



MANCHESTER LEARNING ACADEMY

STUDENT COMPLAINTS

REVIEW DATE:-

15/01/2014

15/01/2015

Manchester Learning Academy

Student Complaints

Policy & Procedure

1. INTRODUCTION

1.1 The procedure is divided into two parts - an informal procedure and a formal procedure. This is intended to support the College's commitment to resolving complaints speedily and at the most local level possible. At both parts the issues and outcome should be recorded and where possible agreed by both parties. At the formal stage Complaints Officers identified in Appendix B will manage and facilitate the process. Their role is to ensure that the formal procedure is operated according to due process and with regard to the spirit of, and timescales identified in, the Procedure.

2. INFORMAL PROCEDURE

- 2.1 Wherever possible and appropriate students with a complaint should in the first instance seek an informal resolution. A student with a complaint should raise it directly with the relevant member of staff in order that wherever possible it can be resolved immediately. Advice on how to proceed can be sought head of the department, college Complaints Officer or the principal.
- 2.2 Although informal, the complaint and action taken should be recorded and retained by the member of staff dealing with the complaint. A copy should be forwarded to the Complaints Officer.
- 2.3 Should an informal approach prove to be inappropriate or ineffective then the student may invoke the formal procedure detailed below.

3. FORMAL PROCEDURE

3.1 Stage 1

- 3.1.1 Complaints must be in writing. Students should use the Student Formal Complaint Form (Appendix A) and be sent to the relevant College Complaints Officer (as detailed *in* Appendix B). The student should indicate what address/outcome they wish to achieve. Where the complaint is against the relevant named College Officer the complaint should be sent to the Head of Student Services.
- 3.1.2 Complaints should normally be made within two months of the pertinent event.
- 3.1.3 The relevant Complaints Officer will provide a written acknowledgement of the complaint, normally within ten days of its receipt. He or she will then determine (by reference to issues such as are contained in clause 3.4 of the Complaints Policy) whether the complaint is a legitimate complaint that should be dealt with in accordance with the Complaints Procedure.

- 3.1.4 If, following his or her preliminary assessment of the complaint the Complaints Officer decides that the complaint is not a legitimate complaint and, therefore, should not be dealt with in accordance with the Complaints Procedure, he or she shall advise the complainant accordingly. If the complainant is dissatisfied with the decision, the complainant may appeal to the Principal against that decision. The appeal must be submitted to the Principal in writing setting out the detail of the complaint and the arguments as to why it should be accepted as a legitimate complaint to be dealt with in accordance with the Complaints Procedure. The appeal must be received by the Principal within ten days of the complainant receiving the decision of the Complaints Officer. The decision of the Principal in this connection will be final.
- 3.1.5 If the Complaints Officer, or Principal on appeal, is satisfied that the complaint is a legitimate complaint that should be dealt with in accordance with the Complaints Procedure, he or she will provide the complainant with a written decision to that effect. That decision will further indicate the likely timescale in which the complaint will be investigated and who will undertake the investigation.
- 3.1.6 A response to the complaint should normally be received within one calendar month from receipt of the complaint. If for any reason this timescale cannot be met, the complainant should be notified in writing and informed of the reason why and the revised timescale.
- 3.1.7 The investigating officer (see Appendix Cii for definition of roles) should normally meet with the complainant to discuss the complaint as part of the investigation.
- 3.1.8 Should the response received at Stage 1 fail to satisfy the complainant, he or she may seek to invoke Stage 2 of the complaints procedure. The complainant must normally do this within ten working days of the date of the response to Stage 1.

3.2 Stage 2

- 3.2.1 The complainant should notify in writing the relevant College Complaints Officer to whom the complaint was originally sent in accordance with Stage 1 of the Procedure that he or she wishes to proceed to Stage 2 of the Procedure. The Complaints Officer will provide a written acknowledgement of the request, normally within ten days of its receipt. He or she will then determine (by reference to issues such as are contained in paragraph 3.4 of the Complaints Policy) whether the complaint can legitimately proceed to Stage 2.
- 3.2.2 If, following his or her preliminary assessment of the complaint, the Complaints Officer decides that the complaint should not proceed to Stage 2, he or she shall advise the complainant accordingly. If the complainant is dissatisfied with the decision, the complainant may

appeal to the Principal against that decision. The appeal must be submitted to the Principal in writing setting out the detail of the complaint and the arguments as to why it should be allowed to proceed in accordance with the Complaints Procedure. The appeal must be received by the Principal within ten days of the complainant receiving the decision of the Complaints Officer. The decision of the Campus Principal in this connection will be final.

