



**Coleg Gŵyr Abertawe**  
**Gower College Swansea**

## **Complaints Procedure**

<b>Issue</b>	<b>February 2022</b>
<b>Review Date</b>	<b>February 2023</b>
<b>Originator</b>	<b>Nikki Neale Director of Quality and Curriculum</b>
<b>Location of Policy</b>	<b>BIZ-Sharepoint/Intranet/Policies &amp; Procedures/Quality</b>
<b>Policy Approved By:</b>	<b>Strategic Planning Group – February 2022</b>
<b>Updated:</b>	<b>College Management Team – June 2023</b>

## **1. PURPOSE**

- 1.1 Gower College Swansea is committed to providing its customers with an excellent service. The College welcomes complaints as a tool for continuous improvement and it is the policy of the College to resolve as fairly as possible any complaint a customer may have about the services provided.
- 1.2 The main purpose of this Complaints Procedure is to provide a means, wherever possible, to resolve all issues to the satisfaction of all interested parties.
- 1.3 The Quality Unit, and where appropriate the Principal's Office, will ensure that all complaints are given equal consideration.
- 1.4 It is an individual's right to use the Welsh Language as depicted in the Welsh Language Standards applicable to the college or a related support service.

## **2. AIMS & OBJECTIVES**

- 2.1 To provide customers with a culture that promotes an open and fair approach. In this context, a customer may be a stakeholder, a student enrolled on any programme in the College (ie FE, HE, Apprenticeships, full or part time), a student representing a group of peers in the case of a collective complaint, a member of the public or a member of staff.
- 2.2 To respond in a timely manner to customer complaints and endeavour to ensure a professional, impartial and honest outcome on all reported issues. The College will endeavour to provide a response to all complaints **within three weeks**.
- 2.3 To use the outcomes of the issues from complaints to identify concerns and weaknesses and where necessary effect improvements to procedures within the College culture of continuous quality improvement.
- 2.4 The nature of complaints and the outcomes will be collated, reviewed and assessed by the Strategic Management Group and Curriculum and Quality sub-committee of the Corporation Board.
- 2.5 Students will not be disadvantaged in any way by making a complaint.
- 2.6 Managers with responsibility for dealing with formal complaints will receive annual update training

- 2.7 Managers dealing with complaints in regards to the Welsh language will guide any stakeholders who wish to use this policy to complain about an individuals' right to use the language or any standards as listed in the Welsh Language Standards compliance notices served on the College. The manager will also ensure that staff are appropriately trained in handling such complaints; that this procedure is available in Welsh and English on the College website(s).
- 2.8 All staff will be kept apprised of updates to the complaints procedure

### **3. SCOPE OF PROCEDURES**

3.1 The scope of the Complaints Procedure will include:

- Complaints in respect of the students' experience at the College, including relationships with all staff, fellow students and visitors or services and facilities provided by the College.
- Complaints by members of the public or members of staff concerning any service or facility provided by the College.
- Complaints relating to all discrimination including race, disability, age and sexual orientation including allegations of hate crimes, bullying and sexual harassment.
- Complaints relating to compliance with the Welsh Language Standards. This includes any complaints relating to the Welsh Language Standards with which the College recognises its particular duty to comply. In this process, reference will be made to the Welsh Language Standards (No.6) Regulation 2017, the Compliance Notice – Section 44 Welsh Language (Wales) Measure 2011 for Gower College Swansea and the Explanatory Memorandum To the Welsh Language Standards (No.6) Regulation 2017.

3.2 The procedure does **not** cover the following for which separate procedures exist:

- Appeals by students against assessment decisions and decisions made by Examination Boards (Academic Appeals Procedure). This may also require referral to the Awarding Organisation.
- Complaints involving misconduct by a student (Student Disciplinary Procedure).

3.3 The following will be included in this procedure; however, in some cases they will invoke procedures covered by other identified policies:

- Complaints involving allegations of misconduct by a member of Staff (Staff Disciplinary Procedure, Whistle Blowing Procedure).

