

Customer Complaints and Compliments

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1. Purpose:

The purpose of this policy is to ensure fairness and equity for all parties involved in the handling of complaints and to enable a balanced and objective approach to be taken so that a satisfactory conclusion can be reached. Complaints are valuable, welcome and important to us, and viewed as an opportunity to improve the quality of the student experience, ensuring it meets the college's high expectations.

2. Scope

The College defines a complaint as an expression of dissatisfaction which merits a response.

These guidelines relate to:

- Courses, services or facilities provided by the College
- Action or lack of action taken by the College and its staff

The guidelines do not cover:

- Disciplinary issues
- Matters governed by other separate procedures such as harassment, appeals against exclusion or academic appeals

3. Responsibility

Overall responsibility for this policy lies with the Assistant Principal for Quality & MIS, supported by the Quality Manager, Curriculum Managers, Assistant Directors, Directors, Curriculum Managers and other Assistant Principals,.

4. Procedure

4.1 Responding to Complaints

- 4.1.1 Every reasonable effort will be made to deal promptly and efficiently with all complaints, to investigate them thoroughly and objectively and to seek to resolve them satisfactorily. Whilst every complaint is taken seriously and investigated fully, every effort is also made to ensure that staff of the College understands that they have equal rights in the process and that they are treated with fairness and objectivity.
- 4.1.2 Complaints will be dealt with positively, constructively and as far as possible confidentially. If a complaint is upheld the College will seek to provide a reasonable and appropriate response and will correct any mistakes or misunderstandings and will take any other action as appropriate. Where a complaint is upheld against an individual or group this will be dealt with confidentially. Action will be through internal processes and procedures and specific details not reported to the complainant.
- 4.1.3 Although complaints will be dealt with in confidence this is with the provision that an individual against whom a complaint is made has the right to be supplied with a copy of the complaint made against them.

Complaints Policy

- 4.1.4 Complaints against members of staff of the College are always classified as formal complaints. The Assistant Principal for Quality & MIS and the Director of Human Resources must therefore be notified of the complaint. Complaints against the Principal will be investigated by the Chair of Governors. Complaints against the Quality Manager will be investigated by the Assistant Principal.
- 4.1.5 The College will treat all complaints seriously and without discrimination. However, where an investigation concludes there is reasonable grounds to believe that the complaint is frivolous, vexatious or motivated by malice, appropriate action will be taken against the complainant. The College reserves the right not to investigate where ongoing complaints are made and grounds for complaint have previously not been found. Reasons will be given as to why the complaint is considered to be an abuse of process. You should also note appendix B which sets out the College's approach when dealing with unacceptable behaviour by a complainant.
- 4.1.6 The time limits set out in these guidelines will normally be followed. However, where for good reason this is not possible, the complainant will be kept notified of progress.
- 4.1.7 The effectiveness of any complaints procedure depends on the College being able to collect appropriate information from parties involved in order to investigate the matter properly. For this reason, anonymous complaints will not be dealt with under these guidelines.
- 4.1.8 These guidelines comprise of a number of stages. Most complaints can be resolved informally by individuals pursuing matters directly with relevant staff. Only where these informal routes have been pursued and the complainant remains dissatisfied, should the formal complaint be invoked.
- 4.1.9 All complaints should be raised **within one month** of the instance which led to the complaint.

4.2 Informal Complaints Procedure

- 4.2.1 Most complaints can be resolved informally and where practical a complaint should be dealt with as close as possible to the point at which it arises.
- 4.2.2 This relates to informal complaints, such as those received verbally and/or those relating to what the complainant views as relatively minor incidents.
- 4.2.3 This also relates to complaints made by student representatives in student feedback or course team meetings. Although all these complaints are classified as "informal complaints" for the purposes of these guidelines, they are all taken seriously and should be investigated thoroughly by the appropriate member of staff.
- 4.2.4 The member of staff who receives an informal complaint will look into the matter and give a verbal response to the complainant/s within 10 working days of the complaint being registered.

- 4.2.5 If the complainant remains dissatisfied then a formal complaint in writing should be made.

