



# DERBY COLLEGE GROUP POLICY

## Compliments and Complaints

Policy Number:	COR 005
Executive Owner:	Deputy CEO
Owning Strategy / Department:	Strategy and Corporate Services / Corporate Strategy
Approval Board / Committee / Group:	Corporation
User Group:	Students and Stakeholders
Relevant To:	As above
Implementation Date:	September 2015
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Date:	March 2022
Ref:	HJ/VB/JD V3
Originator:	Director of Strategy, Policy and Planning
Area:	Corporate Services – Improvement

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**POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS**

## Policy Accountability and Implementation

Policy Title:	Compliments and Complaints Policy
Policy Author / Reviewers:	Director of Teaching, Learning and Improvement / Improvement Team Administrator
Policy Implementation:	<b>Executive, Leadership and Management team, any persons responsible for designated as investigating officer</b>
Policy Monitoring and Compliance:	Director of Teaching, Learning and Improvement / Improvement Team Administrator
Policy Review Timeline:	Three-year review cycle

### Synopsis:

This policy details the organisational approach to the receipt and management of any formal complaints received and applies to all students and stakeholders across all aspects of College life. The policy actively encourages stakeholders to proactively raise any areas of concern or dissatisfaction in order that remedial action may be taken, wherever possible, to resolve matters swiftly. In addition, the policy sets out mechanisms for stakeholders to afford positive or complimentary feedback. The policy also provides guidelines and procedures relating to legislative and authoritative requirements.

## Policy Classification and Publication

### Classification

- Essential Authority (EA)

### Publication

- Intranet – Policy portal
- Student VLE (Moodle)
- Website

### Empowering/related legislative and/or authoritative references:

ESFA procedure for complaints against providers

CMA guidance on fairness of student contracts

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/428549/HE\\_providers\\_-\\_advice\\_on\\_consumer\\_protection\\_law.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/428549/HE_providers_-_advice_on_consumer_protection_law.pdf)

Office of the Independent Adjudicator (for Higher Education only) <http://oiahe.org.uk/making-a-complaint-to-the-oia/guidance-for-students.aspx>

### Impact Assessment reference: NA

## Periodic Policy Review / Change History

*Note: Please make it clear if change/review relates to procedures, guidelines and associated documents only or it is a rational for a new or substantive policy review*

Version	Reviewed / Modified by:	Change History	Advisory committee / groups or specialists	Review / Meeting Date/s
1	Helen Jefferson	Review with minor changes	Anita Traffon	28.09.15
	Sharon Colegate	Addition of HE related information	Helen Jefferson	12.04.16
	Helen Jefferson	Minor changes- job title updates	Anita Traffon	07.10.16
	Tracey Burgin	Changes of executive ownership, responsibilities, job title,	Heather Simcox	03.07.17
2	Director of Strategy, Policy & Planning	Full policy review, addition of compliments process, revised procedures, process and flowchart documents, policy name change to reflect compliments and complaints.	Data Protection Officer (MF)	27.09.18
2.1	Director of Strategy, Policy & Planning	Section 4: Scope and Limitations –addition of referral to DSL if a complaint raises concerns or allegations about the actions or inactions of a Derby College Group employee or others which may put a vulnerable person at risk in line with Employee Code of Conduct.	Executive Director of HR/DSL	January 2022
3	Director of Strategy Policy and Planning	Policy transfer of ownership to Director of Teaching, Learning and Improvement/Improvement Team. Change of policy lead author/reviewers.	N/A	March 2022

# 1. POLICY STATEMENT

The Derby College Group (DCG) is committed to delivering an excellent experience to all its students and customers and is dedicated to providing the best possible education, training and support services to the communities it serves.

Our student and customers' views are important to us and help us to ensure that the services we provide are of the highest quality and consistently meet the needs of all our stakeholders. We want to make our services as efficient and effective as possible. To do this we need to know whether we are getting it right and how we can improve our services to our students and customers.

Our aim is to take account of all opinion, both positive and complimentary feedback, as well as taking seriously any areas of concern or dissatisfaction, which may result in a formal complaint. The College will listen carefully to all feedback and respond promptly to any complaints. We encourage any stakeholder to contact us if they are not satisfied with a service, to tell us why not and what we can do to improve things.

We also welcome any positive comment or complimentary feedback, particularly relating to our team members or the services we provide, and so if we are doing things really well, we'd like to hear about that too.

