

Higher Education – Compliments, Comments and Complaints Policy and Procedure

Reference Code:	COMPL-HE
Version:	5.1
Date of Implementation:	November 2021
Originator:	Dean of University Centre
Policy developed in consultation with:	Deputy Principal, Head of Student Experience
Approval Date:	December 2023
Approval by:	HE Strategy Group
Date of Next Review:	September 2024

Revision History

Version	Purpose/Change	Date
4.0	Review of policy for approval at HE Strategy Group; revision of job titles in line with new structure. Additional of electronic feedback option. Inclusion of new section to direct students more clearly to Independent Review options.	September 2021
5.0	Periodic review of policy. Addition of 2.7 to clarify time limitations. 4.2. Amendment to recording of informal complaints via the Addition of 4.4. – timescale for informal complaints Clarification added in Section 6 relating to Stage 2 and relevance to some partner university students. ProMonitor system. Addition of hyperlinks to the policy webpages.	September 2022
5.1	Periodic review – update of Dean of University Centre to Assistant Assistant Dean of University Centre	December 2023

Please contact HEoffice@liv-coll.ac.uk or the College Reception if you would like this document in an alternative form.

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This policy is written in line with the Expectations and Core practices of the UK Quality Code for Higher Education (Quality Code), which are a key reference point for higher education providers in all parts of the UK.

1. Introduction

- 1.1. This Policy gives guidance on concerns, complaints and appeals and how the ability of, and processes for, someone to raise their dissatisfaction promotes equality of opportunity and the rights of all students to benefit from a high-quality academic experience, and to access the support they need to succeed. The City of Liverpool College University Centre (“the College”) considers concerns, complaints and appeals as an open opportunity to address and enhance their provision, learning opportunities, public information and management of the information held within the institution.
- 1.2. The Higher Education (“HE”) Compliments, Comments and Complaints Policy and Procedure is approved and endorsed by the College’s HE Strategy Group and is informed by the Quality Assurance Agency (QAA) UK Quality Code and the Office of the Independent Adjudicator’s (OIA) Good Practice Framework for Handling Complaints and Academic Appeals.
- 1.3. The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The College is a member of this scheme. If a student on a higher education course is unhappy with the outcome, they may be able to ask the OIA to review their complaint, appeal or disciplinary case. Students can find more information about making a complaint to the OIA, what it can and cannot look at, and what it can do to put things right here: <https://www.oiahe.org.uk/students>
- 1.4. The College operates its HE provision in collaboration and under the guidelines of its awarding bodies namely: Collaborative University Partners and Pearson. If the complaint has not been resolved to the complainant’s satisfaction, it may be requested that their complaint receives an independent external review. The complainant should be made aware of this right through the College’s proactive approach to informing students of their rights and by sharing the relevant Partner University’s complaints procedure and also that of the Office of the Independent Adjudicator (OIA), in the programme handbooks, the College website and during the Induction programme. Independent external review follows what is considered to be Stage 2 of the complaints procedure.

2. Scope and Limitations

- 2.1. The *HE Compliments, Comments and Complaints Policy and Procedure* is for all people served by the Higher Education team including staff (in relation to supporting students), students, parents, stakeholders, employers, contractors, visitors and others.
- 2.2. Within this policy, the words ‘you’ and ‘your’ refer to the person making a complaint.

2.3. A complaint is a report to us that you are not satisfied with the College's services. This includes dissatisfaction with the provision of a programme of study or related academic or administrative service which is not an appeal against a decision. The issues that may be raised through the Complaints Procedure include, but are not limited to:

- Failure by the College to meet obligations including those outlined in the course/student handbook.
- Misleading or incorrect information in documentation provided by the College.
- Concerns about the delivery of a programme, associated teaching or administration
- Poor quality of facilities, learning resources or services provided directly by the College
- The behaviour of a member of staff.
- The behaviour of another student.