4.3 Formal Complaints

- 4.3.1 All formal complaints should be made to the Quality Department. Where formal complaints are received by the Principal or other staff at the College these should be forwarded to the Quality Department for logging in the first instance.
- 4.3.2 Formal complaints can be received by letter, email, telephone, or in person by the complainant. Where complaints are received over the telephone or verbally the Quality Department will ensure information is recorded detailing:
- The nature of the complaint
 - The informal steps already taken with full details of the response received
 - A statement setting out why the complainant remains dissatisfied

Please note: Complaints made by telephone may be recorded for monitoring purposes.

- 4.3.3 Under normal operating circumstances receipt of the complaint will be acknowledged within 5 working days of its receipt. Responses to complaints will be acknowledged using the following methods:
- Letter – A letter will be written to the complainant if they have communicated their complaint in the form of a letter
 - Email – An email will be written to the complainant if they have communicated their complaint in an email
 - Verbal – Verbal acknowledgements will be made where the complainant has complained via telephone or face to face

The complainant will be informed:

- Who has been/will be appointed as the investigating officer
- The maximum length of time the investigation can take
- Who to contact with any queries during the investigation

It will be the responsibility of the Quality Manager to respond to written complaints. Complaints taken by telephone or face-to-face will be acknowledged at the time by the quality team member taking the details.

- 4.3.4 The Quality Department will co-ordinate and act as administrator for the duration of the complaint investigation.
- 4.3.5 Formal complaints once acknowledged will be forwarded to the appointed Investigating Officer, who is trained on complaint handling and resolution, to conduct a full and thorough investigation.
- 4.3.6 Where appropriate the Investigating Officer may require a detailed discussion with the complainant to agree the terms of reference for the

investigation, confirm key points of concern or to obtain further particulars of the complaint.

- 4.3.7 The Investigating Officer may wish to convene a hearing involving the complainant and any other persons involved in the matter so they can submit their respective cases. A representative from Human Resources will also be invited where a complaint about a member of staff is being investigated.
- 4.3.8 All parties involved including students and staff can be accompanied by a person of their choice to offer support, assistance or advice and any meetings during the investigation. The person can be a friend, recognised trade union member or member of staff but should not constitute legal representation.
- 4.3.9 After completing the investigation, the Investigating Officer will make a decision. Where the complaint is upheld, the Quality Department has authority in conjunction with the Deputy Principal of Finance and Resources to refund fees (from Faculty budgets) or offer small gestures as an apology and to restore goodwill. The Assistant Principal for Quality & MIS, will also ensure remedial action is taken to ensure similar complaints do not arise in the future.
- 4.3.10 The decision will be communicated in writing to the complainant and all other relevant parties, usually under normal operating circumstances, within 15 working days of the acknowledgement of the complaint. Where the investigation is likely to take longer all parties will be informed and kept up to date at regular intervals subject to a maximum total investigation period of 30 working days. Under extraordinary circumstances, complaint investigations may be paused or extended where the Investigating Officer has limited access to evidence and resources. All parties will be informed of any pause or extension and will be notified when investigations will resume.
- 4.3.11 The decision, whether upheld or rejected, along with the reasons for the decision, will be clearly stated in the response letter. The complaint response will be sent in writing, to the complainant by email or by post (where the college has no email record for the complainant).
- 4.3.12 Complaints may be rejected if the Investigating Officer finds the complaints raised are unfounded and college policies and procedures had been followed and maintained.
- 4.3.13 If the complaint is upheld, Higher Education complainants that remain dissatisfied are entitled to request a Completion of Procedures letter, under OIA rules, within one month following receipt of the complaint response. It is particularly important to do this promptly if the remedy being sought is time sensitive.

4.4 Complaint Review

- 4.4.1 The stages of the guidelines set out above have been established to allow a fair and thorough investigation of a complaint and to ensure that it is dealt with objectively. If the complainant, or any party involved in the
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investigation, believes that a complaint has not been dealt with properly or fairly, they may submit a letter of appeal to the Principal within 5 days of receipt of the decision.

- 4.4.2 The Principal will consider the circumstances of the case on the basis of the documentary evidence and such advice felt necessary, in order to determine whether there is prima facie evidence to support the complainant's appeal that the case was not handled properly or fairly.
- 4.4.3 In exceptional circumstances, where appropriate and should sufficient evidence exist for further investigation, one of the Assistant Principals may lead a further enquiry.
- 4.4.4 The Principal's decision will then be final on the basis of the evidence and advice available or in the case of a further investigation on the basis of the recommendations of the Assistant Principal.
- 4.4.5 The Principal's decision will be communicated in writing, normally within 10 working days of the date the request for review was received.
- 4.4.6 The Principal's decision will be clearly stated, along with the reasons for the decision. The appeal response letter will be sent to the complainant by email or by post (where applicable). All outgoing post and emails will be recorded internally.
- 4.4.7 Where the complaint is from a Higher Education complainant, a Completion of Procedures letter will be issued within 28 days after completion of the internal processes.
- 4.4.8 Higher Education complaints can be pursued with the Office for the Independent Adjudicator (OIA) <http://www.oiahe.org.uk> who will identify if the complaint is eligible for their review. Escalation to the OIA must be made within 12 months from the date of the Completion of Procedures letter, although it is particularly important to do this promptly if the remedy being sought is time sensitive.
- 4.4.9 Further Education and Apprenticeship complaints can be escalated to the ESFA within 12 months after the issue happened. You can email or post your complaint to complaints.ESFA@education.gov.uk or

Customer Service Team
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

4.5 Communication

- 4.5.1 Students will be made aware of this policy at Induction and it is made accessible through the college website.
- 4.5.2 All staff will be made aware of the contents of this policy via Infopoint. Copies of this policy are accessible by all staff via the College Intranet (Infopoint) and from the Quality Department. Management development and staff development will be provided through HR to assist all staff in responding effectively to complaints.
- 4.5.3 Staff/students who do not have English as their first language. There are a number of students within the college who do not have English as their first language. The ESOL course (English for Speakers of Other Languages) is popular and attracts students from other cultures who speak a diverse range of languages. If staff or students have difficulty understanding the complaints policy or making a complaint due to the lack of spoken or written English, they will be offered support through an interpreter if required.
- 4.5.4 Staff/students who have difficulty communicating or understanding the complaints policy due to disability will be offered support for example:
1. People who have a Hearing Impairment
 - a. Hearing loop
 - b. Sign language
 2. People with a Visual Impairment
 - a. Documents can be converted to brail
 - b. A reader can be provided
 3. People with Learning Disability
 - a. An easy read version of the complaints procedure can be made available
 - b. An Advocate can assist the person with learning disabilities to make the complaint

4.6 Compliments

- 4.6.1 Compliments are valuable, welcome and important and when they are received, either verbally or in writing, they will be recorded by the Quality Department.
- 4.6.2 Compliments enable the College to:
- understand that the service we provide meets learner and employer satisfaction
 - provide positive feedback to our staff
 - influence our organisational and service development
 - inform our quality assurance and improvement cycle

4.6.3 All compliments made in writing can be sent to quality@wvr.ac.uk or you can send in a letter to the Quality Manager, Warrington and Vale Royal College, Winwick Road, Warrington, Cheshire, WA2 8QA.

5. Monitoring

Ongoing monitoring of complaints received by the College is carried out by the Assistant Principal for Quality & MIS in association with the Quality Directorate.

As part of the Performance Management Cycle regular reports go to Senior Management meetings and to Governors through the Standards and Curriculum Committee.

A summary of complaints received within the academic year is used to inform self-assessment and strategic planning.



Appendix A

COMPLAINTS FORM

The purpose of this form is for individuals to register a complaint. Complaints can also be made in writing by letter or email to the Quality Department

quality@wvr.ac.uk

Complainant Details

Name _____

Address _____

_____ Postcode _____

Tel: Home _____ Mobile _____

Email address: _____

Details of Complaint (A brief summary of the complaint including times & dates)**Informal action already taken and details of the response**

Signature _____ Date _____

Date received by Quality:

