

Document Title: HE Complaints Policy & Procedure

Document Ref: HE/005

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Responsible Board: Higher Education Academic Board

Date last reviewed: 23/11/2023

Date of next review: 21/11/2025

Approval date: 23/11/2023

Document Change Log				
Summary of changes made between previous issue and this	Page number			
current issue				

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o info@lcwc.ac.uk

If you need assistance or support with a complaint or concern please contact info@lcwc.ac.uk or Complaints - Lakes College (lcwc.ac.uk)

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Summary of this document

This document sets out how you can submit a complaint to us and the expectations of you as a student and the Institution's staff under our complaint Lakes College - West Cumbria

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policy, for submitting, investigating, and addressing issues of complaint, as well as learning from complaints to improve the quality of services.

This document is located within Lakes College designated SharePoint site and also on the Lakes College Higher Education website so you can access this throughout your student journey with us.

Our aim is to investigate and resolve any matters of complaint and concern fairly and effectively, also enhancing our services to ensure issues identified are not repeated. We monitor the incidence and nature of complaints using our institutional governance structure.

2 Scope

Our Higher Education Complaints Policy and Procedure applies to all Higher Education registered students, applicants, graduates (within 6 months of award), staff, employers, parents, and other customers.

Certain aspects of this Policy and Procedure relate only to Students. If you are not a Student, please contact the Executive Cross-College Support Manager (ECCSM) at teamcca@lcwc.ac.uk

The document sets out our approach to dealing with complaints in a fair, transparent, accessible, and inclusive manner, to improve your Higher Education learning experience. It is our duty to investigate all complaints and concerns.

The Higher Education Complaints Policy and Procedure is informed by the Quality Assurance Agency (QAA) UK Quality Code Quality Code (qaa.ac.uk) and the Office of Independent Adjudicator's (OIA) Good Practice Framework for Handling Complaints and Academic Appeals Good Practice Framework - Handling complaints and academic appeals - OIAHE

The OIA runs an independent scheme to review student complaints <u>Office of</u> the Independent Adjudicator for Higher Education - OIAHE If you are

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unhappy with the outcome of your complaint, you may be able to ask the OIA to review your complaint once you have received your Completion of Process (COP) letter.

3 Responsibility

Title	Responsibility
The Dean of HE	Has overall responsibility for the strategic
	management of Higher Education Complaints
	Policy.
Deputy Principal	Is responsible for ensuring that the policy and
	procedure is followed. They are responsible for
	initial communications with the complainant with
	respect to formal complaints for recommending
	solutions for complaints. The Deputy Principal will
	delegate complaints to managers to investigate and
	resolve complaints.
Higher Education Academic Board	The Academic Board's primary duties are to
	oversee Higher Education academic standards, the
	quality of all Higher Education programmes within
	the Institution, and the student learning experience.
Institution Board of Governors	Monitors the quality and standards of Higher
	Education provision and reviews complaints. The
	Chair of the Academic Board will report to the Board
	of Governors.
The Executive & Cross-College	Is responsible for recording, monitoring, and
Support Manager	facilitating the progress of a complaint through the
	stages of the procedure. Note a complaint does not
	have to follow the process of raising a concern if a
	formal complaint from the outset, is the preferred
	route.
Senior Leadership Team	Ensures the programme and criteria for
	admission are published accurately on the
	website.

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Curriculum Operational Leaders	Are responsible for resolving any concerns raised with them in a timely manner, maintaining a record of this or escalating the concerns to the status of a complaint with the individual and the
	Executive and Cross-College Support Manager.
Programme Team Leaders	Are responsible for resolving any concerns raised with them in a timely manner, maintaining a record
	of this or escalating the concern to the status of a complaint with the individual and the Executive and Cross-College Support Manager.
Programme Academic Teams	Are responsible for addressing concerns made by an individual in a timely manner, recording the concern and action taken or reporting to their Programme Team Leaders.

If you have any questions in relation to the Higher Education Complaints Policy, please contact info@lcwc.ac.uk.

4 Introduction

The Complaints Policy and Procedure aims to improve our services and to encourage formal feedback from learners, staff, employers, parents, and other customers, to address issues of concern and improve our Higher Education services.

