



**Hertford Regional College  
Complaints, Comments and Compliments  
Procedure**

2022/2023

## **Hertford Regional College**

### **Complaints, Comments and Compliments**

#### **Procedure**

All students, apprentices and other stakeholders, for example parents or employers, have the right to express any issues, concerns or complaints that they may have. The college also welcomes any suggestions as to how it may be able to improve its service.

**The college welcomes comments and criticisms from students, apprentices, employers or stakeholders.** Whatever they say will be taken seriously and dealt with objectively and efficiently, for the following reasons:

- Complaints tell us when students, apprentices, employers or stakeholders are not happy with a service and this gives the college the opportunity to put things right
- Comments / suggestions provide ideas on how the college can improve its services
- Compliments let the college know when students, apprentices or stakeholders are happy with a college service and tell us when something is working well. This good practice can then be shared with other college services.

Note: Academic complaints, for example queries about grades awarded on learner work are covered by the Assessment Procedure.

Partnerships & Subcontractors – in the event that a complaint is related to a partner/subcontractor and involves a member of staff employed directly by themselves, the investigation will be carried out by the partner/subcontractor rather than HRC. HRC must be kept informed of the progress and outcome of the complaint. Complaints that relate to our work with partner organisations will be shared with the relevant cross college manager who oversees that area of work. HRC remain, at all times, as the accountable organisation for the management of complaints.

Management of any complaints received via core social media - any complaints directed to the core HRC social media channels will be picked up (and where appropriate acknowledged) by the Marketing Team and then forwarded to the Quality Team. This procedure is then followed. If any complaints are received by curriculum-owned social media accounts, these should be immediately forwarded to the Quality Team: [quality@hrc.ac.uk](mailto:quality@hrc.ac.uk)

#### **Making a comment, suggestion or compliment:**

- If students, apprentices, employers or stakeholders would like to make a comment or suggestion about any of the services the college offers or would like to compliment the college/department/staff/partner organisation on the standard of a service provided, they should complete the form on our website. If assistance is required to complete the form, please contact our reception team.

Throughout this document where reference is made to 'students' this should be interpreted as including apprentices and 'stakeholders' where appropriate, for example parents or employers.

If students or stakeholders have a complaint:

### **The Informal Stage**

- 1 Where possible, especially in the first instance, students should be encouraged to discuss any concerns or complaints with the member(s) of staff concerned, their Lecturer/Assessor, Personal Tutor, or the relevant Curriculum Area Manager (CAM). It is important that any issues are sorted out straight away and the student is advised on how to proceed. If the complaint is about learning support, the student should be encouraged to speak to a member of the Learning Support Team in the first instance or their Lecturer/Assessor/Personal Tutor who will then be able to raise the concern through the appropriate channels.
- 2 If the issue is a general one, which affects a number of students, the student should be encouraged to share this with their Lecturer/Assessor/Personal Tutor or bring it to the attention of their Student Representative who will be able to bring it to the Student Council and/or the HE Student Forum. If the issue is not about the course, but a service that the college offers, students may contact the Manager or Head of that department or ask to speak to the Duty Principal via reception.
- 3 All complaints must be treated with confidentiality. However, this should not be the case if there is a serious threat to the personal safety of the student, other students or staff, or where there is a legal requirement to disclose the information. For further guidance contact the Head of Student Services who is responsible for student welfare/safeguarding.
- 4 External stakeholders should initially contact the relevant department or the Quality Assistant at this stage.
- 5 The steps above explain how a complaint or concern should be dealt with informally. It is always best to try to resolve any issues informally. All issues dealt with informally should be logged in the Curriculum Area/Directorate. This is an auditable file and must be kept up-to-date. Copies should also be sent to the Quality Team.

