



## **COMPLAINTS POLICY**

## **POLISI CHWYNION**

2015 - 2017

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## APPENDICES

Appendix 1 – Customer Complaint Form

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If you or someone you know would like this document in an alternative format please contact the Senior Officer: Diversity at [diversity@nptcgroup.ac.uk](mailto:diversity@nptcgroup.ac.uk) or on 01639 648175

## **Section 1: context**

**1.01** NPTC Group aims to resolve customer complaints about services provided by the organisation as quickly and fairly as possible. In this context a customer may be a learner, a parent, a member of the public, a member of Group Staff or any other supplier/contractor of Group provision.

**1.02** If any stakeholder requires assistance with understanding or implementing this policy, particularly where the reasons for this are related to disability, sex, race, gender reassignment, sexual orientation, age or religion or belief, they should contact the Senior Officer: Diversity, in the first instance for advice.

## **Section 2: Status**

**2.01** This policy was initially approved by the College's Senior Management Team on 17th May 2006.

## **Section 3: Policy**

**3.01** NPTC Group welcomes the opportunity to respond positively to genuine complaints. Whatever the issue, it will be taken seriously and dealt with as efficiently as possible. This will be done by logging the concern and looking at the issue. It will provide a means of identifying problems and any weakness in the services offered by the organisation and the capacity to reflect/respond appropriately.

**3.02 the scope of the policy is restricted to:**

- Complaints in respect of the learner's experience at the Group including relationships with academic staff, fellow learners, support staff or any services provided by NPTC Group
- Complaints made by members of the public or NPTC Group Staff concerning any service provided by the NPTC Group. Please see Appendix 3 for guidance
- The Policy and Procedure does not cover the following for which the following means of address exist:
  1. Complaints relating to Learner behaviour/misconduct [follow the Learner Disciplinary Policy and Procedure];
  2. Complaints involving allegations of misconduct by Staff [follow the Staff Disciplinary Policy and Procedure];
  3. Complaints by a member of Staff against another member of Staff [follow the Staff Grievance Policy and Procedure].

## **Section 4: Procedure**

### **Learner Complaints**

- 4.01** In the case of a cause for complaint by a learner, we will initially seek to resolve the matter informally, known as stage 1

The matter should be referred by the Assistant Principal Quality to the learner's Head of School. The Head of School dealing with the complaint should attempt to resolve the matter and record the action taken in the Complaints Register.

If the complaint cannot be resolved informally in this way, then the learner should adopt the formal written complaints procedure outlined in this document, known as stage 2

### **Complaints by members of the public / staff**

- 4.02** If a complaint is made by anyone other than a learner, the Assistant Principal Quality will attempt to resolve the situation informally and register it as an informal complaint by using the Complaints Register, known as stage 1.

If the complaint cannot be resolved informally then the complainant must make a formal complaint by completing the Complaint Form held at all Reception desks, known as stage 2.

### **Formal complaints procedure**

- 4.03** A complainant wishing to make a formal complaint within this Policy and Procedure must give details in writing on the Customer Complaint Form [Appendix 1].
- 4.04** The Reception desk will log details of the complaint and notify the complainant that the complaint is being dealt with.
- 4.05** In the case of the complaint being received at a Reception Area, the Receptionist will contact the Assistant Principal Quality who will refer the matter to the appropriate Head of School.

In the case of the complaint being addressed to the Principal, the Principal's Personal Assistant will refer the matter to the appropriate Head of School, inform the Assistant Principal for Quality and track the progress of the complaint.

- 4.06** By no later than 15 working days following referral of a complaint to the appropriate person, they will inform the Assistant Principal Quality the response and outcome of the complaint. If the complaint has been resolved to the satisfaction of the complainant, the response will be logged in the Group's Complaints Register and the matter deemed to be closed.

- 4.07** If the complaint has not been resolved within 15 working days to the satisfaction of the complainant, the matter is to be referred back to the Assistant Principal Quality (or the Deputy/Vice Principal if the complaint involves the Assistant Principal Quality).

