



STAMFORD  
PARK TRUST

## Stamford Park Trust

Higher Education (Staffordshire University  
Programme) Complaints Policy and Procedure

March 2024

<b>Policy Title:</b>	Higher Education (Staffordshire University Programme) Complaints Policy and Procedure
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<b>Owner/Author:</b>	Assistant Principal Higher & Adult Education & Practitioner Research Lead
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## 1 Introduction

This policy and procedure should be read in conjunction with the College's Complaints Policy, and university partners' policies where applicable. The College regards the monitoring of complaints as an important aspect of its quality assurance procedures

## 2 Principles of Fair Complaints and Appeals

This policy has been drawn up following examination of sector best practice guidance from the UK Quality Code for Higher Education (QAA), Office of the Independent Adjudicator (OIA) and Competition and Markets Authority (CMA) guidelines.

The College seeks to continually improve the quality of its services and meet student expectations. We aim to provide our students with an excellent educational experience and administrative and pastoral support services whilst on programme. We aim to ensure that all complaints received are dealt with promptly, fairly, professionally and in a non-discriminatory manner, and that appropriate action is taken.

The College welcomes feedback regarding perceived problems so that they can be addressed and improvements made to improve our services. We encourage students to evaluate their course and overall experience providing feedback through course evaluations and student voice activities. We hope to minimise formal student complaints through these means, addressing feedback and considering suggestions for improvement.

Whilst much of the feedback received is positive, it is recognised that at times problems arise. Students who are dissatisfied with their experience can therefore express concern or raise a complaint.

This policy compliments the general College Complaints Policy.

The purpose of the policy is to ensure that the complainant has a clear understanding of how to make a complaint and enable staff to manage complaints effectively. This document sets out the procedure for responding to complaints made by HE students and applicants pertaining to Staffordshire University programmes.

Most complaints are successfully resolved informally.

The individual concerned will not be disadvantaged as a result of raising a matter of concern or of making a complaint, provided it is made in good faith. However, if a complaint is shown to be malicious or vindictive, the complaint shall be disregarded and disciplinary action may be taken against the individual who submitted the original complaint.

## 3 Scope

This policy applies exclusively to all Staffordshire University HE applicants and to the College staff administering them. In most cases matters raised by complainants and others on their behalf are resolved by the College.

Adult Education students should refer to the general College Complaints Procedure.

Where the College feels the matter is related to an area of responsibility held by the University, the matter will be referred to them or in cases where individual issues cannot be resolved in line with the College procedures. University partners have coherent and extensive appeals and complaints procedures. If a student has a concern or complaint that they feel is something that

the University should deal with, the College advises that they check with a College member of HE staff about whether this is the correct channel and whether the College can support them.

Academic appeals are not complaints and should be managed through the Academic Appeals Procedure. They should be directed to the relevant Head of Department in the first instance and then directed to the university. Academic appeals such as grade disputes are managed by the university. The individual concerned should also refer to the university Academic Appeals Policy and Procedures. (See course/module handbook or refer to the university website for further details).

Complaints should be reported by the individual concerned themselves. Correspondence or phone calls from others will not be considered unless the College has received written/signed authorisation from the complainant that the third party intends to act on their behalf.

The scope of the legislation applies to all HE information that is made public. The College will make all reasonable endeavours to make sure that the information is accurate, accessible and clear. This includes any information on the college website, HE Information and Application Packs, Course Guide and information given by phone/email and at information events, HE policies and procedures, course and module handbooks, information held on College systems, enrolment and application forms, admissions correspondence, complaints procedures, appeals procedure, and all aspects of the student experience. (This list is not exhaustive).

## 4 Responsibilities

All HE staff are responsible for reporting complaints and for participating in complaint investigations as appropriate, as set out in the procedure below. The Assistant Principal for Higher & Adult Education & Practitioner Research Lead has overall responsibility for the implementation of this procedure.

## 5 Definition of Complaints and Grounds for Making a Complaint

A complaint is defined as an expression of dissatisfaction by a student or applicant about a HE provider's action or lack of action, or about the standard of service provided by or on behalf of the provider. This could include a complaint raised by a student against another student, member of staff, service, programme of study or facility where the College fails to match what would be reasonable to expect.

A complaint can be made at any stage, where there are adequate grounds for doing so and will only be considered if they relate to one of the above.

Where it is inappropriate or not possible for the individual concerned to make the complaint this may be done on their behalf by a person who has a legitimate interest in the student's complaint and with the student's written consent.

## 6 Complaints Procedure

This procedure is designed to enable an individual or a group of students, to bring matters of concern to the attention of the College and to provide a mechanism for the investigation of those concerns with the aim of a satisfactory conclusion.

The aim of this procedure is to provide an accessible, straightforward and timely consideration of HE student/applicant complaints.

Complaints will be dealt with in confidence as far as possible and only by those members of staff who need to consider them. Only information about the complaint that is necessary for the purpose of investigating and resolving the complaint and keeping appropriate records will be revealed to another person. However, all parties involved in the complaint have the right to know the full details of the complaint, including its source.

HE staff are trained in following this complaint handling procedure and have consumer protection awareness.

Documentation on the complaint will be kept in a secure location. Discussions and interviews on the matter will be held in private.