- Complaints by a member of staff against another member of staff (Staff Grievance Procedure).
- 3.4 Students on Franchised Higher Education courses should in the first instance attempt to resolve their complaint directly with the College using this procedure. If, after following this procedure, the student still feels dissatisfied, they may invoke the awarding university's student complaints procedure as signposted in each course handbook. If the matter is still not satisfactorily resolved the student is entitled to ask the Office of the Independent Adjudicator for HE to review the outcome of the complaint process, this must normally be submitted to the OIA within three months of the date of the appeal outcome letter.
  - 3.5 In some cases complaints should be referred to the Awarding Organisation. Advice on when this applies can be given on a case by case basis.
  - 3.6 Complaints can be received from students up to six months after completing their studies.
  - 3.7 Anonymous complaints will be referred to the Director of Quality and Curriculum to decide on the most appropriate action. Generally anonymous complaints will not be dealt with; however, there may be cases where it is in the Colleges best interest to investigate.

#### **4. EARLY RESOLUTION (Stage 1)**

- 4.1 As far as possible, in the first instance every effort should be made to resolve a complaint swiftly and locally especially where complaints are straightforward. Where possible, complainants are requested to talk directly about their concerns with the individual(s) or department involved to see if an informal resolution can be reached (See Appendix A – Distinction between Formal and Informal Complaints).
- 4.2 If the complaint has not been resolved informally, the issue can be raised as a formal complaint. In such cases the complainant should be informed of the formal procedures.

#### **5. FORMAL COMPLAINTS PROCEDURE (Stage 2)**

- 5.1 A formal complaint is one where the complainant is dissatisfied with the outcome of early resolution or where early resolution is not possible or suitable due to the character, complexity or seriousness of the case.
- 5.2 A complaint will be dealt with formally (i.e direct to Stage 2) if the nature of the complaint is serious and are likely to cause harm to the physical and/or mental well-being of the complainant (See Appendix A for examples).

## 5.2 Making a Formal Complaint

- A complainant wishing to make a formal complaint within this procedure should submit details via the Quality Unit to the Director of Quality and Curriculum in the following ways:
  - in writing, by letter or by email,
  - in writing, using the Compliments, Complaints and Suggestions form (available at all Reception areas),
  - verbally in person or by telephone if support is required to put the complaint in writing.
- Formal complaints received by members of Gower College Swansea staff must be forwarded to the Quality Unit for processing.
- A complaint sent directly to the Principal will be responded to by the Principal's office but will be administered by the Quality Unit.
- If it is appropriate the complainant is entitled to bring an advocate with them to support them in making their complaint, e.g. tutor, outside agency, translator etc.
- The College welcomes complaints in Welsh and doing so will not cause any delay.

## 5.3 Response to the Complaint

The Quality Unit will log details of the complaint and within **three working days** will notify the complainant in writing, who within the College will be dealing with the complaint.

## 5.4 Responsibility

- The Director of Quality and Curriculum will ensure that the complaint is referred to the relevant person to investigate the complaint. This will normally be the appropriate senior member of staff, normally someone who has not been involved previously.
- In the case of a collective complaint the person investigating the complaint will decide on the merits of meeting with the full group of learners to ensure all views are fairly represented.
- In the event of a complaint being made against the Principal, the complaint will be referred to the Clerk of the Governing Body, who will inform the Chair of the Governing Body.
- Where the complaint is about a member of staff the senior manager dealing with the complaint must liaise with Head of HR when resolving the matter.

## Time Frame

- A response to the complaint will be sent within **three weeks** following referral of the formal complaint to the appropriate senior member of staff. The complainant will be informed of their right to appeal. If no further correspondence is received from the complainant, the matter will be deemed as closed.
- If there are unusual circumstances where the three week timeframe cannot be adhered to then the complainant will be informed in writing with an indication of the reviewed timescale.
- The Director of Quality and Curriculum will ensure that all complaints are followed up to ensure appropriate action and a timely response.

### 5.5 Final Response

The complainant will be provided with a written outcome at the conclusion of the formal stage.

All records of and responses to a complaint shall only be shared with those that are directly involved with resolving and managing the complaint. All records will be held securely.

## 6. APPEAL

6.1 The complainant has the right to appeal if:

- the complaints procedure was not adhered to;
- there is new evidence that was not considered in the original decision;
- the complainant considers that the complaint was not taken seriously or the outcome was not reasonable.

