

Policy Title **Complaints and Compliments**

Author/Responsible Manager	College Principal via the Principal's Office
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Risk Assessment (please note here any identified risks of non-compliance with the policy)	Failure to adhere to the policy risks reputation of the college and breach of legislation

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Characteristic	No impact	Positive impact	Negative impact	Evidence
Race	☒	☐	☐	
Disability	☐	☒	☐	Alternative formats to policy in place + support
Gender	☒	☐	☐	
Pregnancy/Maternity	☒	☐	☐	
Religion/belief	☒	☐	☐	
Sexual orientation	☒	☐	☐	
Age	☒	☐	☐	
Gender reassignment	☒	☐	☐	
Marriage & civil partnership	☒	☐	☐	
Carried out by: R Evans				

Actions required:

Action	Date	Reviewed by	Date

1. Introduction

Kendal College is fully committed to providing high standards of client service. There is however an acceptance that, from time to time, our levels of service may fall short of client expectations. When this happens, we would encourage clients to share their issues with us so that we can address expressions of dissatisfaction resulting in an overall improvement to the services offered. The purpose of this policy and procedure is to outline the College's complaints policy and procedures and to identify the quality standards which should be followed.

The policy is applicable to all categories of learners at the College (including full-time learners, part-time learners, apprentices and higher education students) as well as visitors, service users, employers and people external to the College. Complaints relating to Higher Education students and other fee payers are also subject to the responsibilities of the College in respect of consumer protection legislation.

Complaints relating to safeguarding of children and vulnerable adults will be dealt with through the College's Safeguarding of Children and Vulnerable Adults Policy/Procedure.

This policy also recognises the value of recording compliments made about any aspect of college service and provides the mechanism for the formal recording and reporting of compliments.

2. Policy Statement

The College undertakes to investigate, address, monitor and report all complaints in relation to the quality of services to the satisfaction of the complainant in a fair, timely, reasonable and non-discriminatory manner.

Information about making a complaint or a compliment is made available in many different formats such as through talking to a Student Services advisor or course representative, union representative, any manager or personal tutor and promotion of the policy on the College website, Student Hub, course handbooks and through the induction process.

3. Procedure

See attached diagram (appendix 1) which identifies the stages of making a complaint. The College recognises that complaints and compliments can be made in a variety of ways, both formally and informally. Staff receiving a verbal complaint or compliment are expected to ensure it is appropriately recorded through advising the College Executive and Quality Officer through the College email service.

An easy-to-access comments box on the College virtual learning environment (MyKC) is also available, where students can post an idea, question, problem or praise that is monitored through Student Services and forwarded to the relevant person for response.

Any person wishing to complain may well choose to use an 'Advocacy Service' (e.g. Student Experience and Placement Officer (SEPO), an Apprenticeship Facilitator, a tutor or external support service) if that would be more helpful. Students with a declared disability will have their specific needs accommodated by making reasonable adjustments to the procedure. The complainant may be accompanied by another person at any point during the process and will be asked to state what their role will be. This is especially relevant where the complainant feels uneasy about making a complaint or needs help in understanding the process through disability or specific language needs.

All formal complaints to be systematically channeled through the Principal's Office from where an investigation will be instigated through identification of a nominated person for the investigation, usually this will be most senior manager other than the Principal (i.e. a Deputy Principal or Director) responsible for facility/employee about which/whom complaint has been made.

All complaints are recorded, and investigative paperwork filed once the complaint has been responded to. The investigation must be conducted in strict accordance with all tenets of natural justice (i.e. fair and consistent).

College employees must use the internal Grievance Procedure where the complaint is about a member of staff but can use the complaints procedure where the complaint is about a service that the College is responsible for.

The complainant will be advised of their right to appeal to the Principal if still dissatisfied with the initial outcome. The Appeal to the Principal is the final stage of the internal Complaints Procedure within the College. However, the complaint can be escalated to a higher external and/or independent level if the complainant remains dissatisfied.

Time Limits

Complaints should be raised as early as possible since any delay may affect the College's ability to properly investigate the complaint or provide an appropriate remedy. It is important that complainants and those forming part of the investigation do all they can to meet the College's deadlines for the submission of complete and detailed material, so that complaints can be progressed as quickly as possible.

Complaints should normally be raised with the relevant member of staff immediately where possible, and normally not later than 10 working days after the incident giving rise to the complaint.

All complaints will be acknowledged within 5 working days and the complainant provided with a response within 12 working days wherever possible. It is recognised that it is important to maintain contact with the complainant and provide an update where a full response cannot be achieved within the desired response time.

4. Monitoring Complaints and Compliments

Complaints are monitored and analysed on an ongoing basis by the College and are reported to the Board on an annual basis at the July meeting. All complaints relating to equality, diversity and race relations will be reported within a separate category.

