



SOUTH  
LONDON  
ACADEMY

# Complaints Policy & Appeals Procedure

## **Document Control Summary**

Document number: SLA8 v1.0

Date created / revised: August 2016

Date of approval: Sept 2016

Approved by: Senior Management Team

Date of Next review: Dec 2017

## **1: Principles**

South London Academy is committed to providing education and services of the highest quality. It aims to provide a supportive environment for all learners and to be responsive to concerns or complaints.

SLA recognises that, in a complex organisation, problems may arise of a teaching-related or service-related nature. These problems need to be addressed in order to ensure that high standards are developed and maintained. We regard feedback, both negative and positive, as a valuable resource to help us improve the quality of our provision and services.

The Complaints Procedure is designed to enable those interacting with the Academy to bring matters of concern about their experiences of our provision and services to our attention and to enable investigation of those concerns to achieve a satisfactory resolution. This process provides us with welcome feedback to help us improve our performance generally, as well as helping us resolve any particular problems experienced by an individual complainant.

The procedure aims to be simple, clear and fair to all parties involved. It is based on the belief that complaints should be taken seriously, investigated promptly and dealt with as closely as possible to their origins. All complainants are therefore expected to try to resolve the issue as informally as possible in the first instance within the relevant department or service area. The formal complaints procedure should be seen as a last resort in the search for a solution.

SLA sees the use of its Complaints Procedures as a positive, non-threatening means for change to the benefit of all. Where a complaint is upheld, SLA will take all reasonable steps to ensure similar situations will not occur in the future.

## **2: Who Can Use The Complaints Procedure?**

The Procedure is intended for currently enrolled students at SLA. However, it can be used by former students within three months of leaving the College, provided that the events or issues complained about took place while they were enrolled students.

The Procedure can be used for both individual and collective complaints.

## **3: What is covered by the Complaints Procedure?**

The Complaints Procedure covers any expression of dissatisfaction about:

- Standards of courses or service provided by the Academy;
- Actions or lack of actions by the Academy or its staff;
- Provisions of the Academy affecting students.

## **4: What is not covered by the Complaints Procedure?**

Certain matters are outside the scope of these procedures, including:

- Matters of academic judgement (including appeals against academic assessment and progress decisions);
- Appeals against disciplinary or other penalties;
- Claims in respect of personal injury or damage to property;
- Complaints concerning any third party involved with SLA but not owned or controlled by SLA;
- Review of admissions decisions;

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- Requests for new or different services, facilities or provision.

Where a complaint concerns collaborative provision, the partner organisation will normally handle the informal stage of the procedure. If the matter is not resolved to the student's satisfaction, the student may then submit a complaint to SLA, subject to the formal agreement regulations governing the collaborative provision.

### **5: Staffing matters**

Where a complaint concerns the professional conduct of a member of SLA's staff, this should be passed to the HR Coordinator for separate consideration. The HR Coordinator may decide to refer the matter back to the Principal or Operations Director for investigation depending of the circumstances.

### **5: Guidelines for Making and Handling Complaints**

All complaints will be taken seriously and, as far as is reasonable, be treated in a consistent manner throughout the Academy. In line with our equal opportunities policy, all complainants will be treated equally and students who make complaints will not suffer any disadvantage or recrimination as a result of making a complaint. Only where complaints are proven to be malicious or vexatious might there be recourse to disciplinary investigation and possible sanction against the complainant. As a general rule, complaints which are made more than three months after the incident or action which is the subject of the complaint will not be investigated.

### **6: Confidentiality**

All information received as a result of a complaint investigation will remain confidential to those involved in the process. However, it should be noted that, in the interests of natural justice, any person named in a complaint will be informed of the complaint and will have a right of reply as part of the investigative process.

### **7: Anonymous Complaints**

Anonymous complaints will be logged and monitored, but will not normally be investigated.

### **8: Third Party Complaints**

Complaints must normally be made by complainants themselves and not by others acting on their behalf. Correspondence will not normally be entered into with third parties, except in exceptional circumstances, and only with the signed authority of the complainant(s).

### **9: Accompaniment at a Complaint Hearing**

In the event that a hearing is arranged to consider a complaint, any student or other individual asked to attend such a hearing has the right to be accompanied by a friend of his/ her choosing. The role of the friend is to support the student, and not normally to explain the nature of the complaint.