It is a transparent and impartial opportunity for all interested parties to express a concern or make a complaint, and for it to be addressed. If dissatisfaction remains, the policy and procedure also sets out the route for the complaint to be escalated to the relevant awarding body in appropriate cases, and further to the Office of the Independent Adjudicator. For further information please see: Office of the Independent Adjudicator for Higher Education - OIAHE

A complaint is a report to us that you are not satisfied with the services provided by us. This includes dissatisfaction with the programme of study

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or related academic or administrative service which is not an appeal against a decision. The issues that may be raised through the HE Complaints Procedure include, but are not limited to:

- Failure by the Institution to meet obligations including those outlined in the programme handbook.
- Misleading or incorrect information in documentation provided by the Institution.
- Delivery of the programme, associated teaching or administration
- Inadequate quality of facilities, learning resources, professional behaviour of staff or services provided directly by the Institution.
- Complaints from you regarding the admissions process are covered by the HE Complaints Policy and Procedure under the following circumstances:
 - Where we have not followed the <u>HE Admission Policy and</u>
 Procedure
 - Where the criteria for admission were not applied correctly.

If you have a complaint about serious staff or student non-academic misconduct, please seek help and support as soon as possible from your Student Progress and Welfare Coach by emailing teammentors@lcwc.ac.uk or from the Executive Cross-College Support Manager (ECCSM) at teamcca@lcwc.ac.uk. Further points of contact are listed in section 13 of this document. Assistance is also available from the Student Services Team who can be contacted at teamstudentservices@lcwc.ac.uk.

In addition to support, you will receive advice and support in relation to the complaints process and you may formally complain under this policy and procedure.

Some issues may be more appropriately considered under alternative processes rather than under the HE Complaints Policy and Procedure. For example:

 Dissatisfaction with a decision made by an academic body regarding student progression, academic assessment, and awards.

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is normally considered under the <u>Academic Appeals Policy and</u> Procedure.

- Dissatisfaction with the outcome of the academic misconduct process is considered initially internally under the HE Academic Appeals Policy and Procedure.
- Matters relating to external companies, for example the Student Loans Company, will be dealt with under their own complaints policy and procedure.

Through the Higher Education Complaints Policy and Procedure, the Institution will analyse concerns and complaints, in order to prevent recurrences and to improve the quality of services offered.

Complaints Policy

5 Policy

We are committed to high standards of service in all our operations. We actively encourage all stakeholders to inform us if the standard of service is not what they expect. This can be a concern or a complaint.

5.1 Definitions

 A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.'

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 A complaint may be defined as 'an expression of dissatisfaction about services, actions taken or a lack of action from the Institution.'

5.2 Addressing your concerns

If you have a concern about the quality of your academic experience or other matter, please approach your Curriculum Operational Leader or Progress and Welfare Coach in the first instance.

If you have concerns in relation to the health and well-being of a member of the Institution's Community for example a student, staff, or visitor, please report this to a member of staff, Reception or using the Whisper App. Please refer to the <u>Lakes College Safeguarding Policy and Procedure</u> to deal with concerns around safeguarding.

5.3 Resolution

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues of concern or complaint can be resolved through prompt action to address the issues raised, without the need to use the formal stages of the institution's complaints procedure. All concerns and complaints are recorded, together with action taken, for institutional governance, review, and monitoring.

The Institution takes your concerns and complaints very seriously and will make every effort to resolve the matter as quickly as possible. This policy is intended to bring these matters to our attention and facilitate the timely investigation and the prompt resolution of these complaints. The process provides the opportunity for feedback to inform service improvement. See paragraph 12 on Monitoring of Complaints.

6 Our Commitment to you

We will investigate all formal complaints and concerns and we are committed to maintaining the confidentiality of any sensitive information submitted by you.

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The Executive and Cross-College Support Manager (ECCSM) will manage the Complaint process and information will be stored in line with the Institution's HE Data Protection Policy and Data Retention Policy and only shared with the relevant staff who will be directly involved in resolving the complaint or concern.

If the Deputy Principal deems your complaint to be of a sensitive nature, an impartial Senior Manager may undertake the investigation.

With your complaint or concern we will:

- Ensure that each complaint or concern is handled courteously, objectively, and sympathetically within a specific time limit (within a maximum of 90 calendar days in line with the OIA Good Practice
 Framework oia-good-practice-framework.pdf (oiahe.org.uk))
- Assist anyone to make a complaint easily and comfortably by providing independent support from the Executive & Cross-College Support Manager where appropriate to do so. If you require assistance or reasonable adjustment to support access to the complaints process please contact teamcca@lcwc.ac.uk.
- Investigate fully and seek to resolve the concern or complaint impartially and fairly as quickly as possible within a specific time scale. Time scales will be outlined to you in the initial communication (email or letter) OIA guidance for the complaint process is to be completed within 90 calendar days.
- Analyse concerns and complaints in order to prevent recurrences and to improve the quality of service offered by us. All information received will be used by management to improve our services. All data reviewed by us will be anonymised so you will not be identified, in line with the HE Data Protection and HE Retention Policy and Procedures.