A decision will be made regarding the complaint and the complainant informed in writing. If a satisfactory outcome is achieved, this is logged in the Group's Complaints Register and the matter closed.

- 4.08** If the matter is still not resolved a full internal investigation will be carried out.

### **Internal investigations**

- 4.09** If a complaint requires an internal investigation, the Assistant Principal Quality will appoint an impartial member of staff to carry out the investigation, produce a report of the findings and any recommendations arising from the report. Recommendations will be actioned by the Learning & Performance Management Group.

The complainant will be notified of the outcome in writing. If the complainant is not satisfied with the outcome then they have a right of appeal to the Principal (Neath or Powys). The appeal must be lodged in writing within 5 working days to the Principal (Neath or Powys). (Appeal Process Appendix 4)

- 4.10** The Principal (Neath or Powys) will consider the outcomes of the investigation and his decision is final.

### **4.11 Complaints by Higher Education Students**

Once internal procedures are completed the College will issue the student with a "Completion of Procedures" letter within 28 days if the complaint or appeal is not upheld. If the complaint or appeal is upheld or partly upheld the College will advise the student that they can ask for a Completion of Procedures letter if they remain dissatisfied. The letter will set out clearly the issues that have been considered and the College's final decision. The Completion of Procedures Letter will:

- confirm the date when the student completed the provider's internal complaints procedures;
- clarify the issues considered by the provider under those procedures;
- advise the student of the possibility of bringing a complaint to the OIA;
- establish the timescale for bringing a complaint to the OIA.

### **Complaints involving Senior Post Holders**

- 4.12** Any complaint involving a Senior Post Holder is to be referred to the Chair of the Corporation.
- 4.13** If the complaint is resolved by the Chair of the Corporation, the Clerk will log the response in the College Complaints Register.

- 4.14** If the complaint is not resolved by the Chair of the Corporation, the Chair will instruct the Clerk to convene a meeting of the Corporation Board to investigate the issue.

## **Section 5: monitoring**

- 5.01** The Assistant Principal Quality will monitor the operation of this Policy and Procedure and will produce an annual report for the Senior Management Team on the nature of complaints received and the manner and speed with which they were resolved. Where appropriate, trends and patterns in complaints will be brought to the attention of the Senior Management Team and addressed across College. The Principal (Neath or Powys) will report annually on College complaints to the Board of Governors.

## **Section 6: Review**

- 6.01** The policy will be reviewed at 2 yearly intervals. The next review will be undertaken no later than 1<sup>st</sup> September 2017. The review will be undertaken by the Assistant Principal Quality.

**APPENDIX 1**



**Customer Complaint Form**

**Name of Complainant:** \_\_\_\_\_

**Telephone No:** \_\_\_\_\_ **Mobile No:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Course (if learner):** \_\_\_\_\_

**Tutor:** \_\_\_\_\_

**Complaint received on:**

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**By:** \_\_\_\_\_ **At (Campus):** \_\_\_\_\_

**Details of complaint:**

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## Equality Monitoring Information

To enable NPTC Group to meet its statutory reporting duties and to ensure we provide the most appropriate service to all please complete the following by ticking the appropriate boxes:

### Do you have a disability?

- visual impairment
- hearing impairment
- physical difficulty emotional/behavioural difficulties
- mental ill health
- multi-sensory impairment
- autistic spectrum disorder
- speech, language & communication difficulty
- other

### Age:

- 16-18    19-20    21-30    31-40    41- 50    50 - 60    60+

### Please indicate your ethnic group below:

- White
- Black – Caribbean
- Black – African
- other Black background
- Asian – Indian
- Asian – Pakistani
- Asian – Bangladeshi
- Chinese
- other Asian background
- mixed – White and Black Caribbean
- mixed – White and Black African
- mixed – White and Asian
- other Mixed background
- other Ethnic background
- information refused

### Gender

Do you consider yourself as

- Female                              Male                               Prefer not to say



**All complaints to be initially forwarded to the Assistant Principal Quality**

**APPENDIX 2**

If a complaint is made by the learner (including H.E. learners) regarding:

- academic or support staff
- fellow learners
- any services provided by the Group

If a complaint is made by members of the public, or NPTC Group staff regarding any services provided by the Group

If a complaint relates to Learner behaviour/ misconduct

Follow the procedure in the Learner Disciplinary Policy

If a complaint is made by a member of staff against another member of staff

HR to deal with the complaint, following the procedure in the Grievance Policy or Staff Disciplinary Policy, as appropriate.

