Quality Assurance

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| **Procedure:** | **Complaints Procedure** |
| **Procedure Ref:** | **QA/PRO/002** |
| **Approved By:** | **Karen Wilson** |
| **Responsible Person:** | **Jeanette McCallig** |
| **Last Review Date:** | **03/02/2025** |
| **Next Review Date:** | **03/02/2028** |
| **Approval Date:** | **03/02/2025** |

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Lakes College, West Cumbria is committed to high standards of service in all its operations. To that end, it actively encourages all stakeholders to inform the College authorities when the standard of service they receive is not what they expect.

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

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure.

The College take concerns seriously and will make every effort to resolve the matter as quickly as possible. This policy is intended to bring matters of concern to the attention of the College and facilitate the timely investigation and addressing of these concerns. The process provides welcome feedback to help the College improve.

## 1. Purpose

1.1 To improve our services and to encourage feedback from learners, staff, employers, parents and other customers.

1.2 To ensure that each situation is handled courteously, objectively and sympathetically within a specific time limit.

1.3 To provide the opportunity for all interested parties to express a concern or make a complaint in a way, which is convenient to them and fulfils the spirit of the College's 'Single Equality` policy.

1.4 To resolve the concern or complaint quickly to the satisfaction of the complainant, within a specific time scale.

1.5 To analyse concerns and complaints in order to prevent recurrences and to improve the quality of service offered by Lakes College. All information received will be used by management to attempt to improve our services.

## 2. Approach

2.1 To 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.

2.2 To create a climate in which complaints 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.

2.3 To encourage staff to take concerns and complaints seriously and resolve complaints at the point of contact or as soon as it is practicable

2.4 To endeavour to provide alternative solutions or, in the opinion of the College, appropriate compensation where the complaint cannot be resolved.

2.5 To deal with all complaints impartially and consistently, providing a high level of customer care.

2.6 To maintain a 'no blame' culture in dealing with concerns and complaints and ensure that staff have suitable training.

2.7 To keep 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.

## 3. Scope

3.1 The procedure applies to all students, staff, employers, parents and other customers.

3.2 The responsibilities, procedure and appeals process outlined here will apply to all types of provision including Higher Education students and sub-contracted provision.

3.3 This procedure does not cover the following situations for which there are separate procedures:

- Representations by students against decisions made in assessments and examinations (See Appeals against Assessment Decision in Section Assessment for Certification)

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- Complaints by a member of staff against another member of staff (see Grievance Procedure for Staff and Disciplinary Procedure for staff under HR Section)

- Complaints by a member of staff relating to working conditions (See Health and Safety Procedures under Facilities section)

## 4. Responsibility

4.1 The Deputy Principal is responsible for ensuring that the procedure is followed.

4.2 All staff are responsible for addressing concerns made by an individual in a timely manner, recording the concern and action taken or reporting to their manager if they are unable to resolve the concern.

4.2 College managers 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.

4.3 The Executive & Cross College Support Manager (ECCM) is responsible for recording, monitoring and 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 they which to make a formal complaint at the outset.

4.3 The Head of quality Assurance is responsible for all initial communications with the complainant with respect to formal complaints and for recommending solutions for complaints that do not relate to the appeals process outlined in section 5.5.

4.4 All managers are responsible under delegation from the Head of Quality Assurance to investigate and resolve complaints when asked to do so by the Head of Quality Assurance.

## 5. Procedure

5.1 *Sensitive Issues*

If the Head of Quality Assurance deems the complaint to be of a sensitive nature, the investigation may be undertaken by an impartial Senior Manager.

5.2 The following procedure covers all sources of concerns and complaints:

5.2.1 Students are normally expected to raise concerns about the quality of their experience in College with their Progress & Welfare Coach or relevant

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Curriculum Operational Leader. Where appropriate they may seek guidance, support and representation from a fellow learner, parent or staff member within Student Services. Where courses are validated or sub-contracted, for example some Higher Education, the delivery provider (the college) will process the concern and raised the complaint which will be reported to the Executive and Cross College Support Manager.5.2.2 The initial recipient of the concern should, in the first instance, courteously apologise, on behalf of the College, for the fact that the person has found it necessary to express dissatisfaction. Every effort should be made to secure immediate resolution of the problem by the recipient, regardless of their role and level of responsibility.

