

Complaint Procedure – Tower Hamlets Campus	Quality Office Reference: 008
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Complaints Procedure (Tower Hamlets Campus)

Written By:
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Complaints Procedure

The College has a duty and commitment to ensure it provides a high quality service to its students, staff and clients.

Students, members of the public or other organisations may make a complaint about the services provided by the College through the College complaints procedure.

The complaints procedure is made available to all students during their induction and copies are displayed at the main reception desk of each centre. Tutors should discuss the procedure during induction.

Staff should use the grievance procedure to make a complaint. Students who wish to appeal against the outcome of a disciplinary procedure (e.g. exclusion) must do so under the student disciplinary procedure.

Objectives

The primary objectives of the College complaints procedure are to:

- Improve the service provided by the College
- Provide a predictable, open and fair method for dealing with alleged failure to meet acceptable standards of service
- Implement measures for improvement in areas where a complaint is fully or partly justified
- Handle matters efficiently and effectively, allowing sufficient time to ensure facts are established and carefully considered.

Students may make a complaint about the services provided by the College or against a member of staff employed by the College.

External agencies or people may also want to make complaints about the College and should use the same procedure.

1.0 Informal stage

- 1.1 The complainant should, in the first instance, discuss their complaint with the member of staff concerned or with their tutor. Wherever possible, staff should try to seek a resolution to the complaint at this stage. If the complainant speaks to the tutor, the tutor may need to facilitate a meeting with other staff in order to resolve the complaint.
- 1.2 In all cases staff should keep a written log of the complaint being made (see attached form – C2) and the resolution reached. A copy of this log

should be passed to Quality Improvement for recording with the original complaint (see attached - C1).

If the matter cannot be resolved informally or in the case of a serious complaint, then the complaint should be addressed formally.

If the complaint is deemed to be of a serious nature or is a repeat of a similar complaint received within the last 12 months, the complaint will go straight to the formal stage for further investigation.

2.0 Formal stage

- 2.1 The complainant should complete the complaints form (see attached - C1) outlining the nature of their complaint. Where appropriate, a member of staff may help the complainant to complete the form. For some complainants, there may be a need to provide opportunities to record verbal complaints formally.
- 2.2 The complaints form is sent to the Quality Improvement department who will log the complaint and ensure it is investigated in line with the procedure.
- 2.3 In more serious or sensitive cases or where the initial attempt at a resolution within the programme area has not been successful, the Group Director - Quality will ask an appropriate independent person to investigate the complaint. This will usually be a Director / Head of Curriculum from another area.
- 2.4 If a complaint against a member of staff is sufficiently serious then HR will inform the member of staff that if the complaint is upheld then this may lead to disciplinary action being taken against them.
- 2.5 The Quality Improvement department informs the complainant in writing of the name of the investigating manager and passes all the relevant paperwork to this manager.

3.0 Responsibility of investigating officer

- 3.1 The member of staff carrying out an investigation into a complaint is required to examine the complaint with impartiality and with respect to best practice in customer care. They are required to carry out the investigation fairly and objectively seeking opportunities to resolve rather than escalate the complaint.
- 3.2 They must not report their findings to the complainant or write to them other than as part of the investigation.

- 3.3 They must keep in close contact with the Group Director - Quality throughout the investigation and report any anticipated delays to the report in time for the Group Director - Quality to write to the complainant within agreed deadlines.
- 3.4 The College will ensure that all complaints and appeals are investigated thoroughly, promptly and with due regard to the confidentiality of all parties. The privacy of the complainant will be respected. Details will only be shared with staff who need to know in order to investigate and respond. It may also be necessary to disclose information to others in order to deal with the concern or complaint and, in these circumstances, the parties concerned will be informed of such a disclosure. Formal complaints will be received by the Quality Improvement department and investigated by a member of staff who is independent of the source of the complaint. The identity of the complainant must be disclosed to the member of staff who the complaint is against. If there are any reasons why this should not happen then this should be discussed with the Group Director - Quality. Any person implicated in the complaint must be informed of the nature of the complaint and have the right to state their views
- 3.5 Anonymous complaints – The College reserves the right to dismiss or examine anonymous complaints at its discretion.
- 3.6 Vexatious complaints will be investigated and the college reserves the right to raise the matter with appropriate authorities.

