

**The purpose of this policy is to set out the College's procedures for:**

- Bringing matters of dissatisfaction to the attention of the College
- Investigating and responding to those concerns
- Improving services as a result of the concern raised.

**Who does this policy apply to?**

This policy applies to everyone working, studying at or visiting the College. This includes all staff, volunteers, Governors, external agencies, parents/carers and students.

**Why do we need this policy / background information?**

The complaints policy is intended to enable any person(s) to bring matters of dissatisfaction or concern to the attention of the College, so that those concerns can be investigated with the aim of reaching a satisfactory resolution and instigating changes which lead to improved services.

A complaint can concern any area of service the college provides where the complainant feels an action is unsatisfactory or unacceptable.

A complaints process is necessary to ensure the College is accountable to students, parents, customers, employers, contractors, local residents and visitors.

Effective complaint handling can provide key benefits to the College such as:

- Providing information that can lead to improvements in service and curriculum delivery
- Improving the reputation of, and strengthening public confidence in, the College's administrative processes.

Historical complaints, i.e. complaints made six months after completion of study at the College, will not be accepted. However, in some cases, such as complaints with safeguarding implications, an individual approach will be taken. This will be assessed on a case-by-case basis.

The College operates a four stage complaints process:

## **Stage 1 (Local Complaints)**

This is the stage at which complaints are handled locally; the complainant can address their concerns directly with the person(s), team or Directorate concerned.

- It is recommended that complaints are dealt with locally wherever possible. In the first instance, issues should be raised with the relevant staff member or team. If the complainant requires assistance in contacting a member of staff or team, they should contact main reception on 01202 205205.
- Verbal complaints to reception and staff in public areas and requests to meet the Principal should be referred to the relevant Director.
- If the Quality Team receive a complaint in writing or by email and consider it to be a local complaint, they will send it direct to the relevant staff member / area to acknowledge, log and resolve.
- Local complaints should be acknowledged within 2 working days and responded to within 5 working days.
- Any documentation relating to local complaints should be retained for 2 years. Where a complaint is not satisfactorily resolved at this level, it can be escalated by the complainant to Stage 2 (central complaints).

## Stage 2 (Central Complaints)

Complaints will be resolved locally wherever possible; however, a complainant can request that the complaint moves to Stage 2 (central complaints) if they are not satisfied with the local resolution.

Central complaints should be submitted in writing either by letter or email (quality@bpc.ac.uk) to the Quality Team, providing name; contact details; details about the complaint; and what outcome is being sought.

A complaint must be escalated to the Quality Team to deal with where any part of it relates to:

1. Equality and Diversity (i.e. discrimination, bullying and harassment)
2. Health and Safety
3. Requests for fee refunds or waivers

**Note:** Where a complaint concerns a Safeguarding matter, it will be referred to the Designated Safeguarding Lead.

### Process

- All central complaints will be logged and acknowledged by the Quality Team within 2 working days of receiving the complaint. A response detailing the outcome of an investigation will be provided within 10 working days. However, where it is not possible to provide an outcome within 10 working days, due to the complexity of the investigation or staff leave, the complainant will receive a holding reply, with an explanation of the delay and a date for when the full response can be expected
- The Quality Team will nominate an appropriate Manager / Director to investigate, known as the 'Investigating Officer'.
- The Investigating Officer will thoroughly investigate each element of the complaint by collecting and reviewing all relevant evidence, cross referencing different sources to establish facts, to determine the outcome of the complaint.
- The Investigating Officer will always aim to speak to the complainant as part of the investigation, where appropriate, however this may not always be required, nor suitable.
- The Investigating Officer will provide a bullet point response to the Quality Team within 7 working days. The Quality Team will then draft the reply to the complainant.
- The complaint response will outline whether the College agrees with the complainant that had error has been made, and if so, what resolutions are being put in place.
- If the complaint is about a member of staff and the Investigating Officer finds that there are issues of capability, or that disciplinary action is required, the Investigating Officer will include all the evidence and notes taken during the investigation, and refer the complaint to The People Team.

