



Cheshire College
South & West

Higher Education (HE) Complaints Policy

Key Information	
Policy Reference Number	CCSW - HECF
ELT Post Responsible for Update and Monitoring	Vice Principal - Innovation, Curriculum & Quality
Published on Website	Yes
Date Approved by ELT	21 September 2021
Date Approved by Committee	14 October 2021
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I Introduction

- 1.1 Cheshire College South and West is committed to providing a consistently high quality of student experience, leading to positive outcomes and achievement for students. However, the College recognises that students may wish to raise issues or concerns regarding aspects of their course and the College commits to use any such complaints to assist in the continuous improvement of standards and quality.
- 1.2 For the purposes of this policy a student complaint, as defined by the Office of the Independent Adjudicator (OIA) is "an expression of dissatisfaction by one or more students about the College's action or lack of action, or about the service provided by or on behalf of the College."
- 1.3 Please note that complaints about assessment or academic appeals are not covered within this policy. If the complaint relates to academic practice refer to the Colleges Academic Regulations at <https://www.ccswh.ac.uk/academic-regulations-and-forms/>).
- 1.4 The College welcomes the view of students when reviewing its policies and operations. Students are encouraged to provide feedback to the appropriate student representative or staff member in a constructive manner.

2 Who can use the Higher Education Student Complaints Policy?

- 2.1 This policy applies to Higher Education (HE) students. These are students who:
 - 2.1.1 are currently attending a course;
 - 2.1.2 have been a student at the College, have left but retain the status of 'student'; or
 - 2.1.3 have been a student but have left, are complaining about events whilst attending College. Complaints must be received within 3 months of a students' registration coming to end.
- 2.2 A group of students can make a collective complaint provided that one student identifies themselves as the main contact for purposes of communication and has written consent from others that wish to be named as part of the complaint.
- 2.3 If studying a HE qualification under **validated arrangements with a partner university** (i.e. the university are the awarding body) the College policy in this document applies. The validating university will however be informed of all complaints and will work with the College to resolve any complaint received. The next stage process and the completion of procedures letter is subject to individual partnership arrangements. For further detail or information please refer to the course handbook or the Dean of Higher Education.
- 2.4 If studying a higher education qualification under **franchised arrangements with a partner university**, the partner university complaints and appeals procedures usually apply. This is however subject to individual partnership arrangements. For further detail or information please refer to the course handbook or the Dean of Higher Education.

3 Principles of the Student Complaints Policy

- 3.1 The College will treat all complaints seriously, and resolution will be sought at the earliest possible time. It is desirable that complaints are resolved through informal conciliation between the relevant parties, such as mediation, whenever possible and appropriate.
- 3.2 The College will begin the formal complaints process if attempts at informal resolution fail. Evidence of an attempt at informal resolution will be required.
- 3.3 Students who make a complaint in good faith will not suffer any disadvantage or recrimination as a result of doing so.
- 3.4 The College will manage student complaints in a way that is timely and efficient, is fair and transparent to all parties and promotes a feedback culture to support service improvements.
- 3.5 Any students (or people communicating on behalf of a student) must behave responsibly and treat those involved in the process with respect.

- 3.6 Anyone wishing to make a complaint should do so personally whenever possible. The College has a responsibility to UK General Data Protection Regulation (UK GDPR) and, as such, communication through a third party or proxy will only be considered in extenuating circumstances and with explicit written consent of the complainant.
- 3.7 All complaints should be supported by evidence, expressed in clear English and submitted within prescribed timescales. Complaints submitted outside of the timescales stipulated in the policy will only be considered in exceptional circumstances and where there is good reason, supported by evidence, for the late submission.
- 3.8 The College endeavours to ensure that complaints are handled in accordance with the published policy. On some occasions this may not be feasible (such as during College closure periods). Any potential delay to the prescribed timescales will be communicated to the complainant at the earliest possible time.

4 What constitutes grounds for complaint?

- 4.1 The complaint should relate to one or more of the following, or comparable issues:
- 4.1.1 failure of the College to meet obligations including those outlined in course/student handbooks;
 - 4.1.2 misleading or incorrect information provided by the College;
 - 4.1.3 concerns relating to the delivery of a programme, teaching, supervision or administration including where applicable, that provided by a partner institution; and or
 - 4.1.4 poor quality of facilities, learning resources or services provided directly by the College.
- 4.2 Some complaints or concerns will not fall into the scope of this policy such as:
- 4.2.1 challenges to the academic judgement of a member of staff and/or department. *The Office of the Independent Adjudicator will not interfere with the operation of a College's academic judgement;*
 - 4.2.2 cases better suited to consideration under the Academic Appeals Policy, including student progression, academic assessment and award;
 - 4.2.3 a decision made under specific regulations, such as fitness to practise or a decision relating to an extenuating-circumstances claim based on procedural irregularity;
 - 4.2.4 any matter relating to the Student Loans Company, which has its own policy and procedure;
 - 4.2.5 a matter relating to Starting Point Nursery which has its own policy and procedure
 - 4.2.6 a matter relating to an employer with which a student is undertaking a higher or degree apprenticeship at the College.

