

# Complaints Policy

## 2024 - 2027



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**“A complaint is an expression of dissatisfaction by one or more persons about the provider’s action, or lack of action, or about the standard of service, which has had a negative effect on the complainant’s experience.”** – Welsh Government Managing Complaints Good Practice Guidance for FE Colleges and Work-Based Learning Providers, 2017.

## 1. CONTEXT

- 1.1 Coleg Sir Gar and Coleg Ceredigion (“the College”) are further education Colleges that are part of the University of Wales Trinity Saint David Group.
- 1.2 The College aims to provide the best possible service to its learners, customers and community and is committed to listening and learning to concerns in order to continually improve the quality of our provision and services.
- 1.3 All staff at the College share a responsibility to receive complaints, treat them seriously and deal with them promptly and courteously in accordance with the procedures set out below.
- 1.4 Staff requiring advice regarding complaints handling should contact their Assistant Director, Director or Vice Principal. Students requiring advice should approach their Tutor or a member of the Wellbeing Team.
- 1.5 In the event that a complaint relates specifically to the personal conduct of an individual member of staff, the matter shall be referred to the **Human Resources Department** for consideration.

## 1.6 VEXATIOUS COMPLAINTS

- 1.6.1 A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.
- 1.6.2 Vexatious complaints may be:
  - those where the evidence indicates a personal grudge, for whatever reason and the complainant is targeting their correspondence towards a particular staff member against whom they have a personal enmity.
  - where unreasonable persistence is applied in attempting to reopen an issue which has already been addressed and concluded.
  - those using abusive or aggressive language (going beyond the level of criticism that a provider or its staff should reasonably expect to receive).
- 1.6.3 In these cases, we reserve the right to decide not to pursue complaints of this kind and will inform the complainant in writing of our decision. In the case of vexatious complaints made by learners, we reserve the right to pursue this through the Positive Behaviour Policy.

## 1.7 ANONYMOUS COMPLAINTS

- 1.7.1 The college values all their customers and feedback, and this means that all complaints including anonymous submissions will be treated appropriately and action taken to consider them further, wherever it is possible to do so. In principle the college will consider an anonymous complaint if it gives enough information so as to enable further enquiries. If sufficient information is not available, the complaint will be recorded and no further action taken. A judgement not to pursue an anonymous complaint may be made by the Complaints Team and should be clearly recorded, where possible, to be based on predefined criteria. If an anonymous complaint contains serious allegations it should be referred to the Vice Principal of Planning, Learners & Communication.



- 1.8 All records and information will be recorded and maintained in accordance with the UK GDPR and Data Protection Act 2018.

## 2. PURPOSE OF THE POLICY

- 2.1 To provide:
- a fair and transparent process to complainants;
  - a procedure which resolves concerns as swiftly as possible;
  - a thorough investigation into complaints received;
  - improvements to our services; and
  - an accurate recording, monitoring and reporting of complaints.

## 3. SCOPE

### 3.1 WHEN DOES THIS POLICY APPLY?

- 3.1.1 This policy can be used if you have already approached us about a concern but are unhappy with the response that we have provided.

- 3.1.2 This policy applies if you have a serious concern involving:

- safeguarding matters;
- discrimination;
- disclosure of matters of public interest;
- inappropriate conduct of a College employee or College learner;
- an allegation of fraud;
- or a serious service failure.

*This list is not exhaustive but provides examples of serious matters.*

- 3.1.3 Following initial investigation, where there is evidence to suggest misconduct or gross misconduct of a College employee, the matter will be addressed in accordance with the College's Human Resources procedures.

- 3.1.4 Complaints by learners studying a University of Wales Trinity Saint David programme at the College will in the first instance be dealt with through the College's procedures. In the event that the complainant is not satisfied with the outcome, then the learner has a right to request that their complaint be reviewed by the University. In doing so, the University will follow its procedure for reviewing a complaint outcome. ([Student Complaint Policy UWTSD](#)).