2.4. Some issues may be more appropriately considered under alternative processes rather than under the *HE Compliments, Comments and Complaints Policy and Procedure*. For example, the following are normally dealt under the alternative process:

- Dissatisfaction with a decision made by an academic body regarding student progression, academic assessment and awards. These issues are normally considered under the Academic Appeals Procedures, which may be set by the relevant Collaborative University Partner and awarding organisation Pearson as stated in the College's [HE Academic Appeals Policy](#).
- Dissatisfaction about the outcome of an academic misconduct process. Such issues are considered initially in the College through the [HE Academic Appeals Policy](#) and if not resolved in this way, where relevant, the Collaborative University Partners' Academic Misconduct Appeals Procedures are applied.
- Dissatisfaction or concerns about other specific regulations such as Student Discipline, Fitness to Practise, Criminal Convictions Process, Attendance Policy, etc. Student Regulations and Procedures are available at the HE student handbook page on the VLE.
- Complaints from applicants or regarding the admissions processes are covered by the *HE Compliments, Comments and Complaints Policy and Procedure* under the following circumstances: (1) The college had not followed its own admissions policy (2) The entry criteria was not applied.
- Complaints relating to Accommodation issues should be directed to the manager of the relevant Accommodation.
- Matters relating to external companies, such as the Student Loans Company, which have their own complaints procedures.

2.5. The Students' Union can provide advice and guidance if students are unclear on which process they can access.

2.6. Where a student raises issues that do not fall neatly into the category of an individual process, the College will notify the students which specific issues will be considered under which specific procedure. Alternatively, dependent upon the circumstances, the College may, with the agreement of the student, decide to consider matters together and conduct a collaborative investigation.

2.7. Formal complaints must be about an issue or event which has happened within the last twelve months. This is twelve months from when the issue or event of complaint occurred, not from the date the matter was first raised or responded to.

3. Principles

3.1 The College welcomes any opportunity to review, change and improve our service. The *HE Compliments, Comments and Complaints Policy and Procedure* is to support students, potential students, staff (in relation to supporting students), employers, stakeholders and the general public to communicate with and bring matters of dissatisfaction or concern to the attention of the College.

3.2 This document outlines the procedures and response times. Guidance in making a complaint, or the complaints policy in a different format, is available from the Learning Resource Centres (LRCs), Reception areas in each centre, or by emailing: complaints@liv-coll.ac.uk

3.3 This policy will be applied consistently to students, parents/carers, employers, visitors or members of the community regardless of their age, disability, gender identity, race, religion or belief, sex, sexual orientation, pregnancy and maternity, status and marriage or civil partnership status in respect of unlawful discrimination.

3.4 Staff should use the internal grievance procedure for all staff complaints.

4. Informal Complaints

4.1. Wherever possible, we encourage you to attempt to resolve any issue by talking to the person immediately concerned.

4.2. If you cannot or do not want to talk to the person directly concerned, you could:

- Talk to a personal tutor or Programme Leader.
- Leave a comment through the College's informal complaints form: bit.ly/COLC-Comments
- Discuss the matter with your student representative who can accompany you to a meeting.
- If the complaint is made about a member of staff and you would like to be accompanied when this meeting takes place, you can ask for someone to come with you. That person will support you in getting your points across as clearly as possible and help where possible to enable you and the person concerned to resolve the problem informally.

4.3. Verbal complaints to Reception and staff in public areas and/or requests to meet the Principal should be referred to the Head of School of the area in which the complaint is about or, if they are unavailable, the Centre Manager.

4.4. The College will attempt to resolve informal complaints promptly and fairly. The complainant will usually be notified within five working days of what steps (if any) will be taken to address the complaint and the expected timescale.

4.5. If the issue cannot easily be resolved the complaint should be directed to a member of the wider leadership team (for example, a Head of School or Assistant Dean of University Centre).

4.6. If the complaint is resolved at this stage, it should be recorded by the relevant member of staff leading on its resolution via the Informal Complaint comment category type in the ProMonitor system. Any related documentation should be retained for two years. Where the complaint is not satisfactorily resolved at this level, all documentation and notes should be forwarded to the Head of Student Experience as a formal complaint.

4.6. If you are an employer and cannot or do not want to talk to the person directly concerned, you can:

- Contact the Head of Apprenticeships or Assistant Dean of University Centre
- Email complaints@liv-coll.ac.uk to arrange an informal meeting or telephone conversation with an appropriate manager.

