

Compliments, Comment, Concerns & Complaints Policy

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Barking & Dagenham College

Our Vision: A Truly Great College, delivering inspirational learning and excellence through career focused education.

Our Mission: To unleash potential, creating better futures for our learners, businesses and communities.

Our Values:

Learner and customer focused – ensuring they are at the heart of everything we do

Respectful – by valuing and treating all fairly and as individuals

Passionate – demonstrating energising, engaging and inspiring all to achieve their potential

Collaborative – always working together to achieve excellence and growth

Innovative – leading the way, seeking new ways to continually improve

Excellent – in learning, teaching and assessment, the key to our success

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Policy rationale

Compliments, Comments Concerns and Complaints Policy

Feedback from compliments, comments, concerns, and complaints form a key element within the College Learner Voice processes.

They reflect a perception in the quality of service provided, and the integrity with which the College reflects on, and addresses, its commitment to continuous improvement through these processes. As such, they are treated as a barometer of service health.

The College recognises the personal importance of a concern or complaint to the aggrieved person and that, to the complainant, while the ultimate outcome may not be to their full satisfaction, they should be able to recognise that the process has been prompt, fair, reasonable, and that they have been kept fully informed of progress and reasoning throughout their experience.

Accepted definitions used in this policy

- **Compliment – An expression of satisfaction made in respect of a member of staff, service, process, system, or facility.**
- **Comment: A mention of something, or a helpful suggestion, on any aspect of College life**
- **Concern – An expression of anxiety, apprehension, misgiving or dissatisfaction that needs to be brought to the attention of the College but falls below the level of a grievance or complaint.**
- **Complaint – A genuine, non-malicious, formal expression of dissatisfaction where the College is thought to have failed to meet expectations or to meet published standards. The issue is acknowledged as such, recorded, and progressed through the College Quality procedures, where an accommodation or resolution is sought to the complainant's satisfaction.**

Key Principles

All complaints received by **any** member of staff will be:

- treated seriously and with sensitivity, dealt with promptly, fairly, and courteously in accordance with College expectations.
- resolved informally wherever possible, and at the lowest level of staffing or management, including mediation and conciliation where possible and appropriate, while respecting the right of the complainant/s to progress a complaint into the formal stage if unresolved at the informal stage.
- addressed with utmost urgency and confidentiality, either within this policy or a more appropriate policy, if the concern or complaint is in respect of wellbeing, safety, victimisation, bullying, radicalisation, financial irregularity, misconduct.
- strictly followed in accordance with policy and procedure.
- referred to the Quality Team on entering the formal stage.
- approached with reason and consistency

Appeal against the outcome of a formal complaint

If a complaint is not resolved through either the informal or formal stages an appeal can be lodged with the Quality team who will ensure that the appeal process is followed and documented

Compliments, Comment, Concerns and Complaints Policy & Procedure

1. Introduction/Context

Excellent levels of satisfaction, in all aspects of curriculum and services provision is reflected, in part, through informal (unsolicited) and formal (solicited) feedback systems. These include mechanisms such as team meetings, surveys, learner, and employer voice processes. The feedback systems are also supplemented by processes that are not College-led such as compliments, concerns, and complaints.

2. Scope and Implementation

This policy covers all enrolled and former enrolled learners/apprentices at all levels on any mode of learning or funding stream, and encompasses compliments, comment, concerns and complaints made by any stakeholder with a grievance, or interest in improving the quality of service.

For clarity, it encompasses learners on both prescribed and non-prescribed higher-level learning (HLL) (i.e., higher education [HE] and higher-level skills [HLS]). Those learners undertaking courses at the College through University partnerships (prescribed HE) need to exhaust the College complaints procedure before progressing to the Partnership processes or to the Office of the Independent Adjudicator (OiA) on presentation of a Completion of Procedures letter.

This policy will be published on InfoPoint for staff, BDC Online learners, and the College website for the Community, and specifically communicated to all new staff during the staff induction process.

