



KMS 900 Views and Complaints Policy

(Further Education (FE)/Higher Education (HE) and Commercial Activity)

Related Policies

KMS 400 Equality Policy
 KMS 257 Anti-bullying and Harassment Policy
 KMS 655 Whistleblowing Policy and Procedure

Royal Agricultural University - Annex 11 Students Complaints Procedure*
 Bournemouth University – 11F Students Complaints: Policy and Procedure*
 Bournemouth University – 11L Third Party Involvement: Procedure*
 City and Guilds Complaints Policy**
 Oxford Cambridge and RSA (OCR): Complaints Policy and Procedure**
 Pearson: Complaints Policy and Procedure **

- * Available upon request or direct from Institution's Website
- ** Available on City and Guilds website (www.cityandguilds.com)
- ** Available on OCR website (www.ocr.org.uk)
- ** Available on Pearson Edexcel website (qualifications.pearson.com)

Code of Practice on the English language requirements for public sector workers
www.gov.uk

When people can't agree – SEND Complaints: A Guide for Young People in Education DfE August 2018 (<https://www.gov.uk/government/publications/send-complaints-guide-for-young-people-aged-16-to-25-in-education>)

Contact Details for College Complaints Officer

- Email views.complaints@kmc.ac.uk or verity.brown@kmc.ac.uk
- KMC Website (www.kmc.ac.uk) – 'Contact Us – Complaints'
- Student and Staff intranets
- By telephone (Verity Brown 01305 215046)



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1. POLICY STATEMENT

Kingston Maurward College is committed to improving its service by listening and responding to the views of its students, staff, parents and carers, employers and anyone in receipt of a service from the College.

1.1 REASONS FOR THE POLICY

The College aims to ensure that

- expressing views or making a complaint is as easy as possible;
- we treat as a complaint any clear expression of dissatisfaction with our service which calls for a response;
- we treat views and complaints seriously;
- we respond promptly and politely;
- we respond in the right way – with an explanation, or an apology where we have got things wrong, information on any action taken and with our thanks for raising the issue;
- our student code of conduct and staff charter standards are met;
- we learn from views/complaints and use them to improve our services;
- we adhere to our Complaints process

1.2 WHO SHOULD KNOW ABOUT THIS POLICY

All students, staff, parents and carers, employers, governors and visitors to the College.

1.3 COMPLAINT DEFINITION

A complaint is a specific concern about an aspect of the provision of a course or programme, a related academic service or a non-academic service provided by the College.

An academic appeal is a request for a review of a decision concerning student progression, assessment and awards. Appeals are challenges made by individuals to decisions that have been made. This policy concerns complaints, **not** appeals. There is a separate FE and HE procedure under which academic appeals must be made and considered.

This policy covers

- complaints made by students who are currently registered or enrolled on a course or programmes of study, or within one month of a student graduating or otherwise leaving the College
- complaints made by users of a related academic or non-academic service provided by the College

A complaint brought on behalf of a student, rather than made by the student directly, will only be investigated in exceptional circumstances; students are expected to raise complaints themselves.



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No investigation of a complaint made on behalf of a student will be undertaken without the student's consent for an investigation to be carried out. This includes complaints made by the parent or spouse of the student concerned.

Where a complaint is made by a student under 18, the student must grant their express permission for the parent/carer or guardian to act on the student's behalf during the process; this agreement must be provided by the student in writing beforehand.

Where a complaint is brought by a group of students, normally one person should be prepared to identify her/himself as spokesperson and correspondent for the purposes of the Formal Stage 2, and each person must be able to demonstrate that she/he has been personally affected by the matter which is subject of the complaint. In addition, all complainants must agree in writing to the spokesperson acting on his/her behalf.

1.4 ANONYMOUS COMPLAINTS

Complaints require investigation to enable resolution; where a complaint is made anonymously, it may not be possible to undertake such an investigation. Therefore normally, no action will be taken in the event of complaints made anonymously. There may however be exceptional circumstances where the College deems it appropriate to take action or investigate a matter on the basis of a complaint that is made anonymously.