4.7. Where the complaint is not satisfactorily resolved at this stage it can be logged as a formal complaint (see 5. Formal Complaints – Stage 1).

5. Formal Complaints – Stage 1

5.1. If you are unable to resolve the issue informally, you can make **a formal complaint**. This is Stage 1. The complaint must be about something which has happened within the last twelve months (see 2.7.).

- You can complete a **complaint form**, which is available from the student experience team at complaints@liv-coll.ac.uk Alternatively you can access the form in LRCs or the reception.
- You can call the College helpline on 0151 252 3000. The operator will direct you to where a complaint can be logged or may take down some details and will send them on your behalf to complaints@liv-coll.ac.uk
- For alternative formats contact complaints@liv-coll.ac.uk or ask the Learning Resource Centre, College receptions, LRCs or refer to the Student Intranet homepage under Information. If you would like help to fill in form ask any member of staff in Advice and Guidance, LRCs or reception, email complaints@liv-coll.ac.uk
- You will receive a receipt and acknowledgement within 2 days and your complaint will be passed on to the relevant investigating officer
- Your receipt will have the name of the investigating officer. You will receive a written response to your complaint after no later than **10 working days. Exceptionally, it may take**

longer in a case where evidence required to resolve the complaint may not be accessible within the set response deadline of 10 days. It may also take longer over college holiday periods due to staff availability.

5.2 You will, in most cases, be able to withdraw your complaint at any point. But if your complaint is considered to have an impact on students, staff or the college, the investigating officer may have to follow it through even if you want to withdraw.

5.3. An appropriate investigating officer will be nominated to investigate the complaint. The nominated person to lead the investigation will be a member of the management team.

5.4. On completion of an investigation, you will receive a written response and the investigating officer may:

- Propose an amicable resolution
- Uphold or partially uphold the complaint, offer an apology and take appropriate steps to address the issue
- Or dismiss the complaint as unfounded, providing reasons.

5.5. A complaint against the Principal, the Board or an individual Governor: should be addressed to The Clerk to the Board of Governors, The City of Liverpool College University Centre, The Learning Exchange, Roscoe Street Liverpool, L1 9DW.

5.6. Complaints against The Clerk of the Board should be addressed to The Chair of the Board of Governors, c/o The Principal, The City of Liverpool College University Centre, The Learning Exchange Roscoe Street, Liverpool L1 9DW.

6. Appeal – Stage 2

6.1 If you are not satisfied with the response to your complaint and it is a service related issue, you can appeal within 15 working days of receiving the written response to the complaint. You can get an appeal form from complaints@liv-coll.ac.uk, the Learning Resource Centres, or College reception. This is Stage 2.

6.2. Alternatively, if the complaint relates to the academic standards and/or quality of the learning opportunity, you may be able to appeal to the partner university/awarding body in accordance with their own complaints procedure.

6.3. At Stage 2, a member of the Strategic or Executive Leadership team will review the procedures followed at the formal complaints stage, including:

- Reviewing the procedures followed at the formal complaints stage
- Considering whether the complaint outcome and investigating officer response was appropriate and in line with this Policy
- Considering new information and material evidence which was unable or not considered at the formal complaint stage

6.4. You will usually receive a written response to the Appeal within 15 working days. On occasion, an appeal investigation may extend beyond 15 working days due to the nature of the complaint and/or the information required to fully investigate the complaint. In these cases, the complainant will be informed of the timescales involved and may receive intermediary information regarding the progress of the complaint appeal.

7. Independent Review

7.1. The College's internal procedures finish at the end of Stage 2. If you are dissatisfied with the final decision at Stage 2, and not before, you may ask for an external review.

7.2. As a Higher Education provider, the College complies with The Office of the Independent Adjudicator for Higher Education (OIA). The OIA is the Government's designated operator for handling unresolved student complaints in higher education. The OIA provides an independent, transparent complaints handling scheme to review student complaints and academic appeals. More information about the OIA can be found on its website www.oiahe.org.uk

7.3. If your complaint is within OIA rules, the College will issue a **Completion of Procedures** letter within 28 days of the completion of Stage 2 and you may contact the OIA for an independent review.