3. General Roles & Responsibilities

- 3.1. All College staff have a responsibility for receiving compliments, comments, concerns, and complaints,
- 3.2. The Quality team coordinate the Compliments, Concerns and Complaints process. The team also provide support and guidance on all matters relating to this Policy.
- 3.3. The Heads of Areas/Teams are responsible for resolving complaints, initially at an informal stage.
- 3.4. For any complaint that enters the formal stage and requires inquiry, the Heads of Areas/Teams will be informed. They may inquire themselves or delegate a manager to collect evidence and respond on their behalf but will maintain overall responsibility for monitoring and resolving the issue.
- 3.5. In the event of continuing dissatisfaction by the complainant an appeal, depending on the nature of the appeal, may be progressed to the Principal.
- 3.6. For a formal complaint of a particularly serious nature, the Assistant Director - Quality may decide to identify an 'Investigating Manager' from an area outside that under investigation to collect evidence and report
- 3.7. Complainants below the age of 19, those below the age of 24 with learning disabilities or difficulties, or those who may have their understanding and communication ability impaired through language will be entitled to be supported throughout the process by a friend, or learner representative, with Student Learning Services being notified

4. How to make a complaint

- 4.1. Complaints can be made in the following 5 ways:
 - Verbally to a member of staff
 - In writing by completing the 'Registering a Complaint' Form, available on reception at all sites
 - Remotely via the website on the 'Contact us' page (completed forms are submitted electronically)
[Hardcopy-Complaint-Form.pdf \(barkingdagenhamcollege.ac.uk\)](#)
 - By telephone to the Quality Team

- 4.2 If a complaint is made on behalf of another person, confirmation will be required from the complainant before any information is disclosed to another person 'except in exceptional circumstances'.
- 4.3 Anonymous complaints will not be progressed within this process but will be subject to inquiry or investigation if in scope of wellbeing, safety, victimisation, bullying, radicalisation, or probity.
- 4.4 Complaints should be raised within twelve months of the original issues so that evidence is available for the investigation.
- 4.5 Complainants should be aware that our staff have the right to work in a pleasant and safe environment and any violent or abusive behaviour towards staff will not be tolerated

5. Procedures

Stage 1: Informal

- 5.1. If there is concern or complaint expressed about an aspect of a course, apprenticeship, member of staff or any of the College's services or facilities, the staff member initially made aware of the issue must deal with the concern and resolve it as quickly as possible. The member of staff must take every opportunity to resolve the complaint informally.
- 5.2. If the issue is beyond the ability of that member of staff to resolve, the most appropriate person to resolve the issue should be contacted and the complainant/s informed of the proposed action.
- 5.3. A learner, or group of learners, highlighting an informal concern may also contact their course representative.
- 5.4. Where a learner, apprentice or employer does not want to approach the person against whom the complaint is being made, then the Curriculum Team Leader, Curriculum Manager, Head of Department, as appropriate, should be contacted.

Stage 2: Formal Complaint

- 5.5. If an informal resolution is not found, a 'Registering a Complaint' Form should be completed by the complainant, (with assistance, if required) and sent to the Quality team (see 4.1).
- 5.6. Complainants will not be treated less favourably if they make a complaint, if this is found to be the case staff disciplinary procedures will be followed.
- 5.7. Complainants should be aware that strongly suspected or proven vexatious or malicious complaints will be rejected.
- 5.8. Once received by the Quality Team, all complaints will be entered to the electronic tracking system (Microsoft Planner) and acknowledged by the Quality Administrator to the complainant within **5 working days**.
- 5.9. The complaint will be allocated to the relevant manager who will contact the complainant as soon as possible to discuss a resolution.
- 5.10. All complaints should be **resolved within the first 15 days of submission**
- 5.11. The Quality Team will monitor the progress of the complaint and will update the complainant on progress every **15 working days** thereafter until the matter is resolved.
- 5.12. In complex cases it may be necessary for a formal investigation to take place. In such circumstances the Assistant Director - Quality will identify the need for a formal investigation and the most appropriate Curriculum or Business Support Manager to act as Investigating Manager.
- 5.13. Serious cases involving staff will be discussed with the Executive Director People and Organisation to consider whether any disciplinary action should be taken
- 5.14. The Assistant Director – Quality, on appointing an Investigating Manager, will forward all documentation and communications

