



south essex college

SKILLS | EDUCATION | CAREERS

Complaints and Compliments Policy 2023/24

The heart of community transformation

SLT Member Responsible	DPCQ
Author of Policy/Procedure	Adam Fahey
Approved by	QEB
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Related Policies	College Behaviour Policy Whistle Blowing Policy
Distribution	College Intranet – all staff Moodle – all students Websites – all stakeholders inc. parents

1. Introduction

1.1 South Essex College Group is a community of professionals who inspire learners to be extraordinary in all they do. We encourage not only our learners to perform to the peak of ability but ourselves. As part of that ethos we encourage constructive criticism from all our stakeholders in order to ensure that the high standards we set ourselves are maintained.

2. Scope

2.1 A complaint is defined as an expression of dissatisfaction by a stakeholder about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider.

2.2 The task of actioning and monitoring complaints and compliments will sit with College Principals and their Deputies or Heads of Service as appropriate and with the Executive Assistant to the Deputy Principal Curriculum & Quality. Quality Executive Board will monitor complaints and compliments on a monthly basis and will report to the CQC Governors committee.

3. Intent

3.1 This policy seeks:

- To establish a clear process for the logging, tracking and monitoring complaints and compliments.
- To provide guidance for staff, learners and any stakeholder who is dissatisfied with South Essex College Group's performance through action or inaction.
- To ensure that SECG responds swiftly to any issues raised and that the complainant is kept fully informed of progress.
- To resolve complaints as swiftly as possible through mediation and facilitated discussions.
- To reduce the number of formal investigations.
- To produce accurate College-based data regarding complaints, response and resolution.

4. Implementation

4.1 SECG must be informed of any issue as soon as possible and within 20 working days on any alleged incident.

4.2 A complaint can be logged:

- by e mail by contacting the Executive Assistant to the Deputy Principal Curriculum & Quality at Yoursay@southessex.ac.uk.
- on the SECG website via the compliments and complaints form.

4.3 Any complaint which is not received through the above channels ie by letter or e mail to a member of staff must be referred as soon as possible to the Executive Assistant DPCQ for logging and response allocation.

4.4 No complaint is to be responded to locally without referral to the Executive Assistant DPCQ.

4.5 The Executive Assistant DPCQ will acknowledge receipt of a complaint within 2 working days and will inform the relevant Head of Service, College Principal or their Deputy.

4.6 The Head of Service, College Principal or their Deputy will contact the complainant within 2 working days to introduce themselves and offer a meeting to resolve the issue. Initial contact and the proposed meeting may include:

- Gaining information about the concern or complaint
- Providing information or context to a complainant
- Suggesting various solutions including arranging a facilitated discussion
- Giving an apology where it seems appropriate to do so, although advice must always be sought before issuing an apology to allay any concerns with regards to legal liability
- Confirming resolution or next steps

4.7 A facilitated discussion may involve any other member of staff as determined by the Head of Service, College Principal or their Deputy and will be minuted.

4.8 If the facilitated discussion resolves the issues raised, the Head of Service, College Principal or their Deputy will inform the Executive Assistant DPCQ; the complaint will be closed down and a letter or e mail sent to the complainant within 5 working days to confirm the resolution and any recommendations which arise as a result.

4.9 If the mediation is refused or does not resolve the issues, the formal investigation process will commence.

4.10 The Executive Assistant DPCQ will inform the DPCQ of the outcome and SLT will appoint an Investigating Manager (IM) unconnected to the area which is subject to the complaint in order to ensure impartiality.

4.11 The IM will make contact with the complainant within 2 working days to introduce themselves and arrange a face to face or phone conversation to confirm the key points raised in the complaint. The IM must outline to the complainant any evidence that they will require as part of the investigation and complete the investigation within 15 working days of making contact with the complainant.

4.12 The IM will interview involved parties and review documents and communication records in order to gather evidence before submitting a report and recommendations based on their findings to the Executive Assistant DPCQ.

4.13 All complaint investigations must be signed off on completion by the DPCQ or his proxy prior to communication with the complainant.

4.14 The IM will write to the complainant informing them of the outcome and any recommendations that are appropriate to share within 15 working days. If the complaint is not upheld or partially upheld, the reasons for this should be outlined in the letter. The outcome letter should also include the next steps, should the complainant be unsatisfied with the outcome. Prior to sending the formal communication, the IM will contact the complainant in person or via phone to brief them of the outcome.

4.15 The IM will ensure that the Executive Assistant DPCQ is provided with a completed report, all appropriate and relevant evidence and a copy of the response communication to the complainant within 2 working days of closing the process.

4.16 The Executive Assistant DPCQ will inform the College Principal or Head of Service of the resolution of the complaint and any follow up action. This may involve referral to Human Resources Department.

4.17 Complaints will be classified, logged and tracked in four categories:

- **Upheld:** the complaint was justified and will result in the appropriate action to improve SECG practice
- **Partially upheld:** aspects of the complaint were justified and will result in the appropriate action to improve SECG practice
- **Not upheld:** the complaint was not justified but may result in actions which improve SECG practice
- **Withdrawn:** the complaint was withdrawn by the complainant

4.18 If a complainant is dissatisfied with the outcome of the formal investigation, they can request a review or submit an appeal. This may include but is not limited to:

- A review of the procedures followed at the formal investigation
- A consideration of whether the outcome was reasonable
- New material evidence which the complainant was unable to, for valid reasons, provide earlier in the process

An appeal will not usually consider the issues afresh or involve a further investigation. A request setting out the grounds for an appeal must be submitted in writing to the Deputy Principal Curriculum and Quality at Yoursay@southessex.ac.uk.

4.19 The Executive Assistant DPCQ will acknowledge the appeal request within 2 working days and a different IM will be appointed by SLT.

4.20 The IM will contact the complainant by phone within 2 working days to introduce themselves, to determine the key points of the appeal and to ensure that the complainant understands the scope of the appeal process.

4.21 The IM must complete their review in 15 working days and consider these key questions as part of the process:

- Were the required procedures followed during the formal stage?
- Was the outcome reasonable in the circumstances?
- Has the complainant received clear reasons why the complaint was rejected at the formal stage?

- If new material evidence has been provided, has the complainant given valid reasons for not supplying this earlier?

4.22 The IM must communicate the outcome of the appeal to the complainant in writing and provide the Executive Assistant DPCQ with all appropriate and relevant evidence within 15 working days.

4.23 If the complainant remains unsatisfied with the outcome after an appeal investigation has been conducted, they may contact The Education Skills Funding Agency (ESFA), Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Stone Street, Manchester, M1 2WD (students aged 14 - 19 OR 14 – 25 if there are learning difficulties)

In the case of a serial or vexatious complainant, SECG reserves the right to refuse to investigate a complaint and may, if appropriate, refer the matter to solicitors. Examples of such cases may include but are not restricted to:

- Complaints which are harassing, obsessive or repetitive
- Insistence on pursuing non-meritorious complaints and unrealistic or unreasonable outcomes
- Insistence on pursuing what may be meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value

4.24 SECG reserves the right to withdraw from investigating a complaint if there is no response or communication from the complainant or other relevant parties after 15 working days. The complainant will be contacted a maximum of three times before being informed in writing that due to continued lack of response the complaint is no longer being processed.

4.25 All complaint paperwork and personal details linked to these complaints are treated as sensitive and kept in a secure Teams bucket accessible only by the DPCQ and his Executive assistants. Any complaints which lead to disciplinary action will be maintained by HR. All complaints documentation will be kept in line with GDPR retention timeframes.