

Higher Education Complaints Procedure

This procedure relates to complaints:

- By enrolled Higher Education students at Wakefield College or by former students who have left the institution within the three calendar months prior to their complaint being received, and
- Which concern matters that affect the quality of a student's learning opportunities.

In writing this procedure the College has taken account of the UK Quality Code for Higher Education, specifically the Advice and Guidance on Concerns, Complaints and Appeals, which embeds the core practice that:

The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

The College has also taken account of:

- OIA Good Practice Framework for handling complaints and academic appeals (revised December 2016)
- The University of Hull Regulations for the investigation and determination of complaints by students (v2.06, April 2017)
- Teesside University's Student Complaints Policy and Procedure (v2.0, September 2017)
- Leeds Beckett University's Student Complaints Procedure.

- 1.0 As a provider of Higher Education, Wakefield College (“The College”) strives for the continual improvement in the quality of its provision and services. We are committed to providing a high-quality educational experience which is supported by excellent administrative and pastoral support. In order to assist us in this endeavour we welcome feedback from all of our students but recognise that, whilst the majority of it is positive in nature, there will be occasions when problems arise. We wish to ensure that any higher education student who is dissatisfied with the service or educational experience that they have received is able to raise their concerns or submit a complaint.
- 2.0 This procedure (“The Procedure”) provides guidelines for a complaint from a student at the College (within the parameters detailed in paragraph 3.0).
- 3.0 For the purposes of this documentation, a student is defined as a person enrolled on a higher education programme of study at Wakefield College, or a former enrolled student who has left within the three calendar months prior to raising their complaint, irrespective of the mode of study (e.g. full or part-time) or the location of the learning or delivery that takes place.
- 4.0 The definition of complaint appropriate for this documentation is that provided in the OIA Framework (December 2016 p.6):
an expression of dissatisfaction by one or more students about a provider’s action or lack of action, or about the standard of service provided by or on behalf of the provider.
- 5.0 This procedure does not cover:
- 5.1 Academic appeals and complaints – specific procedures exist for these within our Higher Education Academic Appeals Code of Practice and also within the regulations and guidelines of our partner universities and awarding bodies
- 5.2 Admissions appeals and complaints - specific procedures exist for these within our Higher Education Admissions Appeals and Complaints: Code of Practice.
- 6.0 All concerns or complaints should be raised as soon as possible after the relevant event, and within 3 months of the event (unless there are exceptional circumstances which prevented this). This will help to ensure that any necessary investigations are able to take place in a timely and thorough manner.
- 7.0 Informal resolution of all complaints should be sought before submitting a formal complaint, unless this is impossible or inappropriate due to the complexity or seriousness of the case.
- 8.0 Where the issues raised affect a group of students, those students can submit a complaint as a ‘group complaint’. In such circumstances the College may ask the group to nominate one student to act as group representative.

- 9.0 Where the College believes that the complaint would be more appropriately dealt with under one of more of its other procedures, student(s) will be informed of this.
- 10.0 The College offers any student the assurance that they will not suffer any discrimination or victimisation as a result of their decision to submit a complaint. All complaints (informal or formal and at whatever stage) will be handled as efficiently as possible and investigated in a manner which is most appropriate to the nature of the complaint.
- 11.0 It should be noted however, that any complaint which is found to be vexatious or malicious in nature may result in disciplinary action. Any complaint falling into this category may be rejected by the College and the complainant will be notified in writing, within 10 days, as to why the rejection has occurred and any action which may result.
- 12.0 It should be noted that for any complaint which is submitted during periods of College closure or at a time when key staff are unavailable due to Assessment or Examinations Boards, the time periods provided elsewhere in this procedure may be extended. If this becomes necessary, students will be provided with a full explanation as to why the investigation has been delayed.
- 13.0 All formal complaints will be directed to the Director of Higher Education, unless this would be inappropriate e.g. due to a conflict of interest, in order that an appropriate investigation can be commenced.
- 14.0 Students may wish to obtain advice regarding the complaints procedure prior to the submission of any complaint. This advice may be sought in person, by email or by telephone and can be obtained from any member of higher education staff in the College.
- 15.0 The College has developed a staged complaints process which allows for escalation if the student does not feel that the matter they raised has been satisfactorily resolved. These stages should normally be followed in order and a complaint must have been considered at the formal stage before it can be escalated to the review stage.
- 16.0 Students may be required to provide evidence and/or additional information to enable the College to properly and fairly investigate the complaint.
- 17.0 **Stage 1 Complaints (Informal)**
- 17.1 There is an expectation within the College that the majority of complaints can be resolved at an early stage through an informal discussion procedure without the necessity of instigating

- formal processes. In the first instance, any issue arising should be brought to the attention of a relevant member of staff (either verbally or by email)
- 17.2 If the issue relates to an academic issue, the relevant person may be a tutor, programme leader or curriculum manager. If the issue relates to a service or support area the business support manager would be the most appropriate contact. A student is encouraged to seek advice if they are uncertain who to approach
- 17.3 Any staff member who receives an informal approach is responsible for addressing it in a prompt and fair manner. Where possible informal complaints should be resolved at the point of initial discussion. If that is not possible and further investigation is required, the response to the complaint should be completed within 10 working days of it being raised
- 17.4 Students should either be advised in writing of the outcome where this is proportionate, or verbally (in which case this should be logged as a learner meeting in ProMonitor). Staff should keep any evidence relating to the complaint and action taken to resolve it for a minimum of 3 months after the event. Staff are encouraged to share the experience if the issue plus subsequent action benefits the good practice of their department.