7.4. Where you are able to request an external review from a partner university, you will be issued with a **Final Outcome** letter.

7.5. Students on a partner university award will be issued with a **Final Outcome** letter and may contact the partner university. The partner university will review the complaint with impartiality and in accordance with their equality and diversity strategy. You are entitled to withdraw an appeal or complaint at any time during the procedure. The partner university will issue a Completion of Procedures letter when it is satisfied that the complaints process has been completed.

8. Recording and Monitoring Complaints

8.1 All formal complaints are recorded by the Student Experience team, a regular review is undertaken by the Equality, Diversity and Inclusion Strategy Group to identify any element of potential or actual discrimination.

8.2 Responsibilities

Staff

All staff have a responsibility for receiving complaints and treating them promptly and courteously in accordance with the procedure above. Staff are expected to provide assistance to support a complainant where necessary.

Managers

All managers have a responsibility for resolving complaints and leading or contributing to an investigation where deemed appropriate. Investigating officers must provide written details of the action taken and the outcome of the complaint and forward this with any supporting

documentation attached to complaints@liv-coll.ac.uk ensuring the reference number has been included.

Strategic Leadership Team

The Strategic Leadership Team is responsible for resolving complaints that have reached the appeals stage.

The Board of Governors

The Board of Governors is responsible for overseeing the complaints policy and procedure and may become involved if a complaint is directed at the Principal, the Clerk or any member of the Board.

Appendix 1: Definitions of Discrimination, Harassment and Victimisation

Direct Discrimination

Direct discrimination occurs when a person is treated less favourably than another on the grounds of any of their protected characteristics.

Discrimination based on association

Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity). This might occur when a person is treated less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination based on perception

Direct discrimination also occurs when a person is treated less favourably because it is mistakenly thought or presumed that they have a protected characteristic (other than pregnancy and maternity).

Indirect Discrimination

Indirect discrimination occurs when a provision, criteria or practice is applied in the same way for all, but this has the effect of putting individuals/groups sharing a protected characteristic at a particular disadvantage. Indirect discrimination will occur if the following four conditions are met:

- the provision, criterion or practice is applied (or would apply) equally to all, including a individuals/groups with a protected characteristic
- the provision, criterion or practice puts or would put individuals sharing a protected characteristic at a particular disadvantage compared to those who do not share that characteristic
- the provision, criteria, practice or rule puts or would put the particular individual/group at that disadvantage
- It cannot be shown that the provision, criteria or practice is justified as a “proportionate means of achieving a legitimate aim”.

Harassment

Harassment is the unwanted conduct that has the purpose or effect of violating the person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Conduct of a sexual nature is specifically included within the definition, although marriage/civil partnerships and pregnancy/maternity are not included as protected characteristics for harassment.

Victimisation

Victimisation occurs when a person is treated badly because they have made, supported or raised a complaint or grievance under the Equality Act; or because they are suspected of doing so. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

For alternative formats contact complaints@liv-coll.ac.uk

Appendix 2: Formal Complaints Procedure Flow Chart

MAKING A FORMAL COMPLAINT – Stage 1

- ❖ If you are unable to resolve the issue informally, you can make a **formal complaint**
- ❖ You can complete a **complaint form**, which is available from complaints@liv-coll.ac.uk or from the LRCs or the reception.



COLLEGE ACKNOWLEDGEMENT

- ❖ **You will receive a receipt and acknowledgement within 2 working days and your complaint will be passed on to the relevant investigating officer.**
- ❖ Your receipt will have the name of the investigating officer. The Head of Student Experience will nominate the appropriate officer to investigate the complaint. The nominated person to lead the investigation will be a member of the wider leadership team for that area.



COLLEGE RESPONSE TO YOUR COMPLAINT

You will receive a written response to your complaint usually no later than **10 working days**.

On completion of an investigation the investigating officer can:

- ❖ Propose an amicable resolution
- ❖ Uphold or partially uphold the complaint, offer an apology and take appropriate steps to address the issue
- ❖ Dismiss the complaint as unfounded, providing reasons.