### 6.2 Procedure for Appeal

- The complainant must lodge their appeal in writing to the Principal within **five working days** of the notification of the outcome of the complaint.
- Students on Higher Education courses that are part of a franchise arrangement with a University will usually be directed to the University for the appeal stage. Advice on the correct route to follow will be provided on an individual basis.
- The Principal will review the complaint within **10 working term time days** of the appeal being received by the College.

- The appeal stage will not usually consider the issues afresh or involve a further investigation.
- If deemed necessary the Principal/Deputy Principal may ask the complainant to present their case in person. In this case the complainant may be accompanied by a companion or parent/guardian in the case of a student. Any special requirements related to a disability will be met.
- Any new evidence to be brought by the complainant must be submitted to the College **five working days** before the appeal is heard.
- The Principal will respond in writing directly to the complainant (completion of procedures letter) and the Principal's office will inform the Quality Unit of the outcome of the appeal.
- The judgment of the Principal is final and there is no further right of appeal except in the cases identified below:
  - Higher Education students on franchised courses have the right to ask the Office of the Independent Adjudicator for HE to review the outcome of the complaint process.
  - Apprenticeships and Employers in Wales can contact the Welsh Government
  - Apprenticeships and Employers in England can contact the apprenticeship helpline regarding apprenticeship concerns, complaints and enquiries:  
  
National Apprenticeship Helpdesk: email: [helpdesk@manage-apprenticeships.service.gov.uk](mailto:helpdesk@manage-apprenticeships.service.gov.uk)  
Tel: 08000 150 600
  - In some cases Awarding Organisations should be involved at the appeals stage. Advice on when this applies will be given on a case by case basis.

## **7. REVIEW**

The Director of Quality and Curriculum will provide reports to the College Management Team and Curriculum and Quality sub-committee of the Board of Governors on the nature of complaints received, the manner in which they were resolved and any actions identified for improvement. These reports will not identify the individual complainants.

## **8. RELATED DOCUMENTS**

- Student Appeals Procedure
- Student Disciplinary Procedure

- Staff Disciplinary Procedure
- Whistle Blowing Procedure
- Staff Grievance Procedure

## **9. The Welsh Language**

- 9.1 Mae Coleg Gŵyr Abertawe yn ymrwymedig i hyrwyddo'r iaith Gymraeg, yn unol â Safonau'r Iaith Gymraeg a Mesur y Gymraeg (Cymru) 2011.
- 9.2 Gower College Swansea is committed to the promotion of the Welsh language, in accordance with the Welsh Language Standards and the Welsh Language (Wales) Measure 2011.
- 9.3 If you are a Welsh speaker and wish to have your appeal meeting held through the medium of Welsh please let us know in your letter of appeal.