1.5 VEXATIOUS OR MALICIOUS COMPLAINTS

The College may consider invoking the appropriate disciplinary procedures where a complaint is found to be vexatious or malicious.

1.6 SAFEGUARDING

Staff, students, employers and visitors need to be aware of those young people who may be targeted by or exposed to harmful influences. Any concerns should be reported **immediately** to the College Designated Safeguarding Leads.

Some extremist groups such as far right political groups, animal rights activists and religious fundamentalists who advocate violence or other criminal activity use the internet as a means of recruiting young people. Because of their personal circumstances, some young people may be susceptible to these influences. Any concerns should be reported **immediately** to the College Designated Safeguarding Leads.

1.7 CODE OF PRACTICE ON THE ENGLISH LANGUAGE REQUIREMENTS FOR PUBLIC SECTOR WORKERS

This policy is informed by the Code of Practice on the English language requirements for public sector workers (Part 7 of the Immigration Act 2016) – further information can be found at www.gov.uk.



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2. THE PROCEDURE

2.1 Stage 1 – Informal Stage (FE and HE)

This stage is intended to be a largely oral process.

It is expected that you will make every reasonable attempt to raise the complaint with the responsible individual. This must be as soon as possible after you first become concerned or the specific events or problem occurred, and no more than one month after the cause of your complaint arose.

It is expected that the member of staff will make every effort to resolve the complaint at this level. This person will supply you with written confirmation that you raised a complaint informally, should the matter not be resolved and you wish to proceed to Stage 2. (This may be made by email from their College email account).

The College recognises that there may be exceptional circumstances in which you consider that you cannot approach the individual concerned. In such cases you may seek help from someone else, such as your Student Ambassador Representative or the Student Welfare Team and, with your consent, they will help you to do this.

You may not raise a formal complaint unless you can demonstrate that you have first raised the matter informally.

2.2 Stage 2 – Formal Stage (FE and HE)

Further Education, Royal Agricultural University validated HE programmes, City & Guilds, OCR and Pearson Edexcel HE awarding organisations

In order for your complaint to be considered, you should ensure your complaint is put in writing and addressed to the College Complaints Officer. Your details, the details of the complaint, the remedy sought and any supporting evidence should be included. You should also explain how the matter has been raised informally, the outcome and why you remain dissatisfied.

You should attach the written confirmation that the matter has been raised informally with your complaint submission. (This may be by email from a verifiable email account).

You may not raise a formal complaint unless you can demonstrate that you have first raised the matter informally.

The Complaints Officer, or his/her nominee, will acknowledge receipt in writing of your formal complaint within 10 working days and let you know who will be investigating it. (This will normally be by email unless another method of contact is specified).

The Complaints Officer, or their nominee, will identify the appropriate person to investigate the complaint (known as the Investigating Officer). This will normally be a senior person within the College Management Team. However, the complaint must not be investigated by any person who is the subject, or who has a direct personal interest in the outcome, of the complaint.



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The Investigating Officer will be provided with a copy of the original complaint and the date by which the complaint must be responded to. All complaints will be considered with the highest level of confidentiality that can be maintained whilst still allowing for consultation with appropriate persons required to investigate the complaint.

The Investigating Officer will gather evidence to evaluate the merit of the complaint, interviewing you and those complained about as necessary. If it is necessary to meet with you regarding the complaint that you have made, you can choose to be accompanied by a friend or colleague.

The Investigating Officer may also be accompanied by an administrative member of staff during these interviews to ensure that accurate notes or statements are recorded.

The Investigating Officer will, within 10 working days of their receipt of the complaint, provide to the Complaints Officer a written report of their findings and recommendations for any action to be taken in response to the complaint.

If the Investigating Officer cannot meet the 10 day target, i.e. due to peak times or unexpected events such as closure of the Campus due to bad weather, they must provide an interim report to you and the Complaints Officer setting out the reasons for this delay and the expected date by which the final report will be available to the Complaints Officer. Late responses will be chased, if necessary, via Senior Management Team or the Principal.