This policy aims to ensure that due consideration is given to:

- all feedback received about any aspect of the College's performance around its core purpose of providing education and training or related Derby College Group professional support or commercial services
- that students, customers and stakeholders are aware of how to make a complaint
- that the policy, procedures and guidelines clearly set out the arrangements which the College has for the investigation and resolution of complaints
- that a constructive approach is applied and maintained and that, wherever possible, there is a positive resolution to any complaint
- that mechanisms are in place to enable stakeholders to afford positive feedback and/or compliments, which when received are disseminated appropriately.

# 2. DEFINITIONS

The College defines compliments, comments, feedback and complaints in the following way:

- A **compliment** is defined as a polite expression of praise or admiration. This could be communicated orally or in a written form, such as a formal letter, email or thank you card.
- A **comment** is defined as a verbal or written remark expressing an opinion or reaction.
- **Feedback** would generally be information about reactions to a product, service or a person's performance of a task, which is used as a basis for improvement, development (constructive feedback) or praise (positive feedback), which would not necessarily require a formal response.
- A **complaint** is defined as an oral or written expression of dissatisfaction about an aspect of a service or facility which requires a response (either informal or formal).

A **complainant** may be a student or stakeholder that indicates dissatisfaction with the current level of service.

**Students and stakeholders** are defined as; local and national partner agencies, parents, guardians and carers of College students, employers, members of the public who may access,

receive or benefit from the services available across the Derby College Group, all part time and full-time students enrolled on a programme or course at a Derby College Group College/campus or delivery site.

### **3. PRINCIPLES**

**The general principles of this policy in relation to complaints are:**

- 3.1 The procedure aims to be simple, clear and fair to all parties involved.
- 3.2 Complaints will be handled sensitively. Any person named in a complaint will be informed of the substance of the complaint and will have the right to reply as part of the investigation. Information contained within the complaint will be made available only to those involved in its resolution.
- 3.3 Except in exceptional circumstances, every attempt will be made to ensure that both the complainant and the College observe the confidential nature of issues. However, the circumstances giving rise to the complaint may be such that it might not be possible to maintain confidentiality and each complaint will be judged on its own merit. Should this be the case, the situation will be explained to the complainant and/or their representative.
- 3.4 Similarly, depending on the circumstances, where a complaint leads to disciplinary action against College staff, the College may need to keep some aspects of the disciplinary action and/or outcome confidential.
- 3.5 Decisions taken as the result of an investigation will be balanced and reasonable.
- 3.6 In the case of students raising a complaint who is aged below 18 the College may be obliged to inform their parent/guardian.
- 3.7 Where the same complaint is raised by a number of individuals at a similar time, this will be treated a single complaint. If a group of students submit a complaint it may be appropriate to appoint one student to act as a representative and liaise with the College.
- 3.8 No student or stakeholder bringing a complaint under this policy, whether successfully or otherwise will be treated less favourably than if the complaint had not been brought. If evidence to the contrary is found in this regard the member of staff may be subject to disciplinary proceedings under College policy.
- 3.9 All Derby College Group staff have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances. In these circumstances, the College will take any necessary action required to address such unacceptable behaviour, for example; terminate an abusive telephone call, decline to communicate via telephone, require that contact is made with a specific staff member only.

#### **Malicious Complaints**

The College may consider invoking further action in those cases where complaints are found to be malicious. A malicious complaint is defined as a complaint which is patently unsustainable, having been put forward so as to abuse the process of the complaints procedure or, for example, to attempt to defame the name or character of another person.

#### **Anonymous Complaints**

Complaints require investigation to enable resolution; where a complaint is made anonymously, it will not be possible to undertake such an investigation. For practical reasons, therefore, normally no action will be taken in the event of complaints made anonymously.

## **4. SCOPE AND LIMITATIONS**

This policy applies to all students and stakeholders and all aspects of College life.

It is generally expected that students will assume responsibility for communicating any problems or concerns directly with the College. However, we recognised that on occasion, or in certain circumstances, complainants may prefer matters be raised on their behalf by a parent/guardian or other third party.

Where a complaint is received in these circumstances, on behalf of a student or individual to whom a complaint relates, the College will only accept the complaint with the express written consent of the student/individual and only on receipt of such consent: Student Declaration of Consent Form.

Exceptional circumstances may only be made in the vital interest of the student/individual, such as where there is serious concern, safeguarding or potential welfare impact and must be approved by a Senior Manager.

