

## Complaints Policy

**1.** This policy is integral to North Devon College strategic values through:

**1.1 Respect:**

We embrace differences, respect the values, ideas and beliefs of others and review our own values through discussion and exploration.

**1.2 Empowerment:**

We create an educational environment that empowers learners to exceed their own expectations and enables them to shape the future of our world.

**1.3 Community:**

We believe in community - the ability to do more together, the mutual commitments that hold people together, and in responsibility beyond one's own self interest  
It is central to one of our strategic 'ways of working' - to be continuously learning and improving.

## **2. Complaints Policy and Procedure**

2.1 At North Devon College, we want to provide you with an outstanding educational experience and an excellent service. One of the ways in which we can improve what we do is by listening to you and responding to your views. The College values the feedback that students and employers provide and complaints are monitored, evaluated and reported to the Colleges' senior management teams and reported annually to the Corporation. We aim to deal with complaints in a fair, reasonable and timely manner.

2.2 When signing your Learner Agreement / Employer Contract or HE Contract with your college you are agreeing to the Colleges policies and procedures which outline what you can expect from us

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| Policy Name: Complaints and Feedback Policy | Policy No: 133002                                |
| Approved Date: November 2024                | Review Date: September 2028                      |
| Approved by: College Leadership Team        | EqlA Completed: No                               |
| Author: Director of Quality Improvement     | Monitoring & Evaluation: College Leadership Team |

and what we can expect of you. These policies, including the Complaints Policy, are available on the College websites.

### **3. Introduction**

#### **3.1 What is a Complaint?**

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

#### **3.3 Who can make a Complaint?**

- Students/Apprentices who are enrolled on a course/programme/activity at the College.
- This includes students on Higher Education (HE) courses affiliated to partner universities in the first instance. Once the College Complaints Procedure is completed, an HE student may then take their complaint to the partner university if they wish.
- All students can escalate the outcomes of their complaints to external agencies as listed in the policy and the complaints process.
- Employers who have employees enrolled on a course/programme/activity

#### **3.4 We would not normally accept a complaint from:**

- Ex-students unless the complaint is received by the College within eight weeks of the end date of the course.
- An anonymous source.
- Third parties e.g. parents / guardians or legal representatives.

3.5 It is expected that complaints are made promptly and normally within 3 months of the issue being raised.

3.6 If a complaint is about a member of staff, they will be notified and given the opportunity to respond. In all other respects the College will maintain confidentiality regarding complaints and request that students, apprentices and employers do the same.

### **4 Exclusions from the Complaints Process**

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#### 4.1 **Non-Compliant Matters**

4.2 The college values feedback and recognises the importance of allowing concerns to be voiced through an accessible complaints process. However, to maintain focus on service quality and to address complaints effectively, certain matters related to business operations and professional judgments are outside the scope of this policy. These include:

4.3 **Academic or Professional Judgments:** Issues relating to academic performance evaluations, attendance-based withdrawals, and other professional assessments as defined in relevant policies (Learner Success standards, and Student Code of Conduct)

4.4 **The College has the right not to accept complaints** (e.g. where a complaint is judged by the College to be frivolous, vexatious or malicious).

#### 4.5 **Separate procedures exist for the following:**

- Academic appeals relating to assessment decisions, covered by the Assessment Appeals Procedure.
- Complaints relating to disciplinary processes are covered by the Learner Success Standards Policy
- Complaints relating to admissions are covered by the Admissions Policy and the HE Admissions Policy.

### 5 **Complaints Procedure Stage**

5.1 **Stage 1- Informal Complaints Procedure:** You should in the first instance raise any concerns with the tutor or a college manager. The College aims to resolve the issues you raise within 10 working days.

5.2 **Stage 2 - 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. Your complaint may be referred back to the informal complaints procedure if you skipped that stage without due consideration.

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**5.3 How to make a formal complaint:** Formal complaints must be made in writing by completing the complaints form [LINK](#). Your complaint should include clear detailed reasons for your complaint and an indication of the resolution or outcome you seek. You may be required to provide copies of any documents upon which you wish to rely upon once your complaint is being investigated. You may send a complaint letter to 'Director of Quality Improvement' North Devon College, Old Sticklepath Hill, Barnstaple, Devon, EX31 2BQ.

5.4 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 holidays.

**5.5 You can normally expect:**

- **Complaint acknowledgement:** Your complaint to be acknowledged within five working days of receipt.
- **Complaint investigation, outcome and action:** An investigation of your complaint will be undertaken by a college manager and the College aims to complete this stage within twenty working days of receipt of your complaint.
- The investigation may involve speaking with relevant individuals and / or looking at relevant documentation. You may be asked to attend a meeting to discuss your complaint. You may not bring legal representation with you to this meeting if it is to occur, but you may bring a friend, relative or representative from the Student Union Executive to accompany you. If you have any particular requirements (e.g. English as a second language, a learning difficulty and / or disability), you may bring a second person with you.

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- **Complaint response:** The College aims to provide a written response to your complaint within twenty working days of receipt of your complaint. If after 10 working days of getting a response, you do not request a review, the College will regard your complaint as closed.

### 5.6 **Stage 3 - 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:

- 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 complaints procedure was not followed. If you wish to request a Review you should email [ComplaintReview@petroc.ac.uk](mailto:ComplaintReview@petroc.ac.uk) This must be sent within ten working days of the date of the College's written response to your complaint.

You must clearly explain the reasons for your request including the grounds upon which it is based and enclose copies of all the documents you wish to rely upon.

### 5.7 **You can normally expect:**

5.8 **Complaint acknowledgement:** A member of the College's Senior Management Team will acknowledge your review request within 5 working days of receiving it.

### 5.9 **Complaint review and action:**

A member of the College's Senior Leadership Team will consider your request for a review and determine whether it meets one or more of the grounds stated above.

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**6** If your request for a review does not meet one or more of the grounds for review, the complaint outcome will not be reviewed. A Completion of Procedures notification will be sent to you by a member of the College's Leadership Management Team, or their nominee, to close the matter.

- If the member of the College's Leadership Management Team, or their nominee, determines that your case needs to be reviewed, you will be notified who will lead the review (reviewing manager) and what the review will involve, including timelines. This may include speaking with relevant individuals and / or looking at relevant documentation. You may be asked to attend a meeting to discuss your complaint. Again, you may not bring legal representation with you to this meeting if it is to occur, but you may bring a friend, relative or representative from the Student Union Executive to accompany you. If you have any particular requirements (e.g. English as a second language, a learning difficulty and / or disability) you may bring a second person with you.

You will receive notification about the review arrangements or Completion of Procedures within 10 working days of receipt of the review request.

**7 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 of the outcome of the review normally within 5 working days of it being decided upon by the reviewing manager. The decision of the reviewing manager is final, and the Group will not consider your complaint further. The review outcome will be contained in the Completion of Procedures notification.

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## 8 External Agencies

Following the conclusion of a review and the receipt of a Completion of Procedures notification, you may be able to take the matter further by escalating your complaint with the Education and Skills Funding Agency (ESFA), or if you are on a Higher Education course either with your college partner University.

You will usually need to exhaust the Colleges' Complaints Policy and be in receipt of a Completion of Procedures notification before you can escalate your complaint to any external organisation within their timeframes

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