INTERNAL: APPEAL (dealt by the College) – Stage 2

If you are not satisfied with the response to your complaint, and it is a service related issue, you can appeal to the College. You can expect a response to your stage 1 appeal within **15 working days**.

OR you can appeal to the awarding body/partner university if the complaint relates to the academic standards and/or quality of the learning opportunity. You can expect a response to your stage 1 appeal in accordance with their own complaints procedure.

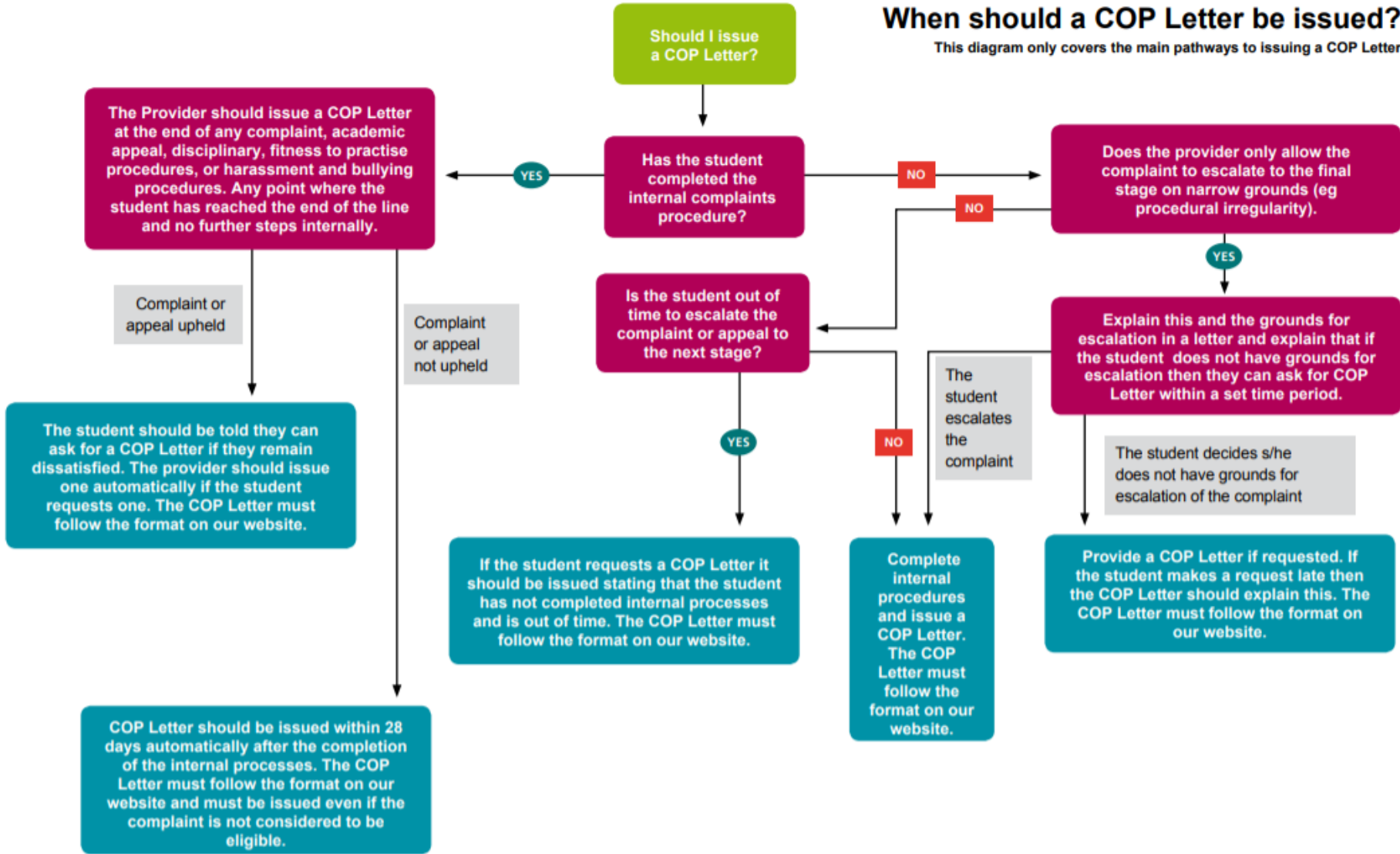


EXTERNAL: APPEAL (dealt with by OIA or University Partner)

If you are not satisfied with the outcome of your appeal after Stage 2, you may contact The Office of the Independent Adjudicator (OIA) or the relevant University Partner with the final letter you have been issued.

