


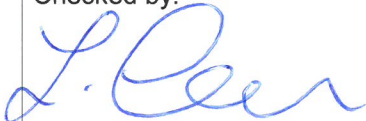

## Quality System

### Procedure Number

BAC-Q-05

### Procedure Title

Customer Complaints

|  |  |   |
|--|--|---|
| Written by:<br> | Checked by:<br> | Equality Impact<br>Assessed by:<br> |
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|  | Responsibility |
|--|----------------|
| <p><b>1.0 Purpose</b></p>  |                |
| <p>1.1 To describe the process for receiving and recording a complaint and ensuring it is dealt with in an agreed timescale.</p>   |                |
| <p>1.2 To describe the method of processing a claim for compensation. (ref 2.2)</p>  |                |
| <p>1.3 To describe the process for appealing against the outcome of a complaint.</p>   |                |
| <p><b>2.0 Scope</b></p>  |                |
| <p>2.1 This procedure covers both Bishop Auckland College and South West Durham Training (thereafter to be termed the Organisation).</p>   |                |
| <p>2.2 The procedure applies to all complaints, internal or external, which are not covered by systems for student, employer and staff, or by systems for evaluation, assessment and verification/moderation. The procedure is to be followed by all members of staff, at the Organisation.</p>  |                |
| <p>2.3 Claims for compensation resulting from minor damage sustained to the property of student/staff/visitor as a result of negligence on behalf of the Provider e.g. in terms of Health and Safety.</p> <p><i>Note: All personal injury claims are outside the scope of this procedure and will be referred to the Provider's Insurer.</i></p> |                |
| <p>2.4 As this procedure involves processing personal data, data protection regulations will be adhered to. Please refer to the General Data Protection Regulation (ref: POL-DP-01) for further information.</p>   |                |
| <p><b>3.0 References</b></p>   |                |
| <p>3.1 BAC-HR-01 Disciplinary Procedure</p>  |                |
| <p>3.2 BAC-HR-1-02 Capability Procedure</p>  |                |
| <p>3.3 BAC-HR-1-03 Grievance Procedure</p>   |                |
| <p>3.4 BAC-HR-1-05 Inappropriate Behaviour Procedure</p>   |                |
| <p>3.5 BAC-C-07 Appeals Procedure</p>  |                |
| <p>3.6 BAC-SS-01 Student Disciplinary</p>  |                |
| <p>3.7 South West Durham Training Handbook</p>   |                |
| <p>3.8 Guidelines for Completing a Quality Records Schedule Q-QR-01</p>  |                |
| <p>3.9 General Data Protection Regulation Policy POL-DP-01</p>   |                |
| <p><b>4.0 Definitions</b></p>  |                |
| <p>4.1 BAC: Bishop Auckland College</p>  |                |
| <p>4.2 SWDT: South West Durham Training</p>  |                |
| <p>4.3 Provider: Bishop Auckland College or South West Durham Training</p>   |                |
| <p>4.4 DCE: Deputy Chief Executive</p>   |                |
| <p>4.5 HoQ: Head of Quality</p>  |                |
| <p>4.7 Principal CE: Principal/Chief Executive (BAC)</p>   |                |
| <p>4.7 CE: Chief Executive (SWDT)</p>  |                |
| <p>4.8 QAM: Quality Assurance Manager</p>  |                |
| <p>4.9 Recipient: any member of staff receiving a complaint from a complainant.</p>  |                |
| <p>4.10 ESFA: Education and Skills Funding Agency</p>  |                |
| <p>4.11 OIA: Office of Independent Adjudicators</p>  |                |