The Complaints Officer will review the final report to ensure that the procedure has been followed; that there has been an objective consideration of the evidence; that the reasons for the conclusion and recommendations are clear.

A written response will be issued to you within 5 working days of the Complaints Officer receiving the report. If this deadline cannot be achieved, the reasons for the unavoidable delay will be communicated to you together with an expected date for delivery of the response.

If the Complaints Officer is not satisfied that the matter has been investigated fully and fairly, in accordance with the procedure, a further investigation will be undertaken.

Bournemouth University HE programmes (franchised and validated) Section 7.6 of the 11F - Student Complaints: Policy and Procedure

If the student's concern cannot be resolved or clarified by an informal discussion, students have the opportunity to submit a formal complaint. Complaints should be addressed in the first instance to the Faculty Education Services Manager or the Head of Professional Service of which the issue/concern relates using the BU Complaint Form.

For students enrolled on programmes delivered at academic partners, the Complaint Form should be submitted in writing to the relevant Link Faculty Education Services Manager. Students who are not aware of this are advised to email complaints@bournemouth.ac.uk advising that they are submitting a Local Stage Complaint.



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2.3 Stage 3 – Appeals Further Education (FE)

If your complaint is not resolved under Stage 2 – Formal Stage you may, within 10 working days of the date you received the response to your complaint, request a review.

However you will need to demonstrate that

- The original complaint was not fully or fairly investigated or
- Reasons were not given for the outcome of the complaint or
- The complaints procedure was not followed or
- Fresh evidence, that was not available during the original investigation, has become available

No new grounds of complaint may be raised but you may submit further evidence in support of your case. Your request must be made in writing, via the Complaints Officer, to the Principal who will consider if there are grounds for review.

If you remain dissatisfied with the way in which the College has dealt with your FE complaint, and the complaint has been reviewed at Stage 3, you may refer your complaint, in writing, to

Complaints Team
 Education and Skills Funding Agency
 Cheylesmore House
 Quinton Road
 Coventry
 CV1 2WT

Email complaints.ESFA@education.gov.uk

2.4 Stage 3 – Appeals Higher Education (HE)

Bournemouth University

Section 7.6 of the 11F - Student Complaints: Policy and Procedure (copy available upon request).

If the student's concern cannot be resolved or clarified by an informal discussion, students have the opportunity to submit a formal complaint.

Complaints should be addressed in the first instance to the Faculty Education Services Manager or the Head of Professional Service of which the issue/concern relates using the BU Complaint Form.

For students enrolled on programmes delivered at academic partners, the Complaint Form should be submitted in writing to the relevant Link Faculty Education Services Manager.

Students who are not aware of this are advised to email complaints@bournemouth.ac.uk advising that they are submitting a Local Stage Complaint.



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Royal Agricultural University

Annex 11 – Student Complaints Procedure

If your complaint is not resolved under Stage 2 – Formal Stage, you may within one month of the date you received the response to your complaint, request a review.

However you will need to demonstrate that

- The original complaint was not fully or fairly investigated or
- Reasons were not given for the outcome of the complaint or
- The complaints procedure was not followed or
- Fresh evidence, that was not available during the original investigation, has become available

No new grounds of complaint may be raised but you may submit further evidence in support of your case.

Your request must be made in writing to the Vice Chancellor who will consider if there are grounds for review.

Royal Agricultural University
Stroud Road
Cirencester
Gloucestershire
GL7 6JS

City & Guilds

You must first raise the matter with the College using the formal complaints procedure.

If after doing this, you are unhappy with the outcome provided, you may raise your complaint with City & Guilds.

Concerns can be raised in writing, via email or the online learner complaints form, and must include copies of all correspondence between the student and the Centre (Kingston Maurward College) relating to the complaint.

Please also ensure that you provide details of your enrolment number, your date of birth and the Centre Number (if known)

Feedback and Complaints Team
City & Guilds
1 Giltspur Street
London
EC1A 9DD

Email feedbackandcomplaints@cityandguilds.com



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OCR (Oxford Cambridge and RSA)

Concerns should be raised in writing, either by email complaints@ocr.org.uk or by post.

