



## **COMPLAINTS POLICY**

Last Updated:  
Human Resources Committee:  
Corporation Approval:  
Review Date:

June 2009  
June 2009  
July 2009  
Every 3 years



## COMPLAINTS POLICY

The Complaints Policy has been revised by the Joint Union Management Consultative Group (JUMCOG) and is attached as an appendix.

Substantive changes to the existing policy are in italics. In brief these:

1. include provision for dealing with vexatious or malicious complaints (2.3)
2. bring reporting on complaints to the HR Committee into line with current practice (4.4)
3. excise the words 'informal' (in preference for 'conciliation') and 'formal' (in preference for 'Stage 2') in the interests of clarity.



## COMPLAINTS POLICY

### 1 Policy statement

- 1.1 It is the College's aim to have few or no complaints about any aspects of its activity. However where complaints do arise, the College will ensure that they are resolved promptly and fairly.
- 1.2 This policy and accompanying procedures have been produced to provide a definitive framework that promotes good practice and supports the College's mission.
- 1.3 The College will seek to learn from valid complaints and will make changes to operating procedures and practices where necessary.

### 2 Policy scope

- 2.1 This policy covers all complaints made by dissatisfied students, parents and guardians and members of the general public.
- 2.2 This policy does not cover the following issues:
  - Individual employment issues which are the subject of separate procedures
  - Contractual disputes
  - Matters that are already the subject of legal action
- 2.3 The College reserves the right not to investigate complaints that are considered to be vexatious or malicious and to deal with these as disciplinary matters if appropriate to do so.

### 3 Policy aims

- 3.1 To ensure that the College has in place procedures to resolve complaints as quickly and as fairly as possible.
- 3.2 To ensure equality of treatment for students and employees.
- 3.3 To support the College's mission and uphold its values.

### 4 Monitoring and review of Policy and Procedures

- 4.1 This policy and procedures will be reviewed biennially.
- 4.2 Where necessary, the policy and procedures will be reviewed more frequently to ensure compliance with legislation.

- 4.3** The Joint Union Management Consultative Group (JUMCoG) will review the application of the policy and procedure on an annual basis.
- 4.4** The Principal will keep a log of all complaints s/he receives, regardless of how s/he deals with them under these procedures. This is to ensure that closure is achieved in every case and the reputation of the College thereby safeguarded. The Principal will present a report to the HR Committee annually, informing the Committee of the nature and outcome of all complaints which are dealt with under Stage 2 of the Complaints Procedure.
- 4.5** All paperwork connected with complaints, whether held by the Principal or other staff, will be destroyed after 3 years with the exception of complaints which are covered by the DfES guidance on Safeguarding Children & Safer Recruitment.
- 4.6** In order to ensure that the College is learning all that it could from complaints it receives, all line managers (with the exception of the Principal – see 4.4) - should notify their line- manager once a term of any patterns that may be emerging from complaints received. Where there is such a pattern, it is assumed that it will be addressed by them in the first instance.
- 4.7** A summary of the Complaints Policy and Procedures will be incorporated in the Staff Handbook, new staff induction, student induction procedures and the annual information pack for parents of new students. It will also be placed on BHASVIC Central and the College Website.
- 4.8** A summary of the Complaints Policy and Procedures will be incorporated in the Staff Handbook, new staff induction, student induction procedures and the annual information pack for parents of new students. [NB. this paragraph, though part of the Policy, does not appear in the Complaints Booklet.]

## **5 Related documents (these can all be obtained from the College if required)**

### **5.1 Staff-related documents (these can be found on BHASVIC Central)**

- Data Protection Policy
- Dignity at Work Policy
- Disciplinary (Misconduct and Capability) Policy and Procedures
- Equality and Diversity Policy
- Grievance Policy and Procedures
- Health and Safety Policy
- Instrument and Articles of Government
- Race Equality Policy
- Staff Code of Conduct
- Whistle blowing statement

### **5.2 Student-related documents**

- Acceptable use of computers and the Internet Policy
- Admissions Policy
- Attendance Policy
- Bullying and Harassment (Students) Policy and Procedures

- Child Protection Policy and Procedures
- College Charter
- College Contract
- Coursework Deadlines Policy
- Educational Visits Policy
- Exclusion or Expulsion of Students Policy and Procedures
- Marketing Policy and Codes of Conduct
- Policy on Substance Misuse by Students
- Student Charging and Financial Support Policy

## **Appendix: HOW TO MAKE A COMPLAINT**

### **1 What do I do if things go wrong?**

- 1.1 If you feel that the College has let you down in any way, please let us know. It is important to us that we understand what has gone wrong and how we can put it right.
- 1.2 You can obtain a copy of the College's Complaints Policy from the College's website, the College Intranet (VLE) or from Reception.
- 1.3 The College aims to resolve all complaints as swiftly as possible. Our hope is that your complaint or dissatisfaction can be resolved directly between the person complaining and the person about whom the complaint is being made (ie through Stage 1 below, conciliation). If this is not possible, or if your complaint is very serious, it will be dealt with under Stage 2 below (an investigation by a Senior Manager).
- 1.4 The College will not normally deal with a new complaint if it is more than twelve months old or in the case of a student complaint, more than 3 months after the student has left the College.