### 3.2 WHEN DOES THIS POLICY NOT APPLY?

- 3.2.1 This policy does not apply to learner complaints about the behaviour or conduct of other learners. Complaints of this nature should be raised with the Director of Learner Services [tom.snelgrove@colegsirgar.ac.uk](mailto:tom.snelgrove@colegsirgar.ac.uk) in the first instance.

- 3.2.2 The policy does not cover complaints against academic decisions made by awarding bodies or examining boards or disputes with persons not employed by or subject to the jurisdiction of the College. Advice on academic appeals procedures is available from the College's Quality Unit by contacting [sian.treharne@colegsirgar.ac.uk](mailto:sian.treharne@colegsirgar.ac.uk). The College's Academic Appeals Policy and Procedure can be found [here](#).



3.2.3 Sometimes concerns raised are outside of the College's control, such as in relation to legislation and Welsh Government policy decisions. If this is the case, then we will advise you about how to make your concerns known to the most appropriate organisation.

3.2.4 Complaints regarding fines issued on Cardigan Campus will need to be raised directly with Parking Eye. There is a complaint form available on the Parking Eye [website](#).

### 3.3 WHAT CAN YOU COMPLAIN ABOUT?

3.3.1 For the purposes of this policy, a complaint is defined as the expression of a specific concern about:

- a programme of study;
- a related academic service;
- the action, or lack of action, by the College or one of our employees;
- or a related support service.

3.3.2 Issues relating to the Welsh language, individuals' rights to use the language and all standards as depicted in the Welsh Language Standards for the college, should be raised in the first instance with the Director of Bilingualism by contacting [griffithh@ceredigion.ac.uk](mailto:griffithh@ceredigion.ac.uk).

3.3.3 Complaints about the College's compliance with its Welsh Language Standards can also be made to the Welsh Language Commissioner. There is a complaint form available on the Welsh Language Commissioner's [website](#). The Head of Libraries & Welsh Language Standards ensures that the colleges' complaints policy includes all the commitments in standards 164, 170 and 176 namely:

- ensure you have a complaints procedure which deals with the following matters:
  - how you intend to deal with complaints regarding your compliance with the service delivery standards, policy standards and operational standards with which you have a duty to comply, and
  - how you will provide training for your staff regarding dealing with those complaints.

3.3.4 We do not treat any of the following as a complaint:

- A first request for service or the reporting of a concern. You must give the relevant Department/Faculty the chance to resolve your concern in the first instance, unless your complaint is of a serious nature. Please see section 3.2.1.
- A request for information or an explanation of a policy or practice.
- Where a final decision has been reached in accordance with another College policy, dissatisfaction with that outcome cannot be submitted as a complaint.
- A claim for compensation from the College.
- Issues that are in court or have already been heard by a court or a tribunal.
- Issues that are over six months old and there is no reasonable reason submitted for the delay in raising the complaint.
- An attempt to reopen or reconsider a complaint that has been concluded.

### 3.4 WHO CAN COMPLAIN?

3.4.1 The following individuals can complain:

- a) learners;
- b) commercial customers;
- c) parent/guardian; or
- d) an employer who has accessed our services.



- 3.4.2 Groups of learners can make formal complaints. In this instance, we will require 2 nominated representatives for ease of communication.
- 3.4.3 Issues with third party providers will not be dealt with under this policy.
- 3.4.4 You can complain on an individual's behalf where they are:
- under 18; and/or
  - unable to do so themselves (where it can be evidenced that they lack capacity to do so).