Complaints Team
OCR
The Triangle Building
Shaftesbury Road
Cambridge
CB2 8EA

Information provided should include name and address, email address, centre name and number, candidate number, the relevant qualification and specification code your complaint relates to, together with a clear description of your complaint and copies of any relevant letters or correspondence.

Pearson Edexcel

Concerns should be raised in writing, either by using the online reporting form located on the Pearson Edexcel website or by post.

<https://qualifications.pearson.com/en/contact-us/feedback-and-complaints.html>

Customer Services Contact Team (Feedback and complaints)
Pearson Qualification Services
14 The Quays
Salford Quays
Manchester
M50 3BF

Information provided should include name and address, email address, centre name and number, candidate number, the relevant qualification and specification code your complaint relates to, together with a clear description of your complaint and copies of any relevant letters or correspondence.

HE - Office of the Independent Adjudicator (OIA)

If you remain dissatisfied after exhausting the HE Awarding Institutions Complaints Procedures, you may contact the Office of the Independent Adjudicator for Higher Education via their online complaints process (via registration for MyOIA account).

Further information can be found on the OIA website:-

<http://www.oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>



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3. COMMERCIAL ACTIVITY COMPLAINTS

Complaints made by users of a related academic or non-academic services provided by the College will be managed by the College Complaints Officer.

The Complaints Officer, or his/her nominee, will respond to your complaint within 10 working days of receipt. The response will either be a full reply to your complaint by the Complaints Officer, or his/her nominee, or will advise who will be responding to your concerns and when. (This may be by email).

If the nature of your complaint requires an investigation, the Complaints Officer, or their nominee, will identify an appropriate person to investigate the complaint. This will normally be a senior person within the College Management Team.

However, the complaint must not be investigated by any person who is the subject, or who has a direct personal interest in the outcome, of the complaint.

You will receive progress reports every 10 working days until the conclusion of the investigation.

The Investigating Officer will be provided with a copy of the original complaint and the date by which the complaint must be responded to. All complaints will be considered with the highest level of confidentiality that can be maintained whilst still allowing for consultation with appropriate persons required to investigate the complaint.

If it is necessary to meet with you regarding the complaint that you have made, you can choose to be accompanied by a friend or colleague. The Investigating Officer may also be accompanied by an administrative member of staff during these interviews to ensure that accurate notes or statements are recorded.

If you are unhappy with the reply that you receive, you can then inform the Complaints Officer who will refer your complaint to Senior Management Team or the Principal.

4. RESIDENTIAL ACCOMMODATION COMPLAINTS (FE and HE)

Complaints about College Residential Accommodation for full-time FE (including Duty Students) and HE students will follow the College Complaints procedure (Stage 1 – Informal Stage; Stage 2 – Formal Stage; Stage 3 – Appeals (FE)), as appropriate.

Stage 1 – Informal Stage complaints should be referred to the Senior Residential Warden in the first instance for resolution.

Please refer to the Residential Student Guide, Duty Student Guide and the HE Student Guide for contact details of the Senior Residential Warden and the Warden Team.

If you are unable to do this, you may contact the Student Welfare Team.

All students are encouraged to report faults with their Residential Accommodation **as soon as they are identified** via the Wardening Team, the closed Residential Facebook group or directly to the Premises & Estates Team.



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5. DATA RECORDING

The pertinent information (details of the submission and personal details of the person or company making the submission) is entered on to the confidential database which is held by the Complaints Officer, to allow for trends to be identified and acted upon.

Hard copies of all submissions and responses are kept in date order in an active and an archive file. Once a complaint has been responded to it will be archived (until such time as someone appeals if applicable).

Hard copies of all complaints correspondence are kept for a minimum of three years, and then shredded.

All data is kept securely in accordance with the General Data Protection Act 2018 and the College's Data Protection Policy, details of which can be located in the 'About Us, General Data Protection Regulation (GDPR)' section of the website.

6. REPORTING

Reports are produced and presented to the Governors' Quality and Standards Committee.

Information is provided on the number and type of communications received since the last report, the split of authored communications received by author (parent, student, staff etc.) and their resolution.



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