Complaints in respect of higher education provision are also reported annually to the relevant university in line with their own complaints policy.

5. External Appeal

If the complainant remains dissatisfied with the College response, they have the right to appeal externally.

General Complaints/FE funded complaints for all students and apprentices should be reported to the Department for Education (DfE). The following link takes you to the DfE procedure for making complaints about providers.

<https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa/complaints-about-post-16-education-and-training-provision-funded-by-esfa>

Complaints about providers can be made via the DfE's Customer Help Portal <https://customerhelpportal.education.gov.uk/> or can be made in writing and addressed to the Customer Service Team, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.

Higher Education Complaints

Where a complainant remains dissatisfied in respect of higher education provision, then an appeal should be made to the relevant university or awarding organization following the procedure laid out in the relevant student handbook. Links to the relevant complaints policies are given below:

HND/HNC via Pearson: <http://qualifications.pearson.com/en/support/contact-us/feedback-and-complaints.html>

University of Cumbria: <https://my.cumbria.ac.uk/Student-Life/Support/Responding-to-your-concerns/Student-Complaints-Procedure/>

University of Central Lancashire: <https://www.lancashire.ac.uk/legal/complaints>

Where all stages of complaint have been completed and the complainant still remains dissatisfied with the outcome, then the higher education student has the right to seek an Independent Review.

In line with consumer law obligations, the College has subscribed to the Office of the Independent Adjudicator for Higher Education (OIA).

Students are entitled to pursue the matter further by submitting a Scheme Application form to the OIA. A Scheme Application form must be submitted within 12 months of the date of the last communication with the College in respect of the complaint. Eligibility of whether the complaint meets the rules of the OIA can be checked by visiting <http://www.oiahe.org.uk/contact-us/address-and-telephone-number.aspx>

Office of the Independent Adjudicator for Higher Education
Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

6. Documentation

Appendix 1 Complaints Procedure diagram

All documentation can be made available for students with a declared disability in an appropriate format.

7. References

- Department for Education Procedure for dealing with complaints.
- Quality Assurance Agency Code of Practice for the assurance of academic quality and standards
- Kendal College Safeguarding of Children and Vulnerable Adults policy
- Kendal College Equal Opportunities and Race Equality Policy/Procedure
- Bullying & Harassment Policy/Procedure
- Student Involvement Policy
- Competition & Markets Authority – UK HE providers – advice on consumer protection law

Kendal College Complaints Procedure

How are complaints received/made?	Persons wishing to make a formal complaint can do so via their tutor or another staff member or via the College website or talk to a staff member in Student Services. Alternatively, they can write to/speak to/telephone the College Executive & Quality Officer via hello@kendal.ac.uk or 01539 814729
Can complaints be resolved informally?	The complaints will initially be assessed to see if it can be resolved informally before formal procedures begin. This will primarily focus on the expected outcome of the complainant and whether this can be satisfied without initialising the formal procedures
Who supervises the investigation into the complaint?	The College Executive & Quality Officer records details of complaints and acknowledges the complaint within 5 working days. If an investigation is required, then a member of the Senior Leadership Team is appointed to carry it out. Further information is requested from nominated person(s) within College.
How is a complaint investigated?	The nominated person, conducts an investigation, ensuring that evidence, statements etc are obtained from all parties to the complaint, and produces a report and a draft reply
Who replies to the complainant?	The nominated investigating senior manager conveys the reply to the complainant by email or letter, or, if deemed appropriate by arranging to meet the complainant. This response should be made within 12 working days after the complaint has been acknowledged. If further time is needed for investigation, then the complainant will be advised.
What if complainant remains dissatisfied?	If the complainant requires more information, the nominated senior manager will respond by sending a further written response or by carrying out further investigation
What if complainant is still dissatisfied?	If the complainant disagrees with the outcome, the nominated Senior Manager collates details of the appeal and forwards papers to the Principal
How is an appeal handled?	The Principal considers the nature of the complaint and carries out a further investigation, writes to the complainant with the outcome or meets with the complainant
What if the appeal is successful?	If an appeal is successful, then the College will take appropriate remedial action and meet reasonable and proportionate incidental expenses necessarily incurred by the complainant
Who can the complainant refer to outside College?	The complainant should refer their complaint to: Department for Education Complaints Team, Cheylesmore House, Quinton Road, Coventry, CV1 2WT or by the Customer Help Portal https://customerhelpportal.education.gov.uk/ or higher education complaints, external referral should be made to the relevant awarding institution eg university, as identified in the course handbook or ultimately to the Office of the Independent Adjudicator https://www.oiahe.org.uk/students/how-to-complain-to-us/