

## **Complaints Procedure**

### **Scope**

This procedure applies to complaints raised by students, parents, carers, guardians and members of the public (including former members of staff) in relation to the services provided by EKC Group's Colleges and business units.

It does not apply to:

- Employment issues raised by staff. These are dealt with via EKC Group's Grievance Procedure (for current staff) or via ACAS (for former members of staff).
- Suppliers and contractors. Existing contract management procedures should be referred to.
- Student appeals against exclusions. These are dealt with under the Student Disciplinary Procedure.
- Concerns about corporate malpractice. These are dealt with under EKC Group's Whistleblowing Policy.

### **Aims and Objectives**

All Colleges and business units within EKC Group will give careful consideration to all complaints and deal with them fairly, honestly and consistently. We will provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding. We endeavour to:

- Make the procedure easily accessible and publicised
- Make the procedure simple to use and understand
- Carry out an impartial investigation
- Allow for swift handling with established time-limits for action and keeping people informed of the progress
- Ensure a full and fair investigation
- Respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- Address all points of issue, providing an effective response and appropriate redress, where necessary
- Use complaints to continually improve our business

College Principals and Directors of respective business units are responsible for day to day management and operation of the procedure and for bringing the complaint to a resolution. Attached to this procedure is a flow chart highlighting the usual process to be followed by EKC Group.

## 1) Informal Stage

It is recognised that concerns may be raised at any stage. These concerns should be dealt with immediately by the member of staff to whom the concern has been raised so that the issue does not escalate or impact on others. EKC Group aims to resolve informal concerns quickly and to reach a satisfactory resolution. To ensure that the Group is able to deal quickly with any concerns, informal complaints must be raised within one month of the issue's occurrence.

## 2) Formal Complaints

### STAGE 1 – submitting a formal complaint

If you feel that a concern has not been resolved appropriately through informal discussion with the appropriate staff member or it is of serious concern and you wish to have the matter formally investigated, you can make a formal complaint in writing to the relevant College Principal or business unit Director/Head. Contact details are as follows:

Business Unit	Contact	Contact details
Ashford College	Susan Bonett Principal	Elwick Road Ashford, TN23 1NN  E: <a href="mailto:susan.bonett@eastkent.ac.uk">susan.bonett@eastkent.ac.uk</a> T: 01233 743100
Broadstairs College (including Broadstairs Junior College)	Emily Johnson Principal	Ramsgate Road Broadstairs, CT10 1PN  E: <a href="mailto:emily.johnson@eastkent.ac.uk">emily.johnson@eastkent.ac.uk</a> T: 01843 605040
Canterbury College (including Spring Lane and EKC Group 6 <sup>th</sup> Form College)	Victoria Copp- Crawley Principal	New Dover Road Canterbury, CT1 3AJ  E: <a href="mailto:victoria.copp-crawley@eastkent.ac.uk">victoria.copp-crawley@eastkent.ac.uk</a> T: 01227 811111
Dover Technical College	Paul Owen Principal	Maison Dieu Road Dover, CT16 1DH  E: <a href="mailto:paul.owen@eastkent.ac.uk">paul.owen@eastkent.ac.uk</a> T: 01304 244333
Folkestone College (including Folkestone Junior College)	Donna Smith Principal	Shorncliffe Road Folkestone, CT20 2TZ

