



East Durham College

Procedure Document

Procedure Number	5.1.12
Procedure Grouping	Quality - 5
Procedure Document Title	Complaints Procedure General
Author / Reviser / Owner	Mark Moore/Graeme Blench
Date of Current Version	June 2017
Review Date	June 2019

Impact Assessed	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Approved By	Committee	Date
CMG	College Management Group	14 June 2017

Document Control

This document is issued and controlled Quality & Standards and may only be modified by the designated group after proposed modifications have been accepted by the College Management Group

The latest version of the procedure will be maintained on the College Extranet

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Complaints Procedure General



Scope

All College users

Purpose

- To allow complaints to be aired.
- To ensure that complaints are resolved as quickly and fairly as possible.
- To foster and maintain good relationships between all parties concerned.

Comment

It is our intention to ensure that all complaints are handled promptly, fairly, consistently, and proportionately. This procedure applies to all complaints, both formal and informal, by students, customers and stakeholders.

Policy statement

A complainant who wishes to make a complaint may do so either in writing or verbally.

All complaints made in writing, whether using the College Complaint Form or not, are classed as formal complaints. All complaints made verbally will be classed as an informal complaint.

Complaints can be e-mailed to Complaints@eastdurham.ac.uk, by letter or by completing a complaints form, which is available from reception. College staff will be happy to support you to write down your complaint should any of these methods be unsuitable.

All complaints will be acknowledged within 5 working days. Following investigation, a response to the complainant will usually be provided within 10 working days of the acknowledgement unless the complaint is particularly complex, when the complainant will be informed of reasons for the delay

Complaints against Staff

If a complaint is received specifically about a staff member of East Durham College it should be immediately passed to HR who will decide the most appropriate person to investigate.

College Management Team

If a complaint is received specifically about a member of East Durham College's Management Team it should be immediately passed to the member of the College Leadership Team with line management responsibility for that manager for investigation.

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Senior Staff

If a complaint is received specifically about the Principal or a Senior Post Holder, as defined by the Corporation, it should immediately be passed to the Clerk to the Corporation who will refer it to the Chair of the Corporation.

Where a complaint is received specifically about the Clerk to the Corporation it should immediately be passed to the Principal who will refer the matter to the Chair of the Corporation. The Chair of the Corporation may appoint a Governor or a panel of Governors to investigate the matter if considered appropriate.

Where a complaint is about the Principal or a Senior Post Holder defined by the Corporation, the Chair of the Corporation/Principal (as appropriate) will arrange for the matter to be investigated by an appropriate member of staff or the Clerk to the Corporation. The Chair of the Corporation may appoint a Governor or a panel of Governors to investigate the matter if considered appropriate.

The outcome of any complaint against the Principal or Senior Post Holder will be reported to the Corporation.

Members of Corporation

If a complaint is made specifically about an aspect of the governance of East Durham College, a member of the Corporation (other than the Chair) or the activities of the Corporation, the Clerk to the Corporation will refer the matter to the Chair of the Corporation, who will investigate action as appropriate, taking advice as necessary from the Clerk to the Corporation.

If a complaint is made about the Chair of the Corporation, the Clerk to the Corporation will refer the matter to the Vice-Chair of the Corporation.

The Clerk to the Corporation may, if appropriate, refer any complaint regarding the Chair or the activities of the Corporation to the Skills Funding Agency.

If appropriate, East Durham College's complaint procedure may be used with the Clerk to the Corporation investigating the matter.

If East Durham College's complaint procedure is not appropriate for a complaint against a member of the Corporation, the Chair, or Vice-Chair, if appropriate, may appoint a Governor or a panel of Governors to investigate the matter. In such circumstances the Clerk to the Corporation shall be responsible for providing advice and support and for the provision of specialist external advice if required.

Complaints we cannot investigate

- The College will not normally record or investigate:

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- A decision made where the correct procedures / processes / regulations have been followed (e.g. disciplinary and debt recovery).
- Anonymous communications.
- Something outside the control or responsibility of the College.
- Something that happened some time ago. Investigations will not take place after twelve weeks of an alleged incident occurring.
- A liability claim, or other litigation matter.
- A complaint regarding an academic judgement on HE work, for example the grade awarded for a piece of assessed work.
- HE Academic appeals - specific procedures exist for these within Higher Education Academic Appeals procedure and also within the regulations and guidelines partner universities and awarding bodies, relating to the decisions made by exam boards.
- Admissions appeals and complaints - specific procedures exist for these within our Further Education & Higher Education Course applications procedure.
- The College will not accept a complaint lodged by a third party, other than a parent, carer or guardian of a 14-17 year old student.

Response

The response – a reasoned judgement – will be sent to the complainant within 15 working days of receiving a complaint; however, complex cases will, unavoidably, take longer to investigate with due care and thoroughness. The complainant will, in any event, be kept informed of the progress of any investigation.

Appeal

Any comments about the way in which the complaint was dealt with, or any appeal against the findings and action, should be made in writing to the Vice Principal or representative, setting out the grounds for appeal, within 10 days of receipt of the outcome. The Vice Principal or representative will review the evidence and respond to the appellant within 15 working days of receiving the appeal.

Equality Monitoring

To comply with the Equality Act 2010 and ensure fair treatment for all, East Durham College will collect data on the 'protected characteristics' of complainants, i.e.:

- Race

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- Disability
- Sex
- Age
- Gender reassignment
- Religion / belief
- Pregnancy / maternity
- Sexual Orientation

All information is confidential, seen by a limited number of staff and East Durham College reporting mechanisms guarantee data protection.

Complaints Made to External Organisations

External organisations will not normally investigate complaints until the College's complaints procedure, including appeal, has been exhausted.

Complaints about Further Education can be made to;

Complaints Team, Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT or email complaintsteam@sfa.bis.gov.uk.

Complaints about Higher Education courses at East Durham College;

You can find full details of the University's Student Complaints Procedure in the University Student Handbook or at www.sunderland.ac.uk/studentcomplaints

If you are not satisfied with the resolution offered, you may wish to take your complaint to the university if you are not satisfied with our response. All students on higher education courses are able to bring a complaint that occurred on or after 1 September 2015 to the Office of Independent Adjudicator. It would be expected that if an HE student were unhappy about their HE course, they would go through college complaints procedure first. Where the response is still deemed to be unsatisfactory, the student should then follow the University of Sunderland internal complaints procedure first, before complaining to the OIA.

DOCUMENTS AND RECORDS:

CP1 Complaint Form

Documents and records of all complaints and responses are held in Student Services

(For staff Grievance Procedure see HR Policies)

Please feedback to Quality & Standards any constructive suggestions on how any aspect of the procedure may be clarified or improved

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