COMPLAINTS POLICY

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1. Scope

1.1. This Policy 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 East Kent Colleges Group (the Group).

1.2. It does not apply to:

- Employment issues raised by, or on behalf of, current staff. (These are dealt with via the Group's Grievance Procedure)
- Employment issues raised by, or on behalf of, former members of staff. If a staff member is raising issue within one month of their leaving date, the matter may be passed on to the People Services team to try to resolve. If the complaint is not resolved former staff members can raise a complaint via ACAS.)
- Suppliers and contractors. Existing contract management procedures should be referred to.
- Student appeals against exclusions. These are dealt with under the Student Disciplinary Procedure.
- Student appeals against bursary decisions. These are dealt with under the Student Bursary Policy.
- Concerns about corporate malpractice. These are dealt with under the Group's Whistleblowing Policy.

1.3 Timeframes are referred to throughout this policy as 'working days'. These are defined as any day other than a Saturday, Sunday or Bank Holiday.

2. Aims & Objectives

2.1 All Colleges and business units within the 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.

2.2 We endeavour to:

- Make the Policy easily accessible and publicised, simple to use and understand
- Carry out an impartial investigation that is full and fair
- Allow for swift handling with established time-limits for action and keeping people informed of the progress
- 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

1.3. College and business unit Principals are responsible for day-to-day management and operation of the Policy and for bringing the complaint to a resolution.

1.4. 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.

1.5. The Group will endeavour to assist complainants with any special requests for additional assistance with this Policy..

3. Informal Complaints

3.1 It is recognised that concerns may be raised at any stage. Informal concerns will generally be raised verbally and 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.

3.2 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.

4. Formal Complaints

4.1 STAGE 1

4.1.1 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.

4.1.1.1 Formal complaints can be submitted to the relevant Senior Leader. Details are located in the Appendix (last page) of this Policy. If the relevant Senior Leader

detailed in the Appendix is absent, the complaint will ordinarily be received by their deputy.

4.1.1.2 Alternatively, you may address your concerns to the Group's "Office for Complaints" (OfC) through the contact form on our website or by emailing OfficeForComplaints@eastkent.ac.uk

4.1.1.3 Where the complaint is about a Senior Leader detailed in the Appendix this should be referred to the OfC so that any further investigation can be assigned to an alternative senior leader.

4.1.2 A member of the Senior Leadership team within the College or business unit will always investigate complaints at Stage 1 and above

4.1.3 If the complaint references a member of SLT staff (excluding the Principal), the Principal will lead or assign the investigation to a member of staff with a more senior role than the individual member of staff being complained about.

4.1.4 In the circumstance where the complaint refers to the Principal, the Group Director of Corporate Services will assign a senior leader from an alternative College or business unit who has not been involved directly in the complaint to investigate.

4.1.5 Formal complaints must normally be made within two months of the issue's occurrence to enable the Group to take appropriate action where required.

4.1.6 It would be helpful if the following information could be included, when submitting a formal 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

4.1.7 The relevant Principal will contact any parties involved in the complaint and the receipt of your complaint will be acknowledged in writing within five working days. You will also be provided with a link to this Policy.

4.1.8 The complaint will be investigated, and a response sent to you within 15 working days. If it is not possible to conclude the investigation within this time frame, we will keep you advised of progress and give you a revised date for a resolution. The time periods set out in this Policy 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.

4.1.9 If the complaint is of a serious nature and could constitute gross misconduct by a member of staff, the matter will be referred to the Group 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.

4.1.10 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.

4.1.11 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.

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

4.1.13 Information received during a complaint investigation will remain confidential to those involved in the process. However, it should be noted that all parties involved in the complaint ordinarily have the right to know the full details of the complaint, including its source.

4.2 STAGE 2

4.2.1 If you believe that the Stage 1 complaint has not been handled in line with our policy and processes you may request an escalation to Stage 2 (also known as an Appeal).

4.2.2 You may appeal your stage 1 complaint response on the basis that you do not feel that your complaint has been correctly handled. Any new complaints must be raised in accordance with this Policy, either informally or at Stage 1.

4.2.3 The appeal process addresses the Stage 1 response you have received. You can appeal the manner in which your complaint or concern has been handled. Appeals cannot be submitted for judgements which were 'upheld' in your Stage 1 response.

4.2.4 Appeals must be submitted within 10 working days of the date of the outcome letter, clearly stating the grounds on which the appeal is being made. If an appeal is not made within this time, we will conclude that the options under this Policy have been exhausted.

4.2.5 An appeal must be submitted in writing to:

Group Director of Corporate Services, Office for Complaints,
East Kent Colleges Group, Ramsgate Road, Broadstairs, CT10 1PN

Or via email to: OfficeForComplaints@eastkent.ac.uk

4.2.6 The Office for Complaints (OfC) oversees the Complaints Policy 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 us using the following email: OfficeForComplaints@eastkent.ac.uk

4.2.7 If appropriate, the OfC will appoint a senior manager who has not been involved in the original complaint to investigate the matter.

4.2.8 The Group will review your appeal and investigate and provide you with a response detailing whether it is upheld, partially upheld or not upheld.

4.2.9 A response will normally be within 15 working days, and you will be informed about the actions which will be taken to investigate your complaint. If it is not possible to conclude the appeal investigation within this time frame, we will inform you of progress and provide a revised date for a resolution. The time periods to respond to complaints and appeals, as set out in this policy are for guidance and may be subject to extension. Where any such extensions are made, you will be notified in writing.