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7 Our Approach to Complaints

We are committed to:

- The creation of a professional climate in which complaints or concerns can be freely made by students, parents, and employers, if they feel that their expectations have not been met, without fear of discrimination or retribution.
- All staff taking your concerns and complaints seriously and resolving these at the point of contact or as soon as it is practicable.
- Responding to all complaints and concerns impartially and consistently, providing a high level of customer care.
- Maintaining a 'no blame' culture in dealing with concerns and complaints.
- Ensuring that staff have suitable training.
- Treating group complaints under the same process with the ECCSM contacting individuals to gain consent for sharing information within the group as necessary for the purpose of investigation and resolution.
- Keeping a log of anonymous complaints albeit that the ECCSM will be unable to progress the complaint without details to investigate.
- Keeping staff and governors informed about the policy and procedure on concerns and complaints, and performance data on the causes, volume and resolution of concerns and complaints.

Please note that:

 If you take legal action or civil proceedings against the Institution, investigation of your complaint will be suspended.

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 Your complaint may not be progressed if it is more than 6 months after the date of your graduation.

8 What we expect of you

To investigate the complaint fully, we expect you to:

- Present the facts clearly.
- Respond within the timescales provided.
- Request support if required for filing complaints, clarifying information, and accessing relevant sources.
- Let us know if you require reasonable adjustments to support you during the complaints process. Please refer to the HE <u>Reasonable Adjustment Policy and Procedure</u> for further information.

Complaints Procedure

This sets out the Higher Education Complaints Procedure in line with the Higher Education Complaints Policy. We are committed to a fair, transparent, accessible, and equitable complaints process.

9 Internal Complaints Procedure

The following procedure covers all concerns and complaints throughout your learner journey. Please refer to Appendix 1 – internal complaints flowchart process.

9.1 Raising your concerns

 You are expected to raise concerns about the quality of your experience in the Institution with your Progress & Welfare Coach or relevant Curriculum Operational Leader in the first instance. Where appropriate you may seek guidance, support and representation from a fellow learner, parent, or staff member within Student Services (tscs@lcwc.ac.uk).

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- If you require assistance or reasonable adjustment to support access to the complaints process please contact <u>teamcca@lcwc.ac.uk</u>.
- Where programmes are validated or sub-contracted, you must raise your concern with us in the first instance.
- Every effort will be made to secure a quick resolution of the problem by the recipient, regardless of their role and level of responsibility.
- If your concern cannot be resolved by us at this stage, we will raise it
 with a line manager in order to seek a resolution. If no resolution can
 be found we will advise you that the concern will be raised as a formal
 complaint and we will do this within 2 working days.
- You may formally complain at any point without seeking informal resolution.

Please note that working days means Monday to Friday when the Institution is open, excluding all Bank and Public Holidays. The year runs from September to August.

9.2 Raising your complaint to the Institution

- You can register a formal complaint by telephone on 01946 839300, email (Teamcca@lcwc.ac.uk), completing the complaints form at Complaints - Lakes College (lcwc.ac.uk) (see Appendix 2) or in writing to the Executive & Cross-College Support Manager at Lakes College West Cumbria. Hallwood Road, Lillyhall, Workington, Cumbria, CA14 4JN.
- Your complaint will be passed to the Executive & Cross-College Support Manager (ECCSM) where details are recorded on a confidential complaints' database which can only be accessed by the ECCSM and the Senior Leadership Team. The ECCSM will then forward your complaint to the Deputy Principal, and they will nominate an Investigating Officer. We will ensure that the Investigating Officer has not previously been involved in the matter at any stage.
- The investigation may include speaking to witnesses, taking statements, and collation of any supporting documentation that you provide pertaining to the substance of the complaint. We seek to

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- conclude any investigation within 10 working days and the ECCSM will advise you in writing what you are required to provide and the timescales in which you must provide it.
- Investigation, response, and draft reply are to be prepared by the nominated investigating officer within 5 working days (unless the complaint has been deemed to be complex, then the response is expected within working 10 days) and returned to the ECCSM. The ECCSM will issue reminders if responses are not within deadline.
- You may withdraw your complaint at any point. Please be aware that, dependant on the nature of the complaint, it may still be progressed by the Institution. Support is available for you to discuss any concerns throughout the process from the ECCSM.