*It is the College's process that any learner concerned will be spoken to unless there are circumstances where this is not possible.*

### 3.5 HOW CAN YOU COMPLAIN?

3.5.1 Email: [complaints@colegsirgar.ac.uk](mailto:complaints@colegsirgar.ac.uk)

3.5.2 Write to:  
The Complaints Team  
Principal's Office  
Coleg Sir Gar  
Graig Campus  
Sandy Road  
Llanelli  
SA15 4DN

3.5.3 Telephone: Contact the Complaints Team on 01554 748004 / 8006



4. POLICY DEVELOPMENTS

4.1 COMPLAINTS PROCEDURE

- 4.1.1 The College will receive written or verbal complaints in Welsh or English and neither will be treated less favourably.
- 4.1.2 The College will operate a Complaints Policy that has 3 stages: Informal, Formal and Review. All three stages will be available in Welsh or English.
- 4.1.3 At the Formal and Review stages, the Principal's office will log all formal complaints either in progress or resolved and maintain a record of all appeals and outcomes for a minimum of 2 years. The Clerk to the Board will maintain a record of all referrals following appeal in line with normal Board meeting records.

Stage	Steps
<p><b>1 – Informal</b></p>	<ol style="list-style-type: none"> <li>1. Most complaints can be resolved simply and swiftly in an informal manner, at a local level, by discussing the issue or concern with any member of staff, Heads of Department or The Complaints Team; <a href="mailto:complaints@colegsirgar.ac.uk">complaints@colegsirgar.ac.uk</a>.</li> <li>2. The College seeks, in turn, to find effective remedies to those concerns as quickly as possible and with minimum disruption.</li> <li>3. The Head of Department who deals with the concern will provide the Complaints Team with written details of how they have dealt with it and how you have been informed so they can be recorded.</li> <li>4. A group of learners wishing to make a complaint should seek to resolve the matter through their learner representatives, personal tutors, mentors or through learner voice meetings.</li> <li>5. If, following stage one, you are dissatisfied with the outcome you must notify the Complaints Team of your reasons for requesting the concern be progressed to stage two (i.e. as a formal complaint) <b>within 10 working days</b>. See section 3.5 for contact details.</li> </ol>
<p><b>2 – Formal</b></p>	<ol style="list-style-type: none"> <li>1. Formal complaints should preferably be made in writing. See section 3.5 for details.</li> <li>2. Formal complaints should be received <b>no more than 3 months</b> after the main issues complained about occurring.</li> <li>3. Once we receive your formal complaint we will acknowledge it in writing <b>within 5 working days</b> and issue a copy of the Complaints Policy.</li> <li>4. We will pass the complaint over to the relevant Vice Principal, Director / Assistant Director who will provide an investigation report <b>within 15 working days</b> of receipt of the formal complaint. If it is not possible for the report to be completed within the timescale, you will be informed in writing of the reasons and the new deadline.</li> <li>5. The relevant Vice Principal, Director / Assistant Director may request a meeting with the complainant to clarify statements made in the formal complaint and to confirm the details of the complainant's stated desired outcome. This meeting may be held in Welsh or English. If for reasons of distance or other good reason, physical attendance in person is not possible, the complainant shall be invited to contribute via video link, audio link or to make an additional written submission. Legal representation is not allowed. On completion of the investigation a final complaint investigation report shall be produced.</li> <li>6. The relevant Director or Vice Principal shall determine whether to uphold or reject the complaint.</li> <li>7. The final decision on the complaint shall be communicated to the complainant in their language of choice (Welsh or English) by means of a Complaint Outcome letter (which may take the form of an</li> </ol>