18.0 Stage 2 Complaints (Formal)

- 18.1 If after receiving a stage 1 response the student is not satisfied and wishes to escalate the complaint, they should then submit a formal complaint. All formal complaints, in the first instance, shall be submitted, in writing, to the HE Administrator, Room WU006, Advanced Skills and Innovation Centre, Wakefield College, Wakefield City Campus, Margaret Street, Wakefield, WF1 2DH (headmin@wakefield.ac.uk). Acknowledgement of receipt will be provided within 5 working days (subject to the caveat contained in point 12.0) and a likely indication of timescale for a full response will be given at this point. The Executive Team and the Director of Higher Education will be notified of the complaint at this point and the complaint will be formally logged in College
- 18.2 There is an expectation that a stage 2 complaint should be submitted as soon as possible after receiving the stage 1 response as any time delay can for example result in difficulties in undertaking a thorough investigation. Any formal complaint submitted more than 3 months after the stage 1 response will not normally be accepted, unless there are mitigating circumstances (which can be evidenced) which offer a good reason why an earlier submission could not be made
- 18.3 The student should complete a Wakefield College complaints form, which details the nature of the complaint, what has been done to try and resolve the situation and what their desired outcome is. If the complaint is submitted by letter or email rather than on the complaints form, this will be accepted providing all the elements usually covered within the form are included. Students are encouraged to submit evidence to support their complaint
- 18.4 Any complaint made under this procedure will be investigated by an Investigating Officer (IO) nominated by a member of the Senior Leadership Team (usually the Director of Higher

- Education). A student may be invited to a meeting with the IO as part of the investigation process. The student may, if required to attend any such meeting, be accompanied by someone. This individual may not be a lawyer acting in a professional capacity (unless this has been agreed by a member of the Senior Leadership Team in advance of the meeting) and may not speak on behalf of the student unless invited by the Investigating Officer to do so
- 18.5 On conclusion of the investigation, the student will be provided with a clear statement, in writing, and within 20 working days of the complaint being received, which confirms that the investigation has been concluded, that a decision has been reached, and the nature of that decision. The issue of this letter completes the procedure, unless the student requests to take the complaint to the review stage within the time limit
- 18.6 If the 20 working day response period cannot be upheld for some reason, the complainant will be advised why (for example, a delay in obtaining information, a particularly complex complaint) and will be updated at least every 4 weeks on progress.

19.0 Stage 3 Review of Formal Complaint

- 19.1 If a student is dissatisfied with the outcome of stage 2, he/she can request a review. Requests should be submitted as soon as possible after receiving a stage 2 response, and in all cases should not extend beyond the academic year in which the response to the original complaint was received, unless there are mitigating circumstances (which can be evidenced) which offer a good reason why this timeframe could not be met
- 19.2 A stage 3 can only be raised in specific circumstances, namely:
- 19.2.1 That new evidence is available for consideration which the student was unable, for valid reasons, to provide earlier in the review process
- 19.2.2 That a procedural irregularity arose in the investigation of the complaint
- 19.2.3 To consider whether the outcome was reasonable.
- 19.3 A new complaints form should be completed and addressed to the Principal. In the first instance this should be sent to HE Administrator, Room WU006, Advanced Skills and Innovation Centre, Wakefield College, Wakefield City Campus, Margaret Street, Wakefield, WF1 2DH (headadmin@wakefield.ac.uk). Acknowledgement of receipt will be provided within 5 working days (subject to the caveat contained in point 12.0)
- 19.4 The College will allocate the request for review to a designated member of the Senior Leadership Team not involved at any previous stage. The reviewer may decide to
- Uphold the outcome of the formal stage
 - Refer the matter back to the formal stage for further consideration, or
 - Overturn the outcome of the formal stage.
- 19.5 On conclusion of the review, the student will be provided with a clear statement, in writing, known as a Completion of Procedures letter, and within 3 weeks of the request being received, which confirms that the review has been concluded, that a decision has been reached, and the nature of that decision. The student will also be advised about their right to submit a

complaint to the OIA for review, the time limit for doing so and where and how to access advice and support. This letter will serve as notice of completion of the College's complaints procedure.

20.0 Stage 4 complaints (Refer to OIA)

20.1 Once all three stages of the College's procedure have been exhausted, a student may ask the Office of the Independent Adjudicator (OIA) to review his or her complaint about the outcome of the College's Higher Education complaints process. The complaint should normally be submitted to the OIA within three months of the date of the Completion of Procedures letter.

21.0 All received complaints are monitored and reviewed by the Executive Team. Details are summarised and may be presented at Governing Body meetings and also at Higher Education Quality and Standards meetings in order to ensure that any common themes can be addressed, or policy changes can be implemented. Data will also be shared with partner organisations, at their request, as part of their annual monitoring report procedures. In addition, the OIA require an annual return on complaint data.