Complaints records (the number, type and outcomes of complaints) will be monitored by the the PA to the Principal and Assistant Principal of Higher & Adult Education (College Complaints Procedure) in such a way as to assist in the maintenance and continuous improvement of service standards in the College.

Complaints and appeals are reported to the Senior Leadership Team with responsibility for an annual review, to ensure any outcomes were delivered, any procedural or policy changes are implemented and any specific trends are identified.

The College uses a staged approach to making a complaint which can be escalated if the complainant does not feel the matter is resolved after the previous stage. These stages must generally be followed in order, and a complaint cannot be taken to a higher level until the lower level is exhausted.

Where it is felt that the nature of the complaint should be directed to the University Partner the complainant will be advised. If the complaint is such that it will be managed by the college the process outlined here applies.

## **7 Stages of Complaint (Not complaints against the Centre Principal or Governors)**

### **7.1 Stage 1: Official Expression of Concern**

The college will take Official Expressions of Concern seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the concern as soon as possible with the relevant member of staff, by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the college reception on 0161 330 2330, email [contact@asfc.ac.uk](mailto:contact@asfc.ac.uk) or contact the Senior Admissions Officer at the Higher & Adult Education Student Services Office.

The college will acknowledge an Expression of Concern within 5 college teaching days, and investigate and provide a response as soon as possible but within 20 college teaching days.

The Official Expression of Concern stage may involve a meeting between the complainant and the relevant Senior Manager, and/or the subject of the complaint, if appropriate.

The majority of concerns will be resolved at this stage, however, should the concern not be resolved, it will be escalated to Stage 2.

## 7.2 Stage 2: Formal

The formal stage involves the complainant putting the complaint to the Vice Principal of Curriculum and Planning and/or the subject of the complaint in a letter or by email.

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the college reception on 0161 330 2330, email [contact@asfc.ac.uk](mailto:contact@asfc.ac.uk) or contact the Senior Admissions Officer.

The Vice Principal (or other Senior Manager appointed by the Vice Principal for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant as soon as possible but within 20 college teaching days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should progress to stage 3 in writing within 10 college teaching days.

## 7.3 Stage 3: Centre Principal

Complaints will be escalated to the Centre Principal if the complainant is not satisfied with the response to the complaint at the second, formal stage.

## 7.4 Stage 4: Review Panel

Complaints will be escalated to the Company Secretary if the complainant is not satisfied with the response to the complaint at the third, formal stage.

The Company Secretary will then appoint a panel on behalf of the Academy Trust which must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the college. The panel cannot be made up solely of governing board members, as they are not independent of the management and running of the college.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the college, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the college representative(s) will be given the chance to ask and reply to questions. Once the complainant and college representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Academy Trust and Centre Principal.

The college will inform those involved of the decision in writing within 10 college teaching days.

## 8 Completion Procedure

A Completion of Procedures letter, together with information regarding the Office of the Independent Adjudicator for Higher Education (the OIA) for Higher Education students, will normally be sent within 10 working days of the final response being sent to the complainant.

Once the College's processes have been exhausted, a student may complain to the relevant partner university using their complaints policy if the matter is related to an area of responsibility held by the University or in cases where individual issues cannot be resolved in line with the College procedures. If the College hands over a formal concern or complaint to the University having exhausted its own investigations or attempts to resolve the matter, the student will receive a Completion of Procedures letter from the College and the College will provide all necessary evidence and details pertaining to the complaint to the university as appropriate.

Applicants and students also have recourse to advice from the Citizens Advice (England, Wales and Scotland) consumer helpline on 03454 04 05 06 or to other services e.g. dispute resolution services, legal advice, Trading Standards Services, Competition and Markets Authority (CMA).

## 9 Office of the Independent Adjudicator for Higher Education (OIA) - Higher Education students

To bring a complaint to the OIA a student must be or have been a registered student on a Higher Education programme.

Once the student has been issued with a Completion of Procedures letter and they wish to take the matter further, they will be able to have their complaint considered by the OIA. Information about the OIA will be sent with the Completion of Procedures letter or the student can contact the OIA directly:

OIA, Third Floor, Kings Reach, 38-50 Kings Road, Reading, RG1 3AA.  
Telephone no: 0118 959 9813  
Contact details: [www.oiahe.org.uk/contact-us](http://www.oiahe.org.uk/contact-us)  
[www.oiahe.org.uk](http://www.oiahe.org.uk)

A complaint will not be considered by the OIA unless it is received within 12 months from the date of issue of the Completion of Procedures letter.

The formal decision and recommendation of the OIA Reviewer will be considered by the Principalship who may:

- (a) Accept the recommendations in full or in part
- (b) Not accept recommendations in full or in part

Where the Principalship does not accept the recommendation(s), the OIA Reviewer will be informed as soon as is reasonably practicable, giving reasons for non-acceptance.



## Appendix I: Completion of Procedures Letter

Dear [Name of complainant],

### Completion of Procedures Letter

This letter confirms that the internal procedures of Ashton Sixth form College in relation to your *complaint/appeal\** regarding *[please describe]* have been completed.

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

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

The final decision of Ashton Sixth Form College is *[detail]* because *[reasons]*.

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

Ashton Sixth Form College 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\** 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 July 2023, this date should be 9 July 2023]*.

*[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 [optional - and our final decision] 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 the Students' Union 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.

Yours sincerely,

[Authorised signatory]