



Complaints Policy Statement and Procedure FE, HE and Apprenticeships

Approved at Harlow College Corporation:

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Principal/Governor

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Author: Vice-Principal with Responsibility for Complaints

Review: Every three years

<https://www.harlow-college.ac.uk/complaints>

Harlow College makes reference throughout its policies and procedures to learners and/or students. For clarity, any reference that the organisation makes in relation to our learners and/or students include the following groups:

- *14-16 learners on courses at the College*
- *16-18 full-time and part-time learners*
- *19+ adult learners*
- *Apprentices of all ages*
- *Learners of all ages on higher education courses*
- *Learners of all ages on loan-funded courses*
- *Learners of all ages on commercially/self-funded courses*

Complaints Policy Statement

We are committed to providing high-quality education and training. When something goes wrong, we need you to tell us about it. This will help us to improve our standards.

The complaints system is for learners/apprentices, parents/authorised representatives of learners and employers. It covers:

- The quality or experience of education and training
- Administrative processes
- Assessment (excluding awarding organisation grades and content)
- Equality and Diversity
- Apprenticeships
- Advanced Learner Loans

If you have a complaint, in the first instance we will seek to resolve it informally. You should speak to the relevant Academy or Department Manager who will be able to help resolve your issue.

If you are unhappy with this approach or we have not resolved your issue informally, we ask you to contact us with the details in writing at complaints@harlow-college.ac.uk. Accessible process available upon request (01279 868037).

We have up to eight weeks to consider your complaint unless there are exceptional circumstances.

You have the right of appeal, within 15 working days to a Senior Post Holder, if you are unhappy with the outcome of your complaint.

If we have not resolved your issue after exhausting our process, you may complain to the Education Skills Funding Agency (ESFA) or the Office of the Independent Adjudicator for Higher Education.

Key Principles

1. Our complaints system will be simple and easily accessible on our website.
2. All formal complaints received will be acknowledged in writing.
3. We cannot consider complaints that are more than six months old, unless there are exceptional circumstances.
4. We cannot investigate matters that are subject to legal action or are better investigated by the police.
5. All complaints will receive a full and fair investigation and will respect people's desire for confidentiality, wherever possible.
6. We expect to take no more than eight weeks to deal with your complaint unless there are exceptional circumstances.
7. We will use the outcomes of any complaints to improve systems and processes.
8. We will inform you of your rights to appeal as part of our procedure.
9. An analysis of complaints will be carried out annually, and will be reported to the Corporation.

Formal Complaints Procedure

10. Please note that in the first instance we will seek to resolve any complaints informally. Our Department Managers will usually undertake this role.
11. Formal complaints should be submitted in writing to complaints@harlow-college.ac.uk
12. For a parent or representative to complain on behalf of a learner, written consent must be received from that learner at the time of the complaint submission.
13. Formal complaints should be sent directly to the Principalship Support Office (complaints@harlow-college.ac.uk) and will be dealt with by the Vice-Principal responsible for complaints.
14. Normally an acknowledgement letter will be sent to the complainant within 3 working days of receipt.
15. A copy of the details will be sent to the appropriate manager(s) for investigation, who will provide a report to the Vice-Principal. Their report should provide:
 - i. Full details of the outcome of the investigation,
 - ii. A recommendation whether they believe the complaint is: upheld/partially upheld / not upheld.
 - iii. Any actions proposed to deal with issues raised and if possible, how to avoid the situation happening again in the future.
16. On receipt of the report of the investigation, the Vice-Principal will prepare a response. If the complainant is an HE student the response will include a CS1 form (Complaint Stage 1) and Completion of Procedures letter (COP) and will be sent to the complainant once the investigation is finalised.
17. The College response will address all the points at issue, and will attempt to provide effective and appropriate redress where fault on the part of the College has been Upheld or Partially Upheld.
18. When the complainant has been informed, a copy of the final letter responding to the complaint will be sent, for information, to the appropriate managers.
19. Correspondence on complaints will be kept centrally rather than in learner/apprentice personal files.

Guidelines on redress

20. The following range of responses will enable the College to ensure that responses are fair and impartial, and demonstrates to users that it welcomes comments on the quality of its service:
 - a. Expression of regret whenever possible and appropriate
 - b. Apology when fault on the part of the College is identified
 - c. Correction of organisational deficiency where appropriate
 - d. Maximum liability is limited to the refund of any fees or charges already paid if the College is found liable for not providing an adequate service, subject to the Vice Principal's discretion.

Appeals

21. In the event that a complainant is dissatisfied with the decision and outcome of a complaint, they have the right to appeal to a Senior Post Holder (Principal or Deputy Principal).
22. The complainant must appeal in writing within 15 working days of the formal complaint outcome letter. Extensions to this timeframe will only be made in exceptional circumstances.
23. The letter of appeal must clearly state the grounds for appeal. An appeal can only be considered on the following grounds:
 - there is new additional evidence which was not reasonably available at the time of the original investigation;
 - proper procedures were not followed;
 - the decision and outcome is deemed to be unreasonable given the evidence available.

The complainant will be informed if there are appropriate grounds for an appeal.

24. If there are grounds for an appeal, the Senior Post Holder will review the investigation, additional evidence and outcome, and decide whether to endorse or modify the decision. A letter will be sent to the complainant with the appeal outcome (a COP letter for HE students).
25. In the event that a complainant (FE learner, apprentice or employer) remains dissatisfied, they will be advised of their right to appeal to the ESFA, and will be given all necessary contact details from www.gov.uk. The complainant has 12 months from the date of the issue to make a complaint to the ESFA.
26. In the event that a complainant (HE student) remains dissatisfied, they will be advised of their right to appeal to the Office of the Independent Adjudicator for Higher Education and will be given all necessary contact details in the Completion of Procedures (COP) letter. The Complainant has up to a year from the COP letter date to make a complaint to the OIA. All records must be kept.

Tracking and Reference Information

Date Effective From: February 2017 – Re-approved October 2019 – Re-approved 20 October 2022

Review Date: Three years

Author/Responsibility: Vice-Principal Responsible for Complaints

Equality Impact Assessment: 15 October 2019

Related Documents:

Staff Disciplinary Procedure

Grievance Procedure

Equality & Diversity Policy

Monitoring: The application of this policy and associated procedure will be monitored by the Executive member responsible for Complaints/Standards Committee.

Easy Reading: To receive this policy/procedure in a different format, please contact HR Services