

# Compliments, Comments and Complaints Policy

Policy Details	
Policy Owner	Quality Manager
CE Sponsor	Deputy Principal
Date created	June 2023
Version	1
Approved by	College Executive – 13 June 2023
Corporation Board Committee	Version 1 not required by Curriculum and Quality Committee as no significant changes.
Date fully approved	13 June 2023
Date to be reviewed	July 2024

## Equality Impact Assessment Tool

Name of Policy: Compliments, Comments and Complaints Policy

		Yes/No	Comments
1	<b>Does the policy/guidance affect one group less or more favourably than another on the basis of:</b>		
	Race or ethnicity	No	
	Disability	No	
	Gender	No	
	Religion or belief	No	
	Sexual orientation	No	
	Age	No	
	Marriage and Civil Partnership	No	
	Maternity and Pregnancy	No	
	Gender Reassignment	No	
2	<b>Is there any evidence that some groups are affected differently?</b>	No	
3	<b>If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?</b>	N/A	
4	<b>Is the impact of the policy/guidance likely to be negative?</b>	No	
5	<b>If so, can the impact be avoided?</b>	N/A	
6	<b>What alternatives are there to achieving the policy/guidance without the impact?</b>	N/A	
7	<b>Can we reduce the impact by taking different action?</b>	N/A	

## **1. Introduction**

- 1.1 Colchester Institute is committed to excellent service and endeavours to ensure that requirements are met for all its students, apprentices, parent/ guardians of students and employers (hereafter referred to as 'customers').
- 1.2 In order for us to improve our services we welcome compliments, comments or complaints. We are happy to receive feedback in several ways which are outlined in this procedure.
- 1.3 We define a complaint as a statement in which you express your dissatisfaction with a particular situation or person, which may be causing you unhappiness or discontent.

## **2. Students and Apprentices Enrolled on Higher Education Programmes**

The procedure for complaints relating to Higher Education can be accessed via this link:

[www.colchester.ac.uk/wp-content/uploads/2020/03/UCC-Compliments-Comments-and-Complaints-Procedure-Version-3.0.pdf](http://www.colchester.ac.uk/wp-content/uploads/2020/03/UCC-Compliments-Comments-and-Complaints-Procedure-Version-3.0.pdf)

## **3. Guidance for staff**

- 3.1 In the case of any concerns raised, the College would want to ensure a swift resolution. Ideally concerns are addressed at source to avoid them becoming formal complaints; staff are advised to contact the Quality team if concerns appear too complex or require liaison between different departments.
- 3.2 If a formal complaint is received, a coordinator from the Quality Team will provide the single point of contact for the complainant and will support the staff involved in the investigative process. The final response from the area involved in the investigation will be sent to the coordinator who will forward this on to the complainant. The Quality Team coordinator will act as an independent arbiter to ensure that the procedure is followed.

## **4. Making it Easy to Comment**

- 4.1 There is an online process which can be accessed here:  
<https://www.colchester.ac.uk/forms/concerns-and-complaints-form>  
When accessing the College website directly, the online form is located on the home page of the College portal via the Contact Us button, and then by clicking on the pink Concerns and Complaints button.
- 4.2 In addition to the process in 4.1, compliments, comments and complaints may also be communicated by telephone using the main reception number 01206 712000. Face to face meetings will be held by appointment only.

## **5. Compliments, Comments and Complaints Procedure**

- 5.1 The College would encourage customers to raise any issues or concerns in the appropriate area/department directly with the appropriate person. In the case of any issues relating to a programme of study, or an Apprenticeship this would be the Area Manager.
- 5.2 The College would always strive to address any concerns appropriately to ensure a positive outcome however it is recognised that, in a small number of cases, it may be necessary to escalate matters using the formal complaints procedure.
- 5.3 In the case of verbal complaints, notes of main points will be made, and the complainant will be asked to confirm the accuracy of the notes before an investigation commences. A request may be made for an appropriate email contact address to ensure that an effective and swift line of communication is established. Details of the complaint will be retained for 5 years in accordance with the College's Data Retention Policy. Where personal information is provided, this will be retained in accordance with General Data Protection Regulation 'GDPR.'
- 5.4 On behalf of the Deputy Principal, the Quality Officer will acknowledge a compliment, comment, or complaint within 3 working days of receipt and copy this to relevant members of staff. In the case of a complaint, the Quality Officer will also send a complainant a copy of this policy.
- 5.5 Where complaints refer to staff behaviour or conduct, the Deputy Principal, will assess whether the complaint needs referral to the Human Resources 'HR' team. This will normally depend on the seriousness of the conduct described, and whether it has been materially substantiated at the point of the complaint. Complaints of a less serious, unsubstantiated nature will normally be referred to the line manager to investigate. The Human Resources team will be informed where complaints are of a more serious nature; the Deputy Principal will decide to whom to delegate responsibilities to undertake an investigation for the purposes of evidence gathering, and make a recommendation regarding further action, including returning the investigation to the HR team for potential escalation to the Staff Disciplinary Process.
- 5.6 A member of the appropriate management team will be responsible for investigating the complaint, which may involve meeting with the complainant. The College aims to provide a formal response within 10 working days of the date of acknowledgment. This response is normally sent to an email address. Where complaints are complex and/or more time is needed to investigate, the complainant will be advised, and regular progress updates will be provided.
- 5.7 Where concerns are raised by a third party relating to a student or apprentice who is aged 18 or over the College will normally need to seek

permission from the student or apprentice before formulating a response. Where concerns are raised by a third party relating to a student who is aged under 18, the College will normally need to seek permission from the named next of kin, as recorded on the College system.