- 5.15. Investigations will be completed as quickly as is practicable. The Investigating Manager will collect documentary evidence and may choose to interview the parties involved in the complaint. In such cases, the parties may be accompanied by a friend or representative, but not by a legal or other professional advisor at this stage.
- 5.16. When the complaint has been resolved, the Investigating Manager will compose a letter of response, which will be checked by the Assistant Director - Quality before being sent to the complainant.

Student Union (SU) Procedure

- 5.17. The complaints procedure will be made available to all learners or groups of learners who are dissatisfied in their dealings with the union or claim to be unfairly disadvantaged by reason of having exercised their right to opt out of membership of the union.
- 5.18. Any complaint about the union will be dealt with in accordance with the prevailing SU Constitution and addressed by the President.
- 5.19. In any circumstances where a complaint relates to the President, it will be addressed by the SU Representative Forum (SURF) Chair.
- 5.20. The President (or SURF Chair) will make a written reply **within 10 working days**
- 5.21. If the complainant is not satisfied with the response, they may appeal to the Clerk to the Corporation. The Clerk will respond **within 10 working days**
- 5.22. If the complainant remains dissatisfied with the response provided by the Clerk to the Corporation, the College will appoint an independent person to consider and resolve the complaint

Stage 3: Appeals

- 5.23. An appeal to the Principal may be made **in writing within 15 working days of the date on their letter of response** if the complainant remains dissatisfied.
- 5.24. The Principal will determine whether the complaint has been properly dealt with according to the policy and procedures and the judgement is fair and reasonable. A decision will be made **within 15 working days**.
- 5.25. The Principal's decision is final and closes the College's internal complaints process.

Stage 4: External Review of Procedures

If a complaint remains unresolved, advice can be sought from the Further Education Funding Body on how to take the complaint further. The contact details are:

Complaints Team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

Email: complaints.esfa@education.gov.uk

If a complaint relates to an issue in respect of an Awarding Body or Awarding Organisation the College will supply contact information for the relevant organisation.

Higher Level Learning (HLL) referral to the Office of the Independent Adjudicator (OiA)

HLL practice complaints process and academic appeals process is managed in accordance with the Office of the Independent Adjudicator (OiA) 'good practice framework: handling learner complaints and academic appeals that complements the 'expectations' and 'indicators' set out in chapter B9 of the UK (United Kingdom) Quality Code.

Higher Level Learning learners (level 4 or above) who have exhausted the college complaints procedure and are on a prescribed (funded) Higher Education programme can refer their complaint to the Office of the Independent Adjudicator (OIA), the independent ombudsman service of last resort, to consider the complaint.

A Completion of Procedures (COP) letter should be requested from the College before the OIA will entertain an application. A COP letter is a letter that providers issue at the end of a complaint, appeal, or other internal procedure.

Providers are required to always issue a COP letter when they have not upheld a complaint or appeal. Barking and Dagenham College will also issue a COP if a learner asks when a HLL complaint or appeal has been upheld. So, the number of COP letters is not a reliable indicator of the number of learners who are dissatisfied at the end of a provider's internal procedures.

All applications to the OIA must be made **within twelve months of the date of the Completion of Procedures letter issued by the College to the learner**. The OIA considers complaints from people who remain dissatisfied after the conclusion of the College's internal complaints procedure. The OIA looks at issues such as whether the College followed its policy and procedures, and whether the College's final decision was reasonable given all the circumstances.