The formal stage should be completed within 10 working days of the complaint being received where possible. If the result of the investigation is that disciplinary action should be taken, no further investigation will be carried out unless necessary.

4.0 Complaint Procedure

- 4.1 The investigating manager informs the relevant curriculum or service staff of the complaint and gives them a copy of the complaints form and any other relevant paperwork.
- 4.2 The investigating manager contacts the complainant and where appropriate sets up interviews with the complainant or any staff or who have been complained about where appropriate.
- 4.3 Complainants may bring a friend to the interview, staff may bring a trade union representative or work colleague.
- 4.4 If the investigation relates to teaching and learning, the investigating manager may undertake a lesson observation or learning walk as part of the investigation.

- 4.5 In serious cases the investigating manager completes an investigation report using the Complaints Response Form (see attached – C2) and gives this to the Group Director Quality.
- 4.6 The Complaints Response Form will include a number of recommendations. Group Director - Quality will inform the complainant of the recommendations in writing.
- 4.7 Where no disciplinary action is recommended the Group Director - Quality will discuss the recommendations with the member of staff concerned.
- 4.8 If the outcome of the investigation recommends disciplinary action, the issue is passed to HR. An additional investigation may be undertaken if necessary however, the matter may progress straight to a hearing.
- 4.9 Following the investigation the Group Director - Quality will write a closing letter to the complainant to confirm the outcome of the investigation. The complainant will be invited to respond within 10 working days should they wish to appeal the decision or if they require any additional information.
- 4.10 The College subscribes to the Office of the Independent Adjudicator for Higher Education. For all HE complaints a Completion of Procedures Letter will be sent to the complainant, within 28 days of the final closing letter. (please note this part of the procedure only relates to learners enrolled on a HE learning programme at the College)

5.0 Appeals by the complainant against the outcome of a complaints investigation

- 5.1 If the complainant is not satisfied, they are informed of the right of appeal and given an appeal form (see attached – C3) which must be returned to the complaints administrator **within 10 working days**.
- 5.2 Quality Improvement will send all documentation relating to the investigation to Borough Principal, who hears the appeal within 3 working weeks.
- 5.3 Borough Principal can nominate another Senior Manager to hear the appeal process if necessary.
- 5.4 Appeals must be based on one or more of the following grounds:
- That procedural errors in the investigation significantly affected the outcome
 - That evidence has not been properly considered and / or a perverse judgment has been reached
 - That new evidence has come to light which was not available during the investigation

5.5 An appeal hearing will be a recorded meeting at which the appellant outlines grounds for an appeal. It is not an opportunity to repeat the investigation but witnesses can be called if their evidence is directly relevant to appeal grounds.