The Deputy Principal will:

- Approve the response/ action to the complaint.
- Write to you within 5 working days of the initial complaint unless the complaint is deemed to be of a particularly complex nature and then the response will be written within 10 working days.
- Issue a letter that constitutes the outcome of the investigation
- Ensure that a copy of the final letter to the complainant is copied to the ECCSM.
- Consider any action required to prevent a re-occurrence.

9.3 Further Appeals

- If the Institution cannot resolve the problem to your satisfaction, the next step is raising an appeal. The Institution operates a two-stage appeal process.
- Your appeal can only take place once you have an outcome from the complaints process. Please refer to section 9.2.
- In order to appeal you should contact the Executive & Cross-College Support Manager (ECCSM) in writing at Lakes College West Cumbria.
 Hallwood Road, Lillyhall, Workington, Cumbria, CA14 4JN. This must be done within 10 days of the date of the final outcome letter from the

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- formal stage. Appeals outside of this time will only be considered in exceptional circumstances.
- The grounds on which you can seek internal review at either stage include, but are not confined to:
 - o a review of the procedures followed at the formal stage
 - o a consideration of whether the outcome was reasonable
 - new evidence that could influence the review outcome and which you could not reasonably have provided earlier in the process.
 - The review stage will not usually consider the issues afresh or involve a further investigation.
 - In the first instance your appeal will be considered by the Institutions' Complaint Review Panel, which consists of three members of the Institutions' Quality Assurance Committee.
 - The Complaint Review Panel will write to you with their decision within 5 working days.
 - If you are dissatisfied with the outcome from the Complaint
 Review Panel, you may request further review by the Institution's
 Governance Board, who will convene a panel of three members
 of the Board to review the matter.
 - To request a further review by the Governance Board you should contact the Clerk of Governors in writing at Lakes College West Cumbria. Hallwood Road, Lillyhall, Workington, Cumbria, CA14 4JN within 5 working days of the date of the final outcome letter from the Complaint Review Panel. Requests made outside of this time period will only be considered in exceptional circumstances.
 - The Governance Board will write to you with their decision within10 working days.
 - We will ensure that members of staff involved in the appeals process will not have previously been involved in the matter at any stage.
 - If you are dissatisfied with the outcome of your complaint and have exhausted the Institution's complaints and appeals process, you may be able to seek review by the relevant awarding body.

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 In addition, you have the right to take your complaint to the Office for the Independent Adjudicator (OIA).

10 Progressing your complaint externally

The Institution's internal procedures finish when you receive final written confirmation of the outcome of your complaint.

If you are not satisfied with the final outcome, you can ask for an external review. In certain circumstances you may be able to ask for a review by the relevant Awarding Body. In addition, you have the right to contact the Office for the Independent Adjudicator (OIA).

In order to take your complaint to the OIA you must have a Completion of Procedures (COP) Letter. This will be issued by the Institution at the end of our internal complaints process, or by the awarding body, at the conclusion of their review, if your complaint is a matter that can be reviewed by the awarding body.

The COP Letter will explain the outcome of the review stage and the reasons for the decision. It will also set out:

- your right to submit a complaint to the OIA for review
- the time limit in which you should do this
- where and how to access advice and support.

10.1 Requesting Awarding Body Review

You may request a review from the relevant awarding body if

 Your complaint relates to a service, or lack of service the Institution is responsible for which impacts directly and substantively on the academic standards of the programme on which you are studying. It

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must relate to a service that you were led to expect would be provided, or an aspect of your access to learning or learning experience which does not relate to an academic decision; and

 You have exhausted all appropriate internal procedures open to you at your Institution.

The awarding body will conduct their investigation in line with their complaints policy and procedures. Further details are available from the relevant awarding body. Please see below for awarding body details.

At the conclusion of their review, the awarding body will communicate to you the outcome in a Completion of Procedure (COP) letter.

Awarding Body	Complaints Policy and Procedure Links
Pearson	ID92-PTQ-Complaints-Policy-Procedure-
	2021.pdf (pearson.com)
Open University	How to make a complaint or appeal Help
	Centre The Open University
University of Central Lancashire	student complaints procedure 2223
	(uclan.ac.uk)
University of Cumbria	Student Complaints Procedure MyCumbria

10.2 Requesting an Independent Review

If you are unhappy with the outcome of the internal review process or the review conducted by the awarding body, you can request an independent review from the Office of the Independent Adjudicator (OIA). The OIA was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme'.