Appendix B - Policy on Unacceptable Complainant Behaviour

1. This Policy sets out the College's approach to the relatively few complainants whose actions or behaviour it considers to be unacceptable. The term complainant includes any person acting on behalf of a complainant or who contacts the College in connection with a complaint. The principles set out in the Policy also apply to the College's dealings with people other than complainants.
2. The College understands that making a complaint can be a stressful experience for complainants, however, we also have a duty to ensure the safety and welfare of our staff.
3. The College is committed to dealing with all complainants fairly and impartially and to providing a high quality service, but we do not expect staff to tolerate behaviour which we consider to be unacceptable, for example, any communication which is:
 - abusive, offensive, defamatory or distressing
 - aggressive, threatening, coercive or intimidating
 - unreasonably persistent or demanding.
4. The College will take action to protect staff from such behaviour, and this may include action under this policy.
5. Complainants can contact the College by letter, e-mail or telephone. We cannot correspond with anyone who is not confirmed in writing as the representative of the complainant.
6. When we consider that the behaviour of a complainant is unacceptable, we will tell them why we find their behaviour unacceptable and we will ask them to change it. If the unacceptable behaviour continues, we will take action to restrict their contact in connection with the complaint.
7. The decision to restrict access will be taken by the Assistant Principal Quality & MIS with advice from the College Solicitor where appropriate. Any restrictions imposed will be appropriate and proportionate. The College will take account of any reasonable adjustments as a consequence of any declared disability. The options which will be considered are:
 - asking the complainant to enter into an agreement about their conduct
 - requesting contact in a particular form e.g. letters only
 - requiring contact to take place with a named person
 - restricting telephone calls to specified days and times
 - asking the complainant to appoint a representative to correspond with us
 - in exceptional circumstances, invoking the procedures for malicious or vexatious complaints as outlined below.
8. We will write to tell the complainant why we believe their behaviour is unacceptable, what action we are taking and the duration of that action.
9. Where a complainant behaves unacceptably during a telephone conversation, we may as a last resort terminate the call.

10. Where a complainant continues to behave in a way which we consider to be unacceptable, we may decide to terminate contact with them. This may mean that we will not continue with the handling of their complaint.
11. Where the behaviour threatens the safety and welfare of College staff and/or complainants, we will consider other options, including suspension from the campus, reporting the matter to the police, and/or taking other legal action.
12. This Policy and its implementation will be reviewed in line with the Complaints Policy and Procedure

Definitions:

Vexatious Complaints

A complaint may be considered to be vexatious when it may or may not be the latest in a series of requests and it:

- clearly does not have any serious purpose or value
- is designed to cause disruption or annoyance, or gives rise to disproportionate inconvenience or expense
- has the effect of harassing the College and/or its staff
- can otherwise fairly be characterised as obsessive or manifestly unreasonable.

Frivolous Complaints

A complaint may be considered to be frivolous where:

- it is clear that it is not serious or sensible in content, attitude or behaviour; - there is an absence of clear desire for a sensible or reasonable form of redress.

Malicious Complaints

A complaint may be considered to be malicious where:

- there is evidence of intention to do harm or mischief; - it is reasonable to assume that the complainant intended to do harm or mischief; - malice may be implied where e.g. it is clear that no redress is sought.

Unsubstantiated Complaints

A complaint may be considered to be unsubstantiated where:

- after investigation of the complaint where during the course of which the complainant was given full opportunity to provide evidence in support of the complaint, no prima facie evidence has been provided to the College.

The decision to deem a complaint as vexatious, frivolous, malicious or unsubstantiated will be taken by the Assistant Principal Quality & MIS (or nominee), with advice from the College Solicitor where appropriate. The decision will be given in writing with associated summary reasons.

Equality Impact Assessment

Policy Title:	Customer Complaints and Compliments
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Identify the Key Stakeholders:	Students Parents Employers Staff	
What is the impact on the following:	Key Characteristics	Impact
	Age	(1) A positive impact is intended and very likely
	Disability	(1) A positive impact is intended and very likely
	Sex	(1) A positive impact is intended and very likely
	Racial group	(1) A positive impact is intended and very likely
	Religion and belief	(1) A positive impact is intended and very likely
	Sexual orientation	(1) A positive impact is intended and very likely
	Gender re-assignment	(1) A positive impact is intended and very likely
	Pregnancy and maternity	(1) A positive impact is intended and very likely
	Marriage and civil partnership	(1) A positive impact is intended and very likely

	Please tick			
Have any additional safeguarding risks been identified?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Any major changes or adjustments required:	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Stop and remove:	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Actions to be addressed:

Action	To be completed by	Target Date	Completed (Y/N)

Validated by the Equality & Diversity Committee

Date:

**If applicable, actions completed and validated by the
Equality & Diversity Committee**

Date: