

Higher Education Complaints Policy and Procedure 2019-20

1. Purpose and Scope

Halesowen College is committed to the continual improvement of the quality of its services and strives to meet customer expectations. We are committed to providing Higher Education students with a high quality educational experience, supported by excellent academic and pastoral support services.

The College welcomes feedback regarding perceived problems so that they can be addressed and improvements made to services and enhance the experience of our students. The college actively encourages Higher Education students to evaluate their course and overall experience providing feedback through module evaluations and other forums. Whilst much of the feedback is positive, it is recognised that, at times, problems arise. Any person who comes into contact with the College who is dissatisfied with their experience can, therefore, express concern or raise a complaint. The College regards the monitoring of complaints as an important aspect of its quality assurance procedures. There is an expectation from partner universities that complaints are dealt with by Halesowen College in the first instance. However, if the complaint is not resolved at that stage a student can pursue a complaint through the appropriate university using their complaints policy.

2. Definition of Terms

- 2.1** A complaint is defined as an expression of dissatisfaction requiring a response. This could include a complaint raised by a student against another student, member of staff, programme of study, service or facility where the College fails to match either what is promised, or what it would be reasonable to expect.
- 2.2** A student is defined as a person who has been accepted to study on a university validated programme or a former student who has left the institution within the last three calendar months.
- 2.3** This procedure does not cover:
- a) **Academic Appeals** – including decisions of examining/subject boards, for which specific procedures exist.
 - b) **Negative or critical feedback** – relating to the content of courses, modules or programmes which should be addressed through student representatives and fed back through module evaluations.

3. General Principals

- 3.1** Students or other relevant parties are encouraged to raise a concern or complaint as soon as possible after the event has taken place, in order that the matter can be investigated thoroughly and addressed in a timely manner.
- 3.2** Anyone wishing to make a complaint is strongly encouraged to do so personally. A complaint received from a third party (including a parent) will be considered only with the express written permission of the person to whom the complaint relates.
- 3.3** In order to ensure that a thorough investigation of a complaint is made, the College expects to be able to collect appropriate information from all the parties involved. Where a complaint is made anonymously this is not possible and therefore, no action will normally be taken in the event of an anonymous complaint being raised.
- 3.4** A complainant is always invited to discuss the complaint or attend a meeting to establish further details regarding the cause of dissatisfaction or explore the solution being sought. At any meetings held as part of the investigation or procedure, the complainant will have the right to be accompanied by one person (for example, a friend, relative or students' Union representative), who also has the right to speak on behalf of the complainant. However, this person is in addition to the complainant, not a substitute. The complainant must also be present, unless there is a good reason why this is not possible. Other parties involved in the complaint, including a member of staff who has been the subject of a complaint will similarly have the right to be accompanied in any meetings, normally by a trade union representative or nominated colleague.
- 3.5** A group of students may use this procedure to make a collective complaint, but the group must nominate one person to be the main contact for purposes of communication and the spokesperson for the group, representing the group in all matters relating to the complaint.
- 3.6** The information received as a result of a complaint investigation will remain confidential to those involved in the process. However, it should be noted that, all parties involved in the complaint have the right to know the full details of the complaint, including its source.
- 3.7** Appropriate staff will be appointed to investigate complaints raised; this would generally be the Deputy Principal. Anyone with a personal interest in the complaint will neither investigate nor adjudicate.
- 3.8** Students will not be disadvantaged as a result of raising a matter of concern or of making a complaint, provided it is made in good faith. However, if a complaint is shown to be malicious or vindictive, the complaint shall be disregarded and disciplinary/legal action may be taken against the individual who submitted the initial complaint.

4. Information for Potential Complainants

- 4.1** All formal complaints should be made in writing and addressed to the Principal's Office, but please refer to the process below; informal complaints do not need to be written. Ideally anyone wishing to make a formal complaint would complete the complaint proforma.

- 4.2** When submitting a complaint, be brief and to the point and avoid vague allegations. Where possible, substantiate the complaint by referring to specific events and provide documentary evidence. Be clear and realistic about what desired outcomes or actions you are expecting.
- 4.3** Potential complainants may want to obtain advice regarding the procedure prior to submitting a complaint. Informal advice can be sought from the Head of University Centre or the Students' Union Advice may be obtained in person, by telephone or email. The Students' Union will offer additional support and accompany complainants to meetings if desired.