5.6 The appellant will be informed in writing of the outcome within **10 working days** of the appeal hearing.

6.0 HIGHER EDUCATION

6.1 For students enrolled on the College's Pearson BTEC higher education programmes.

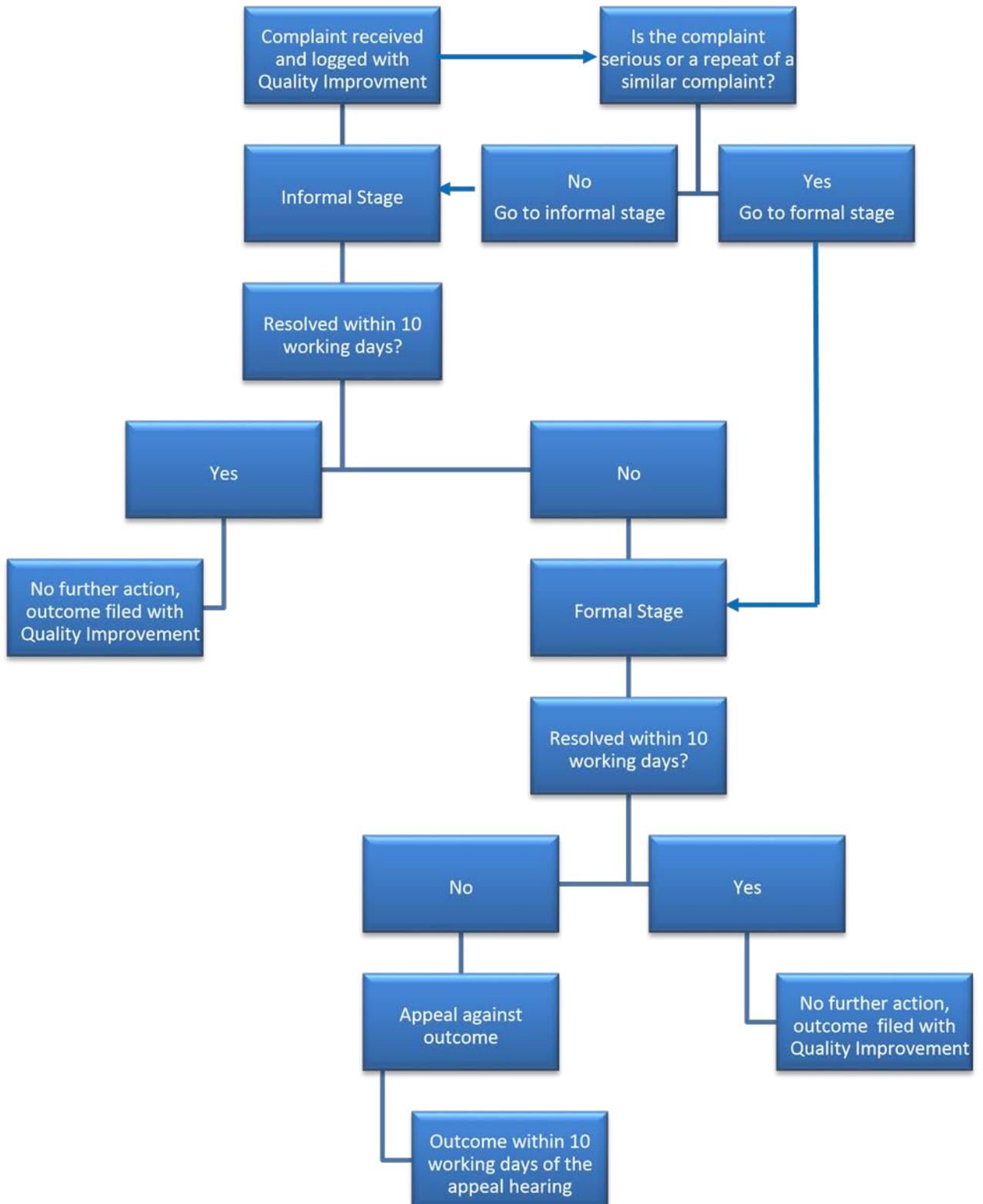
6.2 Once the appeal against complaint outcome stage has been completed, you are entitled to ask the Office of the Independent Adjudicator ([OIA](#)) the independent ombudsman service of last resort, to look at your complaint. All applications to the OIA must be made within twelve months of the date of the Completion of Procedures letter issued by the College to the Student.

6.3 The [OIA](#) considers complaints from people who remain dissatisfied at the conclusion of the College's internal complaints procedure. The [OIA](#) looks at issues such as whether the College followed its procedures, whether these procedures were reasonable, and whether the College's final decision was reasonable in all the circumstances. The College will respond to any [OIA](#) enquires in line with [OIA](#) timeframes. The [OIA](#) cannot normally look at complaints:

- Where the student has not progressed through all stages of the College's complaints procedures
- Where the complaint refers to matters more than three years old
- Where the Completion of Procedures letter is received outside the twelve month time limit
- Where matters have been or are being considered in court.

Full details of the scheme are available at www.oiahe.org.uk

NB: The decision of the appeal hearing is final.



C1 MAKING A COMPLAINT

Tower Hamlets College is committed to handling all complaints seriously, fairly and speedily.

If you have a concern about any aspect of the College, in the first instance please discuss the matter with the individuals involved to see if the problem can be resolved to your satisfaction.

If you are unable to resolve the concern you can make a formal complaint. To do this please fill out this form below and your complaint will be investigated by the Quality Improvement team.

Once your complaint has been received, the Quality Improvement department will write to you within 5 working days, informing you who will be investigating your complaint. Usually you will be invited to a meeting to discuss the complaint. You are very welcome to bring a friend with you if you wish. Please tell us if you want a translator present, and what language you will use.

At the end of the investigation you will be asked if you are satisfied with the outcome. If you are not satisfied, you may appeal. The person investigating will tell you how to do this.

