

Complaints Policy

1. Introduction

1.1 RHACC is committed to providing an outstanding service to all our learners and customers in everything we do. We seek to achieve the highest levels of customer and learner satisfaction and to use the feedback provided by learners, members of the community, partner organisations and local businesses to continuously improve our services. To enable this we strive to create a positive environment in which feedback is encouraged and where complaints are dealt with effectively and are evaluated to identify where changes are required to further improve the customer experience and to make learning more effective.

2. Aims of the Policy

2.1 The Complaints Policy, and accompanying procedure, outlines our approach to dealing with complaints and aims to:

- 2.1.1 Define the College’s commitment to managing complaints.
- 2.1.2 Ensure that all complainants are treated equitably and receive prompt and clear responses that address the concerns that have been raised.
- 2.1.3 Ensure that all complaints are dealt with appropriately, fairly and sensitively, with no negative impact on the complainant.
- 2.1.4 Ensure a commitment to using complaints to inform improvements.

3. Scope

3.1 The Policy applies to any user of RHACC services who wishes to complain, including: learners, partner organisations, carers, parents/guardians of learners under 18, local residents, employers, local businesses and other users. It does not apply to staff members.

3.2 Complaints addressed directly to the Principal, Chair or Governing Body will follow the same procedure as those made to staff members or through other channels.

4. Definitions

4.1 What is a complaint?

A complaint is an expression of dissatisfaction whether justified or not, made directly to the college, about our services, staff or policies.

4.2 The following are not considered to be complaints and therefore do not fall within this policy:

- 4.2.1 Comments and suggestions
- 4.2.2 Requests for new services or changes to services

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- 4.2.3 Learner involvement activities where feedback is elicited through focus groups and questionnaires
- 4.2.4 Queries regarding academic assessment results
- 4.2.5 Bursary and disciplinary appeals
- 4.2.6 Individual employment issues
- 4.2.7 Contractual disputes
- 4.2.8 Matters subject of legal action
- 4.2.9 Comments made on social media platforms

4.3 There are separate policies and procedures for:

- 4.3.1 **Learner Involvement:** Ways in which learner views and feedback are proactively sought and used to shape college services.
- 4.3.2 **Academic Assessment:** Learners wishing to appeal against academic assessment outcomes should use the College Assessment and Admissions Policies and Procedures.
- 4.3.3 **Fee Policy:** Learner complaints about withdrawal for non-payment of fees will not be investigated as complaints unless the college has acted outside the terms and conditions of the Fee Policy.
- 4.3.4 **Bursary decisions:** Learners wishing to complain about a bursary decision should use the Bursary Policy and Procedures.
- 4.3.5 **Staff:** Staff wishing to complain about any aspect of their employment should use the Employee Grievance Policy and Procedure.

5 Different Types of Complaint and how they are handled

5.1 It is the College's expectation that most complaints will be resolved informally and promptly and without the need to follow the Complaints Procedure.

5.2 Third Party Complaints

No investigation of a complaint made on behalf of a learner by a group or individual who is not the learner's parent or carer will be made without the learner's written consent (or where appropriate, the written consent of the parent or carer) for the concerns to be raised on their behalf and consent for an investigation to be carried out.

5.3 Group Complaints

Where a complaint is brought by a group of learners, one learner within the group should be identified as spokesperson and correspondent. All members of the group must grant their permission for the spokesperson to discuss their case. All learners in the group must be prepared to demonstrate that they have been personally affected by the matter that is the subject of the complaint.

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5.4 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 the College will normally take no action in the event of the receipt of an anonymous complaint. There may be exceptional circumstances where the College judges it appropriate to investigate a complaint made by an anonymous complainant, but this is at the discretion of the College.

Similarly, the College may decide not to investigate a complaint where the complainant refuses to participate in the investigation process.

5.5 Vexatious or Malicious Complaints

Vexatious and malicious complaints are defined as complaints that are not sustainable and that are made as an attempt to defame the name or character of someone associated with the college or the College as a whole. The College will not investigate vexatious or malicious complaints but will consider taking appropriate action. In the case of learners this may involve invoking the Learner Disciplinary Policy and Procedures.

