

FE COMPLIMENTS & COMPLAINTS POLICY 2022/23

Applies to:

Harrogate College
Keighley College
Leeds City College

Policy Aim

The colleges complaints & compliments policy & procedure is designed to encourage a fair and timely resolution to issues raised in relation to the colleges.

It will appropriately recognise areas of success and where applicable, influence service wide improvements.

CHANGE CONTROL

Version:	Version 5	
Approved by:	SELT	
Date approved:	October 2022	
Name of author:	Kirsty Lister	
Name of responsible committee:	Quality	
Related policies: (list)	<ul style="list-style-type: none"> ● Grievance policy and procedure ● Positive Behaviour Policy ● Health and Safety policy ● Equality, Diversity & Inclusion policy ● Policy against Bullying, Harassment and Victimisation ● Safeguarding & Prevent policy ● Fee Refund and Recovery policy ● Whistleblowing policy ● GDPR/Data Protection ● Freedom of Information ● Subject Access Requests 	
Equality impact assessment completed	Date: N/A	
	Assessment type <input checked="" type="checkbox"/> Full <input type="checkbox"/> Part <input type="checkbox"/> Not required	
Policy will be communicated via:	Colleges and Luminare group websites. Staff shared areas and via Google docs. Available upon request to external stakeholders	
Next review date:	October 2023	

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1. POLICY STATEMENT

It is important to be clear about the difference between a concern and a complaint, as taking informal concerns seriously at the earliest stage will allow the relevant teams to take quick action so the issue doesn't continue to develop.

A concern is something that may be affecting a person's welfare or happiness (directly or indirectly) ideally addressed informally in accordance with the Colleges complaints policy.

A complaint is defined as an expression of dissatisfaction from a customer that should be drawn to the Colleges leadership's attention for reasonable action, to be investigated in accordance with the Colleges formal complaints procedures once appropriate informal options have been exhausted. For more detail on complaint definitions please see Appendix 1.

Restorative Practice (RP) is a proactive process based around the power of communication. It looks at repairing harm, building resilience and connections, developing relationships and understanding the power of communication. It is an approach based on a principle of how working with each other, rather than doing things to one another, can build a stronger community and working environment.

In college, RP builds a sense of community, has a positive impact on students and staff, enhances the student experience, improves attendance and retention, and reduces exclusions. This policy and procedure actively encourages the implementation of RP at all stages.

For the purpose of this document any reference to **Colleges**, is used to describe the following institutions: Leeds City College, Leeds Sixth Form, Keighley College and Harrogate College including Apprenticeship provision for these organisations.

1.1. This policy covers complaints from or on behalf of all Colleges customers about any of the Colleges products or services. It does **not** cover:

- academic appeals
- grievance and disciplinary offences
- safeguarding concerns; including those around extremism and radicalisation (prevent duty)
- complaints lodged by staff
- complaints relating to Higher Education courses
- complaints for Luminare Education Group providers, other than those listed

As these should be pursued through the relevant policies and procedures, a complaint could invoke deployment of one or more of the associated Colleges policies and procedures noted in the 'related policies' list above.

1.2. The effectiveness of the complaints policy and procedure depends on being able to collect appropriate information from the parties involved in order to investigate the matter properly. For this reason, we request that complaints are raised as soon as is practically possible, and in any event no later than **12 months** from the date of the incident or completion of the course, in order that we may investigate any concerns fully. Where a complaint is raised regarding issues that have been investigated previously and responded to in full, the complaint will be rejected. Complaints raised more than 12 months after the date of the incident or course completion will

be rejected save where in the absolute discretion of the College there are exceptional circumstances which justify the late submission of the complaint.

- 1.3. Anonymous complaints cannot be dealt with under this policy & procedure. It is at the discretion of the Colleges leadership receiving an anonymous complaint to determine how the matter is handled.
- 1.4. Complaints received during college closure or holidays may result in delays to investigations however updates will be provided if applicable. As it is not always possible to maintain an investigation during periods of increased staff absences e.g. half term, summer break, it may be necessary to adjourn an investigation and any subsequent responses until all relevant staff have returned.
- 1.5. If complaining on behalf of a student (that is over 16 years old) please ensure permission has been sought to share their details/experience. The student will need to provide confirmation of their approval before a response can be issued.