### Exemplars of evidence used whilst investigating a central complaint include;

- **Written evidence** - e.g. the original complaint letter, emails, letters or messages relating to the complaint
- **Witness statements** - e.g. statements from staff, statements from students or other individuals who may have witnessed any incidents detailed in the complaint, expert opinions if applicable i.e. Safeguarding Team, Health and Safety Team, subject specialists
- **College policies and procedures** - e.g. the complaints policy, policies relevant to the specific complaint i.e. positive behaviour policy, safeguarding
- **Student records and data** – e.g. attendance records, academic performance data, any prior actions or concerns, notes and details of meetings on college systems
- **CCTV and digital evidence** – e.g. CCTV footage where relevant, screenshots of text messages or social media posts, data from college learning platforms
- In line with data protection regulations and our internal policies, we have a duty to protect the privacy and confidentiality of those involved during a complaints investigation. Therefore, details of persons spoken to during an investigation and / or copies of evidence sources will not be disclosed to the complainant. This information may contain personal and confidential data relating to individuals who participated in the process.

## Monitoring of central complaints

- Central complaints will be regularly analysed to look for trends and to ensure service improvement
- The Board of Corporation will receive updates on complaints three times a year

## Friends and supporters

Anyone making a complaint may use an advocate / friend (a person who speaks on their behalf) during the process. However, where a complainant is aged 18 years and over, or is a vulnerable adult, details of the complaint cannot be discussed with any other person unless permission is explicitly given by the complainant.

Where a complaint is made directly by a third party, the person that the complaint relates to will be contacted to confirm that they are happy for the third party to act on their behalf and that the information relating to the complaint is accurate. If the person concerned does not wish for the complaint to be investigated, then the third party will be advised of this and an investigation will not take place. However, should the third party's complaint raise a significant concern, i.e. safeguarding or criminal activity, then it may be that an investigation is required, and the person concerned will be informed and involved in the process. If required, support will also be provided to the person whom the complaint relates to.

## Stage 3 - Internal Appeals

This is the appeals stage. If a complainant is dissatisfied with the response they receive to a central complaint, they have 10 working days from receipt of response to put their grounds for appeal (in writing) to [quality@bpc.ac.uk](mailto:quality@bpc.ac.uk).

To lodge an appeal, there must be evidence of one or more of the following:

### **1. The College has not followed the formal procedure as described in this policy.**

*This refers to a procedural error in handling the complaint where the College fails to follow the correct steps outlined in this policy, which could result in an unfair or flawed outcome.*

### **2. New evidence has arisen.**

*This refers to significant new information that was not available at the time of the submission of the original complaint and could impact the outcome. The new evidence must be relevant and substantial enough to justify a review of the initial decision.*

A member of the College Executive Team will make the decision as to whether an appeal meets the criteria as set out above.

- If yes, the Exec member will complete an investigation to review the original complaint
- If no, the appeal will be rejected and the complainant will be informed in writing within 10 working days, with the reasons.

## Stage 4 - External Appeals

- If at Stage 3 the complainant remains dissatisfied, they will be advised as to which external agency is most appropriate for the complaint to be referred to. This may include organisations such as the relevant Awarding Organisation, the Education and Skills Funding Agency (ESFA) or the Office of the Independent Adjudicator (OIA).
- College employees must use the internal People Team Complaints Procedure where a complaint is about another member of staff, but they can use this policy where a complaint is about a college service.

## Roles and Responsibilities

### Staff

All college staff have a responsibility for treating complaints seriously and dealing with them promptly, courteously and in accordance with this policy. Staff are also expected to provide any assistance to support a complainant when making a complaint. All staff have a responsibility to try and resolve local complaints.

