



DERBY COLLEGE GROUP POLICY

HE Complaints Policy

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Executive Owner:	Deputy CEO
Owning Strategy / Department:	Higher Education Department
Approval Board / Committee / Group:	HE Academic Board
User Group:	Higher Education
Relevant To:	Higher Education students
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Date:	July 2021
Originator:	Director of Higher Education
Area:	Higher Education

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POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS

Policy Accountability and Implementation

Policy Title: HE Complaints Policy
Policy Author / Reviewers: Director of Higher Education
Policy Implementation: Director of Higher Education
Policy Monitoring and Compliance: Director of Higher Education
Policy Review Timeline: Annual
Synopsis:

Policy Classification and Publication

Classification

- Not Classified (NA)

Publication

- Intranet – Policy portal
- Website – HE page

Empowering/related legislative and/or authoritative references:

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
V1	Director of Higher Education	Agreed policy	HE Academic Board	July 2019
V2	Director of Higher Education	Minor amendments made; section 4.4	HE Executive Board	June 2021

EQUALITY AND DIVERSITY STATEMENT

Derby College Group strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

1. Policy Statement

- 1.1. The College is committed to providing high quality services to its students and the College welcomes comments and suggestions from students about the services it provides. Occasionally however, students may wish to make a complaint about the services they receive from the College. It is the policy of the College to develop and maintain assessment procedures that are fair, reliable and open to scrutiny.
- 1.2. This policy is intended to encourage students to seek the resolution of complaints informally in the first instance. It must be read in conjunction with DCG Compliments and Complaints Policy.

2. Definitions

- 2.1. A complaint is an expression of concern or dissatisfaction with any aspects of the College's provision that requires a response. Complaints concerning assessment may sometimes be dealt with through the College's Academic Appeals Policy or those applicable to the awarding institution.

3. Principles

- 3.1. No student making a complaint under this policy, whether successfully or otherwise, will be treated less favourably than would have been the case had a complaint not been made.
- 3.2. All parties are expected to make reasonable efforts to resolve matters on an informal basis before moving to the formal stages of the process. It is in the interests of the student and the College that complaints are resolved as quickly as possible.
- 3.3. The College will deal with all complaints confidentially, and expects all parties involved (including the student) to respect this approach. Anonymous complaints will not be dealt with. 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
- 3.4. Students should recognise that it may be necessary to disclose details of a complaint to other persons or organisations for the purposes of investigating the complaint and seeking an effective resolution. In all instances, the College will adhere to its Data Protection Policy.
- 3.5. Unless there are exceptional considerations, any person who is the subject of a complaint has the right to be supplied with a copy of the complaint, and to comment on it.
- 3.6. In the interests of the student, the process should be simple and comprehensible. In this respect, the relationship of this procedure to others has been clarified.

- 3.7. Where a student has declared a disability to the College, the College will endeavour to ensure that information is available to them at all stages of the procedure in appropriate formats, and that any reasonable adjustments are made to the associated proceedings to accommodate the student's needs.
- 3.8. The student has the right to be accompanied by a representative, who is not acting in a legal capacity, at any meeting arranged to discuss the complaint. The representative may be:
- a registered student of the College;
 - an employee from either the College or partner institution;
 - an employee or Sabbatical Officer of the Students Union;
 - a relative.
- 3.9. The student making the complaint will be allowed reasonable time to seek advice for any meeting which forms part of the process.
- 3.10. Where this policy states that certain actions will be taken within a specified timescale, and this is not possible (e.g. because of the timing or because key information takes longer to obtain) students will be kept fully informed of the progress of their claim.
- 3.11. Any student making a complaint will have the right to appeal against any judgement made as a result of the Complaints Procedure being used.
- 3.12. **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.
- 3.13. 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 using a 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. For information on rights and responsibilities with the Data Protection Act please refer to the Derby College Group Data Protection Policy.

4. Scope and Limitations

- 4.1. This policy is applicable to all Higher Education programmes that are not subject to a Complaints Procedure set by an awarding organisation/institution other than in those circumstances when there is a final right of appeal to the awarding organisation/institution. In such cases, once the College complaints procedure has been exhausted, the student is entitled to make an appeal to the awarding organisation/institution. This applies to:
- Higher National programmes
 - Honours degrees
 - Degrees (non-honours)
 - Foundation degrees
 - Short course at HE Levels 4 to 7

- 4.2. The College bases its Complaints Procedure on the principles of: transparency; consistency; validity; reliability and fairness and has been guided by the UK Quality Code for Higher Education, *Concerns, Complaints and Appeals* and meets the following Core Practice
 - (a) *Providers have formal mechanisms for handling complaints.*
- 4.3. These procedures are for the use of students registered with the College or who have left the College within the last three months and define the grounds for students to bring their dissatisfaction or concern to the attention of the College and how the complaint will be investigated and heard.
- 4.4. A student must submit a complaint within three months of the incident, event or matters over which a complaint is being raised. The College will not consider complaints made outside of the three months period unless there are exceptional reasons that support a complaint made outside of this timeframe. Students should be aware that if there has been a significant elapse of time, it might prejudice the proper investigation and make resolving a complaint more difficult. For example, relevant employee may leave and recollections of events may be impaired over time. In dealing with a complaint the College will endeavour to meet the time limits as set out in the procedures but if it takes longer the student will be kept informed of progress on a regular basis.
- 4.5. Complaints involving a placement provider will be considered under the College's Complaints Procedure, however, where it would be more appropriate, the complaint may be heard under the placement provider's complaints procedure.

5. Responsibilities

- 5.1. Responsibility for this Policy rests with the Director of Higher Education and the Procedure rests with the Policy Controller and Compliance Manager.
- 5.2. The Policy Controller and Compliance Manager will track the progress of all complaints and will submit an annual report to the Senior Management Team summarising the complaints and outcomes. When requested, details of all complaints will be provided to the Higher Education Institution (HEI) with whom the students are ultimately registered with.

6. Implementation Arrangements

- 6.1. The arrangements that outlined below build on previous good practice and seek to provide additional impetus and coherence.
- 6.2. All new members of staff are made aware of the policy and procedures during the formal employee induction process.
- 6.3. The policy is published via the staff policy portal, is available to students via the student VLE and is accessible via the Derby College Group website. This policy can be provided in alternative formats on request.
- 6.4. 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

- 7.1. The policy and procedure is subject to regular review. It will be 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. DCG reserves the right to make whatever changes it deems appropriate.

8. Guidelines

- 8.1. There are no specific guidelines in relation to this policy, all relevant information is contained within the HE Complaints Procedure.

9. Procedures

HE Complaints Procedure:

- Informal Resolution Stage
- Formal Resolution Stage
- Complaint Review Stage
- Remedies
- Complaints that cannot be resolved by the College
- Flowchart

10. Templates/Forms

Aligned to DCG Compliments and Complaints Policy:

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

11. Related Documents

This policy should be read in conjunction with the following documents both of which can be found on the DCG website:

- DCG Compliments and Complaints Policy
- Complaint Process (Have your say – how to make a complaint guidance)