	<p>electronic communication), via the Complaints Team <b>no more than 5 clear working days</b> after the completion of the report. The Complaint Outcome letter should include a brief explanation of reasons for the decision and, if appropriate, details of the proposed remedy.</p> <p>8. Other officers of the college will be informed of the decisions where appropriate and lessons learnt will be shared accordingly.</p>
<p><b>3 – Review</b></p>	<ol style="list-style-type: none"> <li>1. If the complainant does not wish to request that the complaint outcome be reviewed, the complainant may request that a Completion of Procedures letter be issued.</li> <li>2. If, after receipt of the written outcome of the investigation into your complaint, you are dissatisfied with the decision reached, you have the right to appeal.</li> <li>3. Any complaints appeal must be submitted <b>within 10 working days</b> of receiving the findings from the Complaints Team.</li> <li>4. Appeals will only be accepted if:             <ol style="list-style-type: none"> <li>i. you have submitted additional evidence, which was not available at the time of submission of your complaint;</li> <li>ii. you are claiming (and submitting evidence or detailed reasons) that the investigation was not conducted/concluded fairly;</li> <li>iii. you are claiming that the complaint was not handled in accordance with this policy.</li> </ol> </li> <li>5. Appeals must be submitted in writing to <a href="mailto:complaints@colegsirgar.ac.uk">complaints@colegsirgar.ac.uk</a> setting out in detail the grounds for appeal.</li> <li>6. Receipt of the request for review shall be acknowledged <b>within 5 working days</b>.</li> <li>7. In the event that the reviewer is the subject of the complaint, or has been involved in the attempted resolution of the complaint, the appeal will be heard by an alternative senior post holder.</li> <li>8. The reviewer may refuse any request which is not based on the grounds stated above or in which it is apparent that no clear case to review the complaint has been made. The complainant shall be informed by means of a Completion of Procedures letter that the request for review has been rejected and that the original complaint outcome stands.</li> <li>9. If it is determined that the request has been made on permissible grounds and that a clear case for reviewing the complaint has been made, the reviewer shall consider the request on the grounds indicated by the complainant.</li> <li>10. In reaching a decision on the request, the reviewer shall base their decision on the evidence of the complainant's submission together with any further evidence which they consider relevant.</li> <li>11. The reviewer shall be empowered to take one of the following decisions:             <ol style="list-style-type: none"> <li>i. to uphold the original complaint outcome; or</li> <li>ii. to offer a modified outcome and remedy.</li> </ol> </li> <li>12. The reviewer's decision shall be final, and the matter shall, therefore, be regarded as closed.</li> <li>13. The reviewer will communicate the review outcome to the complainant by means of a Completion of Procedures letter normally within 15 working days of receipt of the request to review. This may include a modified remedy.</li> </ol>

***\* Concerns and complaints received outside of College term-time may go over the working days outlined above due to staff availability.***



## 4.2 COMPLETION OF PROCEDURES AND INDEPENDENT REVIEW

4.2.1 The Completion of Procedure letter confirms that the internal procedures of the College in relation to the complaint have been completed. The letter will indicate whether or not a review of the complaint outcome was requested. The complainant will be advised via the Completion of Procedures letter, that:

- a) he/she can take his/her complaint to the Board of Governors (applicable to Further Education learners or other stakeholders)
- b) he/she can take his/her complaint to the B-WBL Consortium (applicable to Work Based Learning learners)
- c) he/she can take his/her complaint to the Office of the Independent Adjudicator, OIA, (applicable to Higher Education learners) d) he/she can take his/her complaint to the Welsh Language Commissioner's Office (applicable to complaints relating specifically to the Welsh Language Standards).

4.2.2 The Clerk to the Board will maintain a record of all FE reviews for a minimum of 2 years.

4.2.3 Complaints can only be referred to the Board of Governors if evidence can be supplied to show that the process has not been followed as outlined in this policy. Requests for a review by the Board of Governors should be sent to the Clerk to the Board, Coleg Sir Gar, Llanelli, SA15 4DN or by e-mail to [damion.gee@colegsirgar.ac.uk](mailto:damion.gee@colegsirgar.ac.uk). The Clerk to the Board will make a decision whether an appeal will be granted and heard by a panel of Governors. The panel will consist of the Clerk to the Board, The Chair/Vice Chair of the Board and 2 other members of the Governing Body. Independent review requests must be submitted **within 10 working days** of the date stated on the Completion of Procedures letter. The Clerk to the Board will normally acknowledge it in writing **within 5 working days**. The review panel will meet **within 15 working days** of the decision to undertake a review. If it is not possible to be completed within the timescale, you will be informed in writing of the reasons and the new deadline.

