

# Student Complaints Policy and Procedure 2017- 18

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## COMPLAINTS PROCEDURE

At City and Islington College/Westminster Kingsway College we want to provide an outstanding educational experience and an excellent service. One of the ways in which we can improve what we do is by listening and responding to your views. The College values the feedback that students provide and complaints are monitored, evaluated and reported regularly to the College's senior management team and annually to the College's Corporation. We aim to resolve your concerns quickly.

The Complaints Procedure and Feedback Form are available online at <http://my.candi.ac.uk / Westminster Kingsway> or on the College website [www.candi.ac.uk](http://www.candi.ac.uk). Copies are also available in the Learning Centres or Reception at each site. If you require the Policy in an alternative format, please email [feedback@candi.ac.uk](mailto:feedback@candi.ac.uk)/[Feedback@westking.ac.uk](mailto:Feedback@westking.ac.uk)

We aim to provide you with any guidance and support you may need to complete our complaints procedure. If you need any help, please email [feedback@candi.ac.uk](mailto:feedback@candi.ac.uk)/[feedback@westking.ac.uk](mailto:feedback@westking.ac.uk)

### Introduction

#### What is a complaint?

A complaint is an expression of dissatisfaction about an aspect of a service or facility provided by the College to enrolled students.

#### Who can make a complaint?

Students who are currently enrolled on a course at the College.

This includes students on higher education courses affiliated to partner universities insofar as their complaint relates to a service or facility provided by the College.

Employers who have employees enrolled on a course at the College insofar as their complaint relates to a service or facility provided by the College.

#### We will not normally accept complaints from:

- Ex-students unless the complaint is received by the College within four weeks of the end date of the course.
- Students who wish to raise complaints anonymously.
- Third parties on behalf of students e.g. parents / guardians / employers. Students are expected to bring their complaints themselves. The College will allow third parties to bring complaints in very limited circumstances where the Deputy Director Teaching & Learning/Assistant Principal Student Services considers it reasonable to do so e.g. where a student has a learning difficulty and/or disability. In such cases, the College will require the prior written consent of the student.

The College reserves the right not to accept complaints (e.g. where a complaint is judged by the Deputy Director Teaching & Learning/Assistant Principal Student Services to be frivolous, vexatious or malicious).

Complaints raised by individuals in relation to the applications and admissions process, or from members of the public, fall outside the scope of this procedure. Complaints of this nature should be sent for the attention of the **Deputy Director Teaching & Learning/Assistant Principal Student Services** using the contact details set out on page 2 of this procedure who will direct your comments to the appropriate person. We aim to respond to these complaints / concerns within 20 working days.

## Separate procedures exist for:

- Academic appeals relating to assessment decisions, covered by the College's Academic Appeals Procedure
- Disciplinary issues (covered by the College's Learning and Behaviour Policy/Behaviour for Learning and Employment). You are unable to use the Student Complaints Procedure to complain about an issue arising under the Student Disciplinary Procedure or which relates to a breach of the Learning and Behaviour Agreement/Behavior for Learning and Employment
- Complaints relating to bullying and harassment covered by the College's Anti-Bullying and Harassment Policy - Students.

Copies of the above procedures are available online at <http://my.candi.ac.uk/westking> or on the College website [www.candi.ac.uk/www.westking.ac.uk](http://www.candi.ac.uk/www.westking.ac.uk). Copies are also available in the Library or Reception at each site.

## Informal Complaints Procedure

You should in the first instance raise concerns with your tutor. You may also raise concerns through your curriculum/programme manager / coordinator or the College Student Council (College Student Council meetings are held regularly at your Centre) or your student rep. If the concern is about your tutor or curriculum/programme manager / coordinator, you should raise your concern with the Deputy Director for Students at your Centre/Head of Faculty for your curriculum area. Contact details for your curriculum manager / coordinator and Deputy Director for Students can be found on the 'my details' section of [my candi](http://my.candi.ac.uk).. Contact details for your Programme Manager and Head of Faculty can be found XXXXXX

## Formal Complaints Procedure

If your complaint has not been resolved using the informal complaints procedure, or if it is inappropriate to use the informal procedure because the complaint is of a serious nature, you may make a formal complaint.

## How to make a formal complaint

Formal complaints must be made in writing using either a feedback form available online at [www.candi.ac.uk/www.westking.ac.uk](http://www.candi.ac.uk/www.westking.ac.uk) or by email [feedback@candi.ac.uk](mailto:feedback@candi.ac.uk) or [feedback@westking.ac.uk](mailto:feedback@westking.ac.uk) or by letter addressed to:-

Deputy Director Teaching & Learning  
City and Islington College  
The Marlborough Building  
383 Holloway Road  
London N7 0RN.

OR

Assistant Principal Student Services  
Westminster Kingsway College  
Vincent Square, SW1P 2PD

Your written complaint should include clear detailed reasons for your complaint, an indication of the resolution or outcome you seek and copies of any documents upon which you wish to rely.

The Deputy Director Teaching & Learning/Assistant Principal Student Services administers the formal complaint process and will acknowledge, monitor and respond to your complaint in writing.

The College aims to acknowledge, investigate and report on the outcome of your formal complaint and any resulting action within 20 working days of receipt of your complaint. These timescales may be extended by the College in certain circumstances e.g. where the issues raised by a complaint are serious ones or to take account of College vacations. You can normally expect:

### **1. Complaint acknowledged**

Your complaint to be acknowledged by the Deputy Director Teaching & Learning/Assistant Principal Student Services within 3 working days of receipt of the complaint by the College.