### **10: Timing**

Every effort will be made to adhere to the time limits set out in this Procedure. There may be occasions, however, when this is not possible. In this event the complainant will be kept informed of progress by the Student Welfare Coordinator.

For the purposes of this Procedure, 'working days' refers to Academy working days ie. Monday to Friday, excluding Public Holidays and occasional days when SLA may be closed.

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### **11: Documentation**

Papers relating to formal complaints will be held on file for three years from the date of resolution of the complaint and will then be destroyed. The period may be extended at the discretion of the Academy.

### **12: Advice and Guidance**

Advice and guidance on procedures and representation is available from the Student Welfare Coordinator.

### **13: Summary**

The emphasis is on finding an informal resolution, with the object of solving problems quickly and simply. It is therefore intended that problems be resolved at Stage 1 of the procedure whenever possible (see below). This policy therefore seeks to embody the following values:

- Transparency – it spells out who is responsible for dealing with your complaint at each stage of the process, and indicates what action you should take if you feel dissatisfied with the outcome;
- Speed – there are timescales set for each stage of the process. If for any reason it is not possible to meet the timescale, you will be informed of the reason for the delay;
- Natural justice – the Policy follows the principles of natural justice, in that no person who has any direct interest in a complaint will be involved in deciding the outcome, and you will be guaranteed a fair hearing;
- Confidentiality – your complaint will be dealt with confidentially, and only the person(s) responsible for dealing with the complaint, and those who are parties to it, will be informed;
- Non-detriment – you will not be disadvantaged if you make a complaint in good faith;
- Accompaniment – you have the right to be accompanied by a friend when you make a complaint, or at any subsequent meeting to deal with the complaint.

### **14: The 4 Stages**

There are 4 stages to the complaints procedure as follows:

#### **Stage 1 – Informal Complaints**

You should first of all raise the matter with the person responsible for the issue giving rise to your complaint. Dealing with small problems or areas of concern as they arise will often prevent them becoming larger problems which are harder to resolve. Many apparent concerns result from misunderstandings which can often be resolved quickly and easily by talking through the matter.

If you do not feel able to approach the person concerned, or if you do not know who is responsible, talk to the Student Welfare Coordinator, your tutor, or other trusted member of staff who will guide you on how to proceed. If the problem affects several of you, you may find it helpful to raise it with your student representatives and/ or make a group complaint.

Informal complaints should normally be made within 20 working days of the incident giving rise to the complaint. You should expect a resolution to be agreed normally within 10 working days of the complaint being received. Records of such complaints will not normally be retained or recorded centrally, unless the complainant and staff member involved dealing wish it to be kept.

If necessary, complainants may raise the matter with the line manager of the relevant academic or support department; that person will make enquiries and report the outcome back to the

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complainant, normally within 10 working days. She/ he may also convene a meeting between both parties to the complaint to help resolve the problem.

### **Stage 2 – Formal Complaints**

Every effort should be made by complainants to use the informal procedure before making a formal complaint. However, SLA recognises that there may be problems that either have not been resolved, or are too serious to be dealt with informally. SLA is also aware that there may be occasions in which, for whatever reason, a complainant feels that it is impossible to raise an issue directly with the member of staff concerned. In any of these circumstances, the Academy's formal complaints procedure may be used.

A formal complaint should be made using the SLA Complaints Form (available at reception or the Student Welfare Coordinator) and submitted to the:

- HR Coordinator for staffing matters;
- Operations Director for administrative matters;
- Principal for academic matters.

Details of the complaint should be as complete as possible and include any supporting documentation (copies of any correspondence, for example). Formal complaints should normally be made within 10 working days of the Stage 1 decision or 20 working days of the incident giving rise to the complaint. The relevant staff member will acknowledge receipt of the formal complaint in writing normally within 05 working days.

The relevant staff member will carry out an investigation and may convene a Hearing where both parties to the complaint will be invited to present evidence and be questioned on the evidence provided. If, after reasonable attempts to arrange the Hearing, the student is unwilling or unable to attend, the relevant staff member may proceed with their investigation in the absence of the student. Full records will be kept and the decision will be reported back to the complainant in writing, normally within 20 working days of the acknowledgement of receipt. A copy of the decision will also be sent to the Principal.

If the complaint is upheld, possible responses may include:

- Letter of explanation and/ or apology;
- Recommendations for further actions within the College;
- Recommendations for changes in College procedures/ policies etc.