5.2.3 If the concern cannot be resolved at this stage, the concern should be raised with a line manager to seek a resolution. If no resolution can be found the concern should be raised as a formal complaint be the manger or the complainant encouraged to register a formal complaint by telephone, email, completing a formal complaints form or any other method, which is convenient to the complainant.

5.2.4 The complaint will be passed to the Executive & Cross College Support Leader (ECCSL) where details are recorded on the complaints' database. The ECCSM will then forward the complaint to the Head of Quality Assurance, and she will nominate an Investigating Officer.

5.2.5 Investigation, response and draft reply are to be prepared by the nominated investigating officer within **10 working days** (unless the complaint has been deemed to be complex[1], then the response is expected within 20 days) and returned to the ECCSM. Reminders will be issued if the response is not within deadline.

[1] - The degree of complexity is decided by the Head of Quality Assurance.

5.2.6 Written drafts of responses need to be in sufficient depth for the Deputy Principal to transpose into a letter for the complainant. The response should include details of the steps taken to prevent the complaint reoccurring.

5.2.7 Judgement will be required in respect of each complaint to assess the most appropriate response to the particular set of prevailing circumstances.

5.2.8 The Head of Quality Assurance will:

a) Write to the complainant within 15 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 30 days.

b) Approve the response/ action to the complaint.

c) Issue a letter that constitutes a college **Completion of Process** (COP) – this is the final stage in the college complaints procedure

d) Ensure that a copy of the final letter to the complainant is copied to the Manager, and other appropriate people for their information.

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e) Action (if necessary) decision to prevent re-occurrence.

5.2.9 The Head of Quality Assurance prepares a monthly summary of complaints and responses to the QAC and also a bi-annual report to Governors who evaluate it and publish the findings in a positive manner.

## 6. Redress

If the complainant is not satisfied with the final COP outcome, there are further, formal steps that can be taken as explained below:

6.1 Complaints about the availability of courses:

a) Complain to the Department for Education (DfE), Office For Students (OFS) or Office of the Independent Adjudicator (OIA) (for Higher Education students) or to the Local Authority in the case of some general education and leisure course that do not lead to formal qualifications.

b) As a last resort, complain to the Secretary of State for Education, if the complainant believes that the DfE or LEA is not fulfilling their legal responsibilities. If the complaint is justified, he/she can insist that things are put right.

6.2 Complaints about the College:

Everyone has the right to expect Colleges to have arrangements in place for handling formal complaints, and to:

a) Make sure that these arrangements are clear and effective,
b) Publish details in their charters,
c) Consider formal complaints fairly and quickly,
d) Give you an initial response to a complaint within ten working days and,
e) Give their reasons if they reject your complaint.

6.3 Complaints about courses, qualifications and results:

If the complainant is unhappy about the quality of a particular course, complaints can be made to the College, and as a last resort, to the DfE.

If the complainant is unhappy about the quality of a particular qualification, they should complain to the relevant awarding body, or to the regulator Ofqual.

If the complainant believes that their results are incorrect, they should appeal through the College to the relevant awarding body.

In the case of GCSE examination procedures and results, if the complainant is still not satisfied, then they should appeal through the College to the Examination Appeals Board. A fee may have to be paid by the complainant.

Ofqual also have a process for handling complaints from students who are studying for qualifications awarded by Ofqual-regulated Awarding Organisations ('AOs') which are not members of the OIA Scheme set of agreements (see appendix 3 below)

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Awarding Organisations, for example ECITB, also allow appeals where the internal process has been exhausted and the complainant is still unhappy with the outcome. This can also be escalated to appropriate qualifications regulators where applicable as noted above.