### Quality Team

The Quality Team is responsible for deciding at which stage a complaint should be managed. Local complaints will be forwarded to the team who will manage the complaint.

When dealing with a central complaint, the Quality Team will record and acknowledge the complaint; allocate a Manager / Director from outside the curriculum / service area to investigate; monitor the progress of the investigation; ensure the quality of the response; and provide the final written response. In addition, the Quality Team will monitor the progress of the recommendations and actions as well as provide reports to the Senior Leadership Team, the Executive Team and the Board of Corporation.

### The Executive Team

The Executive Team will have responsibility for approving or declining a request to appeal the outcome of a complaint and taking the relevant course of action. If the complaint is in reference to an Executive Team Member, the appeal request will be decided by the Principal.

The Executive Team will be responsible for managing complaints where serious Safeguarding or Prevent concerns are raised.

The Executive Director of Higher Education and Skills will be informed of any complaint made by an apprentice or relating to an apprenticeship or Higher Education.

### College Management Team

Any member of the Senior Management Team may be called upon to investigate a central complaint.

### Board of the Corporation

The Board of Corporation is responsible for ensuring that the Complaints Policy is operating effectively and may become directly involved if a complaint relates to the Principal or members of the Board. The Board of Corporation will also approve any changes to the policy.

### Liaison with external agencies

If the investigation uncovers serious criminal behaviour or activity (i.e. theft, racism, homophobia, physical or verbal abuse, and threats of radicalisation or violent / non-violent acts of extremism) then the investigation may be passed over to the Police and / or other appropriate external agencies.

### Links to College values and other College policies

This policy should be used in conjunction with the following policies and procedures:

- Safeguarding Policy
- Equality, Diversity and Inclusion Statement
- Health and Safety Policy
- E-Safety Policy
- Positive Behaviour Policy
- Freedom of Speech and Expression Policy (Including Visiting Speakers and Events)
- Data Protection Policy
- Acceptable Use of IT Policy
- Staff Grievance Procedure

## Who needs to understand this policy and how will they know about it?

The following training and awareness will be put in place:

| Who?                        | How?                                                                                                                                       |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Students                    | Policy available on the College website; reference made to it during induction; advice and support when enquiring about making a complaint |
| College Managers            | Included in college-wide communication; training for Investigating Officers; copies of the policy available on Teamhub                     |
| Teaching Staff              | Briefing by Directors and Learning Managers; copies of the policy available on Teamhub                                                     |
| Professional Services Staff | Briefing by line managers; copies of the policy available on Teamhub                                                                       |

## How does this policy fit with the College's Equality and Diversity commitment?

It is recognised that some complainants are classed as vulnerable and may have specific support needs that require an individual approach to administering this policy. This will be assessed on an individual basis and in conjunction with the Student Inclusion and Support Team, however, the concept of this policy should always underpin the ethos of its application.

| BPC Equal Opportunities                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| This policy has been examined for equality impact i.e. the impact that this policy will have on different groups of current or potential learners, service users and staff, considering the protected characteristics of the Equality Act 2010 (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation).                                                                                              |
| <b>1. If equality impact analysis is not relevant to this function, please give reasons.</b>                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>2. In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?</b><br><br>This policy is intended to provide a positive, supportive and transparent approach to all, as such no groups of students with protected characteristics should experience a negative impact. This policy could have an impact on persons with sight impairment or additional needs in terms of access. This will be supported appropriately. |
| <b>3. In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?</b><br><br>This policy will support an inclusive and non-discriminatory learning environment where any issues arising of dissatisfaction or concern will be swiftly addressed.       |
| <b>4. What evidence supports your judgements? E.g. Consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?</b><br><br>The policy is developed by the Quality Team and ratified by the Senior Leadership Team.                                                                                                                                                                             |

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Person responsible: **Director of Quality Teaching and Learning**

Policy approved by: **Senior Leadership Team**

Date: **September 2025**

Due for Review: **September 2028**