### **The Formal Stage**

- 1 If it is impossible to resolve the issues informally, and/or the student is not happy with the outcome, they can then complete an online Complaints Form (available Website) or they can write an email. Complaints received in any one of these ways will be treated as formal complaints.
- 2 The Quality Assistant will acknowledge the formal complaint within seven days of receiving it.
- 3 The Quality Assistant will decide on the best person to deal with the complaint. They will usually appoint an appropriate member of staff to investigate the complaint. The Quality Assistant and/or the Director of Quality will not usually be the people investigating the complaint but may do so in exceptional circumstances.
- 4 The complainant must be informed of the outcome or progress made on their complaint within 15 working days of receipt of their complaint. Bank holidays and college closures do not count as part of the 15 working days. If the complaint has been concluded directly with the complainant within this timeframe, the Investigating Manager must ensure that all correspondence is copied to the Quality Assistant so that they can close the complaint. Where a complaint cannot be concluded within the timeframe, or there is a delay in the investigation, the complainant will be informed and be given the likely date they should receive a full written outcome.

- 5 The nature and scope of an internal complaints process and a criminal process are fundamentally different. A criminal process must take precedence. Should a complaint involve an incident that is being investigated by the police, internal processes should be suspended until the criminal process is complete. Once this process is complete an internal process can take place. However, the college can take action under its complaints process at the same time as a criminal process is underway if the case is based upon facts and matters which are different to those being dealt with those under the criminal process. This may lead to a complaint taking a longer time to resolve if we have to wait for the completion of police action. Advice from the police will be taken at all times.
- 6 If the complainant is not satisfied by the outcome of their complaint and has additional or new evidence that may alter the decision, they can then appeal to the Principal in writing and within 7 working days. To do this you should tell the Quality Assistant by email that you want to appeal, within 7 working days from date of our email. The appeal letter must clearly present the reasons for the appeal, including details of the additional evidence. Either the Principal or a delegated representative will review the appeal and send an email within 14 working days.
- 7 Each College academic year operates across two calendar years. The academic year begins in August and ends in July. The College must receive any complaints related to a particular academic year by 31<sup>st</sup> December of the latter calendar year.

Appendix A Complaints Guidance

Appendix B How and where to log a complaint

Appendix C Guidelines for Investigating Managers

Appendix D Complaints Investigation Form

Appendix E Complaints RAG Rating

If complainants have exhausted all of the Hertford Regional College procedures including the informal and formal complaints procedure and appeal to the Principal, but remain unhappy with the outcome, then they may be able to appeal to the external agency that manages the quality of further education in this country or their Higher Education Institution that holds their registration.

If a complaint is proved to be vexatious, Hertford Regional College reserves the right to pursue this through the appropriate legal channels.

#### **Office of the Independent Adjudicator**

Learners on all Higher National programmes, having exhausted the college's internal procedures and subject to the provisions of legislation, have the right to request the Office of the Independent Adjudicator to review the relevant case. <http://oiahe.org.uk/>.

#### **Education and Skills Funding Agency (ESFA)**

Students on Apprenticeship programmes or their Employers, having exhausted the college's internal procedures and subject to the provisions of legislation, can escalate their complaint to the ESFA through the apprenticeship helpdesk on 08000 150400 or email [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk).

**The Complaints Guidance document can be found on the Website, and on Staffnet.**

## General Data Protection Regulations

When dealing with complaints, the organisation processes personal data collected in accordance with its data protection policy. Data collected by the organisation as part of the operation of the Complaints, Comments and Compliments procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of managing Complaints, Comments and Compliments. Inappropriate access or disclosure of data relating to Complaints, Comments and Compliments constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately.

## Monitoring

HRC takes complaints, comments and compliments seriously and monitors the feedback received in this way carefully. All complaints are categorised as Red, Amber or Green to aid in the ongoing monitoring of resolution of complaints.

Ongoing complaints are discussed regularly in Directors of Curriculum meetings and the Quality Assistant will provide reports relating to complaints to the Senior Leadership Team throughout the year. The Principal is also made aware of serious complaints if and when necessary.

All complaints of an equal opportunities nature, however informal, should be logged with the Director of Quality, detailing the nature of the complaint and the outcome. Such a record should be kept even if the individuals concerned request anonymity or do not "wish to make the matter formal".

