

## Complaints Policy & Procedure

| Policy Number | New or Reviewed | Date of Next review | Responsibility  |
|---------------|-----------------|---------------------|-----------------|
| P64           | New             | August 2023         | Human Resources |

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Equality Policy

Safeguarding Policy

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## 1. Policy

- 1.1 Bath College welcomes feedback from students, employers and members of the public about courses and other matters, services and facilities for which Bath College is responsible. All formal complaints made will be fully investigated. The information gained as a result of these investigations will be used in pursuit of corrective action and/or continual improvement. Our aim is to respond quickly and positively and to reach an outcome that is satisfactory and fair for all concerned.
- 1.2 This procedure covers all complaints for all our provision and in the absence of a procedure that is imposed by a validating HEI then the procedure detailed below will apply to HE provisions also.
- 1.3 In addition the College subscribes to the Office of the Independent Adjudicator for higher education (OIA). The OIA can review a wide range of complaints by students concerning a Higher Education provider including:
- Academic appeals
  - Extenuating circumstances
  - Teaching provision and facilities
  - Student accommodation
  - Research supervision
  - Welfare
  - Discrimination Bullying and harassment
  - Placements
  - Procedural irregularities
  - Unfair practices
  - Disciplinary matters, including plagiarism
  - Fitness to practise issues.
- 1.4 This Complaints policy aims to ensure that our responsibilities to protect children and vulnerable adults are met and any complaint received which triggers a safeguarding issue will immediately be passed to the designated safeguarding lead, or other senior member of staff with safeguarding responsibilities.
- 1.5 Bath College has due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.

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## 2. Procedure

- 2.1 A complaint can be made in writing, via email or verbally to any member of staff to qualify as a complaint within the meaning of the procedure. Verbal complaints need to be submitted as a signed statement by the member of staff receiving the complaint, confirming that the information given is a true and accurate reflection of the complainant's concerns. Please use the [Complaint Record Form](#) to record the information required.
- 2.2 Complainants may be offered support in order to make their complaint. This support can be provided by the Students Union, member of the Student Advice Centre Team, or any member of staff.

- 2.3 On receipt, all complaints must immediately be passed to the Executive Assistant or Principalship Administrator. All complaints are allocated a complaint reference number, recorded onto the Complaints Database and acknowledged within 2 working days of receipt.
- 2.4 Complaint Forms will be raised by the Principalship Administration Team and emailed together with the complaints policy and procedure to the complainant and the relevant Manager for action.
- 2.5 Where a student has already withdrawn from a course, and has requested either a refund or a credit note, the relevant Assistant Principal shall consider the request and make a recommendation to the Finance & Corporate Services Director for their approval.
- 2.6 Where financial action in the form of a credit note/refund to complainant is made this will be completed, where possible, within 5 working days of receipt of the information by the Finance & Corporate Services Director.
- 2.7 Where the offer of a credit note is rejected, and a refund is requested the investigating officer will be required to advise on whether the complaint is upheld, and a refund justified.
- 2.8 The Manager responsible shall investigate the complaint, which in some circumstances may extend to giving all parties an opportunity to be heard and if it is substantiated in whole or part, propose action to correct the situation. The investigating manager will attempt to secure a balanced picture of the situation surrounding the complaint.
- 2.9 The Manager responsible shall ensure that a response is sent to the complainant **within 10 working days of receipt**. From time to time a complaint may require extensive investigation which cannot be completed within 10 days. In such cases an external email will be requested to be sent by the Executive Assistant or the Principalship Administrator.
- 2.10 On completion of action, a complaint response must be signed off by the Manager responsible (electronic authorisation is acceptable) and emailed to the Executive Assistant for recording purposes. One of the Senior Management Team will sign off all complaints individually, when they are satisfied that the matter is closed.
- 2.11 The Deputy Principal Curriculum & Quality or Executive Assistant will produce relevant statistics / reports on an annual basis to enable collegiate action to be taken as appropriate.
- 2.12 Where a complaint is against a member of staff the complaint must go to the Head of Human Resources and Workforce Development and the complaint is found to be justified, a Manager will take such action as is appropriate, which may include action under Bath College Disciplinary Procedures, to address the matter.