If a complaint involves allegations of fraud, bribery or corruption

The Vice Principal: Finance to deal with the complaint, following the procedure in the Fraud Policy.

If a complaint relates to a Senior Post holder

The Governance Officer to deal with the complaint, following the procedure in the appropriate policy.

Follow the procedure in the Complaints Policy

If a complaint involves allegations of misconduct by staff

Follow the procedure in the Staff Disciplinary Policy

If a complaint involves allegations of 'whistle blowing' by an employee or ex-employee

The Governance Officer to deal with the complaint, following the procedure in the Malpractice Policy.

If a complaint relates to the Clerk to the Corporation

The Principal (Neath or Powys) to deal with the complaint, following the procedure in the appropriate policy.

**NPTC Group definition of a complaint is:**

**‘An expression of dissatisfaction by one or more customers about the college’s action or lack of action, or about the standard of service provided by the college or on its behalf.’**

A complaint may relate to, for example:

- a failure to provide a service
- an inadequate quality or standard of service
- the admissions process
- the disciplinary process
- a request for a service or for information which has not been actioned or answered
- our policies
- incorrect information about academic programmes or college services
- the quality and availability of facilities and learning resources
- accessibility of our buildings or services
- the behaviour of a member of staff or contractor
- a student’s behaviour
- treatment by or attitude of a member of staff or contractor
- disagreement with a decision where the customer cannot use another procedure (such as an appeal) to resolve the matter
- NPTC Group failure to follow the proper administrative process.

This list is not meant to be complete.

A complaint is **not**:

- a request for information or an explanation of policy or practice
- a disagreement with academic judgement
- a claim for compensation from the college
- issues that are in court or have already been heard by a court or tribunal
- disagreement with a decision where a right of appeal exists, for example the academic appeals process
- a request for information under the Data Protection or Freedom of Information Acts
- a grievance by a member of staff
- an attempt to have us reopen or reconsider a complaint we have concluded or given our final decision on.

**Handling anonymous complaints**

We value all complaints. This means we treat all complaints seriously including anonymous ones and will take action to consider them further, wherever it is proper to do so. Generally, we will consider an anonymous complaint if it gives enough information for us to make further enquiries. Failing this, we may decide not to pursue it. A decision not to pursue an anonymous complaint must be authorised by the responsible senior manager.

If an anonymous complaint contains serious allegations, we will refer it to a senior manager immediately.

If we pursue an anonymous complaint, we will record the issues as an anonymous complaint on the complaints system. This will help ensure the completeness of the complaints data we record and allow us to take corrective action where suitable.

NPTC Group will not consider a complaint if

- it is more than 12 months after you became aware of the matter you want to complain about,
- it has been or is being considered in court.



## **Appeals Procedure**

This procedure has been formulated to ensure that learners/ complainants are treated fairly.

NPTC Group welcomes diversity and is striving to promote equal opportunities for all learners, staff, visitors and members of the community.

Discriminatory or offensive comments on the grounds of race, religion or belief, marital status, age, learning difficulties, disability, sexual orientation or gender **WILL NOT** be tolerated.

Learners have the right to appeal if they consider that an issue has not been satisfactorily resolved or if they feel they have been treated unfairly with regard to the lodging of a complaint or outcome of a Disciplinary panel.

(NB For course work / examinations and academic matters a separate appeals procedure is to be followed.)

