

The
Sheffield
College

POLICY

Complaints Policy

Document administration

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SLT lead	Vice Principal – Quality and Standards	
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Version control log

Date	Version No	Summary of changes	Reviewed by (SLT lead)
August 2018	1	The policy was reviewed and changed to reflect: <ul style="list-style-type: none"> • rules of the Office for Students and Consumer Marketing Authority (CMA) • good practice published by the OIA. 	Deputy Chief Executive and Deputy Principal
September 2019	2	The policy was reviewed and updated to reflect: <ul style="list-style-type: none"> • change in the role of responsibility for implementing the policy from Assistant Principal: Student Experience to Assistant Principal: QTLA. • web link to access the online Complaints Form updated. 	Assistant Principal: QTLA
September 2020	3	The policy was reviewed and updated to reflect: <ul style="list-style-type: none"> • change to the role title of Deputy Chief Executive to Deputy Chief Executive and Deputy Principal. 	Assistant Principal: QTLA
September 2021	4	The policy was reviewed and updated to reflect: <ul style="list-style-type: none"> • change to the role title of Assistant Principal: QTLA to Vice Principal: QTLA • change of the department title of HR to People Services. 	Vice Principal: QTLA
March 2022	5	The policy was reviewed and updated to reflect: <ul style="list-style-type: none"> • addition of informal complaint within guidelines • page 5 – addition of the college sending an outcome • page 6 – change to 20 working days instead of 30 calendar days. 	Head of Quality & Compliance: Apprenticeships
July 2023	6	The policy was reviewed and updated to reflect changes in job titles.	Head of Quality & Compliance: Apps, WBL & Commercial
September 2023	7	Contact email changed.	Head of Quality and Compliance
July 2024	8	Policy Reviewed	QM - Quality Manager

July 2024	9	Insertion of word complainant. Insertion of TLQSE in review stage.	Vice Principal Quality and Standards
July 2024	10	Changes of wording throughout for clarity. Removal of repeated wording on page 6. Appeal email added – page 6. Removal of OU process as no longer relevant – page 7.	Vice Principal Quality and Standards.
July 2024	11	Changes made to titles to reflect current staffing and the inclusion of emails in addition to letters.	Vice Principal Quality and Standards
July 2024	12	Inclusion of GDPR statement and the requirement to keep records for five years.	Vice Principal Quality and Standards
October 2024	13	Changed the reporting of FE to the DfE. Changed the investigation expectation to fifteen working days from twenty.	Vice Principal Quality and Standards

Communication

To be agreed by Executive Leadership Team and Teaching, Learning, Quality and Student Experience Committee.

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1. Policy Statement

The Sheffield College is committed to providing high quality education in a supportive setting. We want to know about concerns and resolve them quickly.

This Policy aims to ensure that students, parents, carers, employers and other stakeholders know how to make a complaint, ensuring they are addressed in a fair, transparent, and timely manner.

2. Definitions

The words '**you**', '**your**' and complainant refer to the person making the complaint.

A complaint is a report to us that you are not satisfied with the college's services.

Students and stakeholders include

- local and national partner agencies
- parents, guardians and carers of college students
- employers
- members of the public who use the college's services
- part time and full time college students. This includes students on a temporary break in study and those who have left the college within the last three months.

An **appointed representative** is an individual who is authorised by the complainant to act on their behalf in making a complaint. An appointed representative may be from the college Students' Union, a friend or relative, but you may not employ someone from the legal profession to represent you at college meetings without prior agreement with the college.

Employers or Partner Organisations are organisations that have a contract to work with the college to provide education or other services.

DfE is the Department for Education and will review complaints about further education.

OIA is the Office of the Independent Adjudicator for Higher Education. The OIA reviews complaints from students about higher education courses.