It is expected that the majority of complaints will have been resolved satisfactorily by this stage at the latest, with no further action being necessary. However, if the complainant is not satisfied with the response received as a result of Stage 2, the complaint may be taken to Stage 3 of the procedure.

### **Stage 3 – Appeals**

If a complaint has still not been satisfactorily resolved after Stage 2, you may appeal in writing to the Principal setting out the reasons for your disagreement with the Stage 2 decision, normally within 10 working days. The Principal will acknowledge receipt of the formal complaint in writing normally within 05 working days.

The Principal may seek to resolve the complaint on the basis of the documentation provided alone. However, if the Principal deems it necessary, both parties to the complaint and the staff member

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responsible for Stage 2 will be invited to a Hearing to present evidence and be questioned on the evidence provided.

However, whereas each of the previous stages of the Policy involves a full investigation of the matter, the Principal will only be concerned with two issues:

- Was Stage 2 conducted in accordance with this Procedure?
- Was the final decision reasonable and in accordance with the facts of the case?

Therefore the Principal will only take action if she/ he believe that the correct procedures have not been followed, or if the outcome does not appear reasonable in the light of the facts of the case. The decision will then be reported back to the complainant in writing by the Principal, normally within 20 working days of the acknowledgement of receipt.

The Principal's decision is final, thereby concluding SLA's internal complaints procedure.

### **Stage 4 – Final Independent Appeal**

If a complaint has still not been satisfactorily resolved after Stage 3, you may appeal in writing to the External Regulatory Authority with whom SLA works with e.g. relevant awarding bodies e.g. City & Guilds, The ATHE, etc. You will have to set out the reasons for your disagreement with the Stage 3 decision, normally within 10 working days.

Please speak to the Administration Team who will provide you with the relevant address. If you know your awarding body you can obtain their contact information from the website.

### **Taking a Complaint further**

On occasions it may happen that a complainant is not happy with their final responses from appeals. If this is the case you can refer your complaint to the Office of the Qualifications and Examinations Regulator (Ofqual). Their address is:

Ofqual  
Spring Place  
Coventry Business Park  
Herald Avenue  
Coventry  
CV5 6UB

This does not apply where a complaint is the subject of legal proceedings.

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### Appendix: 1 Formal Complain Form

South London College (SLA) is committed to providing education and services of the highest standard and in line with our regulators and other stakeholder's expectations. It aims to provide a supportive environment for our staff and learners and to be responsive to concerns or complaints from any source.

The College recognises that, in a complex organisation, problems may arise of a teaching-related (e.g. examinations/assessments etc. or service-related nature (staff, administration etc.). These problems need to be addressed in order to ensure that normal high standards are maintained. We regard feedback, both negative and positive, as a valuable resource to help us improve the quality of our services and provision.

Please ensure you read the guidance notes before completing this form: Speak to a the Welfare Officer or a members of staff or student representative to assist you, if you are in any difficulties.

#### 1: Your details

<b>First name(s)</b>			
<b>Last name(s)</b>			
<b>ID Number</b>		<b>Title</b>	
<b>Course</b>		<b>Cohort</b>	
<b>Start date</b>			

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<b>Address for correspondence</b>	
<b>Postcode</b>	
<b>Mobile</b>	
<b>Daytime phone number</b>	
<b>Email Address</b>	

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### **2: Your complaint**

**2.1: Please set out below the key points of your complaint below (even if you attach other documents)**

**Continue on separate sheet if necessary**

**2.2: Please identify the documented evidence you have to support your complaint?**

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**2.3: Who did you approach to resolve your complaint informally? What action, if any, was taken to remedy your complaint?**

Name	Action Taken	Date(s)

**2.4: What prevented the complaint being resolved informally?**

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**2.5: Who else have you discussed this complaint with?**

Name	Dept/Admin Office	Date(s)

**2.6: How do you propose that your complaint could be resolved to your satisfaction?**

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### **2.7: DECLARATION**

I declare that the information given in this Formal Complaints Form is a true statement of the facts and that I would be willing, if required, to answer further questions related to it.

I also agree (in accordance with the Data Protection Act) to this form being held on file by the College.

Signed: ..... Date: .....

Completed forms should be submitted to the appropriate person (see the procedure) where it will be logged and a receipt issued. **Please ensure you keep a copy for your own records.**