With Higher National and Degree programmes, learners can, if they wish, escalate complaints to the Office of the Independent Adjudicator.

6.4 Complaints about the Local Authority (for example, about grants):

If the complainant thinks their Local Authority has treated them unfairly – for example, it has been extremely slow in processing their grant application or has made serious administrative errors – they can complain to council officials or the local councillor.

They can also complain to the Commission for Local Administration in England (Local Government Ombudsman). The commissioner for the area can investigate complaints and seek redress for any injustice, for example, by recommending that the LEA pays the complainant compensation.

6.5 Further Appeals:

6.5.1 If the College cannot resolve the problem to the complainant's satisfaction, they can appeal to the College Complaint Review Panel, which shall be composed of three members of the college Quality Assurance Committee.

6.5.2 If the College cannot resolve the problem to the complainant's satisfaction, they can appeal to the College Corporation, who shall convene a panel of three members of the Board to review and hear the complaint

6.5.3 If the complainant is still dissatisfied and believes the College is behaving unreasonably or it is not doing its job properly, they can complain to the DfE or direct to Secretary of State for Education. If the complaint is justified, the Secretary of State may insist that things are put right.

6.5.4 For Higher Education students, who are dissatisfied with the outcome of their complaint and have exhausted their institution's complaint process, options are available to seek resolution through further levels of investigation. For service related complaints please contact the Office of the Independent Adjudicator (OIA). For quality of learning complaints, please contact the relevant Higher Education establishment and follow their procedure

**Note**: Working days means Monday to Friday, excluding all Bank and Public holidays all year September to August.

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Addresses for Appeals to External Agencies

Department for Education
Store Street
Manchester
M1 2WD

Tel: 0370 000 2288

- **Office for Students complaints**

- **Office of the Independent Adjudicator (OIA)**

  (for Higher Education students)
  website: www.oiahe.org.uk
  OIA
  Second Floor
  Abbey Gate
  57-75 Kings Road
  READING
  RG1 3AB

- **Cumbria County Council (Local Authority)**

  (For all commercial or leisure courses that do not lead to formal qualifications)