5. The Complaints' Procedure

The College has developed a staged approach to making sure a complainant does not feel the matter is resolved after the previous stage. These stages must generally be followed in order and a complaint cannot be taken to a higher level until the lower level is exhausted.

When a complaint is sent directly to the Principal's Office, it will be re-directed to the Deputy Principal to appoint an appropriate member of staff to investigate and action.

5.1 Stage 1 – Informal Complaint

The College expects that the majority of complaints can be resolved at an early stage through informal discussion without needing to instigate formal procedures. Therefore, if an issue arises the first step is to bring the matter to the attention of relevant staff, either by email or verbally and discuss it with them.

If the matter relates to an academic issue, a student may wish to approach a tutor or course leader. Where the complaint is about a support area or service, a complainant should contact an appropriate member of staff or Head of Division. For advice regarding who to approach, please contact the Head of University Centre.

Recipients of informal student complaints are responsible for addressing them promptly and fairly. In all these cases, the person receiving the issue or complaint should seek to discover the nature of the problem and if possible, resolve it there and then. If an immediate solution cannot be found and further investigation is required, the recipient will normally let the student know, within 7 working days of receiving the initial complaint, what steps, if any, will be taken to address the complaint and the expected timescale.

It should be noted that this stage is an informal process and a written record will not normally be made. Staff will be encouraged to share the experience if the effectiveness of their service/faculty/division could benefit.

5.2 Stage 2 – Formal Complaint

If, after receiving a response to a Stage 1 complaint, a complainant is not satisfied and wishes to take the complaint further, they should submit a complaint in writing to the Principal's Office.

A formal Stage 2 complaint should be submitted as soon as possible after receiving a response to the informal complaint. The greater the time delay, the more difficult it will be for the complaint to be thoroughly investigated. A formal complaint will not normally be accepted if submitted more

than one year after the complainant was notified of the outcome of the informal complaint, unless there was good reason why a formal complaint could not have been submitted sooner.

A complainant should submit their complaint by means of a complaint form and submit it to the Principal's Office outlining the nature of the complaint, what has been done to try and resolve the situation and what their desired outcome is. Complaints submitted by letter or email (ie not on the complaints form) will be accepted, provided they include all the elements covered within the form.

A member of the Principal's Office will acknowledge receipt of the complaint within seven working days, giving an indication of the likely timescale for a full response to be given. At the same time the complaint will be logged.

An Investigating Officer (IO) will be appointed, this will normally be a senior manager deemed appropriate by the Deputy Principal. The IO may telephone or meet with the complainant to discuss the complaint and/or seek more details. This provides the complainant with the opportunity to present their case and express their concerns. Where a meeting is held, students may be accompanied by one other person (as defined in 3.4), who may participate in the proceedings. The IO will then investigate the complaint, speaking to concerned parties.

The complainant will receive a full written response to their complaint within 6 weeks of the complaint being received providing there are no undue delay, for example in obtaining further evidence from the complainant or others involved in the complaint. On very rare occasions where this is not possible, for example, because a complaint is particularly complex, the IO will contact the complainant at least every 4 weeks to update progress. The response will detail the findings of any investigation carried out, indicate the outcome and whether the complaint is upheld, reasons for the outcome and explain proceedings under which the complainant can, if desired, take the complaint further through Stage 3 of the Complaints Procedure.

5.3 Stage 3 – Review Stage – Appeals Process

An appeal is a request for a formal review of a decision made.

If the individual concerned is dissatisfied with the outcome of the investigation in Stage 2, they can appeal in writing to the Principal only if there is new evidence to consider or grounds for complaint in the handling of the formal stage. A further investigation will be conducted (Appeal Process). They will receive notification of the Outcome of Appeal within 20 working days.

The decision of the Principal on completion of the internal procedure is final and the complaint will be upheld, particularly upheld or not upheld based on the findings.

This response to the complaint represents the College's final response within its complaints procedures.

5.4 Stage 4

Refer to Partner HEI or Office of the Independent Adjudicator (OIA).

Once the College's processes have been exhausted, a student may complain to the partner university (where applicable).

If a complainant is still dissatisfied with the outcome of this decision, the matter can be referred to the Office of the Independent Adjudicator (OIA) for Higher Education, provided that your complaint is eligible under its rules. The OIA has been established to provide an independent scheme for the review of student complaints.

Students will need to refer their complaint to the OIA along with appropriate documentation within 3 months of the final decision. Further details can be obtained via the OIA website www.oiahe.org.uk