- 2.13 Where a complaint is against a student of Bath College and the complaint is found to be justified, a Manager shall take such action as is appropriate, which may include action under the Student Conduct and Disciplinary Procedures, to address the matter.

### **3. College Management Team**

- 3.1 If a complaint is received specifically about a member of Bath College's Management Team it should be immediately passed to the member of the Senior Management Team with line management responsibility for that manager for investigation.

### **4. Senior Staff**

- 4.1 If a complaint is received specifically about the Principal or a Senior Post Holder, as defined by the Corporation, it should immediately be passed to the Head of Governance who will refer it to the Chair of the Corporation or Vice-Chair as appropriate.
- 4.2 Where a complaint is received specifically about the Head of Governance it should immediately be passed to the Principal who will refer the matter to the Chair of the Corporation. The Chair of the Corporation may appoint a Governor or a panel of Governors to investigate the matter if considered appropriate.
- 4.3 Where a complaint is about the Principal or a Senior Post Holder defined by the Corporation, the Chair of the Corporation/Principal (as appropriate) will arrange for the matter to be investigated by an appropriate member of staff or the Head of Governance. The Chair of the Corporation may appoint a Governor or a panel of Governors to investigate the matter if considered appropriate.
- 4.4 The outcome of any complaint against the Principal, Head of Governance or Senior Post Holder will be reported to the Corporation.

### **5. Members of Corporation**

- 5.1 The Principal or Chair of Governors reserves the right to use an external consultant to investigate a complaint.
- 5.2 If a complaint is made specifically about an aspect of the governance of Bath College, a member of the Corporation (other than the Chair) or the activities of the Corporation, the Head of Governance will refer the matter to the Chair of the Corporation or Vice Chair as appropriate, who will investigate action as appropriate, taking advice as necessary from the Head of Governance.
- 5.3 If a complaint is made about the Chair of the Corporation, the Head of Governance will refer the matter to the Vice-Chair of the Corporation.
- 5.4 The Head of Governance may, if appropriate, refer any complaint regarding the Chair or the activities of the Corporation to the Education & Skills Funding Agency.
- 5.5 If appropriate, Bath College's complaint procedure may be used with the Head of Governance investigating the matter.

- 5.6 If Bath College's complaint procedure is not appropriate for a complaint against a member of the Corporation, the Chair, or Vice-Chair, if appropriate, may appoint a Governor or a panel of Governors to investigate the matter. In such circumstances the Head of Governance shall be responsible for providing advice and support and for the provision of specialist external advice if required.

## **6. Appeals**

- 6.1 If the complainant is unhappy with the outcome of the complaint, they can write to the Principals office within **10 working days** of receipt of the outcome and request a review of the matter which will be undertaken by a Senior Manager who was not involved in the original process/decision. If this is not possible then the Principal will investigate
- 6.2 A further investigation will be undertaken to try to reach a resolution acceptable to both complainant and Bath College.
- 6.3 If the complainant is still not happy with the outcome, they can write to the Principal Administration Team or the Head of Governance, within 10 working days of receipt of this outcome, who will refer the complaint to the Principal or the Chair of Governors.

## **7. Equality Monitoring**

To comply with the Equality Act 2010 and to monitor our compliance with the Public Sector duty to promote equality of opportunity and to eliminate unlawful discrimination, harassment and victimisation, Bath College aims to collect data on the 'protected characteristics' of complainants and will report any trends or concerns to the Corporation on an annual basis.

## **8. Reporting**

- 8.1 Complaints that go to the Prinnicipalship Administration Team will be logged and reported on via SMT and CMT reporting methods
- 8.2 Each Manager is to keep a monthly complaints log and submit to the Principalship Administration Team during the 1<sup>st</sup> week of each month for the previous month.