3. Retention of Complaints Records

In accordance with the General Data Protection Regulation (GDPR), the college is committed to ensuring the privacy and protection of personal data. Complaints records will be securely maintained and retained for a period of five years from the date of the final resolution of the complaint. This retention period is established to comply with legal and regulatory requirements and to ensure that records are available for review if necessary. After this period, all records pertaining to complaints will be securely destroyed in accordance with our data protection and retention policies.

4. Principles

- **Transparency:** the complaints process will be clear and accessible to all students
- **Fairness:** all complaints will be handled sensitively, impartially and without prejudice
- **Confidentiality:** complaints will be treated confidentially, with information shared only on a need-to-know basis. Other people named in a complaint would normally be informed of the issues in the complaint. The investigator would normally give them a right to reply. On rare occasions, the college may not be able to keep all information confidential. We may need to tell someone to protect you or other people from harm. The investigator will tell you if they need to share the information with people outside the college. If you are under 18 years of age, the college may be obliged to inform your parents or carers
- **Timeliness:** complaints will be addressed promptly to achieve a timely resolution
- **Support:** students will be supported throughout the complaints process.

The college will not treat anyone less favorably for bringing a complaint in good faith. The college may act against someone for making a complaint that is malicious or vexatious (see guidelines below).

5. Scope and Limitations

This policy applies to all students and stakeholders and to all aspects of college life except:

- Academic appeals – if you want to complain about an assessment decision you should use the Academic Appeals Policy
- Contractors - complaints from contractors providing services to the college are dealt with according to the contract terms.

6. Responsibilities

The Deputy Principal oversees the implementation of this policy.

The Vice Principal for Quality & Standards is responsible for implementing the policy and for ensuring the policy is well understood and communicated.

The college will:

- acknowledge the formal complaint and aim to respond within the timescales in the policy
- deal reasonably and sensitively with the people involved in the complaint
- act where appropriate
- welcome issues being brought to our attention to enable us to improve.

The complainant will:

- bring the complaint to the college's attention as quickly as possible after the reason for the complaint occurs and normally within 12 weeks
- explain the facts of your complaint as clearly and as fully as possible, including any action you have already taken
- allow the college reasonable time to deal with the matter
- accept that some circumstances may be beyond the college's control.

Responsibility for action:

- the person investigating the complaint is responsible for applying the procedure in this policy
- all staff are responsible for upholding the principles set out in this policy.

7. Implementation Arrangements

The college will make new staff aware of the policy and procedures during staff induction. Staff will be made aware of updates via staff newsletters and team meetings.

8. Monitoring and Review

The college will review the policy annually. This review will consider the views of students and stakeholders. The college reserves the right to make whatever changes it deems appropriate.

The college uses information about complaints to improve the quality of its services. We also use the information to check how effective the process is for settling complaints.

The college uses information about the complainant and their complaint, such as the type of complaint and personal data, to check that the process is open and fair to everyone. Any personal data will not be shared more widely and will be destroyed five years following the complaint.

The college provides an annual report to the Executive Team and Governors and has an audit process to check that action is taken on any recommendations made in relation to complaints. Preparing this report is the responsibility of the Vice Principal – Quality and Standards.

9. Supporting / Related Documents

- Complaints Form
- Guidance for Investigating Officers
- Positive Engagement Policy and Disciplinary Procedures
- Safeguarding Policy
- HE Student Terms and Conditions
- Academic Appeals Policy

10. Guidelines

Informal Complaints: an informal complaint can be raised by contacting the member of staff concerned or a member of the department or academy directly as soon as possible. A response will usually be received within **5 working days**. Should the response be unsatisfactory, a formal complaint can be made.

Anonymous Complaints: complaints need to be investigated to find a solution. If you do not give your name in your complaint, we cannot investigate properly. We also cannot communicate with

you to find a solution. Therefore, we do not normally act on anonymous complaints but may take any recommendations for review.

Malicious Complaints: complaints should be made in 'good faith'. This means that the person making the complaint is honest about what happened and wants to find a solution. Where the college decides that a complaint is malicious, we will not consider it further. The complainant will be informed of our decision.

