

# Complaints Procedure

The Complaints procedure applies to complaints raised by students, parents, guardians, employers, customers, staff members, or the general public, in relation to college activities, staff, and provision.

It is NOT applicable to students or staff members who have a grievance against an individual person such as another staff member or student. Such grievances are the subject of staff and student grievance procedures (see below).

If you are seeking advice on the applicability and operation of the complaints procedure, please contact **Fran Tregaskes in the Quality Unit at St Austell**

However, you should also note that for the following matters of potential dispute, separate procedures apply:

- Staff Disciplinary Procedure
- Staff Grievance Procedure
- Student Disciplinary Procedure
- Student Grievance procedure
- Lesson Observation appeal Procedure

## PRINCIPLES

The principles underlying the complaints procedure are:

- that the procedure will serve the cause of natural justice
- that notions of fairness and reasonableness will be extended both to the complainant and to any member of staff or student named in a complaint
- that complaints will be treated seriously and can be made without fear of recrimination
- that complaints should not be made if they are frivolous, vexatious, or malicious. We reserve the right to end the complaints procedure at any stage if we feel the complaint is frivolous, vexatious, or malicious.
- that procedures are transparent and made available to students and staff
- that complaints provide valuable feedback and are an aid to improving services

## GUIDANCE

**Wherever possible complaints should be handled locally and informally.** It is therefore essential that all front-line staff who have contact with students are aware of relevant policies and procedures and are empowered to resolve issues as they arise. This requires a commitment to provide adequate and appropriate training for managers to support staff in handling complaints.

Staff who are dealing with complaints are encouraged to have face-to-face discussions with students to establish the precise cause of dissatisfaction, to explore the remedy being sought and to foster greater mutual understanding of the issues involved.

Responses to complaints must always be polite and professional. Staff must never be expected to listen to abuse or to respond in kind. It is never acceptable for a customer or staff member to shout, swear, or threaten. If a member of staff feels uncomfortable at any point when dealing with a complaint they should terminate the conversation politely and refer the complainant to the appropriate manager.

If a written response is necessary or required, care should be taken that electronic communications are handled as carefully as more traditional forms as they have equal status in the procedure.

The procedure can be invoked by the student themselves or by someone acting on the student's behalf with their express consent or by a group of students.

Where the College is approached by a parent or third party they should be advised that due to data protection requirements we are unable to discuss individual circumstances **unless the student has given their express consent to the College in person or in writing with a signature** but that if the student involved has a concern then we would encourage the student to raise it directly.

Anonymous complaints cannot be progressed formally.

If for any reason a person wishing to register a formal complaint or appeal is not in a position to submit it in writing for themselves, they shall be given all necessary assistance.

It is not feasible to give specific advice about resolving complaints as the circumstances of each complaint will vary. There are however, a number of remedies that might be appropriate including

- an apology from the College
- an explanation
- an assurance that the same thing will not happen again
- action to put things right

Staff are encouraged to acknowledge when a mistake has been made and to take steps to ensure that similar problems do not arise in future.

Where a complaint does not produce the outcome sought by the complainant the reasons for the decision should be fully explained and it may be necessary to explain the resource and policy constraints at the College or even national level.

## CONFIDENTIALITY

The investigator will produce report at the end of the investigation. This report will only be made available to those people directly involved in the complaint. These people are the complainant, any person(s) complained about, the direct line manager of any person complained about, the Head of any Department complained about, and any College managers involved in any appeals procedure.

The report may be shown to any member of the Senior Management Team if it is deemed appropriate to involve them and any legal representative of the Cornwall College. The complainant may choose to show the report to their line manager, Parent/Guardian, or legal

representative. No part of the investigation report, the investigation notes, the appeals panel notes, or appeals panel reports should be copied or circulated outside of those directly involved as listed above. Any witness asking for information to remain confidential must be made aware of the need to circulate the final report to those most directly involved before they choose to give evidence.

Each year a report will be prepared by **Fran Tregaskes** for the College's Corporate Management Team detailing the sorts of general matters on which complaints have been raised and eliciting feedback and recommendations to prevent reoccurrence. We hope that in this way, broad concerns can be shared and appropriate action taken.

FAQ's

***I am a member of staff should I use the staff grievance procedure or the complaints procedure?***

The Staff Grievance Procedure is for use by staff members to help to resolve individual grievances against a person or persons named.

The complaints procedure is for use to complain about College provision or College policy or the content of procedures. The complaints procedure cannot be used to challenge decisions reached under the following procedures:

- Disciplinary procedure
- Lesson observations
- Competency reviews
- Grievance procedures staff or student

***I am a member of staff and a complaint has been made against me, do I get to explain my point of view?***

Yes. We take all complaints seriously and will investigate them thoroughly. This will always include talking to anyone who is complained about and listening to what you say. We recognise that you may be upset or may want advice about the complaints procedure. If upon investigation it is felt that a complaint has been made without foundation is malicious or frivolous the complaint will not be progressed and disciplinary action may be taken. Please feel free to call **Fran Tregaskes** at any stage of a complaint and discuss this with us.