### **2 Stage 1: Conciliation**

- 2.1 The College will aim to resolve your complaint within 10 working days of receiving the complaint, through meetings and discussions with the relevant member(s) of staff and their line manager if appropriate.
- 2.2 You should contact (by phone, letter, e-mail or in person) the person responsible for your dissatisfaction, for example a personal tutor, senior tutor, teacher or manager, as soon as possible and within a week of the issue emerging. If you are not sure who to contact or if your complaint is about a process or College facility, please speak to a member of our Reception team and they will refer you to the appropriate member of staff.
- 2.3 You will receive an acknowledgement that your complaint is being dealt with within five working days, either face-to-face (for most student complaints), by telephone, by e-mail or by letter.
- 2.4 If you remain dissatisfied with the resolution of your complaint or with the outcome of discussions at this stage and feel your complaint has not been resolved, you should appeal to the Principal in writing within 10 days.

### **3 Stage 2: Investigation by a Senior Manager**

- 3.1 If you feel that your complaint is very serious, you may wish to contact the Principal immediately by telephone, e-mail or by letter, or by completing a complaints form which is available from Reception.

- 3.2 The Principal (or his/her delegated alternate) will establish if your complaint or dissatisfaction has been considered effectively under Stage 1 and will decide whether or not it should be dealt with by an investigation conducted by a Senior Manager or by conciliation if this stage has been by-passed.
- 3.3 The Principal (or his/her delegated alternate) will acknowledge your complaint in writing within five working days of receiving the complaint and will enclose a copy of the Complaints Policy with the letter together with an explanation of how the College intends to resolve the complaint.
- 3.4 In the case of an investigation the Principal will delegate responsibility for investigating a complaint to an Investigating Manager (normally a member of the Senior Management Team or the Curriculum and Quality Team, according to the nature of the complaint).
- 3.5 The Investigating Manager will conduct an investigation in accordance with the 'Guidelines for Staff' and will give a copy of any written complaint to the member of staff or student against whom the complaint has been made.
- 3.6 The Investigating Manager will communicate the results of the investigation in writing to you within ten working days of receiving the complaint. If the investigation is likely to take longer than this, the Investigating Manager will inform you as soon as possible.
- 3.7 If you are not satisfied with the outcome of the investigation, you should write to the Chair of the Corporation at BHASVIC, who will investigate the way in which we have handled your complaint. You will receive a response within ten working days of your letter being received.
- 3.8 If you wish to take the matter further, you should refer your complaint to the Executive Director at the Learning and Skills Council Sussex, Prince's House, 53 Queen Street, Brighton, East Sussex BN1 3XB.

#### **4 Complaint about the Principal**

- 4.1 If you wish to make a complaint about the Principal, you should write to the Chair of the Corporation at BHASVIC, marking it 'personal and confidential'. The Chair of the Corporation will proceed in line with these guidelines, starting at the conciliation stage unless the matter is so serious that s/he feels it should be dealt with under Stage 2.

# COMPLAINTS PROCEDURE

Complaint made by student, parent or member of the public. This will normally be made directly to the person responsible for the dissatisfaction.

Most complaints will be dealt with under **Stage 1** (Conciliation) ie directly between person complaining and person about whom complaint is being made. Acknowledgement of complaint sent within 5 working days

If the complaint is very serious, the Principal should be contacted directly. **The Principal will decide if the complaint should be dealt with under Stage 1 or 2**

Complaint is resolved and complainant informed, normally within 10 working days

Complaint is not resolved to satisfaction of complainant; Complainant may appeal in writing to the Principal within working 10 days

Acknowledgement of receipt of complaint sent within 5 working days together with an explanation of how the College intends to deal with the complaint (ie upholds original findings, or to go directly to Stage 2 or back into Stage 1

Principal decides that complaint should be dealt with under Stage 1

Principal decides that complaint should be dealt with under **Stage 2** and an Investigation takes place

Complaint resolved

Outcome of investigation reported to complainant within 10 working days

If complainant is not satisfied, they may write to the Chair of Corporation who will investigate the way in which the complaint was handled

Outcome changed OR outcome upheld

Complainant has the right to complain to the Learning & Skills Council

## WHO TO CONTACT AT THE COLLEGE

Principal:

Christopher Thomson

Vice Principal:

Anne Fielding Smith

Assistant Principal (Quality & Curriculum):

Sally Bromley

Assistant Principal (Finance & Estates):

Jutta Knapp

Chair of the Corporation:

Peter Freeman

Clerk to the Corporation:

Louise Pennington

PA to the Principal:

Susanne Bonney

### Useful telephone numbers

Main switchboard:

01273 552200

Principal's PA:

01273 859824

Vice Principal:

01273 859818

Assistant Principal (Quality & Curriculum):

01273 554697

Assistant Principal (Finance & Estates):

01273 859817

Clerk to the Corporation:

01273 552200