When should a COP Letter be issued?

This diagram only covers the main pathways to issuing a COP Letter



Rule 7.3 of the OIA Rules states that in exceptional circumstances, we may decide to review a complaint when the student has not completed the providers internal processes and/or does not have a Completion of Procedures Letter.

Appendix 3: Completion of Procedures Letter

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided. The key points below will be included.

The City of Liverpool College University Centre Higher Education

The Learning Exchange, Roscoe Street, Liverpool, L1 9DW | 0151 252 1515 | COMPLAINTS@LIV-COLL.AC.UK

Dear [Name of complainant],

Completion of Procedures Letter

This letter confirms that the internal procedures of The City of Liverpool College University Centre in relation to your *complaint / appeal etc** regarding [*please describe*] have been completed.

The issues that you raised in your *complaint / appeal etc** were [*details*]

The issue(s) that were considered in relation to your *complaint / appeal etc was / were**: [*brief summary of the complaint etc*].

The final decision of The City of Liverpool College University Centre is* [*detail*] because [*reasons*].

The procedures / regulations applied were*: [*details and date as supplied to the OIA's electronic Regulations Bank*].

The City of Liverpool College University Centre subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your *complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [*insert date - e.g. if the Completion of Procedures Letter is dated 9 December 2015, this date should be 9 December 2016*].

[*Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.*]

You can fill in the OIA's complaint form online or download a copy from the OIA website.

<https://www.oiahe.org.uk/students/how-to-complain-to-us/>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from <https://www.oiahe.org.uk/students/can-you-complain-to-us/>. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from [*refer to students' union or advice service if any*] about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

***[HNC/D Pearson awards:** Your qualification is awarded by [name of awarding body], which has some responsibility for considering complaints about the overall quality or standards of your qualification. [name of awarding body] is not a member of the OIA Scheme.*

In the event that you submit a complaint to the OIA, it will consider your complaint to identify whether it relates to: (1) an act or omission of [name of higher education provider] relating to the service provided which falls within the OIA's remit; or (2) the overall quality or standards of the qualification itself. Complaints relating to the design, delivery of assessment, moderation and awarding of the qualification are likely to fall into (2). However, this will be for the OIA to determine.

If the OIA considers that your complaint relates to the overall quality or standards of the qualification itself, it will refer the complaint to [name of awarding body].

Yours sincerely,

The City of Liverpool College University Centre

Appendix 4: Final Outcome Letter

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided. The key points below will be included.

The City of Liverpool College University Centre Higher Education

The Learning Exchange, Roscoe Street, Liverpool, L1 9DW | 0151 252 1515 | COMPLAINTS@LIV-COLL.AC.UK

Dear [Name of complainant],

Final Outcome Letter

This letter confirms that the internal procedures of The City of Liverpool College University Centre in relation to your *complaint / appeal etc** regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal etc** were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc was / were**: [brief summary of the complaint etc].

The final decision of The City of Liverpool College University Centre is* [detail] because [reasons].

The procedures / regulations applied were*: [details].

If you are dissatisfied with the outcome you may be able to apply for a review of your *complaint / appeal etc** to [partner university name and contact details].

Should you decide to make a complaint to [partner university name], your complaint **must be received by** [partner university name] within **3 months** of the date of this letter, that is, it must be received by [partner university name] **on or before** [insert date - e.g. if the Final Outcomes Letter is dated 9 December 2021, this date should be 9 December 2022].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

Guidance on submitting a complaint to the [partner university name] can also be found on the [partner university website/link]. You may also wish to seek advice from [refer to students' union or advice service if any] about taking your complaint to [partner university name].

[Include here any specific requirements of links to the request for review by the partner institution.]

Please note that [partner university name] will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

The City of Liverpool College University Centre