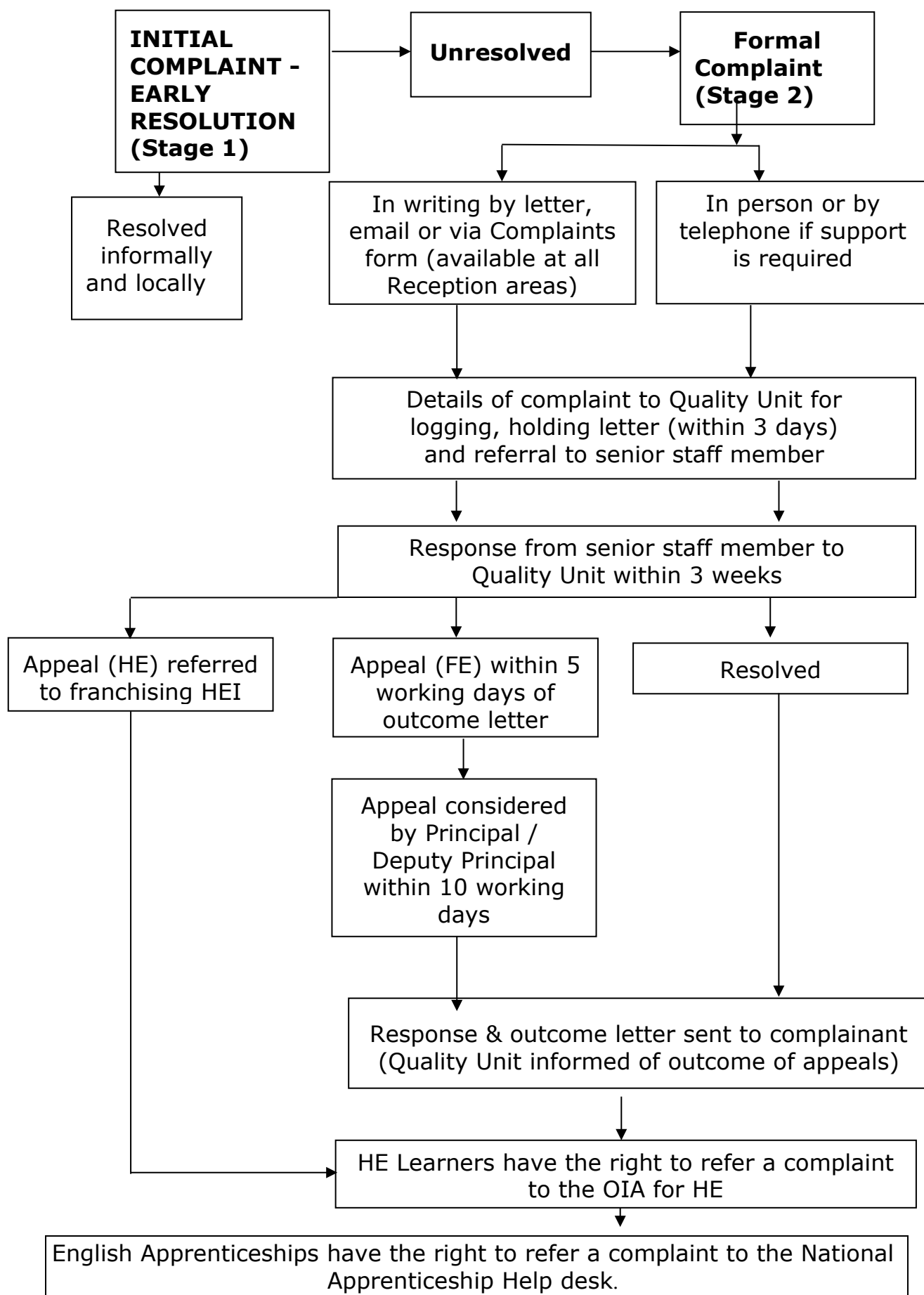
If you, or someone you know, would like this document in large print, audio, electronically or in Welsh, please contact the Quality Administrator, Beverley Hunt.

Tel: 01792 284232

Email: [beverley.hunt@gowercollegeswansea.ac.uk](mailto:beverley.hunt@gowercollegeswansea.ac.uk)



## 10. GOWER COLLEGE SWANSEA COMPLAINTS PROCEDURE



**Distinction between Formal and Informal Complaints**

Action	Rating	Criteria	Examples of complaint/issues
Complaints Procedure	STAGE 2:	Serious complaints can be defined as those which are likely to cause harm to the physical and/or mental wellbeing of the complainant.	<ul style="list-style-type: none"> <li>• Issue not resolved under stage 1</li> <li>• Safeguarding issues</li> <li>• Allegation of hate crime</li> <li>• Allegation of threatening language</li> <li>• Allegation of bullying</li> <li>• Allegation of being under the influence of drugs or alcohol</li> <li>• Allegation of discrimination</li> <li>• Allegation of sexual Harassment</li> </ul>
Complaints Procedure	STAGE 1:	Complaints which are likely to have a negative impact on the customer experience, e.g.; where the College fails to provide a quality service OR where learner / staff / stakeholder behavior is a cause for concern.	<ul style="list-style-type: none"> <li>• Course Delivery</li> <li>• Course Content</li> <li>• Quality of Facilities</li> <li>• Availability and accessibility of facilities and/or learning resources</li> <li>• A request for information that has not been provided at the enquiry stage</li> <li>• Poor or ineffective teaching practice</li> </ul>
Enquiry	Enquiry	Where issues raised are likely to have a minimal impact on the customer experience, which are straightforward and can be answered promptly and easily.	<ul style="list-style-type: none"> <li>• Admissions process</li> <li>• College closures</li> <li>• Timetabling issues</li> <li>• Exam queries</li> <li>• Transport and accessibility queries</li> <li>• Finance and funding issues</li> </ul>

**Signature:**



**Person signing off Policy:** Mark Jones, Principal

**Date:** June 2023