5.6 Complaints Made by Learners Subject to Fitness to Study Procedures

RHACC takes seriously and will investigate complaints made by learners who are subject to action under the college Fitness to Study Policy and Procedures. However, where there is significant evidence that the learner's behaviour is detrimental to their own or others' learning, the Fitness to Study procedure and outcome will be finalised before the complaint is investigated.

7. Timescales

7.1 It is expected that, except in exceptional circumstances, complaints will be made within three calendar months of the incident which is the cause of the complaint. The College will not normally look into complaints made after this time.

8. Roles and responsibilities

8.1 **All College Staff** (including tutors and business support staff) are responsible for seeking feedback, handling complaints, advising complainants, treating them seriously and with sensitivity and for dealing with them in line with college policy and procedures.

8.2 **The Feedback team** receives all complaints and is responsible for logging and monitoring the complaints resolution process in accordance with the procedures. They also provide a central point of contact for all communication between the learner and College.

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- 8.3 **The Learner Feedback Officer is** responsible for the coordination of learner feedback systems and the complaint resolution process across the college. They are also responsible for monitoring and reporting on the number and nature of complaints received and their outcome.
- 8.4 **College Managers and Heads of School are** responsible for creating a culture, within their remit, where complaints are taken seriously and are used to inform improvements. They are also responsible for investigating complaints where necessary and, following investigation, for providing recommendations regarding resolution to the Head of Quality.
- 8.5 **The relevant Executive member is** responsible for making sure that complaints within their remit are thoroughly investigated and for deciding the outcome of complaints, ensuring that all outcomes are based on evidence. They are also responsible for ensuring that all complaints are used to inform the planning and improvement of services.
- 8.6 **The College Principal is** responsible for ensuring that the college has effective systems for dealing with complaints. The Principal is also responsible for resolving complaints that have reached the appeals stage.
- 8.7 **The Chair of the Governing Body is** responsible for ensuring that complaints about the Principal are investigated appropriately. The Chair will nominate a governor to conduct the investigation. The Chair is also responsible for resolving complaints about the Principal that have reached the appeals stage, in which case they may hear the appeal themselves or delegate the appeal to a nominated deputy.

9. Confidentiality

- 9.1 All complaints will be handled sensitively and with discretion. If a learner makes a complaint against a member of staff, that member of staff may be informed about the substance of the complaint so that they are in a position to make a response. If, in exceptional circumstances and for justifiable reasons, a complainant wishes to remain anonymous from the individual about whom the complaint is made this may be considered, for example in cases of harassment.

10. Access to Information

- 10.1 Learners pursuing a complaint through the Complaints Procedure will be entitled to apply for access to their own personal data in accordance with the policies and procedures of the college under the provisions of the General Data Protection Regulations 2018 and the 2018 Data Protection Act.

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Equality Impact Assessment: Initial Screening (Stage 1)

Name of Policy or Practice: Complaints Policy
 Person/ Team/ Department Responsible: Quality
 Date of Assessment: 10 March 2023

Consider the three aims of the public equality duty:

- To eliminate discrimination
- To advance equality of opportunity
- To foster good relations

Protected Characteristics:

Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage & Civil Partnership, Pregnancy & Maternity

Q1) What is the purpose of the policy, decision or practice	To enable stakeholders of all backgrounds and abilities to make a complaint
2) Who is affected by the initiative? Does the initiative make a positive contribution to equality and diversity in the College? Or is it equality neutral i.e. no particular effect on anyone group? The Policy enables the greater inclusion of all learners and service users. The extension of the scope to include carers will ensure the views and needs of SEND learners are fully heard and considered.	
3) Is there the potential for there to be a negative impact on one or more of the Equality groups as a result of this initiative? If so what groups may be effected and why? Or is it equality neutral? No, no group will be negatively affected.	
4) Has anyone complained about the policy or initiative? No, there have been no complaints.	
5) Is the impact of the initiative significant enough to warrant a more detailed assessment? If yes please circle priority rating for assessment: High Medium Low	No

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