To raise an independent external review with the OIA, you will need to have exhausted the full complaints procedure with the Institution and awarding

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body if applicable. You will need your COP letter to request an independent review by the OIA. Please note that you have 12 months from the date of the COP outcome letter to raise your complaint with the OIA. For further details please see www.oiahe.org.uk

10.3 Addresses for Appeals to External Agencies

External Agency	How can they support you?	Address
Education and Skills	Complaints for all apprenticeship	Education and Skills
Funding Agency		Funding Agency
		Cheylesmore House
		Quinton Road
		Coventry
		CV1 2WT
		Education and Skills
		Funding Agency - GOV.UK
		(www.gov.uk)
Office for Students	Complaints about a HE Institution	Governance Team
		(Complaints)
		Office for Students
		Westward House
		Lime Kiln Close
		Stoke Gifford
		BRISTOL
		BS34 8SR
		Complaints against the OfS
		- Office for Students
Office of the Independent	Complaints about a HE Institution	OIA
Adjudicator (OIA)		Second Floor
		Abbey Gate
		57-75 Kings Road
		READING
		RG1 3AB

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	www.oiahe.org.uk

11 Data Protection

Your personal records will be kept confidentially and securely in line with the HE Data Protection Policy.

Any information provided by you during the complaint procedure will only be shared with a limited number of staff who are directly involved in the complaint process. Staff with access to this information are required to adhere to the HE Date Protection Policy.

We are required to provide anonymised statistical data returns to our regulators and statutory agencies. This does not identify individuals.

12 Monitoring of Complaints

The ECCSM prepares a monthly summary of anonymous complaints and responses to the Quality Assurance Committee (QAC) and a bi-annual report to Governors who evaluate the findings.

13 Sources of Further Information

Team	How can they support you?	How can you contact them?
Student Progress and	Provide pastoral support and	teammentors@lcwc.ac.uk
Welfare Coach	guidance	or room G36
Curriculum Operational	Listen to your concern and resolve	Please refer to your
Leader	issues with programme	programme specification
Programme Leader	Listen to your concern and resolve	Please refer to your
	issues with your programme	programme specification

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Programme Academic	Listen to your concern and resolve	Please refer to your
Team	issues with your programme	programme specification
Executive Cross College	Will log the complaint and start the	teamcca@lcwc.acuk
Services Manager	complaint process	
_		

14 Other relevant policies and procedures

- LCWC HE Admission & Procedure
- LCWC HE Complaints Policy & Procedure
- LCWC HE Data Protection Policy
- LCWC HE Strategy 2023-2025
- LCWC EDI Strategy 2023-2025
- LCWC HE Terms and Conditions
- LCWC HE Reasonable Adjustments Policy and Procedure

15 External references

- Equality Act 2010 Adjustments for disabled persons
- Office for Students Home Office for Students
- Office for the Independent Adjudicator <u>Office of the Independent</u>
 Adjudicator for Higher Education OIAHE
- Consumer Rights Consumer Rights Act 2015 (legislation.gov.uk)
- CMA <u>Higher education: consumer law advice for providers GOV.UK</u>
 (www.gov.uk)
- The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 (legislation.gov.uk)
- The Quality Assurance Agency for Higher Education <u>The Quality</u>
 Assurance Agency for Higher Education (qaa.ac.uk)

16 Glossary of Terms

Term	What is it?
Awarding Body Organisation	Is an institution who is responsible
	for designing, developing, and

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	administering assessments,
	examinations, and qualifications.
Completion of Process (COP)	Completion of Process is a letter
	which the awarding body provides to
	the complainant. The letter includes
	the outcomes of the complaint. The
	COP letter can initiate an
	independent review with OIA.
Institution Completion of Process	The Institution Completion of
(ICOP)	Process is a letter provided by the
	Institution to confirm the outcomes of
	the complaint.
Office for Students	Is a government organisation which
	oversees and regulates higher
	education institutions.
Office of the Independent	Is an independent body which
Adjudicator for Higher Education	students are allowed to ask the OIA
(OIA)	to review their complaint if they are
	unhappy with the outcome from the
	awarding body organisation.

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Appendices

Appendix 1

Internal Complaints Procedure Flowchart