Your complaint will be handled as confidentially as possible. We hope you will feel satisfied with the outcome and that we will have had an opportunity to improve the way the College works to achieve its goals.

What to do when this form has been completed:

Give this form to the Reception desk staff, who will give it to the Quality Improvement team. You will be contacted within 5 days, if for any reason you do not hear, please phone them on (020) 7510 7527 or email

towercomplaints@ncclondon.ac.uk)

Alternatively, please post this form to: Quality Improvement, Tower Hamlets College, Poplar Centre, Poplar High Street, London, E14 0AF.

To be completed by reception:

Form received by:

Date received:

Passed to:

To be completed by investigating manager:

Date of first contact:

Date of first meeting:

Name:

Address:

If a complainant:

Course

Tutor

Have you discussed the complaint with the person/s concerned? YES/NO

If a complainant, have you discussed your complaint with your tutor? YES/NO

Please give full details of your complaint, including when, what happened and who was involved (continue on a separate sheet if necessary).

Signature..... Date

C2 - Complaint Investigation Form

The purpose of this investigation is to identify:

- whether a complaint is upheld, upheld in part or not upheld
- whether there should be compensation made to the complainant and what it should be
- any actions that need to be taken by the College to ensure that rigorous standards are maintained.

The content of this investigation is confidential. Any person implicated in the complaint must be informed of the nature of the complaint and have the right to state their views. The investigation will identify actions to be taken which could include disciplinary procedures.

NB: The decisions of this investigation may not concur with the decision of a resulting disciplinary board.

Stage (tick relevant stage)	Informal		Formal	
Complaint number:		Name of investigator:		
Position:		Date of complaint:		
Date investigation started:		Deadline for completion:		
Actual Completion:		Resolved (delete as appropriate)	Yes	No
Details for any delays with reasons (these must be sent in advance to the complaints administrator)				
Summary of complaint				
Brief summary of main points made in the complaint. (Name of complainant not to be entered on this form):				
Brief summary of any outcomes sought by complainant:				
Investigation Evidence Base				
Names (codes if confidential) and job roles of people interviewed together with reasons for interviewing them:				

Description of documentation reviewed together with reason for its inclusion:

Details of Visits / Observations carried out with reasons for these:

INVESTIGATION FINDINGS & RECOMMENDATIONS

Please state the findings of the investigation in terms of the main points made by the complainant:

Please select decision and delete those that are not appropriate:

Complaint is upheld in full / Complaint is upheld in part / Complaint is not upheld Reason for this decision:

Bearing in mind any outcomes sought by the complainant, confirm recommendations (including, if appropriate, any compensation):

Group Director - Quality / Curriculum :

Date authorised:

Actions arising from the investigation

Identify any concerns not included in the complaint that have been identified as part of this investigation:

Identify actions that need to be addressed as a result of this investigation. (Add lines as appropriate). The investigating manager or Quality Improvement team will notify the VP – Curriculum & Quality of any recommended actions to discuss with relevant staff. The senior management team will monitor progress in addressing issues arising from complaints.

Action	Intended outcome	Manager responsible for implementation

Action	Intended outcome	Manager responsible for implementation

Has an appeal been lodged:		Yes	No
If yes: Date lodged:		With who (name):	
Brief outcome of Appeal hearing: hear			
Recommended Actions (if applicable)	By who	By when	

C3 – Appeals Form If you are unhappy with the outcome of decisions made within the complaints process you may be able to lodge an appeal with Borough Principal, for further consideration.

NB: Appeals must be based on one or more of the following grounds:

- That procedural errors in the investigation significantly affected the outcome
- That evidence has not been properly considered and / or a perverse judgment has been reached
- That new evidence has come to light which was not available during the investigation

If you feel that you have just grounds for appeal please complete this form and return it to Quality Improvement who will pass it onto Borough Principal for consideration. You will hear from him within 3 working weeks of lodging the appeal.

An appeal hearing will be a recorded meeting where you will be invited to outline your grounds for an appeal. It is not an opportunity to repeat the investigation but witnesses can be called if their evidence is directly relevant to appeal grounds.

You will be informed in writing of the outcome within **10 working days** of the appeal hearing.

Your name:

Date appeal lodged:

Received by:

Date Received:

Briefly outline your grounds for the appeal:

Signed: **Date**