

HE Compliments, Comments and Complaints Policy and Procedure

Reference Code: COMPL - HE

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1. Introduction

This policy is written in line with the Expectations and Core practices of the UK Quality Code for Higher Education (Quality Code), which are mandatory for higher education providers in all parts of the UK.

This Policy gives guidance on concerns, complaints and appeals and how the ability of, and processes for, someone to raise their dissatisfaction promotes equality of opportunity and the rights of all students to benefit from a high-quality academic experience, and to access the support they need to succeed. Providers are encouraged to consider concerns, complaints and appeals as an open opportunity to address and enhance their provision, learning opportunities, public information and management of the information held within their institution.

The Higher Education Compliments, Comments and Complaints Policy and Procedure is approved and endorsed by The City of Liverpool College University Centre HE Strategy Group and conforms to the Quality Assurance Agency (QAA) UK Quality Code and the Office of the Independent Adjudicator's (OIA) Good Practice Framework for Handling Complaints and Academic Appeals.

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The City of Liverpool College University Centre is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your complaint, appeal or disciplinary case. You can find more information about making a complaint to the OIA, what it can and cannot look at, and what it can do to put things right here: <https://www.oiahe.org.uk/students>.

The College operates its HE provision in collaboration and under the guidelines of its awarding bodies namely: Collaborative University Partners and Pearson. If the complainant has not been resolved to the complainant's satisfaction, it may be requested that their complaint receives an independent external review. The complainant should be made aware of this right through the College's proactive approach to informing students of their rights and by sharing the relevant Partner University's complaints procedure and also that of the Office of the Independent Adjudicator (OIA), in the

programme handbooks, the College website and during the Induction programme. Independent external review follows what is considered to be Stage 2 of the complaints procedure.

2. What is a Complaint?

The College recognises that some students may wish to raise issues regarding the academic, administrative, support or other services provided by the College including (but not limited to):

- Failure by the College to meet obligations including those outlined in the course/student handbook.
- Misleading or incorrect information in documentation provided by the College.
- Concerns about the delivery of a programme, associated teaching or administration
- Poor quality of facilities, learning resources or services provided directly by the College
- The behaviour of a member of staff.
- The behaviour of another student.

Some issues may be more appropriately considered under alternative processes rather than under the **Higher Education Compliments, Comments and Complaints Policy and Procedure**.

For example, the following are normally dealt under the alternative process:

- Dissatisfaction with a decision made by an academic body regarding student progression, academic assessment and awards. These issues are normally considered under the Academic Appeals Procedures set by the relevant Collaborative University Partner and awarding organisation Pearson as stated in the College's Academic Appeals Procedure.
- Dissatisfaction about the outcome of an academic misconduct process. Such issues are considered initially in the College through the Academic Appeals Procedure and if not resolved in this way, where relevant, the Collaborative University Partners' Academic Misconduct Appeals Procedures are applied.
- Dissatisfaction or concerns about other specific regulations such as Student Discipline, Fitness to Practise, Criminal Convictions Process, Attendance Policy, etc. Student Regulations and Procedures are available at the HE student handbook page on the VLE.
- Complaints from applicants or regarding the admissions processes are covered by the **Higher Education Compliments, Comments and Complaints Policy and Procedure** under the following circumstances: (1) The college had not followed its own admissions policy (2) The entry criteria was not applied.
- Complaints relating to Accommodation issues should be directed to the manager of the relevant Accommodation.
- Matters relating to external companies, such as the Student Loans Company, which have their own complaints procedures.

The Students' Union can provide advice and guidance if students are unclear on which process they can access.

Where a student raises issues that do not fall neatly into the category of an individual process, the University Centre will notify the students which specific issues will be considered under which specific procedure. Alternatively, dependent upon the circumstances, the University Centre may, with the agreement of the student, decide to consider matters together and conduct a collaborative investigation.

3. The Policy

3.1 At The City of Liverpool College University Centre we welcome any opportunity to review, change and improve our service. The Policy and Procedure is to support students, potential students, staff (in relation to supporting students), employers, stakeholders and the general public to communicate with and bring matters of dissatisfaction or concern to the attention of the College.

3.2 This document outlines the procedures and response times. Guidance in making a complaint, or the complaints policy in a different format, is available from Advice and Guidance at the Learning Exchange, Vauxhall Road or by emailing: complaints@liv-coll.ac.uk

3.3 This policy will be applied consistently to students, parents/carers, employers, visitors or members of the community regardless of their age, disability, gender identity, race, religion or belief, sex, sexual orientation, pregnancy and maternity, status and marriage or civil partnership status in respect of unlawful discrimination.

3.4 Staff should use the internal grievance procedure for all staff complaints.

3.5 The College will respond to any complaint fairly and promptly:

- An acknowledgement response will be provided within 2 working days of receipt of the complaint.
- A further, more detailed response will usually be made within 10 working days
- A meeting will be offered between the parties involved if appropriate
- For complaints that arise from service related issues, an appeal may be made to the Director of Learning or a member of the Senior Leadership Team if the complainant is not satisfied with the outcome
- For complaints that relate to the academic standards and/or quality of the learning opportunity, an appeal must be made, in writing, to the awarding body who will review the complaint in accordance with their own complaints procedure after receiving your letter.
- Information on how to take the complaint further will be provided in the **Completion of Procedures Letter**.

4. Completion of Procedures Letter

4.1 As a Higher Education provider we comply with The Office of the Independent Adjudicator for Higher Education (OIA) rules effective from 1st April 2018.

Under the OIA Scheme Rules the HE Complaints department will issue a Completion of Procedure 28 days after any internal process has been completed, if the complaint relates to service related issues. For complaints that relate to the academic standards and/or quality of the learning opportunity, the awarding body will issue the Completion of Procedure. If the student has no further avenues to pursue in relation to the issue then the letter is issued detailing the date the internal complaints procedure has been completed, it clarifies the issues investigated, it establishes the timescales for escalation to the OIA and advises the student of the OIA process.

4.2 Wherever possible, we encourage students to attempt to resolve any issue by talking to the person immediately concerned or alternatively a personal tutor, or if the issue cannot easily be resolved the complaint should be directed to the relevant Assistant Principal. For alternative formats contact: complaints@liv-coll.ac.uk

4.3 If students are unable to resolve the issue informally, a formal complaint is made. The complaint must be about something which has happened within the last twelve months. The complainant will receive a receipt and acknowledgement within 2 days and the complaint is passed on to the relevant investigating officer.

4.4 A written response to the complaint is made no later than **10 working days during term time – it may take longer over college holiday times due to staff availability.**

5. Scope

5.1 The Complaints policy and procedure is for all people served by the Higher Education team including staff (in relation to supporting students), students, parents, stakeholders, employers, contractors, visitors and others.

5.2 The policy does not replace College policy and procedures for academic appeals or disciplinary action; these procedures should be applied where appropriate.

6. The Complaints Process for Students

Informal Complaints up to Head of School level

6.1 Wherever possible, we advise that students attempt to resolve the issue by talking to the person immediately concerned.

If you are a student and cannot or do not want to talk to the person directly concerned:

- Talk to your personal tutor
- Discuss the matter with your student representative who can accompany you to a meeting
- If the complaint is made about a member of staff and you would like to be accompanied when this meeting takes place, you can ask at Advice and Guidance for someone to come with you. That person will support you in getting your points across as clearly as possible and

help where possible to enable you and the person concerned to resolve the problem informally

- If the issue cannot easily be resolved the complaint should be directed to the relevant Assistant Principal
- Verbal complaints to Reception and staff in public areas and/or requests to meet the Principal should be referred to the Head of School of the area in which the complaint is about or, if they are unavailable, the centre manager
- If the complaint is resolved at this stage it must be recorded in the Expression of Dissatisfaction Log and any related documentation retained for two years. Where the complaint is not satisfactorily resolved at this level, all documentation and notes should be forwarded to the HE Complaints Team as a formal complaint.

7. Making a formal complaint

7.1 If you are unable to resolve the issue informally, you can make a **formal complaint**.

The complaint must be about something which has happened within the last twelve months.

- You can complete a **complaint form**, which is available from the complaints department at complaints@liv-coll.ac.uk. Alternatively you can access the form in Advice and Guidance, LRCs or the reception.
- For alternative formats contact complaints@liv-coll.ac.uk or ask Advice and Guidance, College receptions, LRCs or refer to the Student Intranet homepage under Information. If you would like help to fill in form ask any member of staff in Advice and Guidance, LRCs or reception, email complaints@liv-coll.ac.uk
- You will receive a receipt and acknowledgement within 2 days and your complaint will be passed on to the relevant investigating officer
- Your receipt will have the name of the investigating officer. You will receive a written response to your complaint after no later than **10 working days**. **Exceptionally, it may take longer** in a case where evidence required to resolve the complaint may not be accessible within the set response deadline of 10 days. It may also take longer over college holiday times due to staff availability.

7.2 You will, in most cases, be able to withdraw your complaint at any point. But if your complaint is considered to have an impact on students, staff or the college, the investigating officer may have to follow it through even if you want to withdraw.

7.3 The Complaints Manager will nominate the appropriate officer to investigate the complaint. The nominated person to lead the investigation will be the Head of School or Assistant Principal for that area. For alternative formats contact complaints@liv-coll.ac.uk.

7.4 On completion of an investigation the investigating officer may:

- Propose an amicable resolution
- Uphold or partially uphold the complaint, offer an apology and take appropriate steps to address the issue
- Or dismiss the complaint as unfounded, providing reasons.

7.5 A complaint against the Principal, the Board or an individual Governor: should be addressed to The Clerk to the Board of Governors, The City of Liverpool College University Centre, The Learning Exchange, Roscoe Street Liverpool, L1 9DW.

Complaints against The Clerk of the Board should be addressed to The Chair of the Board of Governors, c/o The Principal, The City of Liverpool College University Centre, The Learning Exchange Roscoe Street, Liverpool L1 9DW.

8. Appeal Procedure

8.1 If you are not satisfied with the response to your complaint, you can appeal. For complaints that arise from service related issues, you can get an appeal form from complaints@liv-coll.ac.uk, Advice and Guidance, or College reception. This is Stage 1 appeal. You can expect a response to your Stage 1 appeal within **15 working days**. For complaints that relate to the academic standards and/or quality of the learning opportunity, an appeal must be made, in writing, to the awarding body who will review the complaint within 40 days of receiving your letter.

8.2 If you are not satisfied with the outcome of your appeal after Stage 1 you may contact The Office of the Independent Adjudicator (OIA) should you want to proceed with a Stage 2 appeal.

All higher education students who are in receipt of student support funding have access to the same dispute resolution arrangements as any other student on a higher education programme in England. The Office of the Independent Adjudicator (OIA) is the Government's designated operator for handling unresolved student complaints in higher education. The OIA provides an independent, transparent complaints handling scheme to review student complaints and academic appeals. More information about the OIA can be found on its website www.oiahe.org.uk

A Completion of Procedure letter is issued detailing the OIA complaints appeals procedure and how a learner can access it.

9. Recording and Monitoring Complaints

9.1 All formal complaints are recorded by the HE Complaints Team, a regular review is undertaken by the quality manager responsible for the equality for any element of potential or actual discrimination.

9.2 Responsibilities

Staff

All staff have a responsibility for receiving complaints and treating them promptly and courteously in accordance with the procedure above. Staff are expected to provide assistance to support a complainant where necessary.

Managers

All managers have a responsibility for resolving complaints and leading or contributing to an investigation where deemed appropriate.

Director of Learning

The Director of Learning, or nominee from the Senior Leadership Team, is responsible for resolving complaints that have reached the appeals stage.

The Board of Governors

The Board of Governors is responsible for overseeing the complaints policy and procedure and may become involved if a complaint is directed at the Principal, the Clerk or any member of the Board.

10. Complaints procedure for employers

Contact your Line Manager or main college contact in the first instance. If the problem is not resolved, you should contact Human Resources.

Appendix 1

Direct Discrimination

Direct discrimination occurs when a person is treated less favourably than another on the grounds of any of their protected characteristics.

Discrimination based on association

Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity). This might occur when a person is treated less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination based on perception

Direct discrimination also occurs when a person is treated less favourably because it is mistakenly thought or presumed that they have a protected characteristic (other than pregnancy and maternity).

Indirect Discrimination

Indirect discrimination occurs when a provision, criteria or practice is applied in the same way for all, but this has the effect of putting individuals/groups sharing a protected characteristic at a particular disadvantage. Indirect discrimination will occur if the following four conditions are met:

- the provision, criterion or practice is applied (or would apply) equally to all, including a individuals/groups with a protected characteristic
- the provision, criterion or practice puts or would put individuals sharing a protected characteristic at a particular disadvantage compared to those who do not share that characteristic
- the provision, criteria, practice or rule puts or would put the particular individual/group at that disadvantage
- It cannot be shown that the provision, criteria or practice is justified as a “proportionate means of achieving a legitimate aim”.

Harassment

Harassment is the unwanted conduct that has the purpose or effect of violating the person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

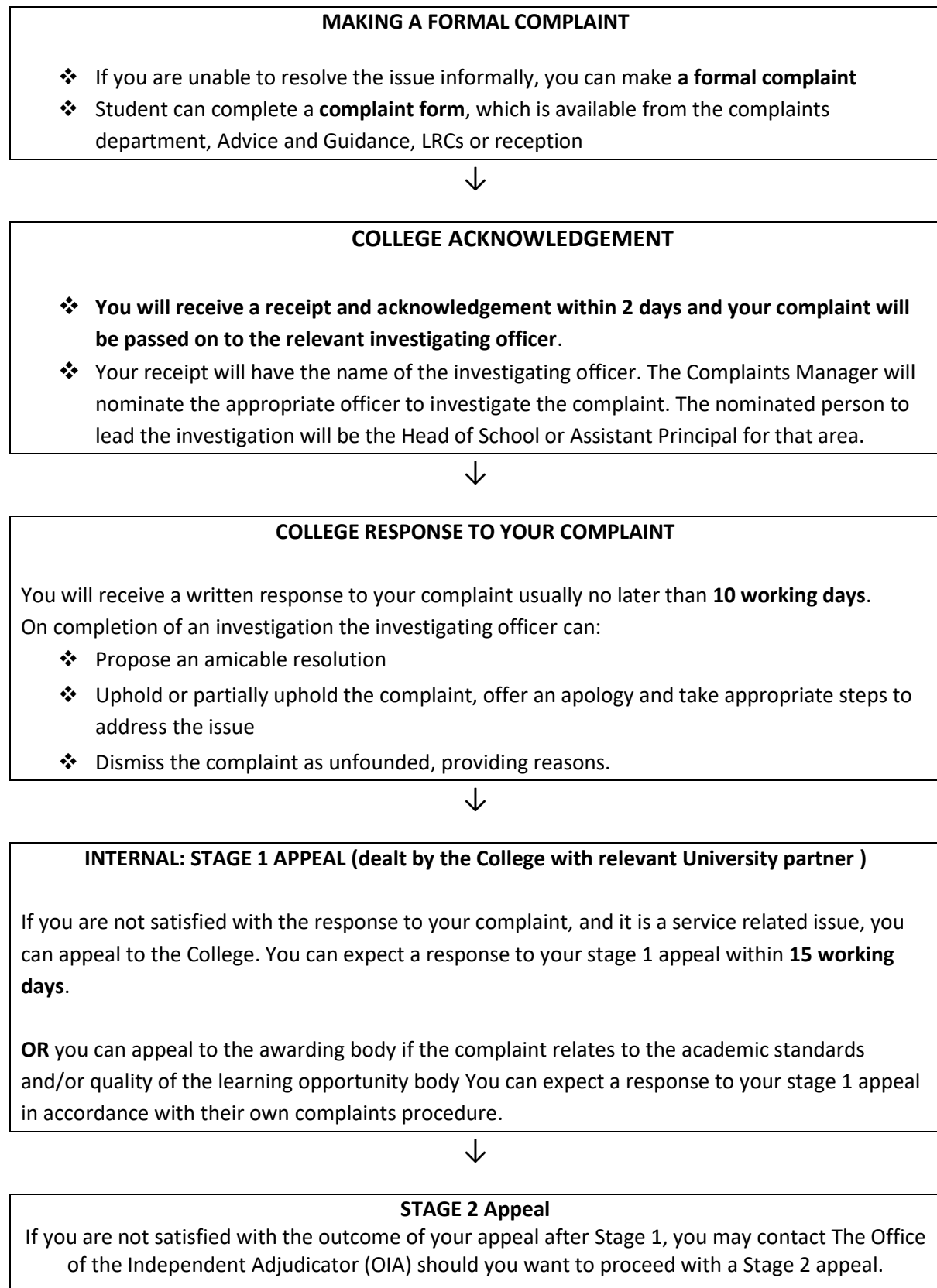
Conduct of a sexual nature is specifically included within the definition, although marriage/civil partnerships and pregnancy/maternity are not included as protected characteristics for harassment.

Victimisation

Victimisation occurs when a person is treated badly because they have made, supported or raised a complaint or grievance under the Equality Act; or because they are suspected of doing so. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

For alternative formats contact complaints@liv-coll.ac.uk

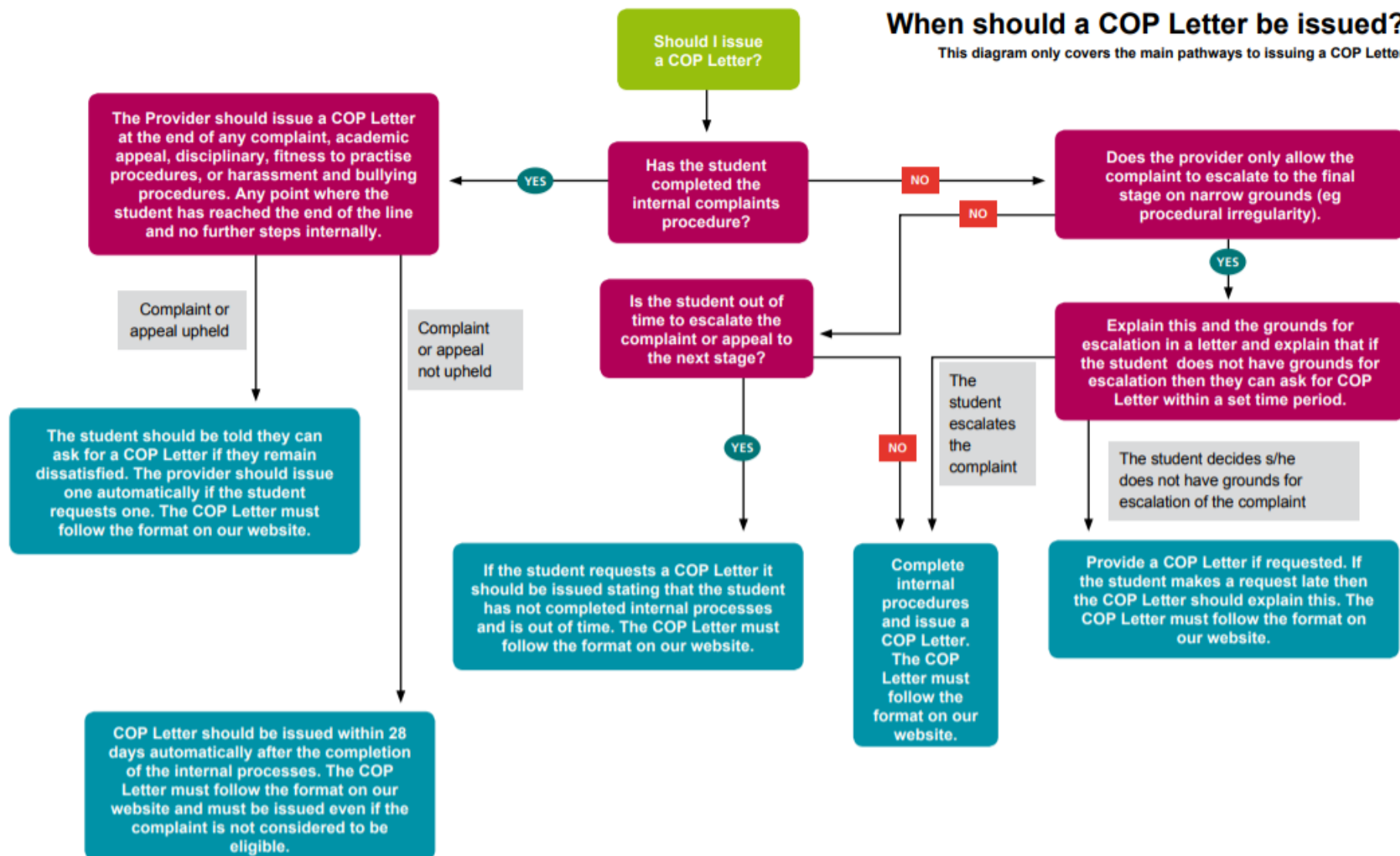
Appendix 2: Formal Complaints Procedure Flow Chart



On successful completion of the complaint, a COP letter will be issued to confirm the completion. See diagram below for the COP letter guidance.

When should a COP Letter be issued?

This diagram only covers the main pathways to issuing a COP Letter



Rule 7.3 of the OIA Rules states that in exceptional circumstances, we may decide to review a complaint when the student has not completed the providers internal processes and/or does not have a Completion of Procedures Letter.

Appendix 3: Completion of Procedures Letter

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided. The key points below will be included.

The City of Liverpool College University Centre Higher Education

The Learning Exchange, Roscoe Street, Liverpool, L1 9DW | 0151 252 1515 | COMPLAINTS@LIV-COLL

Dear [Name of complainant],

Completion of Procedures Letter

This letter confirms that the internal procedures of The City of Liverpool College University Centre in relation to your *complaint / appeal etc** regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal etc** were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc was / were**: [brief summary of the complaint etc].

The final decision of The City of Liverpool College University Centre is* [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

The City of Liverpool College University Centre subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your *complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA within 12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the Completion of Procedures Letter is dated 9 December 2015, this date should be 9 December 2016].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website.

<https://www.oiahe.org.uk/students/how-to-complain-to-us/>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from <https://www.oiahe.org.uk/students/can-you-complain-to-us/>. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from [refer to students' union or advice service if any] about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

[HNC/D Pearson awards: Your qualification is awarded by [name of awarding body], which has some responsibility for considering complaints about the overall quality or standards of your qualification. [name of awarding body] is not a member of the OIA Scheme.

In the event that you submit a complaint to the OIA, it will consider your complaint to identify whether it relates to: (1) an act or omission of [name of higher education provider] relating to the service provided which falls within the OIA's remit; or (2) the overall quality or standards of the qualification itself. Complaints relating to the design, delivery of assessment, moderation and awarding of the qualification are likely to fall into (2). However, this will be for the OIA to determine.

If the OIA considers that your complaint relates to the overall quality or standards of the qualification itself, it will refer the complaint to [name of awarding body].

Yours sincerely,

The City of Liverpool College University Centre