



KMS 900 Views and Complaints Policy

**Further Education (FE, Apprenticeships and Part Time Courses)
Higher Education (HE)
Commercial Activity**

Related Policies

KMS 250	Safeguarding Policy
KMS 400	Equality Policy
KMS 257	Anti-bullying and Harassment Policy
KMS 655	Whistleblowing Policy

Royal Agricultural University - Annex 11 Students Complaints Procedure*
Bournemouth University – 11F Students Complaints: Policy and Procedure*
Oxford Cambridge and RSA (OCR): Complaints Policy and Procedure**
City & Guilds: Feedback and Complaints Policy
Pearson: Complaints Policy and Procedure ***
Lantra: Compliments and Complaints Policy ****

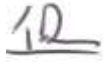
- * Available upon request
- ** Available on OCR website (www.ocr.org.uk)
- *** Available on City & Guilds Website (Help – Feedback and Complaints section)
- **** Available on Pearson Edexcel website (qualifications.pearson.com)
- ***** Available on Lantra Website, About-us section

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

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'
- By telephone (Verity Brown - 01305 215000 option 1, extension 3305)



Created by:	College Complaints Officer	Review Date:	August 2023
Approved by:	SMT Quality & Standards Committee	Responsibility for Review:	College Complaints Officer
Date Approved	February 2021	 Tom Hallam, Deputy Principal	

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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.

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 (FE, HE, Apprentices and Part-Time), employers, staff, governors, commercial service users 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 /apprentices who are currently registered or enrolled on a course or programme of study, or within one month of a student / apprentice graduating or otherwise leaving the College
- complaints made by users of a related academic or non-academic services provided by the College

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

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

Where a complaint is made **by a student / apprentice under 18**, the College will permit the student's parent / carer or guardian to act on the student / apprentices behalf during the process provided the student / apprentice has confirmed agreement, either verbally or in writing beforehand.

Where a complaint is **brought by a group of students / apprentices**, normally one person should be prepared to identify as the spokesperson and the correspondent for the purposes of the Formal Stage 2, and each person must be able to demonstrate that they have 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 their 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, apprentices employers and visitors need to be aware of young people or vulnerable adults who may be targeted by or exposed to harmful influences.

Any concerns should be reported **immediately** to the College Designated Safeguarding Lead Child Protection Officers.

Please refer to KMS 250 Safeguarding Policy for current contact details

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 Lead Child Protection Officers.

Further guidance can be found in the College's Safeguarding Policy (KMS250) which is published internally via Moodle Portals and externally via the website , together with Keeping Children Safe in Education (www.gov.uk).

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.

2. THE PROCEDURE

2.1 Stage 1 – Informal Stage (FE - Apprenticeships - 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 became 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.

Should you wish to proceed to Stage 2, this person will supply you with written confirmation, via their College email account or by letter, that you raised a complaint informally and the matter was not resolved.

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 the Student Welfare Team and, with your consent, they will help you to do this.

Where it becomes evident, that little or no attempt has been made to resolve issues informally, but instead progressing straight to the raising of a formal complaint, the College Complaints Officer will establish whether it would be beneficial or appropriate for informal action to take place first; this will be in agreement with the complainant.

The College Complaints Officer will then monitor this process and dependent on the results, may decide it is appropriate to move to the Stage 2 formal action.

2.2 Stage 2 – Formal Stage (FE - Apprenticeships - HE)

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

In order for your complaint to be considered, it is recommended that your complaint is submitted in writing and addressed to the College Complaints Officer.

Where a formal complaint is made verbally, it will be usual for the College Complaints Officer will provide you with a written precis of your complaint and you will be asked to agree the content, together with providing additional supporting evidence at this point.

Written communications should include your details, the details of the complaint, the remedy sought together with inclusion of any supporting evidence. You should also explain how the matter has been raised informally, the outcome and why you remain dissatisfied.

KINGSTON MAURWARD SYSTEM

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

The Complaints Officer, or their nominee, will acknowledge receipt in writing of your formal complaint within 10 working days and let you know who will be investigating it. (This is normally by email).

The Complaints Officer, or their nominee, will identify an 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.

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

From 01/09/2015 consideration of both academic and non-academic complaints from students studying towards a BU award at a Partner organisation will be coordinated by the University.

Any such complaints should be addressed to the Link Faculty.

2.3 Stage 3 – Appeals Further Education (FE - Apprenticeships)

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 to the Principal who will consider if there are grounds for review.

If you may 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

Further information and guidance can be located here:-

www.gov.uk/complain-further-education-apprenticeship

2.4 Stage 3 – Appeals Higher Education (HE)

Bournemouth University

Section 7.4 of the 11F - Student Complaints: Policy and Procedure (copy available upon request).

From 01/09/2015 consideration of both academic and non-academic complaints from students studying towards a BU award at a Partner will be coordinated by the University.

Any such complaints should be addressed to the Link Faculty.

Royal Agricultural University

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 Academic Registrar who will consider if there are grounds for review.

Royal Agricultural University
Cirencester
Gloucestershire
GL7 6JS

City & Guilds

Concerns can be raised via an online submission form, in writing or by email.

Information for review 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 (055328).

The online complaints submission form can be located here:

www.cityandguilds.com/feedback-and-complaints

Email: feedbackandcomplaints@cityandguilds.com

Written complaints can be submitted to:

Feedback and Complaints Team
City & Guilds
5-6 Giltspur Street
London
EC1A 9DE

OCR (Oxford Cambridge and RSA)

Information regarding the complaints process can be located here:

<https://www.ocr.org.uk/contact-us/complaints-policy/students-parents-and-carers/>

Information provided should include name and address, 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.

email: complaints@ocr.org.uk

Written complaints can be submitted to:

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

Pearson Edexcel

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

Information provided should include name and address, 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.

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

Further information can be located here:

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

Lantra

Concerns must be raised in writing, and can be submitted to

The Customer Services Manager
Lantra
Lantra House
Stoneleigh Park
Coventry, Warwickshire
CV8 2LG

Further information regarding raising concerns can be located on the About-Us page, Compliments and Complaints Policy

<https://www.lantra.co.uk/about-us>

HE - Office of the Independent Adjudicator (OIA)

If you remain dissatisfied after exhausting the HE Awarding Organisations Complaints Procedures, you may contact the Office of the Independent Adjudicator for Higher Education:

Office of the Independent Adjudicator
Second Floor, Abbey Wharf
57 - 75 Kings Road
Reading
RG1 3AB

Further information on how to contact the OIA can be located here:

www.oiahe.org.uk/contact-us/

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 their 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 the 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. DATA RECORDING

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

KINGSTON MAURWARD SYSTEM

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).

Copies of all complaints correspondence are kept for a minimum of three years, and then securely destroyed.

All data is kept securely in accordance with the General Data Protection Regulation Act 2018 and the College's Data Protection Policy.

5. REPORTING

Reports are presented to the Governors' Quality and Standards Committee and the Senior Management Team.

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.