The OIA cannot normally look at complaints:

- where the learner has not progressed through all stages of the College's complaints process
- where the complaint refers to matters more than three years old
- where the Completion of Procedures letter is received outside the twelve-month time limit
- Where matters have been or are being considered in court.

This policy is held by the OIA as reference

Full details of the scheme are available at: www.oiahe.org.uk

OIA Process Flowchart can be found at [OIA Process Flow Chart \(oiahe.org.uk\)](http://www.oiahe.org.uk)

6. Monitoring & Evaluation

- 6.1. The Quality Team maintains a log of all compliments and complaints. To secure ongoing improvement, the overall process will be monitored for consistency, quality of response and compliance with policy, reporting periodically to the Senior Management Team and College Governors.
- 6.2. Heads of Department/Team are provided with feedback on progress in relation to resolution of complaints and this is reported to the Senior Leadership Team and discussed in Monitoring and Progress (MAP) Review meetings.
- 6.3. Personal data will be handled according to the General Data Protection Regulation 2018. For further information about Data Privacy and GDPR (General Data Protection Regulations), please see our website on the following link:

<https://www.barkingdagenhamcollege.ac.uk/en/about-the-college/governance-policy-/gdpr/index.cfm>

Appendix 1 – Roles & Responsibilities

All College staff are expected to:

- Treat all complaints seriously, dealing with them promptly and courteously in accordance with the Compliments, Concerns and Complaints policy
- Provide support and guidance to any complainant who requests assistance to access the policy
- Respond promptly to any requests for information
- Treat all those involved in the complaint with respect
- Investigate impartially and deal with all information factually to conclude the complaint
- Ensure confidentiality is maintained throughout

The Quality and Transforming Learning Team will:

- Acknowledge compliments and complaints **within 5 working days of receipt**
- Communicate compliments to named members of staff
- Identify and contact an appropriate **Investigations Manager** for complex formal complaints
- Monitor the progress of the complaint and update the complainant on progress **every 15 working days until the matter is resolved**
- Check the letter of response before it is sent to the Customer
- Ensure the letter of response, where applicable, has been approved by the Chief Finance & Enterprise Officer
- Maintain a confidential file of all correspondence
- For prescribed HE courses send a **Completion of Procedures** letter when internal complaints process is exhausted

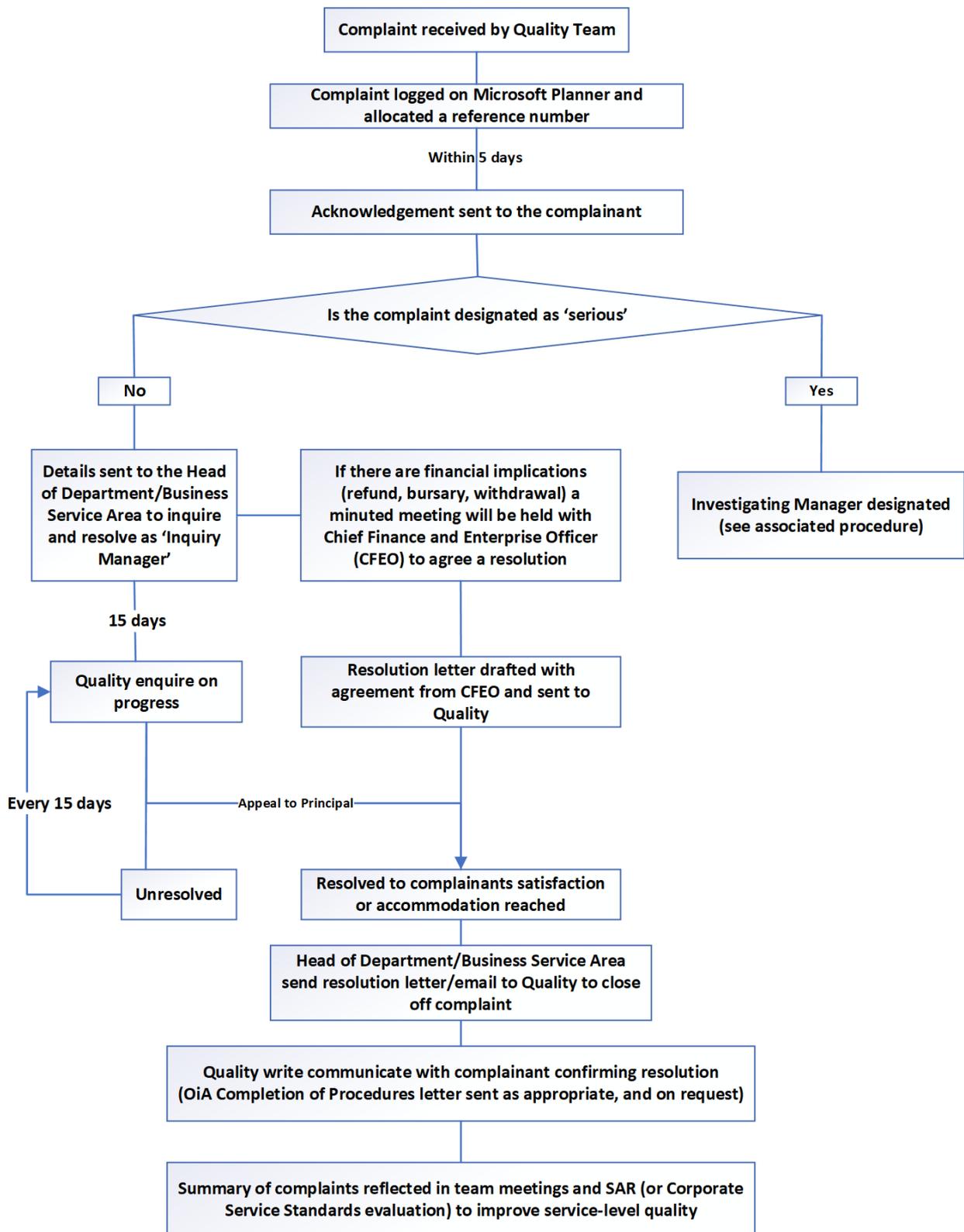
Investigating Managers are expected to:

- Inform the Quality and Transforming Learning Team of any conflict of interest
- Fully investigate the complaint as quickly as is practicable according to policy and procedures
- Use the template documentation on the Sharepoint site.
- Contact the complainant/s as part of the investigation and, on completion, log all contact and evidence with the Quality Team
- Advise any person named in a complaint of the complaint's procedure
- If the complaint is of a sufficiently serious nature, take steps to separate the complainant/s and the person named in the complaint
- Be the main point of contact for the complainant/s
- Use professional judgement to come to an unbiased conclusion using the facts of the case
- If the complaint involves withdrawal, refunds, funding and/or finance, the **Investigating Manager** must hold a meeting with the Chief Finance & Enterprise Officer who should approve the resolution letter.
- Discuss serious cases involving staff with the Executive Director People and Organisation to consider whether any disciplinary action should be taken
- If the investigation uncovers a safeguarding issue (including a Prevent issue), where the alleged perpetrator is a member of staff, alert the Executive Director People and Organisation
- If the investigation uncovers a safeguarding issue (including a Prevent issue), even if this is in respect of siblings of the learner, where the alleged perpetrator is NOT a member of staff, alert the Principal Safeguarding Officer
- On conclusion of the investigation, a report of the findings will be made to the Assistant Director – Quality together with all the evidence collected

Chief Finance & Enterprise Officer should:

- Chair meetings with Investigating manager and others where the complaint has implications for fees
- Approve any resolution where there are fee, finance, or withdrawal implications

Appendix 2 Overview of Complaints Procedure – Quality Team



Appendix 3 Overview of Complaints Procedure – Investigating Manager