The monitoring of student complainants' by gender and ethnicity will be included in the annual Equality and Diversity Report to ensure that no particular group appears to be less happy with the service they receive from the College. The complaints will also be analysed by site, directorate, curriculum area, and also by funding stream.

Date of document establishment and initial approval	Formal Complaints Procedure first established in June 2014. Online form for use established in 2022. All other documents established in 2014.
Version number	11
Approving body	SLT
Designated owner	Director of Quality and Learning Innovation
Linked policies and procedures	Quality Assurance Procedure Assessment Procedure
Date of last review	September 2022
Date of next review	July 2023

## **Complaints guidance**

### **Information about making a complaint**

We would like you to tell us if you are unhappy about something to do with Hertford Regional College, so that we can try to put things right. Please do not wait too long to tell us what is wrong. It can be difficult to deal with things that happened more than six weeks ago.

To help us to be fair to everyone, we have a Complaints Guidance. You can use this guidance if you are learning at the college. You may also use this guidance if you are a visitor, employer, neighbour or anyone else in the community. If you are over 18 years of age you should make a complaint yourself. If you are under 18 years of age you may ask a parent, carer or friend may help you. If you work at the College and want to complain you should read the Grievance Procedure for Staff.

We will try to answer your complaint in the times given in this guidance, but sometimes we may not be able to do this. Delays could happen if the complaint is hard to review or when members of staff are on holiday. If there is a delay, we will tell you why and let you know how long we think it will be until we can answer your complaint. We will always keep in touch with you about your complaint and the result. Please note if your complaint is about a person and we agree with it, we may not be able to tell you about what we expect to do to put things right, as that will be private between the College and that person.

### **General Data Protection Regulations**

When dealing with complaints, the organisation processes personal data collected in accordance with its data protection policy. Data collected by the organisation as part of the operation of the Complaints, Comments and Compliments procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of managing Complaints, Comments and Compliments. Inappropriate access or disclosure of data relating to Complaints, Comments and Compliments constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately.

### **Step 1 - Informal**

If you are learning at the college and are unhappy about something to do with your course you can ask to speak to someone about it. This list may help you to decide who you could speak to:

- someone in the college who knows what is wrong
- your Personal Tutor/Assessor
- your Curriculum Area Manager
- your Director of Curriculum
- a member of the Learning Support Team (if you have learning support).

If you're not learning at the College, or if you are but the complaint is about a service not about your course, you can ask to speak to:

- someone in college who knows what is wrong
- a manager for the area that your complaint is about
- the Duty Principal (please ask the Receptionist to call the Duty Principal for you).

## **Step 2 - Formal**

If you are still unhappy after speaking to somebody, or if you cannot speak to anyone about what is wrong, you may want to make a formal complaint. To do this you should fill in an online complaint form which is available on the website.

Alternatively you can email your complaint to the Quality Assistant at **quality@hrc.ac.uk**. A group of people can also make a complaint if everyone feels unhappy about the same thing.

When we get formal complaints, the Quality Assistant checks that they are being dealt with properly. You will get an email within 7 working days from the date we get your complaint. We will tell you that we will look into your complaint and when we will contact you again. Sometimes we may need to speak to you on the phone or ask you to come to a meeting about your complaint. If we ask you to come to a meeting you may bring a parent, carer or friend with you if you would like to. You will usually receive an email within 15 working days from the day we got your complaint to let you know if we agree with it. If we do agree with your complaint we will let you know how we will put things right.

*Please note, bank holidays and college closures do not count as part of the working days timescales.*

## **Step 3 - Appeal**

If we let you know that we do not agree with your complaint and you are still unhappy, you may appeal to the Principal. To do this you should tell the Quality Assistant by email that you want to appeal, within 7 working days from date of our email. Your email must clearly present the reasons for the appeal, for example new evidence has emerged since the meeting. Your complaint will be passed to the Principal or to a delegated representative for review within three days from when the Quality Assistant gets your written appeal. The Quality Assistant will let you know that this has been done and will tell you when we will contact you again.