  Cumbria County Council
  The Courts
  Carlisle
  Cumbria
  CA3 8NA

**Appendix 1**- Complaints Procedure Flowchart (Internal)

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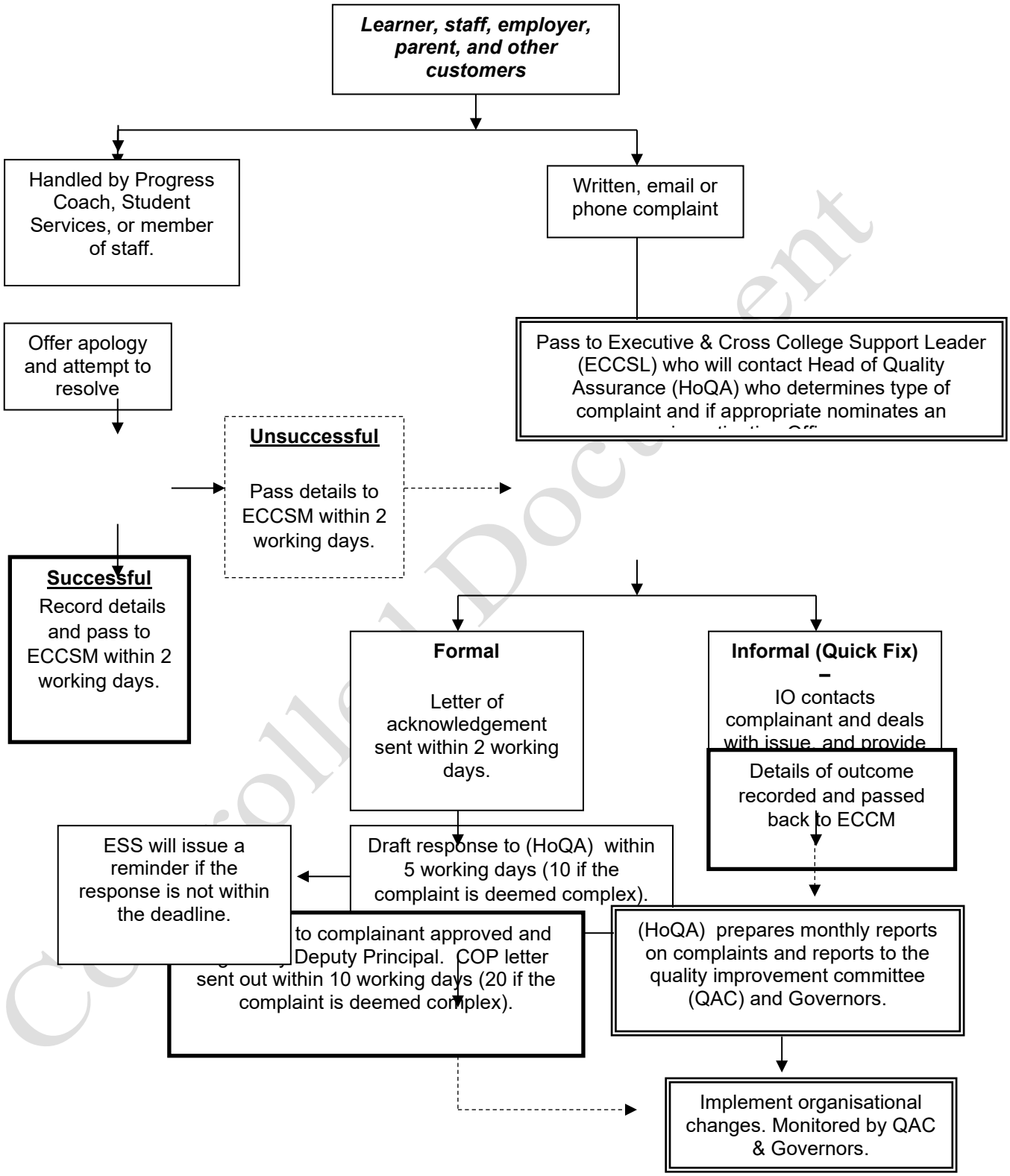
**Appendix 1**

# Internal Complaints Procedure Flowchart

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**Initial Screening for Equality Impact Assessment (including Safeguarding)**

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| Name of Policy/Procedure: Programme Business Case Form | |
| Is this a new or existing policy/procedure? □ New □ Existing | |
| 1. To ensure that the policy / procedure complies with the Equality Act 2010, which of the listed categories could be impacted by the policy / procedure?<br><br>(The categories follow the College Single Equality Policy, and the impact could be positive or negative.)<br><br>□ Age □ Compliance with Children & Families Act 2014 □ Disability □ Gender<br><br>□ Race/ethnicity □ Gender Re-Assignment □ Marriage/Civil Partnership □ Pregnancy/Maternity<br><br>□ Socio-Economic □ Sexual Orientation □ Religion/Belief<br><br>□ All of the above □ None of the above expected | |
| 2. What are the risks of introducing this policy / procedure change to any of the above groups? | |
| 3. What are the expected benefits of introducing this policy / change to any of the above groups? | |
| 4. Are there any areas or issues that could impact on the safety of staff or learners? | |
| 5. What evidence do you have for your responses to questions 2, 3 and 4?<br>(e.g. evidence could be provided to counteract identified risks and, therefore, a full screening would not be required) | |
| 6. What is the level of risk for the policy / procedure? | □ High □ Medium □ Low |
| 7. Is a Full Screening Impact Assessment required? | □ Yes (complete the box below) □No |
| What are the recommendations from Equality Impact Assessment? | |
| Date of Review: | |
| Reviewer's Name: | |
| Reviewer's Job title: | |

To be completed prior to a Policy or Procedure being introduced and at each review.

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