If a complaint raises concerns or allegations about the actions or inactions of a Derby College Group employee which may put a vulnerable person at risk it should be reported directly to the Designated Safeguarding Lead.

For information on rights and responsibilities with the Data Protection Act please refer to the Derby College Group Data Protection Policy.

### **Reviewing an Assessment Decision**

The complaints procedure should not be used to request a review of an assessment decision made by an Assessment Board or Panel. Students who feel they have suitable grounds should use the appeals procedures of the relevant awarding body.

### **Derby College Employees**

This policy is not intended to be used by members of staff. Staff should use the College Grievance Policy and Procedures for employees. Further details and advice can be obtained from Human Resources.

If an employee has any concerns or allegations about the actions or inactions of colleagues or others which may put a vulnerable person at risk it is their duty to report it directly to the Designated Safeguarding Lead – DSL (or if the DSL is the subject of the concerns/allegations then report it to the CEO; or if the CEO is the subject of the concerns/allegations then report it to the Chair of the Board of Governors). Employees should refer to the Employee Code of Conduct. Further details and advice can be obtained from the DSL and/or Human Resources.

### **Former Students**

Complaints from former students will be considered provided they are associated with issues directly relating to the services received as a student of the Derby College Group and provided that the complaint is initiated within three months of the completion of study. Outside of this timescale, it is at the discretion of the College following consideration of the circumstances of the complaint.

Complaints from contractors will be dealt with as appropriate under the relevant contract terms.

### **Making a Suggestion**

Often people feel more comfortable about suggesting improvements rather than complaining formally. The College has established a number of ways of ensuring that student and employers have the opportunity to provide feedback. Should any stakeholder wish to make a suggestion to support continuous improvement of the services we provide, this can be done via the online contact form on the Derby College Group website.

## **5. RESPONSIBILITIES**

The Deputy CEO is the accountable executive responsible for overseeing the arrangements covered by this policy.

The Director of Teaching, Learning and Improvement is responsible for directing the development and implementation of the policy. The Improvement Team Administrator is responsible for recording of all formal complaints and oversight of the complaints management system.

### **Responsibility of the Derby College Group**

- the College will acknowledge the formal complaint and aim to respond within three working days
- deal reasonably and sensitively with the complaint
- take action where appropriate
- welcome issues being brought to its attention to enable it to improve its services.

### **Responsibility of the Complainant**

The complainant will be expected to:

- bring their complaint to the College's attention, as quickly as practicably possible
- explain the problem as clearly and as fully as possible, including any action taken to-date
- allow the College reasonable time to deal with the matter
- recognise that some circumstances may be beyond the College's control.

No formal responses are necessarily required for compliments, unless permission is required for use for marketing purposes.

### **Responsibility for Action**

The College Executive and Leadership team are responsible for designating the appropriate investigating managers/officers within their own areas of accountability.

All staff, Senior Managers, College Heads, and College Team Managers of the relevant academic area, College Support Teams and Business Development Managers are responsible for the delivery of the complaint procedures.

## **6. IMPLEMENTATION ARRANGEMENTS**

All new members of staff are made aware of the policy and procedures during the formal staff induction process.

The policy is published via the staff policy portal, is available to students via the student VLE and is accessible via the Derby College website. This policy can be provided in alternative formats on request.

Any updates or amendments to the policy and procedures are disseminated to the Leadership and Management team and communicated to team members. Training and development in the handling and management of complaints can be sought through the Derby College Learning and Development team.

## **7. MONITORING AND REVIEW**

The Compliments and Complaints Policy is subject to regular review. The policy and the implementation arrangements which underpin it will be formally reviewed on a three-year cycle with an annual appraisal of procedures and documentation. Review will take into account the

views of students and stakeholders. The College reserves the right to make whatever changes it deems appropriate.

The Improvement Team Administrator will track the progress of all complaints and will submit a termly report to the Senior Management Team summarising the complaints and outcomes.

## **8. GUIDELINES**

Appendix 1: Overview Flowchart

## **9. PROCEDURES**

### **Compliments**

The College will offer a wide range of opportunities for submission of positive feedback and comments including during enrolment and open days, student and employer voice mechanisms, student representative meetings, tutorials / progress reviews, and via social media. Positive comments can also be left using the online Positive Feedback Form on the College website or a printed copy can be collected at any of the College's Reception areas or from Student Services.