Owner of Policy: Executive Director, Organisational Development

Approving Body: Policy Committee

Updated December 2022

		E: <a href="mailto:donna.smith@eastkent.ac.uk">donna.smith@eastkent.ac.uk</a> T: 01303 858300
Sheppey College	Alan Salter Principal	Bridge Road Sheerness, ME12 1HL  E: <a href="mailto:alan.salter@eastkent.ac.uk">alan.salter@eastkent.ac.uk</a> T: 01795 581581
EKC Group Training <ul style="list-style-type: none"> <li>• Professional learning</li> <li>• Higher Education</li> <li>• Apprenticeships</li> <li>• International</li> <li>• Supported Internships</li> <li>• Community Learning</li> <li>• Employability</li> <li>• Prison education</li> <li>• English for Speakers of Other Languages (ESOL)</li> <li>• Weekend College</li> </ul>	Lindsey Biggs Managing Director	Ramsgate Road Broadstairs CT10 1PN  E: <a href="mailto:lindsey.biggs@eastkent.ac.uk">lindsey.biggs@eastkent.ac.uk</a> T: 01843 605040
Commercial Services <ul style="list-style-type: none"> <li>• Yarrow Hotel</li> <li>• EKC Group Nurseries</li> <li>• EKC Group Refectories</li> <li>•</li> </ul>	Lee Osborn Deputy Director	Ramsgate Road Broadstairs CT10 1PN  E: <a href="mailto:lee.osborn@eastkent.ac.uk">lee.osborn@eastkent.ac.uk</a> T: 01843 605040
Canterbury Sports Centre  Lettings/room hire	Stephen Whybrow Director of Estates	Ramsgate Road Broadstairs CT10 1PN  E: <a href="mailto:stephen.whybrow@eastkent.ac.uk">stephen.whybrow@eastkent.ac.uk</a> T: 01843 605040

Alternatively, you may address your concerns to EKC Group's Office for Student Affairs (OfSA) through the contact form on the [Group's website](#) or by emailing [OfficeFor.StudentAffairs@eastkent.ac.uk](mailto:OfficeFor.StudentAffairs@eastkent.ac.uk)

Complaints about data protection matters should be addressed to the Data Protection Officer at [dpo@eastkent.ac.uk](mailto:dpo@eastkent.ac.uk)

If the relevant Principal/Director is absent, the complaint will be handled by their deputy.

Where the complaint is about the leadership of a particular College/business unit, the complaint should be referred to the OfSA so that any further investigation can be assigned to an alternative senior manager. It should be noted that when investigating complaints, peers will not investigate peers. EKC Group will not normally refer complaints to external parties to investigate.

EKC Group will endeavour to assist with any special requests for additional assistance with this procedure as long as they are made aware at the outset. Formal complaints must normally be made within two months of the issue's occurrence to enable the Group to take appropriate action where required.

The written complaint should be returned, marked confidential, to the respective College or business unit for the attention of the College Principal or respective Director, indicating at which stage you are making the complaint.

It would be helpful if the following information could be included in the complaint to enable us to deal with the complaint as efficiently as possible:

- Your Name
- Your Address
- Postcode
- Daytime telephone number
- Evening telephone number
- Email address for correspondence
- Details of the complaint
- What action if any, you have already taken to try and resolve your complaint (who you spoke to and what their response was)
- What action you feel might resolve the problem at this stage

The College Principal or Director will contact any parties involved in the complaint and will acknowledge receipt of the complaint in writing within 5 working days after receiving it. You will also be provided with a copy of EKC Group's Complaints Procedure.

The complaint will be investigated, and a response sent to you within 21 calendar days. If it is not possible to conclude the investigation within this time frame the Group will keep you advised of progress and give you a revised date for a resolution. The time periods as set out in this procedure are for guidance and may be subject to extension, particularly outside academic terms. Where any such extensions are made, you will be notified in writing.

If the nature of the complaint is of a serious nature and could constitute gross misconduct by a member of staff, the matter will be referred to the Head of People Services for investigation. Examples may include theft, inappropriate behaviour, bullying/harassment, discrimination, bribery, fraud, breach of safeguarding, breach of legislation or procedures etc.

To ensure that a thorough investigation of a complaint is made, we expect to be able to collect appropriate information from all the parties involved. Where a complaint is made anonymously this may not be possible, however if there is sufficient information to undertake an investigation and achieve a resolution to the complaint, this will be done.

A complainant may be invited to discuss the complaint or attend a meeting to establish further details regarding the cause of dissatisfaction or explore possible solutions. At any meetings held as part of the investigation the complainant will have the right to be accompanied by one person (for example a friend, relative or Students' Union representative), who also has the right to speak on behalf of the complainant. However, this person is in addition to the complainant, not a substitute. The complainant must also be present, unless there is a good reason why this is not possible.

A group of students may use this procedure to make a collective complaint, but the group must nominate one person to be the main contact for purposes of communication and the spokesperson for the group, representing the group in all matters relating to the complaint.

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 all parties involved in the complaint have the right to know the full details of the complaint, including its source.

Potential complainants may want to obtain advice regarding the procedure prior to submitting a complaint, the Student Union will be able to provide guidance.

Under no circumstances will complainants be victimised or harassed for submitting a complaint. If a complaint is submitted falsely or with malicious intent, the Group reserves the right to invoke relevant disciplinary procedures.

## **STAGE 2 - Appeals**

With the exception of complaints about data protection matters, if the concern/complaint has not been satisfactorily resolved under Stage 1, you have the option to request an appeal. This must be submitted in writing to:

Office for Student Affairs  
EKC Group  
Ramsgate Road  
Broadstairs  
CT10 1PN  
[OfficeFor.StudentAffairs@eastkent.ac.uk](mailto:OfficeFor.StudentAffairs@eastkent.ac.uk)

Appeals must be submitted within 14 calendar days of receipt of the outcome letter, clearly stating the grounds on which the appeal is being made. Please note that appeals will not be accepted in points where the original complaint was upheld. If appropriate, the Office for Student Affairs will appoint a senior manager who has not been involved in the original complaint to investigate the matter. A response will normally be within 21 calendar days and you will be informed about the actions which will be taken to investigate your complaint.

If your complaint is related to a data protection matter and you are dissatisfied with the response you have received from EKC Group, you may escalate your complaint to the [Information Commissioner's Office](#) (ICO) which has regulatory oversight of data protection within the UK.

The Office for Student Affairs oversees the complaints procedure and ensures that it is applied fairly and consistently. If you have any concerns about the manner in which your complaint or concern has been handled either at the informal or formal stages, please contact [OfficeFor.StudentAffairs@eastkent.ac.uk](mailto:OfficeFor.StudentAffairs@eastkent.ac.uk)

## **3) STAGE 3 - Post appeal**

### **3.1 Further Education programmes**

Following the action taken at Stage 2, if you still feel that the matter has not been resolved to your satisfaction and having exhausted EKC Group's procedure, you may wish to refer your complaint to the Education and Skills Funding Agency (ESFA).

Send your complaint in writing, by email or post to the complaints team and the Complaints Adjudicator will deal with it.

Complaints Adjudicator  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry CV1 2WT  
[complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

The ESFA will not investigate complaints relating to exam results, curriculum content, employment issues, contractual disputes, cancellation or reimbursement of fees/loans, matters subject to legal action or allegations of fraud, financial irregularity or whistleblowing.

## **3.2 Higher Education programmes**

### **3.2.1**

If you wish to make a complaint about an HE Programme delivered by EKC Group and validated by Pearson, you should follow stage 1 of this procedure, progressing the complaint to stage 2 if necessary.

When the complaints procedure has been exhausted, you will receive a Completion of Procedures Letter (CoP) from EKC Group within 28 days of the internal procedure being completed.

If you are still not satisfied with the outcome, you may refer the matter to the Office of the Independent Adjudicator (OIA) within 12 months of the date of the CoP letter.

The OIA can be contacted at:  
Second Floor  
Abbey Gate  
57 – 75 Kings Road  
READING  
RG1 3AB  
[www.oiahe.org.uk](http://www.oiahe.org.uk)

### **3.2.2**

If you wish to make a complaint about an HE programme delivered by EKC Group and validated by the University of Kent, you should follow stage 1 of this procedure, progressing the complaint to stage 2 if necessary.

If you are still not satisfied, you should progress your complaint in accordance with the University of Kent's procedure.

When the procedure for dealing with the complaint has been exhausted you will receive a Completion of Procedures Letter (CoP) from the University/College within 28 days of the internal procedure being completed. The responsibility for issuing the CoP will be dependent on the nature of the complaint; the University and the College therefore have a duty to liaise and agree whose responsibility it is to issue the CoP.

If you are still not satisfied with the response to their complaint, you may refer it to the Office of the Independent Adjudicator (OIA) as detailed in section 3.2.1 of this procedure.

### **Monitoring and Review**

The Governing Body monitors the Complaints Procedure on an annual basis, to ensure that all complaints are handled properly. They review all formal complaints received by EKC Group, scrutinise how they were resolved and consider the need for any changes to the procedure. Complaints are also monitored for trends by the OfSA and any common themes or issues identified across the Group are addressed.

### **Related policies and procedures**

- Equality and Diversity Policy
- Grievance Procedure (staff)
- Student Disciplinary Procedure
- Whistleblowing Policy
- Complaints Good Practice guide (internal document only)