### **Procedure**

- The learner must lodge their appeal in writing to the Principal (Neath or Powys) within 5 working/ term time days of the notification of the outcome from the panel addressing the issue.
- The Principal (Neath or Powys) will allocate the appeal to an approved member of the Senior Management Team who will take the appeal forward.
- The appeals panel will meet within 10 working term time days of the appeal being received by the Group.
- The appeals panel will consist of 2 senior members of staff. The members will be impartial and not be connected to the case in any way.
- The learner may present his/ her case to the appeals panel and may bring witnesses to support their case and may be accompanied by a parent/ guardian or a fellow learner who is enrolled at the college.  
(NB: Legal representation is NOT appropriate)
- Documents can be supplied in an alternative format upon request and adapted to suit individual learner needs.
- Any NEW evidence to be brought to the panel must be submitted 5 working days before the appeal is to be heard.
- Any new evidence that comes to light supporting the Groups original decision must be shared with the learner 5 working days before the appeal takes place.

### **Outcome**

The outcome of the appeal may be:

- To confirm the original decision
- To modify or overturn the original decision
- The judgement of the appeals panel is FINAL and will be issued to the learner in writing within 5 working term time days of the hearing of the panel.

This Procedure will be reviewed on or before 31 July of each academic year. The next review will be undertaken on or before 31 July 2016.



## Equality and Linguistic Impact Assessment & Screening Document

This document is used to record the assessment of whether or not a policy, practice or provision - or a change to them - will have a negative or positive impact on the equity of a protected characteristic or on the use of the Welsh Language.

### Stage 1 – Initial Screening

Firstly consider what item is being assessed and what is its purpose?  
Using the boxes below, provide a description of the policy, practice or provision being assessed with a short statement about what the item is intended to achieve (its aims and objectives) and who is affected, eg staff, students, parents/carers, partners, etc.

<b>Description of item:</b> Complaints Policy
<b>Aims &amp; objectives:</b> To provide a concise and equitable policy to address complaints received about NPTC from any stakeholder
<b>Those affected – eg</b> staff, students, parents, partners etc : learners, members of staff, the public, contractors, service providers, parents and any other stakeholder

Considering the item being assessed, use the boxes below to record your initial thoughts on the possible consequences for the nine protected characteristics and the use of the Welsh Language.

Protected Characteristic	Potential impact <b>positive or negative</b>
<b>Sex</b> Also called gender, means a man or a woman	If either males or females feel less inclined to report a complaint NPTC could lose opportunities to resolve these issues
<b>Race</b> Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins	If an individual from any ethnic minority were less inclined to report a complaint NPTC could be at a disadvantage in ensuring we promote good relations amongst and between people from all ethnic and national backgrounds

Protected Characteristic	Potential impact <b>positive or negative</b>
<p><b>Age</b> Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>	<p>If particular age groups may feel less inclined to report a complaint – NPTC could lose opportunities to resolve issues with certain age groups if this was the case</p>
<p><b>Gender Re-assignment</b> The process of transitioning from one gender to another</p>	<p>If individuals who are transitioning or intend to transition gender are less inclined to make complaints NPTC we would be disadvantaged in our efforts to ensure elimination of discrimination of anyone undertaking gender re-assignment</p>
<p><b>Sexual Orientation</b> Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes</p>	<p>If anyone from a particular sexual orientation felt less inclined to report a complaint NPTC could be at a disadvantage in ensuring we promote good relations amongst and between people from all sexual orientations</p>
<p><b>Religion &amp; Belief</b> Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</p>	<p>If individuals with any or no religious belief felt less inclined to report a complaint NPTC could be at a disadvantage in ensuring we promote good relations amongst and between people from all beliefs and those who do not have a belief system</p>
<p><b>Pregnancy &amp; Maternity</b> Pregnancy is when expecting a baby, Maternity refers to period after the birth</p>	
<p><b>Marriage &amp; Civil Partnership</b> Marriage - between same or opposite sex couples, Civil Partnership - same sex couples</p>	
<p><b>Disability</b> Any long term condition that affects day to day activity. Conditions include hearing, visually &amp; physical impairment, learning disability, mental health, cancer, HIV &amp; MS</p>	<p>Those with disabilities may find the process less accessible or easy to follow and we could then be at a disadvantage in efforts to resolve issues</p> <p>NPTC would also miss the opportunity to learn from any specific disability related complaint</p>