### **Complaints – General Procedures**

- 9.1 Complaints should be made as soon as possible after the events or actions (or lack of actions) which have prompted the complaint.
- 9.2 Complaints can be dealt with either informally via informal resolution (see stage one) or formally, where a complaint is usually received in writing and monitored through the College complaint management system (see stage two). For serious complaints immediately follow stage two.
- 9.4 The College would not normally consider complaints that are made more than one month after the incident or event. Exceptional circumstances may be considered outside of this timeframe on the authority of a Senior Manager.
- 9.5 A complainant may be invited for a meeting as part of any investigation relating to the complaint and may be accompanied by a parent/carer, employer or other representative.
- 9.6 The College will make reasonable adjustments, where necessary, to ensure that the complaints procedure is fair, equitable and accessible to all.

### **Stage One: Informal Resolution**

It is recognised that concerns may be raised informally that can and should be dealt with immediately by the relevant staff member. The aim is for the staff member to work with the complainant on an informal basis to resolve concerns quickly and simply.

No formal responses are necessarily required for informal complaints. Where appropriate, staff should make recommendations for improvement within their own area when they have resolved an informal complaint. However, if concerns are not satisfactorily resolved in this way complainants may follow the College's formal procedures for handling complaints – as specified below.

### **Stage Two: Formal Resolution**

Formal complaints should normally be submitted, in writing, using the online Complaint Form or an official Complaint Form, available for download from the College web site, printed copies can be collected at any of the College's Reception areas or via Student Services.

A letter or e-mail will also be accepted and complaints should be addressed to the Deputy CEO or their appointed representative.

Complaints will be acknowledged within three College working days following the date the complaint is received by the Deputy CEO Strategy and Corporate Services. The complaint will be recorded on the College complaints system.

The complaint will be directed to the most appropriate College Manager/Appointed Representative and an investigation will be carried out. A meeting may be arranged to discuss the outcomes of the investigation if deemed appropriate.

Following the completion of the investigation, a written response sent to the complainant usually within ten College working days of the date of acknowledgement, dependent on the complexity or extent of the complaint. The outcome will be recorded on the College complaints system.

If the complaint involves a College employee, the Investigator conducting the informal investigation into the complaint may recommend (in conjunction with HR advice and guidance) that the complaint be investigated under the College's Staff Disciplinary Policy and Procedure.

In this situation, the Investigator must refer the matter to the HR team who will arrange for a formal investigation to be undertaken in conjunction with the Staff Disciplinary Policy and Procedure. Only statements or information arising out of the formal disciplinary investigation will be considered for the purposes of that investigation and for the purposes of the disciplinary process. This requires that the formal investigation is conducted afresh and may, therefore, entail the same questions being asked of the same individuals involved in the initial informal investigation.

## **Appeals**

If the complainant is still dissatisfied with the response received, they have the right to appeal and should write to the Deputy CEO within ten days, outlining the reasons for the appeal.

The Deputy CEO or their appointed representative, will then review the complaint, including any investigation to date. However, if the complaint is against the Deputy CEO the appeal should be sent to the Chief Executive Officer.

Further investigations may be carried out on the complainant's behalf, the appeal review will seek to resolve the issues involved, following which a written response will be issued within ten College working days of receipt of the appeal letter, wherever possible. This will be the final stage of the College's complaints procedure.

## **External Appeals**

If a complainant remains dissatisfied with the findings the complainant has the right to direct their complaint to the appropriate external bodies. For Further Education students this is the Education and Skills Funding Agency (ESFA):

### **Education and Skills Funding Agency (ESFA)**

Complaints Team  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency>

For Higher Education students on programmes awarded by a partner university or by Pearson if you are still dissatisfied with the findings, you have the right to direct your complaint to the relevant awarding body and/or the Office of the Independent Adjudicator. Please see guidelines below.

### **Office of the Independent Adjudicator**

Second Floor



Abbey Gate  
57-75 Kings Road  
Reading  
RG1 3AB

Full details regarding how to take a case to the Office of the Independent Adjudicator can be found at <http://oiahe.org.uk/making-a-complaint-to-the-oia/guidance-for-students.aspx>

## **10. TEMPLATES/FORMS**

[Online Complaint Form](#) and [Printable Complaint Form](#)  
[Student Declaration of Consent Form](#)  
[Online Positive Feedback Form](#)

## **11. RELATED DOCUMENTS**

Admissions Policy Guidance Notes for HE  
[Complaint Process](#) (Have your say – how to make a complaint guidance)

Appendix A

Complaints can be dealt with either informally via Stage One or for more serious or written formal complaints follow Stage Two