2. POLICY AIMS

- 2.1. The Colleges complaints policy is designed to encourage the fair and efficient resolution to issues at the first point of contact. Following a restorative approach to fairly address any issues raised.
- 2.2. This policy outlines the steps to take if you need to raise a complaint with us. All concerns or complaints will be handled by Colleges staff in an open, professional and restorative manner, on the basis that we will try to resolve any issues you have at the lowest level possible.
- 2.3. If you need the complaints policy in an alternative format, please contact the Quality, Teaching, Learning & Assessment team on 0113 284 6349 / 07814818732 or via email at quality@luminare.ac.uk.

3. How to Raise a Complaint - Staged Approach

The Colleges are committed to the building and maintaining of positive relationships and actively encourages all staff to engage with restorative practices when dealing with a concern or complaint.

3.1. Informal

If you wish to raise a concern, in the first instance we recommend that you try to resolve it directly with the member of staff concerned or by contacting one of the following:

- The Course Tutor, Programme Manager, or Deputy Head of Department
- Any Student Support Services e.g. Student Life, Students Union
- Apprentices, workplace students or employers- please contact assessor or key college contact

If additional support is required for example; when attending meetings or phone appointments, please contact the Quality Team to discuss in further detail.

In line with the Colleges commitment to restorative practices based on respect, inclusion, collaboration and social responsibility, with your agreement a restorative intervention will be arranged. The meeting will usually include the member of staff involved in the complaint and a suitable senior member of staff. This could be a line manager, Deputy Head, Head of Department or Director, depending on the nature of your concerns. The purpose of a restorative intervention is to ensure that everyone has an opportunity to meet and openly discuss the issues raised and agree on a reasonable resolution.

Complaints can be made by email, telephone, in person or in writing. On receiving a complaint, all Colleges staff are expected to take appropriate and immediate action, communicating directly to establish all the relevant facts and resolve the matter as quickly as possible. We recommend that all parties keep a written record of the complaint and actions taken, as this may be required in any further investigation should there be a need to escalate the complaint.

It is important to include the complaint purpose and outcome being sought as a result, to aid with internal investigations.

Where possible, outcomes will include detail of actions to be taken as a result of a complaint, however this may not always be possible due to the nature of the complaint. If this is the case, a response will be provided explaining this.

3.2. Stage One

If a complaint cannot be resolved informally, please contact the Quality team by email at quality@luminate.ac.uk, by phone on 0113 284 6349 / 07814818732 or in writing to the following address:

FE Colleges: FAO Quality Team
Teacher Development Centre
Park Lane Campus
Park Lane
Leeds
LS3 1AA

Please include names, contact details and as much relevant detail regarding the complaint including any steps already taken to try to resolve it, as well as the desired outcome. We will confirm receipt of a complaint within 2 working days (unless received during periods of Colleges closures), and raise it with the relevant Head of Department for investigation and resolution. Please try to raise any concerns as soon as they happen to ensure we are able to fully investigate (within 6 months of issues occurring).

We aim to deal with all complaints as quickly as possible, and if delays occur we will provide updates in the interim. On average, Stage 1 complaints are dealt with within 10 working days.

A restorative approach will be recommended at every stage of the Colleges procedure regarding complaints to ensure that a fair process is applied and all parties are given the opportunity to speak and be heard without fear of judgement.

All stages must be followed before escalation to the ESFA (Education Skills Funding Agency) or other external organisation can occur.

3.3. Instances of 'Immediate Escalation' to Stage two

We will consider immediate escalation of a complaint to stage two if it directly relates to:

- Equality, Diversity & Inclusion (Equality Act 2010)
- Health & Safety (Health & safety at Work Act 1974 or any college Risk Management/Health & Safety policy)
- Safeguarding (if referred by the safeguarding team)
- Lack of response at the previous stage
- The Quality Team reserve the right to immediately escalate to stage two dependent on the nature of a complaint

3.4. Stage Two

If a complaint cannot be resolved at stage one, the option is available to escalate it to stage two of the complaints procedure. This can be done by contacting the Quality team using the details provided in section 3.2 within 10 weeks of a response at the previous stage. When doing this, please detail the reasons for escalating the complaint and the outcome being pursued.

We will confirm receipt of the complaint and instigate an investigation into any concerns on behalf of the Colleges to find a resolution within fifteen working days. Where circumstances mean it will take more than fifteen working days to complete a thorough investigation, we will provide an explanation for the delay, when an outcome should be expected and how often to expect updates as the investigation progresses.