N.B. *Please note that the College has a wide range of Policies and Procedures. If you are unsure whether a complaint will be covered by this policy or another e.g. The College Complaints Policy, Anti-Harassment and Bullying, Academic Appeals or Whistleblowing, please ask a member of staff who will be able to advise the most appropriate action.*

5 Recording and monitoring of complaints

- 5.1 Complaints are recorded on a centralised data base and monitored in order to identify problems and trends.
- 5.2 Information relating to complaints is used to provide reports and supports the College in improving the service it provides and enhancing student experience.

- 5.3 Information relating to complaints feeds into the monitoring and evaluation procedure at various levels across the College including team, department and whole College.
- 5.4 The College Corporation (Governors) maintain oversight of complaints through regular updates and reports.
- 5.5 With regards to personal data, the College takes privacy of personal information seriously and is committed to being transparent about how information is collected and used.
- 5.6 The College sets out how it complies with its obligations under the UK Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) in its Data Protection Policy and Data Protection Rights Procedure.

6 Making a complaint

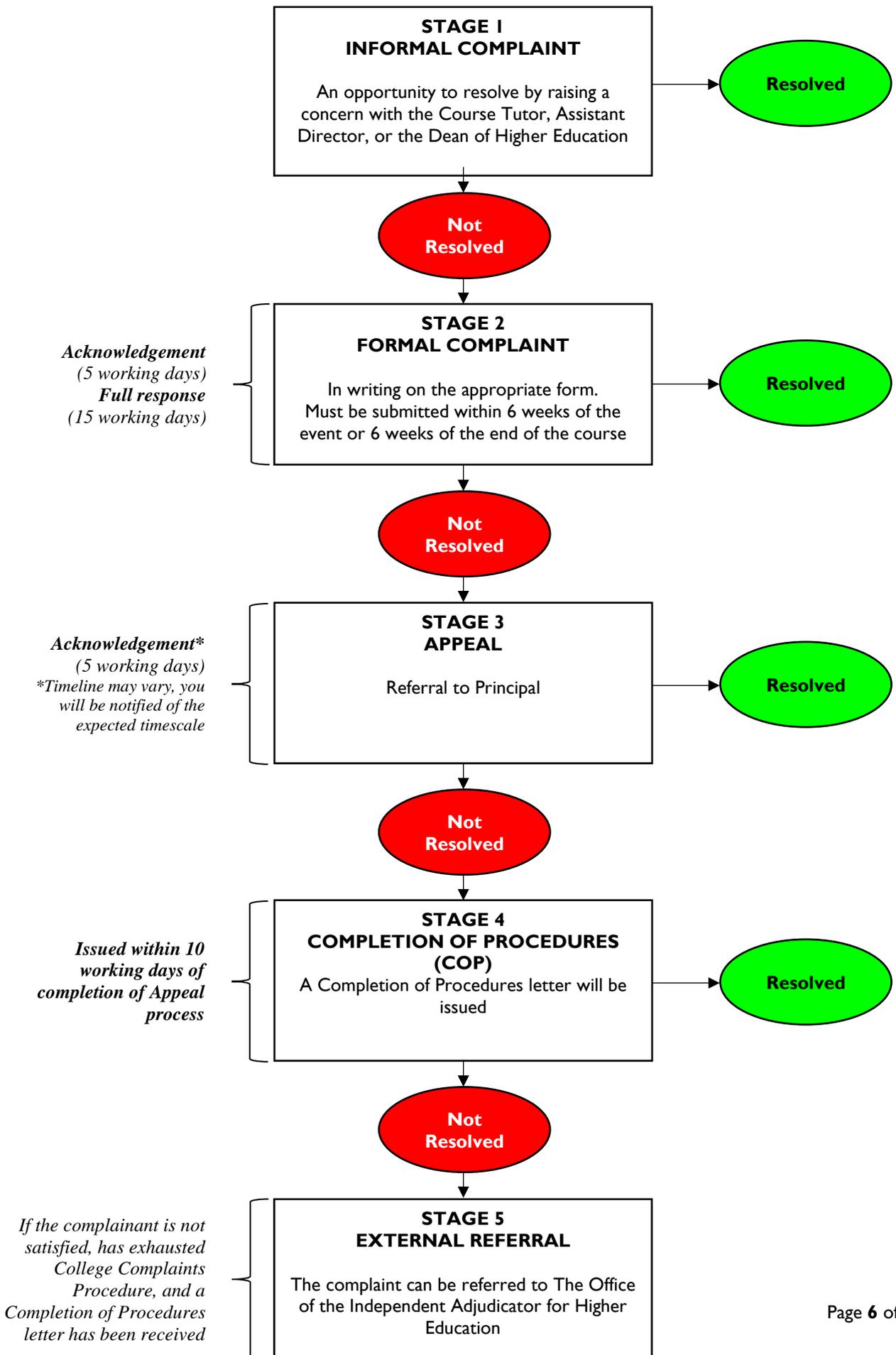
- 6.1 The following provides a step-by-step guide as to the process of submitting a complaint for learners on Higher Education courses. In addition, a flow diagram is available at *Annex A* detailing the complaints process.
- 6.2 **Stage 1 (Informal)** The College expects minor complaints to be dealt with informally within the department under the direction of the Dean of HE using informal conciliation techniques, such as mediation. Where the matter remains unresolved the following procedure applies.
- 6.3 **Stage 2 (Formal)** All complaints should be addressed to the College Principalship. For a complaint to be considered as a formal complaint it must be submitted to the College in writing and on the appropriate form (*appendix 1*).
- 6.4 In exceptional circumstances the College is prepared to accept a complaint over the telephone whereby a College administrator receives dictation from the complainant. In such circumstances the complainant will be asked to make clear the specific nature of the complaint.
- 6.5 A complaint must be made as soon as reasonably possible and, in any event, within six weeks of the event that gave rise to it or, if the complainant is a student at the College, within six weeks of the end of the course. The College may extend this time limit if it would have been unreasonable for the complaint to be made earlier or there were extenuating circumstances which prevented the complainant from making the complaint earlier, as long as it is still possible to investigate the facts of the case.
- 6.6 If a complaint is made there is an expectation that this will be submitted by the complainant and personal information will be required such as name, address and appropriate telephone numbers with an explanation of the complaint.
- 6.7 As a higher education student, there is an expectation that this will be submitted by the complainant. However, the right to nominate a third-party representative is accepted and this must be made in writing stating the representation/individual acting on behalf of the complainant. This is consistent with best practice described by the Office of the Independent Adjudicator (OIA).
- 6.8 The College will acknowledge the complaint within 5 working days and the complainant will receive a full response within 15 College working days of receipt of the acknowledgement.
- 6.9 If the complaint is about the Principal or a member of the governing body, the complainant should write to the Clerk to the Board.
- 6.10 **Stage 3 (Appeal)** The College would hope to resolve the complaint, however, if the complaint has not been resolved satisfactorily, then there is an option to refer the complaint to the Principal.
- 6.11 **Stage 4 (Completion of Procedures)** Upon completion of the Complaints and Appeal processes the complainant will be issued with a 'completion of procedures' letter. This letter is evidence that appropriate procedures have been implemented and said procedures are now at an end.
- 6.12 **Stage 5 (External referral)** If the complainant is not satisfied with the College Complaints Policy and a completion of procedures letter has been received, this can be referred to the appropriate external body.