<b>Welsh Language</b>	<b>Potential impact <span style="color: red;">positive or negative</span></b>
The Welsh Language (Wales) Measure 2011 establishes equal rights for Welsh speakers, based on these principles; In Wales, the Welsh language should be treated no less favourably than the English language & persons in Wales should be able to live their lives through the medium of Welsh if they choose	Welsh speakers would be negatively affected if policy and procedure was only available in English
<b>Explanation – if appropriate</b>	
<b>Priority Level: high/<span style="color: red;">medium</span>/low</b>	

### Stage 2 – Analysis

Based on the screening process above you will need to carry out analysis to verify your initial decision. Below you need to show what equality and linguistic analysis has been done on this item? List the evidence, data or sources used to analyse the impact of this item. (include any, data, reports, surveys or web links utilised in the process)

<b>Protected Characteristics</b>	<b>Data Source &amp; Findings</b>
<b>Sex</b>	<p>With all protected characteristics we have very limited data to analyse in relation to the complaints system.</p> <p>The present methods for collecting data have not proved a reliable and consistent source of information so an action needs to be formulated to address this issue</p>
<b>Race</b>	
<b>Disability</b>	
<b>Sexual Orientation</b>	
<b>Age</b>	
<b>Pregnancy &amp; Maternity</b>	
<b>Marriage &amp; Civil Partnership</b>	
<b>Religion &amp; Belief</b>	
<b>Gender Re-assignment</b>	
<b>Welsh Language</b>	<b>Data Source &amp; Findings</b>
<b>Welsh</b>	No complaint has been submitted in the Welsh language – we will monitor this aspect as part of the annual review

### Stage 3 – Engagement/Consultation & Assessment

Following your analysis, you now need to record how you have assessed the item and who was engaged in the process. How was an assessment of the equality and linguistic impact reached and who was involved in the decision?

Group impacted	Nature of positive and/or negative impact or explanation for no identified impact
Sex	<p>With all protected characteristics we have very limited data to analyse in relation to the complaints system.</p> <p>The present methods for collecting data have not proved a reliable and consistent source of information so an action needs to be formulated to address this matter.</p> <p>A review of the previous forms shows some amendments would improve the layout and the content.</p>
Race	
Disability	
Sexual Orientation	
Age	
Pregnancy & Maternity	
Marriage & Civil Partnership	
Religion & Belief	
Gender Re-assignment	
Welsh	

### Stage 4 – Mitigation & Changes

Finally, detail what changes have been made or are scheduled for change following the assessment & engagement to reduce or eliminate any adverse impact?

Impact	Possible change	Recommended & actioned
A dearth of statistical information has resulted in NPTC being unable to fully consider the impact on all of the protected characteristics	Improvement in the equal opportunities form and monitoring of the data collected	Agreed by policy author AP: Quality and SO:D Completion date 1 <sup>st</sup> October 2015



**Statement of justification and mitigation where negative impact cannot be avoided**

At present we are not clear if there is any definite negative impact so will revisit this ELIA in one year's time using the data from the revised equal opportunities form to consider the matter again.

**Record of Evidence**

**1. Consultation**

What consultation has taken place? (state when and who with)

<b>Consultation process</b>	<b>Findings</b>
No formal consultation took place for this item as we relied on previously collected feedback	N/A

**2. Publication**

When will the E&LIA be published?

**Date and method:**

ELIA will be published as an appendix of the Complaints Policy – October 2014

**3. Monitor & Review**

How will this item be reviewed & monitored

**Lead person or group responsible and review dates :**

AP: Quality & SO:Diversity  
Review in September 2017

## Checklist

- Has the alternative format statement been included at the start of the policy document?
- Has the document been formatted in line with NPTC Group publication guidelines and policy template?
- Has the Equality & Diversity paragraph been adapted and included?
- When you have completed the ELIA paperwork please ensure it is added as an appendix to the relevant policy or procedure
- Any questions? please contact the Senior Officer: Diversity on 01639 648175 or by email [lesley.blower@nptcgroup.ac.uk](mailto:lesley.blower@nptcgroup.ac.uk)

## Signature of Assessment Manager

Name (Print): L Blower

Signature:

Date: 13.11.14