The Principal, or delegated representative, will look at all the information from the review at Step 2 to decide if it was right or not to agree with your complaint. Sometimes the Principal, or someone else from the Principal's office, may need to speak to you on the phone or ask you to come to a meeting about your complaint. If you are asked to come to meeting you may bring a parent, carer or friend with you if you would like to. You will usually receive an email within 14 working days of your appeal to tell you whether the Principal agrees with your complaint. If the Principal does agree with your complaint, we will let you know how we will put things right.

*Please note, bank holidays and college closures do not count as part of the working days timescales.*

## **Step 4 - Further advice**

If you are still unhappy, you are advised to contact the Agencies that monitor the quality of Further or Higher Education in this country. The Quality Assistant will be able to tell you which Agency to contact, how to find their Complaints Procedure and how to contact them. Please do use the Hertford Regional College Complaints Guidance before contacting the Agency, as they will not usually deal with complaints unless you have already told us what is wrong and given us the chance to put things right.

If you have any questions or would like advice about a complaint, please contact:

**quality@hrc.ac.uk**

## How and where to log a complaint

Complaints should be logged on our [website](#) using the complaints form.

If for any reason your complaint cannot be logged via the form on our website, we will accept direct complaints being made by emailing [quality@hrc.ac.uk](mailto:quality@hrc.ac.uk).

If you need assistance to complete the form, please visit, or contact the main reception at our Broxbourne or Ware campus.

## Appendix C

### Guidelines for Investigating Managers

1. Agree and carry out necessary actions to make a thorough investigation into the complaint. You may delegate this to a member of your team if appropriate but the investigation will remain your responsibility.
2. If the investigation includes interviews, meetings or telephone conversations please ensure notes of these are taken. Please also keep copies of any related mail or email correspondence. Copies of all notes/documents should be sent to the Quality Assistant.
3. Return your draft response and supporting documents to the Quality Assistant for agreement BEFORE sending to the complainant. To ensure that we meet our complaints timescales, your draft response should be received by the Quality Assistant at least 3 working days before the response is due to reach the complainant. If the investigation proves to be complex the Quality Assistant must be notified so that a revised deadline can be agreed and a holding letter sent to the complainant. Any extended deadline will not normally be more than 5 working days. You may find the Complaint Record form useful to summarise the actions you have taken.
4. Your draft response will be reviewed by the Quality Department. The main purpose of this review is to ensure that:
  - (a) it responds to the issue/s raised in the complaint
  - (b) It does not include unnecessary/inappropriate information
  - (c) It is written 'without prejudice'
  - (d) It is written in a 'corporate' format, including references to the Complaints Guidance where required.Any suggested amendments will be agreed with you before the response is sent.
5. If the complaint involves concerns about a member of staff you may wish to seek additional advice from Quality/HR.

**Complaints Investigation Form**

<b>Complaint Ref:</b>	<b>Date:</b>	<b>Category:</b>
<b>Investigating Manager:</b>	<b>Deadline for Response to Quality Assistant:</b>	<b>Deadline for Response to complainant:</b>

<b>Details of investigation:</b>	<b>Date:</b>	<b>Further details:</b>

<b>Details of related documents:</b>	<b>Date:</b>	<b>Attached Y/N:</b>

**Comments/additional information:**

**Summary of outcome of investigation:**

<b>Date of return to Quality Assistant:</b>	<b>Date of agreed response:</b>	<b>Date agreed response sent to complainant:</b>

## Appendix E

### Complaints RAG Rating

#### Green

- Individual case – easily resolved or proves to be student has not met pre-determined rules/conditions
- Offsite student antisocial behaviour where individuals cannot be identified

#### Amber

- Individual case – involves financial implication to student
- Relates to a group of students
- Systematic error, e.g. in Marketing materials
- Includes evidence of safeguarding, bullying or E&D concerns from member of staff or other student

#### Red

- Individual case with potential for negative publicity and/or court case
- Involves large number of students
- Evidence of systematic/long term issue
- Will take a long time to resolve
- Requires action plan and follow up