4.2.4 Complaints to the Office of the Independent Adjudicator (OIA) for Higher Education must be made within 12 months of the date of the Completion of Procedures letter. Full details of the procedure are available from the Academic Office or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk)

## 4.3 LEGAL PROCEEDINGS

4.3.1 In the event of a learner commencing any legal proceedings or in the event of proceedings being commenced against the complainant in relation to a complaint, the above procedures may be suspended or abandoned at the College's discretion.

## 4.4 REPORTING ON COMPLAINTS

4.4.1 The Vice Principal of Planning, Learners & Communication shall report annually to the Board of Directors on the operation of these procedures in a form that maintains confidentiality and enables the College to reflect upon lessons learnt from learner complaints and disseminate advice accordingly.

4.4.2 Any complaints which relate to bullying, harassment or discrimination of individuals who have one or more of the protected characteristics, as specified in the Equality Act 2010, will be reported on separately in the annual complaints report.

4.4.3 The Vice Principal of Planning, Learners & Communication shall also report to the B-WBL Consortium on complaints relating to Work Based Learners.



4.4.4 The Director of Bilingualism and Head of Libraries & Welsh Language Standards shall also prepare an annual report for the Welsh Language Commissioner, in Welsh, which includes the number of complaints it has received in relation to the Welsh Language Standards.

#### 4.5 **COMPLAINTS AGAINST SENIOR POST HOLDERS**

4.5.1 Senior post holders at the College include the Principal, Vice Principals and the Chief Operating Officer. Complaints against a senior post holder should be made to the Chair of the Board of Directors in the first instance and addressed to the Clerk to the Board, Coleg Sir Gar, Llanelli, SA15 4DN or by e-mail to [damion.gee@colegsirgar.ac.uk](mailto:damion.gee@colegsirgar.ac.uk).

4.5.2 In such an event, the formal complaints procedures will apply and a member of the Board of Directors will be appointed to consider the complaint.

4.5.3 Complaints against the Chair of the Board, a Director or the Board of Directors should be addressed to the Clerk to the Board or the Principal's office.

4.5.4 Complaints against the Clerk to the Board should be addressed to the Chair of the Board via the Principal's office.

#### 5. **POLICY STATEMENTS**

5.1 This policy has been developed at College Management level and approved by the Executive and Governors.

5.2 It has been subject to an Equality Impact Assessment.

5.3 It has been subject to a Welsh Language Impact Assessment.

5.4 It has been subject to a Privacy Impact Assessment.



<b>Policy Title</b>	Complaints Policy and Procedure
<b>Policy Presentation</b>	This will be made available in writing (Arial font size 10) in Welsh and English. Alternative formats may be requested. Such requests should be made to <a href="mailto:vanessa.cashmore@colegsirgar.ac.uk">vanessa.cashmore@colegsirgar.ac.uk</a>
<b>Policy Communication</b>	College Websites Staff Gateways/Intranet Student Gateways/Intranet
<b>Main Purpose of the Policy</b> <i>(Brief Summary)</i>	To provide a mechanism for learners and other stakeholders to make complaints about service levels delivered by the College.
<b>Main Author</b> <i>(Who can provide advice and guidance on contents)</i>	Vanessa Cashmore - Vice Principal Planning, Learners and Communication
<b>Date of Board Approved</b>	20/02/2024
<b>Date Effective from</b>	21/02/2024
<b>Date for Renewal</b>	21/02/2027
<b>Date of Equality Impact Assessment</b>	20/02/2024
<b>Date of Welsh Language Impact Assessment</b>	20/02/2024
<b>Date of Privacy Impact Assessment</b>	20/02/2024
<b>Risks Associated with Policy</b> <i>(If policy is not implemented)</i>	Failure to respond to learner or stakeholder concerns. Failure to identify poor practice within the colleges.