The college may consider taking further action where we find complaints are malicious. This may also apply to complaints that breach other people's right to privacy, such as inappropriate use of social media in making a complaint.

Group complaints: if a group of students makes a complaint, they may choose one student if they wish to act as their representative to correspond with the college on their behalf.

Higher Education complaints: the college observes OIA guidelines about the time it takes to respond to complaints.

Stage 1: Making a Formal Complaint

The college will acknowledge formal complaints within **two** working days following the date the complaint is received by the Complaints Team. An investigating officer will be assigned to the complaint. The investigation will normally be concluded and communication made of the outcome within **fifteen** working days subject to the complexity of the complaint. If more time is needed to investigate the complaint this will be communicated to the complainant.

Stage 2: Appeal

If you are not satisfied with the college's response, you have the right to appeal in writing to Complaints@sheffcol.ac.uk, or by post to The Sheffield College, Granville Road, Sheffield, S2 2RL, outlining the reasons for appeal. You should make your appeal within **ten** working days of the date on the outcome letter.

Higher Education students on a Sheffield Hallam University or Hull University course If you are on a Sheffield Hallam University (SHU) or Hull University course and you are not satisfied at the end of Stage 2 you may contact SHU or Hull. The universities will not investigate the complaint but will check that the college has considered it in line with their policies. They may ask the college to investigate the matter further. They will issue a Completion of Procedures letter when they are satisfied that the complaints process has been completed. You will need this letter if you want to ask the OIA to review your complaint.

Accessibility

All college staff should ensure that the Complaints Policy, Procedure and Guidelines are:

Accessible and clear by:

- being open to students, their appointed representative, parents, carers and employers
- giving clear information about how to access advice and support
- allowing students to have an appointed representative
- being responsive to the needs of students
- being easy to understand and giving clear information about timescales

- ensuring effective record keeping.

Proportionate by:

- expecting all parties to act reasonably and fairly towards each other and treat each other and the processes with respect
- seeking informal resolution in the first instance.

Timely by:

- ensuring that the college deals with all complaints, as far as possible, within the timescales laid out in the procedures
- trying to resolve complaints early and quickly at the informal stage and within 20 working days of the start of the formal stage
- require all staff to make reasonable efforts to resolve complaints quickly and/or assist the Investigating Officer.

Fair and independent by:

- giving all parties an equal opportunity to present their case
- being flexible to take account of the individual needs of students
- ensuring that the reasons for decisions are made clear. At the end of the process, issuing a Close of Proceedings letter (automatically if the complaint is not upheld or on request if the complaint has been upheld)
- offering a remedy for complaints that are upheld
- ensuring that complaints are handled independently of the department or service being complained about so that there is no actual or perceived conflict of interest
- ensuring that people making a complaint in good faith will not be disadvantaged because they have complained
- providing training and adequate resources to staff considering complaints.

Confidential by:

- ensuring that information shared about a complaint is kept to a minimum. No third party should be told more than is strictly necessary to resolve the complaint
- ensuring that the college does not accept third-party complaints for students over 18, without specific written consent from the student.

Enabling improvements in the experience of students at the college by:

- capturing learning from the complaints process and using the information for quality improvement.

11. Procedure

Informal stage

Most problems are straightforward and can be resolved quickly. The complainant should speak to or email the college staff concerned or contact the Manager for the area as soon as possible when a problem arises. Staff should try to work with you to find a solution quickly. They should let you know what they can do to solve the issue. You should receive a response usually within 10 working days. If you are not satisfied with the response, you should follow the procedure to make a formal complaint.

How to make a formal complaint

The formal procedures are intended to ensure that your complaint is handled fairly and consistently. We will aim to resolve the complaint to your satisfaction.

Formal stage one: making a complaint

To complain formally you should fully complete the online complaints form on the college's website: <https://www.sheffcol.ac.uk/complaints>. You can ask a member of staff or an appointed representative to help you to complete the form. Instead, you may write to Complaints@sheffcol.ac.uk.