## **6. Procedure if Complainants Remain Dissatisfied**

6.1 Should a customer believe that their complaint has not been handled properly and fairly, following the stated procedures, he/she may request an internal review. A request for an internal review will only be granted on the following grounds:

- Evidence/indications that there was a procedural irregularity of such nature creating doubt that the investigation/response would have been different had such an irregularity not occurred
- New material evidence, which was not available for valid reasons, earlier in the process

The request for an internal review should be sent within 10 working days of receiving the formal response and should be sent via email to the Quality Officer at [quality.team@colchester.ac.uk](mailto:quality.team@colchester.ac.uk) who will undertake a review before replying to the complainant. This review will include whether the grounds for appeal are valid as set out in this procedure and, if that is the case, consider the grounds presented by the complainant. Depending on the nature of the complaint, in some cases it may be more appropriate to refer the request to another member of the College Executive. The College would aim to respond to any appeal within 10 working days; if additional time is required the Quality Officer will provide updates on progress and advise of any revised deadlines.

6.2 If the complainant feels that decisions that have been made are unreasonable, in the case of a complaint relating to Further Education or apprentice provision; they may escalate their complaint to the Education and Skills Funding Agency 'ESFA.' The ESFA will not substitute its decision for the provider's where the provider has followed its procedures and the decision is reasonable.

6.3 In the case of a higher-level apprenticeship which has an affiliated HE provider, the complainant will be advised of the appropriate procedure for escalation.

- 6.4 Further details including a copy of the procedure for escalating complaints about FE Colleges and Apprenticeships may be found [here](#)
- 6.5 Awarding Body variations: some awarding bodies have routes for escalation. If you have exhausted both your learning provider complaint's process and awarding body route, there may be a further recourse via an appropriate regulatory body. Your curriculum area will be able to advise you if this is the case.
- 6.6 An annual Compliments, Comments and Complaints report is provided to governors which includes data regarding the number received, the categories in which they may be classified, and trends or emerging themes for discussion and action.

## **7. Managing unacceptable behaviour**

- 7.1 All individuals involved in a complaint need to act reasonably and fairly towards each other and treat the process itself with respect and not abuse it. It is recognised that people may act out of character in times of trouble or distress, however, the College also recognises its duty to ensure the safety and welfare of its staff, students, and apprentices. Consequently, the College has a zero-tolerance policy regarding complainants whose behaviour is deemed to be unacceptable, and action will be taken to protect staff and associated workers. The term 'complainant' also includes anyone appointed as a third party to act on the complainant's behalf.
- 7.2 The definition of 'unacceptable behaviour' might include, but is not necessarily restricted to, cases in which there is clear evidence that the complainant has behaved in one or more of the following inappropriate ways or the complaint itself is considered to be frivolous, vexatious, or motivated by malice:

- Complaints which are obsessive, harassing, or repetitive
- Communicating in an abusive, offensive, defamatory, distressing, aggressive, threatening, coercive or intimidating manner
- Submitting a complaint containing materially inaccurate or false information or evidence
- Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
- Insistence on pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value

- 7.3 When a complainant's behaviour, or the complaint itself, is considered to
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be unacceptable, as a first step, the College will normally tell the complainant why their behaviour or complaint is considered to be unacceptable and will ask them to desist. If the unacceptable behaviour continues, action will be taken to restrict contact.

- 7.4 Any decision to restrict a complainant's access will be communicated to the complainant by the Deputy Principal. In such cases confirmation and approval must be sought from the Principal and Chief Executive. The options most likely to be considered are some/or all of the following:
- Requesting contact in a particular form
  - Requiring contact to take place with a named member of staff
  - Restricting telephone calls or emails to specified days/times
  - Restricting access to the College campuses
  - Asking the complainant to appoint a representative to correspond on their behalf
  - Asking the complainant to enter into an agreement about their conduct

There is no right of appeal to this decision.

- 7.5 In some cases, it will be appropriate to move straight to the action described in this section 7.5. In instances where a complaint is considered to be frivolous and/or unnecessarily repetitious and/or vexatious, or where a complainant has agreed restrictions but continues to behave in a way that is considered to be unacceptable, the Deputy Principal, will consider whether to terminate contact forthwith with the complainant. In exceptional circumstances, this may mean that consideration of the complaint is also terminated, and complainants must be informed that they have reached the end of the College procedure.
- 7.6 The Deputy Principal must seek confirmation and approval from the Principal and Chief Executive for this action. There is no right of appeal to this decision.
- 7.7 Where a complainant submits multiple complaints on substantially the same issue, the College reserves the right to treat the matter as a single complaint and to decline to respond to each separate subsequent complaint. There is no right of appeal to this decision.
- 7.8 At all stages of dealing with unacceptable behaviour, the College reserves the right to involve other agencies as required, including the Police.