3.2.3 If the Complaints Officer, or Principal on appeal, is satisfied that the complaint should proceed to Stage 2, he or she will forward the complaint to the member of the College Management Team with institutional responsibility for the Faculty or Service against which the complaint is being made.

3.2.4 The member of the College Management Team will provide the complainant with a written acknowledgement of his or her receipt of the complaint, normally within ten days of its receipt. This will indicate the likely timescale in which the complaint will be investigated and a response made.

3.2.5 The relevant member of the College Management Team will investigate the complaint at this stage. He / she should normally meet with the complainant to discuss the complaint as part of the investigation.

3.2.6 A response to the complainant should normally be received within one calendar month from receipt of the complaint. If for any reason this timescale cannot be met the complainant should be notified in writing and informed of the reason why and the revised timescale.

3.2.7 Should the response received at Stage 2 fail to satisfy the complainant Stage 3 of the complaints procedure may be invoked. The complainant must normally do this within ten working days of the date of the response to Stage 2.

3.3 Stage 3

3.3.1 The complainant should notify in writing the relevant College Complaints Officer to whom the complaint was originally sent in accordance with Stage 2 of the Procedure that he or she wishes to proceed to Stage 3 of the Procedure. The Complaints Officer will provide a written acknowledgement of the request, normally within ten days of its receipt. He or she will then determine (by reference to issues such as are contained in paragraph 3.4 of the Complaints Policy) whether the complaint can legitimately proceed to Stage 3.

3.3.2 If, following his or her preliminary assessment of the complaint, the Complaints Officer decides that the complaint should not proceed to Stage 3, he or she shall advise the complainant accordingly. If the complainant is dissatisfied with the decision, the complainant may appeal to the Campus Principal against that decision. The appeal must be submitted to the Principal in writing setting out the detail of the complaint and the arguments as to why it

should be allowed to proceed in accordance with the Complaints Procedure. The Principal must receive the appeal within ten days of the complainant receiving the decision of the Complaints Officer. The decision of the Principal in this connection will be final.

- 3.3.3 If the Complaints Officer, or the Principal on appeal, is satisfied that the complaint should proceed to Stage 3, he or she will forward the complaint to the Head of Student Services, Principal or delegated representative as appropriate. The recipient of the complaint at this stage will be responsible for establishing a panel to hear the complaint.

4. COMPLAINTS PANEL: MEMBERSHIP

- 4.1 A panel of three people none of whom have had any material dealings with the complaint at the previous levels (formal or informal), will investigate the complaint. Panel membership should take account of diversity issues such as gender, ethnicity, etc.
- 4.2 The panel will include a member the College Management Team, who will chair the panel and a member of the College selected by the Head of Student Services or Principal (or his/her delegated representative). The third member of the panel will be the head of department
- 4.3 Either party to the complaint shall be given the opportunity in advance to veto any member of the panel for a reason that the Head of Student Services (or other person responsible for establishing the panel) considers to be a good and substantial reason.

5. COMPLAINTS PANEL: CONDUCT

- 5.1 The panel should normally meet to consider the complaint within twenty-one working days of receipt.
- 5.2 The panel will investigate the complaint where both parties to the complaint and their representatives (if desired) will be invited to present evidence, call witnesses (previously named), and question those giving evidence.
- 5.3 All files and documentation pertinent to the case will be made available to all parties within the constraints of the Data Protection Act 1998 and subsequent relevant legislation.
- 5.4 Following the hearing, the panel will report its findings to the Principal. The panel will have the authority to make recommendations as to the appropriate outcome of the complaint to the Principal, who as Chair of the Academic Board and Chief Executive of the College shall be responsible for the final decision.
- 5.5 A written response from the Principal, including the reasoning behind the decision and any remedy, will be sent to the complainant, normally within twenty-one working days of the complaint being considered by the panel.

Appeals Procedure Flow Chart

A Candidate may appeal against a teacher or assessment procedure if he/she believes that it is unfair or unreasonable.