At the end of the investigation, you will receive a written response. We aim to respond no later than **fifteen working** days of receiving a completed complaint form. The investigator will keep you informed. It can take longer to investigate complex matters. The investigator will let you know if the investigation will take longer than fifteen days.

If your complaint is upheld, the investigator will let you know the outcome and what action the college will take, if any.

Where the complaint is not upheld, the investigator will let you know the reasons for this and how you may ask for an appeal.

Where the complaints procedure is not deemed appropriate, you will be told what other options are available. The college will provide this information to you in a Close of Procedure letter normally within **five** working days of receipt of your completed complaint form.

If the complaint is about the conduct of a member of staff, the Vice Principal Quality and Standards may recommend that the complaint be investigated under the college's Staff Disciplinary Policy. In this situation a formal investigation will be arranged.

Formal stage two: Appeal

If you are not satisfied with the college's response, you have the right to an appeal. To make an appeal you should email Complaints@sheffcol.ac.uk. The email should be sent within **ten** working days of the date you receive your outcome letter. You should include the reasons for your appeal.

The Deputy Principal or a suitable nominee, will review the complaint including any investigation. If the complaint is against the Deputy Principal, you should send your appeal to the Chief Executive and Principal.

The Deputy Principal will check that the college has considered the complaint in line with this complaints policy. They may ask for further investigation, if necessary. They will try to resolve your complaint and issue a written response to you within **ten** working days of the appeal letter.

Independent review

The college's internal procedures finish at the end of Stage 2. If you are dissatisfied with the final decision at stage 2, and not before, you may ask for an external review. For FE students, you may send your complaint to the relevant awarding body for the Qualification or the ESFA, the ESFA can be contacted as follows:

Education and Skills Funding Agency (ESFA)

Complaints Team Cheylesmore House Quinton Road Coventry
CV1 2WT
Email: complaints.ESFA@education.gov.uk

For HE students, if your complaint is within the OIA rules, you may contact the OIA for an external review.

Office of the Independent Adjudicator

Second Floor Abbey Gate
57-75 King's Road Reading
RG1 3AB

Rules and timescales for contacting the OIA are on their website:
<http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>

12. Overview of the Complaints Procedure

You should raise concerns informally, promptly and directly with relevant staff. The aim of this is to resolve your concerns quickly.



If a satisfactory resolution cannot be reached informally, you may proceed to the college's Formal Complaints Procedures.

How to make a Formal Complaint

You should complete the online complaints form on the college's website at:
<https://www.sheffcol.ac.uk/complaints>. The college will acknowledge your complaint by email within **two** working days.



What happens next?

The Vice Principal Quality and Standards will direct the complaint to the most appropriate manager for investigation.

If the complaints procedure is not appropriate, you will be advised of this via a Close of Procedure letter, issued within **five** working days of receipt of your completed complaints form.

Formal Stage 1

The assigned manager will investigate the complaint. You will receive a written response with the outcome of the investigation. The college aims to respond within **fifteen working** days of receiving a completed complaints form.

If you are dissatisfied with the college's response, you should email Complaints@sheffcol.ac.uk within **fifteen working** days of the date of the outcome letter explaining why.

Formal Stage 2

The Deputy Principal, or their nominee, will review the complaint including any investigation to date. Further investigations may be carried out. A written response with the outcome will normally be sent to you within **ten** working days of your appeal letter. This concludes the college's complaints procedure.

Independent Review

If the complaint is not resolved to your satisfaction, further education students may contact the awarding organisation, the ESFA; Higher Education students may contact the OIA for an external review.

Monitoring and Review

The college will monitor complaints to identify trends and areas for improvement. Quarterly reviews and updates will be provided and an annual report on complaints and their resolutions will be presented to the Executive Leadership Team.

This policy will be reviewed annually to ensure it remains effective and in line with best practices.