On completion of the investigation, we will send a formal response in writing.

3.5 Appeals

Where stages one and two/immediate escalation of our procedures have been followed and a complainant remains dissatisfied with the resolution offered, there is a right to appeal within thirty calendar days of the stage two response.

Please submit an appeal in writing by email to quality@luminate.ac.uk or by letter at the following address:

FE Colleges: FAO Quality Team
Teacher Development Centre
Park Lane Campus
Park Lane
Leeds, LS3 1AA

Please include the reasons for appealing and the outcome being sought. We will acknowledge receipt of the appeal within two working days.

If it is not possible to provide a written appeal, please contact the Quality Team on 0113 284 6349 / 07814818732 and we will arrange to take the appeal via an alternative method.

A member of the Colleges Senior & Executive Leadership Team (SELT) will review the appeal and a written response will be sent within twenty working days.

The response from SELT is final. If the complainant remains dissatisfied with the final Colleges response, they have the right to raise it with the relevant awarding organisation/validating body, or with the Education Skills Funding Agency (ESFA) within three months. But must have first exhausted all stages of the college's complaints procedure.

4.0 Compliments

As an organisation, we are focused on transforming lives by providing outstanding education, training and outcomes for our students. The aspiration is to always add value for students and society by having a positive impact, allowing all students to succeed and improve their lives.

You can submit a compliment for a member of staff, a team or a specific organisation. Compliments will be passed on to our staff, their line manager and are used to identify areas of good practice and opportunities for development.

Compliments can be submitted in writing to quality@luminate.ac.uk or via telephone on 0113 284 6349/07814818732.

Compliments are used to enable service and individual developments, and employees will be recognised appropriately.

5.0 Equal Opportunities Monitoring

As an organisation, we are committed to offering an equal service to all our customers. To assist in this, the Quality team may collect information about people who feed back to us using the complaints procedure. This information includes age, gender, disability and ethnicity and will only be used for monitoring purposes. All information will be treated confidentially.

6.0 SEND Approach

Our Special Educational Needs & Disabilities (SEND) policy describes our commitments to the Equality Act 2010 and SEND Code of Practice, and seeks to ensure that students are supported to succeed and recognise the value of learning as a key to sustainable employment and progress in their learning.

As Colleges, we are committed to ensuring that all students are able to raise concerns or complaints when and if they occur. Where a young person finds it difficult to understand or voice their concerns, they can appoint an advocate to speak on their behalf. An Internal Advocate can be assigned through the SEND support team. For external Advocates you should contact your local council and ask about their advocacy services.

7.0 Abuse

As Colleges, we aim to treat anyone making a complaint courteously and with respect at all times. In turn, we expect you to treat college staff in a similarly respectful way. Threatening, harassing, abusive or intimidating behaviour or language will not be tolerated.

Any complaint found to include threatening behaviours or comments following investigation may lead to the instigation of disciplinary procedures.

Quality Team

Email: quality@luminare.ac.uk

Tel: 0113 284 6349/07814818732

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8.0 Appendix 1 - Complaint Definitions

Type	Define	Can be from
Teaching & Learning	Complaint in relation to the structure or delivery of teaching	Student Apprentice Parent/Carer of 18 or under
Assessment	Complaint about the delivery of assessments	Student Apprentice Parent/Carer of 18 or under
Accommodation & Resources	Complaint about the physical buildings or the resources provided	Student Apprentice Public
Management & Administration	Complaint about procedural conduct and policy implementation (i.e. whether a department has followed procedure)	Student Apprentice Parent/Carer of 18 or under Public
Student Support & Services	Complaints about tutorials, ASC, LRC, Students Union or any other non-teaching service provided to a student application	Student Apprentice Parent/Carer of 18 or under Public
Equality & Diversity Related	Complaint about the Colleges following the law in relation to EDI	Student Apprentice / Employers Public
Local Community	Complaint from the public about any aspect of the Colleges, except disability related	Public
External Partner	Complaint relating to any external partners in which the Colleges hold a contract with. The complaint will only be dealt with if it is relating to a student and not the company in general	Student Apprentice

Appendix 2 -

Stage of Complaint	Responsibilities	Timeframe
Informal	Course Leader, Programme Manager, Deputy Head	N/A
Stage 1	Head of Department	approx. 10 working days
Stage 2	Deputy Director, Director	15 working days
Appeal	Senior & Executive Leadership Team	20 working days

Appendix 3 -

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