4.2.10 If your complaint is related to a data protection matter and you are dissatisfied with the response you have received at Stage 1, you may first escalate your complaint to the Group's Data Protection Officer to review at Stage 2 (appeal) in writing to:

Data Protection Officer, Corporate Services,
East Kent Colleges Group, Ramsgate Road, Broadstairs, CT10 1PN

Or via email to: dpo@eastkent.ac.uk

4.3 STAGE 3

4.3.1 Further Education programmes

4.3.1.1 Following the action taken at Stage 2, if you still feel that the matter has not been resolved to your satisfaction and having exhausted the Group's Complaint Policy, you may wish to refer your complaint to the Department for Education (DfE).

4.3.1.1.1 Complaints can be submitted via their Customer Service Portal – via this link https://customerhelpportal.education.gov.uk/ You must contact them within 12 months of the issue.

4.3.1.1.2 The DfE 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.

4.3.1.2 If your complaint relates to a data protection matter and you are still dissatisfied with the response you have received from the Data Protection Officer at Stage 2, you have the right to submit your complaint to the Information Commissioner's Office (ICO) which has regulatory oversight within the UK. Complaints can be submitted via their Portal – https://ico.org.uk/make-a-complaint/data-protection-complaints/

4.3.2 Higher Education programmes

4.3.2.1 HE Programmes accredited by Pearson

- If you wish to make a complaint about an HE Programme delivered by the Group and validated by Pearson, you should follow Stage 1 of this Policy, progressing the complaint to Stage 2 if necessary. When our Policy has been exhausted, you will receive a Completion of Procedures Letter (CoP) from the Group within 15 working days.

- If your complaint relates to services provided by Pearson, the Group may forward your complaint directly to them. If you are still not satisfied, you should progress your complaint in accordance with Pearson's complaints procedure.

- 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

4.3.2.2 HE Programmes accredited by University of Kent

- If you wish to make a complaint about an HE programme delivered by the Group and validated by the University of Kent, you should follow Stage 1 of this Policy,

progressing the complaint to Stage 2 if necessary. When the Policy for dealing with the complaint has been exhausted you will receive a Completion of Procedures Letter (CoP) within 15 working days. The responsibility for issuing the CoP will be dependent on the nature of the complaint; the University and the Group therefore will liaise to establish whose responsibility it is to issue the CoP.

- If your complaint relates to services provided by the University of Kent, the Group may forward your complaint directly to them. If you are still not satisfied, you should progress your complaint in accordance with the University of Kent's Complaints Procedure.

- 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 above.

5. Monitoring and Review

5.1 The Group's Governing Body monitors this Policy on an annual basis and reviews complaints data, to ensure that all complaints are handled properly.

5.2 Complaints are also monitored for trends by the OfC and the relevant College or business unit and any common themes or issues identified across the Group are addressed.

6. Associated Policies and Procedures

- Data Protection Policy
- Equality and Diversity Policy
- Grievance Procedure (staff)
- Student Disciplinary Procedure
- Safeguarding Policy
- Safeguarding Procedure
- Whistleblowing Policy
- Complaints Procedure (internal document only)
- Parent Charter
- Procedure for Dealing with Vexatious or Abusive Parents

Appendix 1: COMPLAINTS POLICY KEY CONTACTS

Business Unit	Contact	Contact details
EKC Ashford College	Lucy Clark Principal	Elwick Road Ashford, TN23 1NN E: lucy.clark@eastkent.ac.uk T: 01233 743100
EKC Broadstairs College (Including Junior College and Margate Digital)	Nicola Tumber Principal	Ramsgate Road Broadstairs, CT10 1PN E: nicola.tumber@eastkent.ac.uk T: 01843 605040
EKC Canterbury College (Including Spring Lane, Sixth Form and Junior College)	Emily Johnson Principal	New Dover Road Canterbury, CT1 3AJ E: emily.johnson@eastkent.ac.uk T: 01227 811111
EKC Dover College	Eleanor Sherratt Principal	Maison Dieu Road Dover, CT16 1DH E: eleanor.sherratt@eastkent.ac.uk T: 01304 244333
EKC Folkestone College (Including Junior College)	Clare Brown Principal	Shorncliffe Road Folkestone, CT20 2TZ E: clare.brown@ekcgroup.ac.uk T: 01303 858300
EKC Sheppey College (Including Junior College)	Gregor Macgregor Principal	Bridge Road Sheerness, ME12 1HL E: gregor.macgregor@eastkent.ac.uk T: 01795 581581
EKC Training (Apprenticeships, Supported Internships and EKC Training Adult Training Centres)	Rhona Williams Principal	Ramsgate Road Broadstairs, CT10 1PN E: rhona.williams@eastkent.ac.uk T: 01843 605040
Yarrow Hotel	Lee Osborn Group Director of Commercial Hospitality	Ramsgate Road Broadstairs, CT10 1PN E: lee.osborn@eastkent.ac.uk T: 01843 460 108
Canterbury Sports Centre College Refectories Lettings/room hire	Stewart Hayward Group Director Group Estates and Capital Programmes	Ramsgate Road Broadstairs, CT10 1PN E: stewart.haywood@eastkent.ac.uk T: 01843 605040
Nurseries	Joanne Gower Group Director of Nurseries	Ramsgate Road Broadstairs, CT10 1PN E: joanne.gower@ekcgroup.ac.uk T: 01843 605040