## Appendix A - How to make a Complaint

We are committed to working with all our customers to improve our services. To help us do this, we record all complaints. If you are unhappy with the standard of service that you've received from us, we need you to tell us.

All formal complaints made about courses, services and facilities for which Bath College is responsible will be fully investigated. The information gained as a result of these investigations will be used in pursuit of corrective action and/or continual improvement.

### You may make a complaint in the following ways:

| In Writing  | Via Email  | Verbally to a Member of Staff   |
|---|--|---|
| <p>Using the <a href="#">Complaint Record Form</a>, addressed to:</p> <p>Executive Assistant to the Principal<br/>Bath College<br/>Avon Street<br/>Bath<br/>BA1 1UP</p> | <p>Email any member of staff or email <a href="mailto:complaints@bathcollege.ac.uk">complaints@bathcollege.ac.uk</a></p> <p><i>(this email is sent directly to the Executive Admin Team)</i></p> | <p>Call the Executive Assistant to the Principal on 01225 328733 or talk to any member of staff.</p> <p>They will make a record of your complaint and pass it to the Executive Admin Team for action.</p> |

If, as a student, you require support in order to make your complaint please speak to the Students Union, a member of the Student Advice Centre, the Student Participation Team or any member of staff.

### Within 48 hours you will receive an acknowledgement of your complaint.

Your complaint will then be allocated a complaint number and passed to the relevant Senior Manager / Head of Department / Head of Service. They will enquire into the complaint, which in some circumstances may extend to giving all parties an opportunity to be heard and if it is substantiated in whole or part, take action to correct the situation.

You will receive a **response to your complaint within 10 working days of receipt**. If your complaint requires extensive investigation which cannot be completed within 10 days, you will be kept informed of progress.

If you are unhappy with the outcome of the complaint, you can write to the Principal within 10 working days of receipt of the outcome and request a review of the matter. This will be undertaken

by a Senior Manager who was not involved in the original process/decision and overseen by the Principal. A further investigation will be undertaken to try and reach a solution acceptable to both yourself and Bath College. If you are still not satisfied with the outcome, you can write to the Principal or Head of Governance within 10 working days of receipt of this outcome.

Concerns or complaints about possible non-compliance with charity law may also be raised by a student, staff member or a member of the public. These cases should be sent by email, headed Principal Regulator, to [fegovernance@bis.gsi.gov.uk](mailto:fegovernance@bis.gsi.gov.uk).

The Education & Skills Funding Agency document regarding complaints about providers of education and training can be read here: [Complaints About Providers of Education and Training](#).

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## Appendix B – Complaint Record Form

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Complainant Details:

Name: \_\_\_\_\_ Student ID no: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Complainant's preferred method of contact: Post  Tel  Email

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Complaint Dated/Time: \_\_\_\_\_

Course Title: \_\_\_\_\_

Department: \_\_\_\_\_

Details of Complaint:

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Signed by Complainant:

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If complaint taken by Member of Staff:

Staff Name: \_\_\_\_\_ Department: \_\_\_\_\_

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Please email completed form to [complaints@bathcollege.ac.uk](mailto:complaints@bathcollege.ac.uk);  
Hand in at Reception at the City Centre or Somer Valley Campus  
or post to Executive Assistant to Principal, Bath College, Avon Street, Bath, BA1 1UP

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(please see over for Equality information)



## Equality Information

Bath College has due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.

Please complete the following information accurately to enable Bath College to analyse compliance with the Equality Act 2010 in relation to complaints. All information is confidential, with analysis undertaken on an anonymous basis, and information retained in line with data protection requirements.