- 6.13 As a higher education student studying a Pearson Higher National qualification (HNC or HND) referral to the awarding body is possible. Further information can be found in the course handbook, within the College HE Pearson Programme Regulations (available on request) or by contacting Pearson directly at <https://www.pearson.com/uk/>.
- 6.14 Higher education students have the right to refer complaints to the Office of the Independent Adjudicator (OIA). To make a complaint the complainant must complete a Complaint Form and submit this to the OIA within 12 months from the date of the Completion of Procedures Letter.
- 6.15 It is important for students to note that the Office of the Independent Adjudicator cannot consider matters which are or which have been the subject of court proceedings.
- 6.16 The College reserves the right to decline, suspend or to discontinue a complaint under the Student Complaint Policy, in the event that legal proceedings are commenced, and the claim concerns the same subject matter as the complaint.
- 6.17 Further information relating to the OIA, including the on-line Complaints Form, can be found at <https://www.oiahe.org.uk/> or by contacting the address below.

Office of the Independent Adjudicator
OIA Second Floor
Abbey Gate
57-75 Kings Road
Reading
RG1 3AB

Tel. 0118 959 9813

Annex A. Higher Education Complaints Diagram



HE Complaint Form



Cheshire College
South & West

Complaint Number *(For office use only)* :

Name :

Address :

Telephone Number :

Course Details :

If a third party is acting as a representative, please provide details :

Details of Complaint:

Signature :

Date :

When complete, please return this form to Complaints, Principalship, Cheshire College South & West, Dane Bank Avenue, Crewe CW2 8AB. Telephone: 01270 654601 E-Mail: complaints@ccsw.ac.uk

FOR OFFICE USE ONLY Complaint received: **(please tick as appropriate below)**

Verbally In Writing Telephone Fax E-mail Third Party

RECEIVED ON: CLOSED ON

ACTION TAKEN:
.....
.....

NUMBER OF DAYS TAKEN TO COMPLETE: CATEGORY:

APPEALED: YES/NO UPHELD: YES/NO SIGNATURE: