



**GRIMSBY INSTITUTE GROUP**

# Investigation and Determination of Complaints Policy & Procedure



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## Section 1 Introduction

The objective of the Grimsby Institute Group is to provide the highest quality services and facilities to all its learners and stakeholders. We hope you will find that this is so throughout your time with the Grimsby Institute Group. However, if there are areas of our provision which concern you, or about which you wish to complain, these pages tell you how to go about it. This policy does not cover academic appeals. In using this policy other documents may need to be considered.

This Policy is based on the following principles:

- Active promotion of equality of opportunity throughout all Grimsby Institute Group activities and the learning experience
- Provision of an open and transparent process
- Resolution of complaints in a fair and equitable way within agreed timescales
- Absence of victimisation once a complaint has been reported
- Continuous service improvement

### 1.1 Purpose

It is in the context of a concern or a complaint that this policy applies. Whilst the Institute is committed to monitoring and evaluating standards of education and wider services, learners and stakeholders should remember that the Institute sometimes has to make difficult decisions that are in the best interests of a complex provision of wider Institute services. Nevertheless the policy is a further means by which the Institute can identify any shortcomings and improve its procedures and practices. An important part of the outcome of every formal complaint, whether it is upheld or not, is the action taken to prevent the recurrence of the complaint in the future.

### 1.2 Complaints

This policy deals with situations relating to concerns and complaints by learners, parents, employers and members of the public. The Grimsby Institute Group (the Institute) welcomes comments and suggestions for the improvement of its services. In particular, the Institute has established a variety of mechanisms to ensure that learners and employers (where appropriate) have the opportunity to take part in the decision making processes at course/programme, faculty and Institute level. It is hoped and expected that learners and employers will take full advantage of these and think about addressing comments and suggestions to an appropriate member of staff, for example course/programme leader, module tutor, head of department/School etc. In such instances the Institute welcomes and encourages approaches designed to bring about an informal resolution.

This policy and procedure covers complaints relating to requests for information and operating the publication scheme.

The policy can only be applied by the complainant themselves and not by someone acting on their behalf (although this does not prevent an aggrieved learner obtaining

advice and/or support in the preparation of their complaint).

Whilst the Institute will endeavor to investigate and address any issues raised anonymously as far as it is possible to do so, such issues are not covered by the provisions of these regulations.

The policy does not cover complaints relating to specific types of complaint such as allegations of harassment or discrimination.

### 1.3 Learner Complaints

The policy applies only to acts or omissions which take place at a time when the complainant is an enrolled learner of the Institute or one who is taking approved time out. It does not, therefore, apply to applicants prior to admission with the Institute, or to former learners of the Institute whose complaint refers to an act or omission which took place after their enrolment has ended. The definition of learner extends one month beyond the day of sending of final transcript or withdrawal from the programme of study.

### 1.4 Monitoring

The Institute produces an annual report setting out the key features, the outcomes and any changes that have been made in response to all the formal complaints that have been initiated during the previous academic year. The report is produced by the relevant Quality and Standards departments and appropriate action plans instigated if necessary. The report is also received by the Institute's Curriculum Quality and Standards Committee as a means to disseminate institutional level information, actions and outcomes.

In all circumstances the Institute is committed to expediting a concern or complaint in the most efficient way possible and in a manner that is appropriate to the level of investigation required. All concerns and complaints are treated with appropriate seriousness in a fair and understanding manner.

Monitoring and evaluating complaints enables the Institute to satisfy itself that the policy is working satisfactorily for all learners, and to take appropriate action where this is not the case. Additionally, collecting information on the focus of complaints provides valuable feedback on all the aspects of support for learners' learning. The identification of consistent themes among complaints - or a disproportionate number of complaints from one part of the institution - might, for example, point to positive improvements which could be made to the learner experience.

The annual report (Appendix 4) takes into account the following categories so that that the Institute is able to monitor themes or trends at institutional level and subsequently improve its services and provisions.

- I. The number of formal complaints lodged
- II. The number of those formal complaints upheld and rejected
- III. The number of formal complaints divided by age, ethnic origin, gender and disability type, national or international status

- IV. Mode of attendance, programme and level of study
- V. A concise and anonymous summary of the issues raised, any action recommended and taken.
- VI. The number of formal concerns logged by the faculties

## 1.5 Support

The institute is committed to providing impartial advice and support for learners wishing to complain. This is provided through the Students Union who can be contacted at <http://www.ucgstudentunion.co.uk>.

## Section 2 Definition and Scope

### 2.1 Concerns and Complaints

Any individual who thinks that they have a justified cause for concern or complaint should feel able to raise the matter without fear of subsequent victimisation, as should any individual providing supporting evidence or representation. Whether the complaint is eventually upheld or not, the learner has a right to raise it as long as they do so in good faith.

Learners should note that raising a vexatious or malicious complaint may lead to disciplinary action. A complaint that is categorised as vexatious may be rejected by the Institute; in such instances the learner will be notified in writing 10 days after the decision to reject has been made, with reasons as to why the decision has been made.

The Institute within this policy clearly distinguishes between a concern (which is an opportunity for an individual to bring a matter that they are unhappy about directly to the individual concerned, the School within which they are studying) and a complaint (which is a formal statement by an individual to the Institute's Complaints Officer, which must be formally responded to and which the individual has the right to pursue if they are not satisfied with that response).

Any matter simply raised with the Institute, either orally or by letter, will be treated as a concern and sent to the relevant Faculty and if the matter has not been raised with the Faculty. Managers within the Faculty log the concern filling in an electronic form which stores the details centrally as a formal concern resolution. It will only be treated as a formal complaint if form CC1 has been submitted electronically or in hard copy to the Complaints Officer by the complainant.

Matters that are raised as a concern and that the individual wishes to remain confidential, should remain confidential. If a concern is raised with a member of staff, the individual's explicit permission must be given before the issue is raised with others. The member of staff should explain to the individual that, if such permission is not given, it may not be possible to pursue the concern in any meaningful way. In particular, no formal action will be taken in respect of a concern if the individual refuses to allow the person who is the subject of that concern to be told the full

details of the concern.

Matters raised as a formal complaint will remain confidential to those directly involved in the investigation of, and response to, the complaint (which includes any staff complained of, or who are responsible for the matters complained of). All staff and learners who become aware of any of the issues involved in a formal complaint are required to keep this information confidential except insofar as is necessary to progress, investigate or respond to the complaint. Failure to do so may result in formal disciplinary action being taken through the Learner or Staff Disciplinary Procedure.

Submitting a formal complaint is likely to affect the relationship between the complainant and any staff who are responsible for the matters complained of. If the complainant and the relevant staff only have a general working relationship (e.g. the relevant member of staff teaches on a module that the complainant is studying), it is expected that both parties will continue that relationship in a professional manner and allow the matters complained of to be progressed through the formal procedure. Only in exceptional circumstances will the Associate Principal consider agreeing to a request for alternative working arrangements while the complaint is being investigated. On the other hand, if the parties have to work more directly together (e.g. the relevant member of staff is the complainant's dissertation supervisor, personal tutor or line manager or would normally assess work submitted by the complainant), the Associate Principal will endeavor to make alternative arrangements while the complaint is being investigated, should the complainant request it.

At all the stages of this procedure following the submission of a formal complaint, the complainant has a right to be accompanied to any meeting called by the Institute as part of the complaint process by a friend, who may not be a lawyer acting in a professional capacity. The friend may not speak on behalf of or otherwise represent the interests of the individual concerned unless invited to do so by the Institute. There is no equivalent right to be accompanied where a complainant is raising a concern, although the member of staff to whom the concern is addressed may agree to the complainant being accompanied if they believe this will help resolve the issue.

Complaints may be raised individually or collectively. In the case of a group complaint, each complainant must complete a separate form although these may refer to a common statement of the matter(s) complained of. The Institute may clarify which individuals are associating themselves with a submitted complaint before responding to it. Individuals who have not associated themselves with the complaint at that point will not normally be permitted to do so subsequently.

If any correspondence relating to a complaint is marked "without prejudice", the Investigation Complaints Officer shall inform the Academic Registrar. The Academic Registrar, who may then refuse to accept the correspondence as raising, referring, progressing or pursuing a complaint, until it has been formally resubmitted and not

marked “without prejudice”.

It is expected that all individuals will exhaust this policy before taking legal action, although this cannot and does not purport to remove the right of any individual or the Institute to seek a legal remedy for their dispute.

## 2.2 Key members of staff

The Quality Improvement Committee nominates Investigation Complaints Officers who are the primary contact for matters relating to concerns and complaints and are responsible for implementing the regulations herein. The Investigation Complaints Officers will produce an annual report which will be received by the Quality Improvement Committee for dissemination of institutional level data and trends. The Quality Improvement Committee will monitor and evaluate the report in addition to any matters arising from the ‘appropriateness’ of the policy, the level of understanding of staff and learners of the policy and the effectiveness of the overall procedures in meeting their aims.

The Institute recognises that for a learner making a complaint the process can be daunting and stressful and thereby makes provision for a learner to seek advice and support from a learner advisor. The learner advisor can be contacted by enquiring at reception (Nuns Corner Campus, Grimsby or the Westwood Campus, Scarborough), or by referring to contact details within the course/programme handbook.

## Section 3 Raising a Concern or Complaint

### 3.1 Concern

It is expected that, where a complainant is dissatisfied with the general provision of a service, they will normally first raise their concern through one of the mechanisms referred to in Appendix 2.

If a concern relates primarily to minor aspects of the behaviour of one or more members of staff, it is expected that the complainant will normally and informally approach the person(s) directly concerned.

In response to a minor concern raised with a member of staff, if a complainant remains dissatisfied, then the complainant should raise the matter with a person with immediate superior administrative authority for the area of work, for example: a Curriculum Manager. If a complainant is unsure of the identity of the person with immediate superior authority for the area of work concerned, advice can be obtained from the appropriate Faculty. Aside from the provisions relating to ‘making a complaint’, the person approached should respond either orally or in writing, normally within 10 working days.

If the matter raised is a serious one, or if it is a matter that the complainant has already raised and received a response to, the member of staff may require the complainant to raise the matter as a formal complaint should the complainant wish to pursue it and may refuse to respond further unless and until the complainant does



so. Any such requirement shall be put in writing to the complainant. If a member of staff is unsure about when it is appropriate to do this, advice can be obtained from the relevant Complaints Officer or Academic Registrar.

Concerns raised with managers will be logged within the Formal Concern Register. These will be used for reflection about our early resolution of complaints for reports to governors and partners as required.

### **3.2 Stage 1 Complaint**

A complainant who wishes to make a formal complaint can do so regardless of whether the matter was first raised informally and should do so through the mechanisms identified in appendix 3.

A complainant wishing to raise a complaint must complete a complaints form CC1. This is available as an electronic form at:

[www.grimsbyinstitutegroup.co.uk/complaints.php](http://www.grimsbyinstitutegroup.co.uk/complaints.php)

Alternatively this can be downloaded for completion and sent to the Complaints Officer (Quality Hub, Nuns Corner, Grimsby, DN34 5BQ).

It is important that the complainant completes all elements of the form to prevent delay in any administrative process. The Complaints Officer shall acknowledge the complaint within 10 working days of receipt in the form of writing stating who the investigating officer will be.

The Complaints Officer will in the first instance send the complaint to the nominated investigating officer. This will normally be the relevant Curriculum Manager if the matter has not already been raised with this person. If the complaint has already been seen by the Curriculum Manager, the complaint will automatically be referred to Stage 2 of the procedure. The nominated investigating officer shall respond to the complainant in writing within 10 working days of receipt of the referral from the Complaints Officer.

If the complainant is not satisfied with the response from the nominated investigating officer (or with elements of it) or if a response is not received within the timescale identified, they may refer their complaint to Stage 2 of the procedure. To do this the complainant must write to the Complaints Officer clearly setting out:

- i. that they wish the matter to be referred to Stage 2 procedure
- ii. the elements of the response that they are not satisfied with
- iii. the reasons why they believe that the response is unsatisfactory
- iv. the remedy that they are seeking

### **3.3 Stage 2 Complaint**

The Complaints Officer shall acknowledge the complaint in writing within 10 days of its receipt. A referral will then be made to a relevant Associate Principal who will respond within 20 days of the Stage 2 complaint being made.

However, if in the view of the Complaints Officer, there are issues still being pursued that are wholly without substance or merit, or the complaint has become frivolous or vexatious, they shall refer it directly to the Group Director of Quality who shall obtain such additional information as they feel necessary and shall then either dismiss the complaint summarily and inform the complainant in writing of their reasons for so doing, or shall refer the complaint back to the Associate Principal for a substantive response.

A complaint will normally be summarily dismissed on the grounds that there has been unreasonable or inordinate delay in submitting it if the complainant does not submit it within three months of the latest:

- i. event complained of; or
- ii. event complained of, if the complaint is about a linked group or series of events; or
- iii. substantive response from the Institute, if the issue was initially raised as a concern

Where the complaint is against an Associate Principal, the complaint will be referred to a member of the Senior Management Team

In instances where the member of the Senior Management Team or Associate Principal is known to the complainant through personal circumstance or through association with matters relating to those outside of the Institute, the complaint will be referred to another member of staff of equivalent standing within the Institute who has no prior involvement. This precept is specified in order to secure fairness to all parties to a complaint and that those investigating or deciding on them act impartially.

Following completion of stage 2 if the complainant remains dissatisfied with the response they should write to the Complaints Officer stating the reasons.

At this point where institutional procedures have been completed, the person complaining should expect to be provided by the institution with a clear written statement, confirming that its internal procedures have reached completion and the outcome that has reached.

### **3.3 Final Stage Complaint**

#### **3.3i Higher Education**

For Higher Education complaints the learner should write to the Complaints Officer who will acknowledge the letter and organize a meeting with the Vice Principal HE, Academic Registrar and the Group Director of Quality. In this meeting the evidence for all stages of the complaint will be reviewed and following this a 'completion of procedures letter', which is a requirement of the Office of the Independent

Adjudicator for Higher Education (OIA) (Appendix 5), will be generated. Learners are then able to appeal to the OIA regarding their complaint.

### 3.3ii 14-16 Academy

If parents/carers seek to invoke Stage Two following failure to reach an earlier resolution and where dissatisfied with the Senior Managers at the 14-16 Academy's decision in respect of their formal complaint, the parents/carers may, in writing, address the appeal to The Principal of GIFHE who will respond.

### 3.3iii Further Education

Following completion at stage 2 the complainant, if still unsatisfied should be referred to a meeting with a relevant member of SMT for a final response from the institute.

A complainant who is dissatisfied with the outcome of the decision following exhaustion of all of the Complaints Regulations may be entitled to complain to the Skills Funding Agency (SFA). They can be contacted at [complaintsteam@sfa.bis.gov.uk](mailto:complaintsteam@sfa.bis.gov.uk) or by letter to

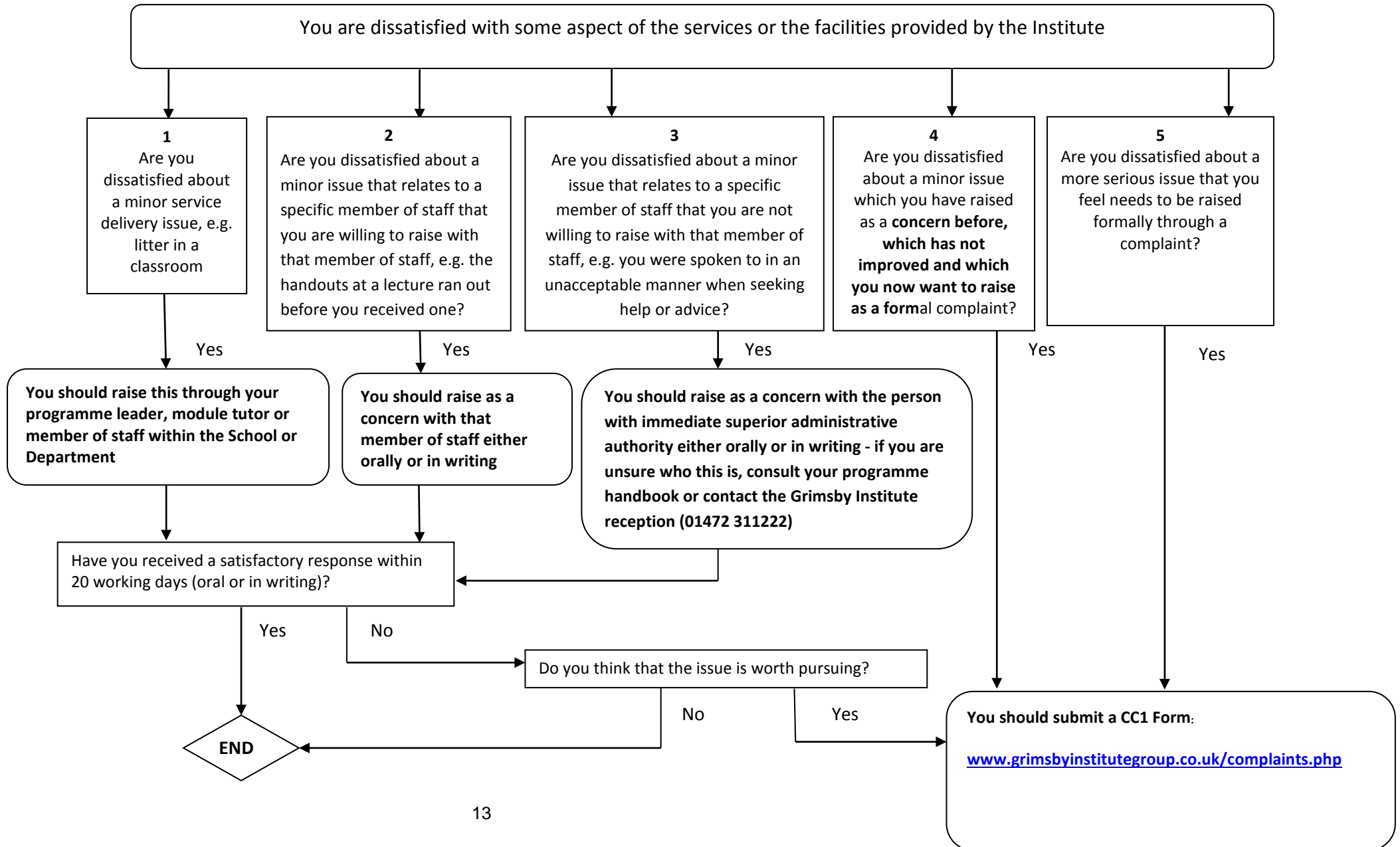
Complaints team  
Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

## **APPENDIX 1 The Complaints Form**

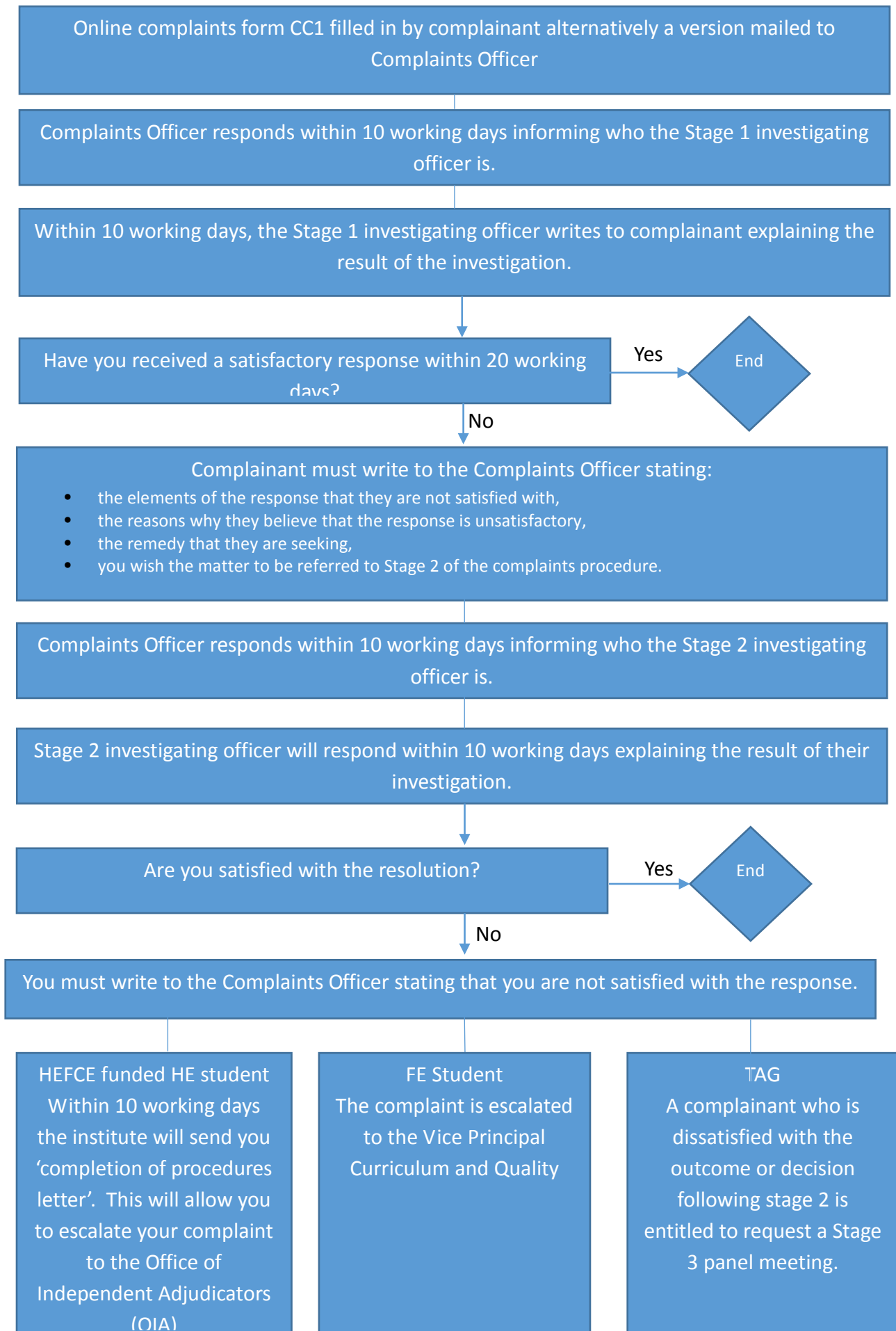
The CC1 complaints form can be found at the below website:

[www.grimsbyinstitutegroup.co.uk/complaints.php](http://www.grimsbyinstitutegroup.co.uk/complaints.php)

## APPENDIX 2 Raising a Concern



## APPENDIX 3 Complaint Process



## **APPENDIX 4 Annual Monitoring**

Executive Summary

Introduction

Context

Analysis

Number of Complaints

Source of Complaints

Subject of Complaints

Types of complaints

Part-Time/Full-Time learners

Learner Age

International Students

Learner Ethnicity

Gender

Disability

Religion/belief

Sexual Orientation

Stage Reached

Completion of stages within the specified time frame

Strengths

Weaknesses

Trends

Recommendations

## **APPENDIX 5 Completion of Procedures Letter (HE)**

This letter confirms that the internal complaints procedures of this college in relation to your complaint the procedures of this college regarding [.describe] have been completed.

The issue(s) that were considered in relation to your complaint was / were: [brief summary of the complaint, appeal or disciplinary matter]

The final decision of the college is [detail ] because [reasons]

The procedures / regulations applied were: [details]

If you are dissatisfied with the outcome you may be able to apply for a review of your complaint to the Office of the Independent Adjudicator for Higher Education (OIA) providing that that the complaint that you take to the OIA is eligible under its Rules.

You will need to send to the OIA a Scheme Application Form within three months of the date of this letter. A Scheme Application Form can be obtained from the students' union and also may be downloaded from the OIA website [www.oiahe.org.uk](http://www.oiahe.org.uk) (or you can telephone or write to the OIA for a form). You should send a copy of this letter to the OIA with your Scheme Application Form.

Please note that the OIA will only review issues that have been dealt with through the University's internal complaints procedures. The OIA's leaflet, Introduction to the Student Complaints Scheme, is enclosed. If you do decide to take your complaint to the OIA Sion Peters-Flynn and Nathan Michael will deal with the complaint on behalf of the University / College.

Yours sincerely, [Authorised signatory]