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Is your gender identity the same as your sex registered at birth?  Y  N

Please specify your gender identity:

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I would describe my ethnic origin as (please tick appropriate box):

|                                      |                          |                                    |                          |
|--------------------------------------|--------------------------|------------------------------------|--------------------------|
| Asian or Asian British - Bangladeshi | <input type="checkbox"/> | Other Mixed Background             | <input type="checkbox"/> |
| Asian or Asian British – Indian      | <input type="checkbox"/> | Black or Black British – Caribbean | <input type="checkbox"/> |
| Asian or Asian British – Pakistani   | <input type="checkbox"/> | White – British                    | <input type="checkbox"/> |
| Other Asian Background               | <input type="checkbox"/> | White – Irish                      | <input type="checkbox"/> |
| Black or Black British African       | <input type="checkbox"/> | Other White Background             | <input type="checkbox"/> |
| Mixed – White and Asian              | <input type="checkbox"/> | Other Black Background             | <input type="checkbox"/> |
| Mixed – White and Black African      | <input type="checkbox"/> | Chinese                            | <input type="checkbox"/> |
| Mixed - White & Black Caribbean      | <input type="checkbox"/> | Other Ethnic Background            | <input type="checkbox"/> |

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Do you have a disability? Yes  No

If yes, please state your disability

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Marital Status: Are you married/in a civil partnership? Yes  No

Sexual Orientation: Homosexual/Gay/Lesbian  Bisexual  Heterosexual

Religion/Belief:

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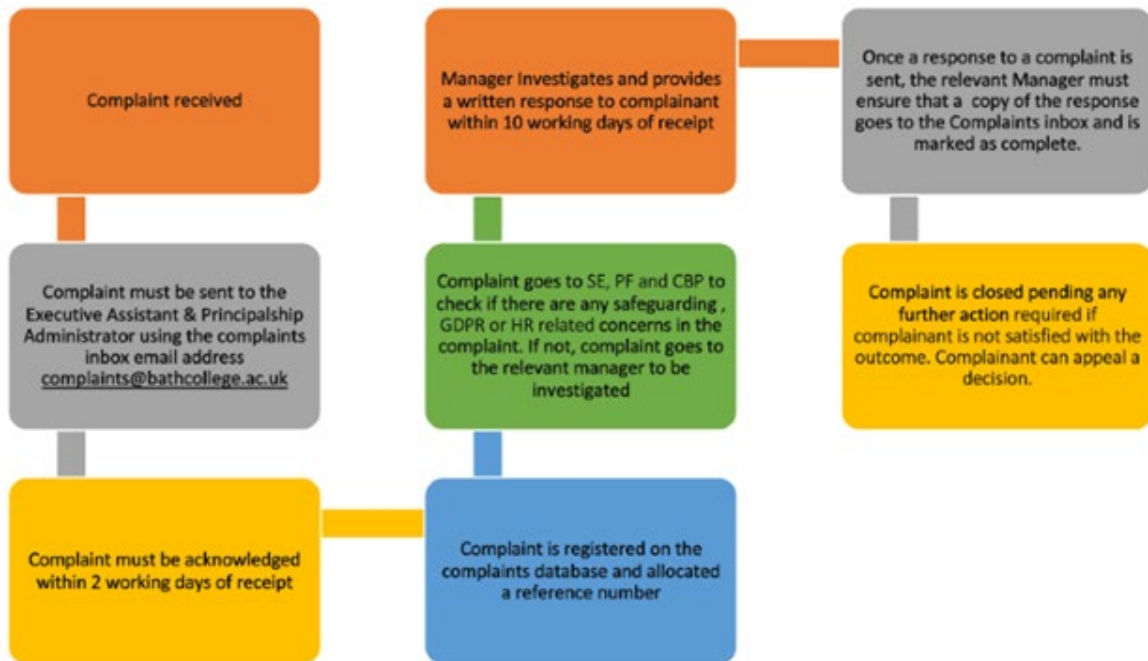
Gender reassignment: Have you made, or are undergoing, a change of gender?

Yes  No

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### Appendix 3



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