. MONITORING AND REPORTING COMPLAINTS

Monitoring and reporting complaints is the responsibility of the Vice Principal for Quality, Apprenticeships & Information.

The Governor's Quality & Standards Committee monitors the approach to complaints received.

The Vice Principal for Quality, Apprenticeships & Information will ensure that updates (where appropriate) and an annual report on the operation of this procedure and on the number and nature of formal complaints received during the preceding academic year is made to the Quality & Standards Committee each autumn term.

COMPLAINTS FLOW CHART