### **2. Complaint investigation, outcome and action**

An investigation of your complaint to be undertaken by a College manager, who has not been involved with any issues associated with the complaint, usually the Deputy Director for Students at your Centre or Head of Service/Head of Faculty. The College manager may in his/her discretion meet with you to discuss the complaint, your concerns and the resolution or outcome you seek. The College manager may also meet with other individuals as part of the investigation if appropriate e.g. individuals who may be witnesses. The College manager will reach a determination of your complaint and report the outcome of your complaint and any resulting action to the Deputy Director Teaching & Learning/Assistant Principal Student Services.

The College aims to complete this stage within 15 working days of receipt of your complaint.

### **3. Complaint response**

The Deputy Director Teaching & Learning/Assistant Principal Student Services to respond to you in writing informing you of the outcome of your complaint and any resulting action. The College aims to provide a written response to you within 20 working days of receipt of your complaint.

## **Review of Formal Complaints**

The College aims to investigate and resolve all complaints in a fair and reasonable manner. If you are not satisfied with the outcome or any action taken relating to your formal complaint you have the right to request a Review on one or more of the following grounds, that:

- New material evidence has come to light which was not reasonably available at the time of the complaint investigation.
- You believe the outcome of the complaint was manifestly unreasonable &/or any resulting action was disproportionate.
- The complaint procedure was not followed.

Your request for a Review must be made in writing to the Director of Performance and Quality within 10 working days of the date of the College's written response to your complaint. You must explain clearly the reasons for your request for a Review including the grounds upon which it is based and enclose copies of all the documents you wish to rely upon.

Your request for a review should be addressed to:

Director of Performance and Quality  
Westminster Kingsway College  
Regent's Park Centre  
Longford Street  
London NW1 3HB

The Director of Performance and Quality will consider your request for a Review and determine whether it meets one or more of the above grounds. If your request for a review does not meet one or more of the above grounds, the College will not consider your request for a Review.

The Director of Performance and Quality will undertake a Review of the complaint and reach a decision on it.

In coming to a decision on a Review, they may consider as appropriate the documents relating to the complaint and the information provided in your request for a Review. They may hold a Review meeting to which you will be invited in order to gather more information. The Appendix to this procedure provides information on a Review meeting and the process which will normally be followed.

The Director of Performance and Quality may meet with other individuals as part of the Review; this may include individuals named in your complaint or request for a Review and College personnel involved in your complaint.

## **Review outcome**

The outcome of a Review will be either to:

- Uphold the complaint outcome and/or any action.
- Substitute an alternative outcome and/or action.

You will be informed in writing of the outcome of the Review normally within 5 working days of it being decided upon by the senior manager.

The decision of the senior manager is final and the College will not further consider your complaint.

## **Next Steps**

Following the conclusion of a Review, you may be able to take the matter further with the Education Skill Funding Agency (ESFA) <https://www.gov.uk/government/organisations/education-and-skills-funding-agency> or, if you are on a higher education course, with your College partner university and/or the Office of the Independent Adjudicator for Higher Education (<http://www.oiahe.org.uk>).

## **General principles applying to the Informal and Formal Complaints Procedure**

- The Complaints Procedure links to the Learning and Behaviour Agreement &/or Employer contract which outlines what you can expect as a student at the College and what we expect from you.
- The College aims to deal with complaints in a fair, reasonable and timely manner.
- Complaints will be handled sensitively and with due consideration to confidentiality for both students and staff. Dealing with a complaint or Review may involve discussion and liaison with College staff and students.
- Staff and students named in a complaint or Review may be informed by the College of the substance of the complaint or Review and where appropriate may receive a copy of the complaint or Review. They may have the right of reply as part of any investigation.
- Complaints are managed and overseen by the Deputy Director Teaching & Learning/Assistant Principal Student Services to ensure consistency, fairness and independence. References in this procedure to the Deputy Director Teaching & Learning include any nominee appointed by the College.
- You are unable to use the Student Complaints Procedure to complain about an issue arising under the Learning and Behaviour Policy or which relates to a breach of the Learning and Behaviour Agreement.

# Appendix

## Review - Notes & Guidance

### Prior to the Review meeting

- If a Review meeting is to be held you will be given at least 5 working days' written notice of the date, time and location of the meeting.
- The senior manager may invite other individuals to attend the Review meeting (e.g. individuals named in your complaint / request for a Review or College personnel involved in your complaint). You will be informed of their name and title 5 days in advance of the Review meeting.
- You may bring one other person with you to the Review meeting e.g. a friend, relative or representative from the Student Union Executive. You should notify the Head of Learner Engagement in writing of the name and title of any person who will accompany you 3 days in advance of the Review meeting.
- You may not bring a legal representative with you.
- If you have any particular requirements (e.g. English as a second language, a learning difficulty and/or disability) you may, with the prior agreement of the College, bring a second person with you where it is in the College's opinion reasonable to do so.

### At the Review meeting

The process to be followed during the Review meeting is at the discretion of the senior manager but will normally be as follows:

- You or your representative will present your Review.
- The senior manager may ask questions.
- The senior manager may invite other individuals to comment. The senior manager may question them. You may question them.
- You or your representative will summarise your Review.
- The senior manager will explain that a decision will be made and that you will be informed in writing of the outcome of the Review.
- If you do not attend the Review meeting without good reason the meeting may proceed in your absence and a decision may be made on the Review by the senior manager.