|            |   | Responsibility                             |
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| <b>5.0</b> | <b>Procedure</b>  |  |
| 5.1        | ACTION ON RECEIVING A COMPLAINT   |  |
| 5.1.1      | Any member of staff who is contacted by a student, employer, customer or visitor wishing to make a complaint will proceed as in the following paragraphs of this procedure (ref also to Q-CC-05 'Guidelines to Staff').   | Recipient                                  |
| 5.1.2      | If the recipient can immediately resolve the complaint to the complainant's satisfaction they should do so. If either the recipient or the complainant consider it appropriate, the recipient will record the complaint on a Customer Complaint Form (ref Q-CC-01). The completed form is then forwarded within one working day to the Quality Assurance Manager (unless the complaint is regarding the Quality Assurance Manager then see clause 5.1.5). | Recipient                                  |
| 5.1.3      | Where the recipient cannot immediately resolve the complaint they will EITHER:  | Recipient                                  |
|            | (i) Record the complaint themselves on a Customer Complaint Form (ref Q-CC-01) and forward the form to the Quality Assurance Manager within one working day of the complaint being recorded (unless the complaint is regarding the Quality Assurance Manager then see clause 5.1.5).  | Recipient                                  |
| OR         | (ii) Where it is not appropriate or possible to record the complaint themselves, immediately arrange for the Duty Manager or a member of Management Team to record the complaint.   | Duty Manager/<br>Management<br>Team Member |
| 5.1.4      | The Duty Manager or the member of the Management Team contacted as a result of 5.1.3 (ii) will complete a Customer Complaint Form (ref Q-CC-01) and forward it within one working day to the Quality Assurance Manager (unless the complaint is regarding the Quality Assurance Manager then see clause 5.1.5).   | Duty Manager/<br>Management<br>Team Member |
| 5.1.5      | Where a complaint is about the Quality Assurance Manager, the Customer Complaint Form must be sent to the Head of Quality, who will undertake the further actions in this procedure which are normally the responsibility of the Quality Assurance Manager  | Recipient                                  |
| 5.2        | MAKING AN INTERNAL COMPLAINT  |  |
| 5.2.1      | A member of staff who wishes to make a complaint will record the complaint on a Customer Complaint Form (ref Q-CC-01) and forward it to the Quality Assurance Manager (unless the complaint is regarding the Quality Assurance Manager then see clause 5.1.5).  | Member of Staff                            |
| 5.3        | CLAIMS FOR COMPENSATION   |  |
| 5.3.1      | Any member of staff, student or visitor wishing to make a claim for compensation must refer the incident to the Duty Manager or a member of the Management Team.  | Member of Staff/<br>Student/Visitor        |
| 5.3.2      | The Duty Manager/ Management Team Member will complete and sign a Customer Complaint Form Q-CC-01 giving full details of the incident. The Duty Manager will record the incident in the Duty Managers' Log, and, if appropriate, complete an Accident Report Form. <b>Note: This is not an acceptance of liability.</b>   | Duty Manager/<br>Management<br>Team Member |

|       |   | <b>Responsibility</b>                              |
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| 5.3.3 | <p>Each claim for compensation will, in the first instance, be investigated and considered by a review panel comprising of the Quality Assurance Manager and Deputy Chief Executive and / or the Chief Executive SWDT (if applicable).</p> <p><b>Note:</b> <i>The panel may request the claimant to submit further supporting information e.g. proof of purchase.</i></p>   | <p>QAM /<br/>DCE / CE SWDT<br/>(if applicable)</p> |
| 5.3.4 | <p>If the claim is considered valid, the panel will agree upon a fair and reasonable offer to be made to the claimant.</p> <p><b>Note:</b> <i>Property claims over the insurance excess may be referred to the Provider's Insurer.</i></p>  | <p>QAM /<br/>DCE / CE SWDT<br/>(if applicable)</p> |
| 5.3.5 | <p>The Quality Assurance Manager will inform the complainant of the offer, and arrange payment if the offer is accepted.</p> <p><b>Note:</b> <i>This payment will be made from the nominal sum held within the Quality Budget for such payments. If on investigation of the claim, the panel decides that the incident could have been avoided e.g. through risk assessment, the payment will be made from the relevant budget heading.</i></p> | <p>QAM</p>   |
| 5.3.6 | <p>Should the offer be rejected, the panel will reconsider the application and either decide upon a revised offer, or uphold the original offer. If agreement cannot be reached with the claimant, the claim for compensation will be referred to the Directorate. The Directorate's decision will be final.</p>  | <p>QAM /<br/>DCE / CE SWDT<br/>(if applicable)</p> |
| 5.4   | <b>MONITORING, ACKNOWLEDGING AND ACTING UPON COMPLAINTS</b>   |  |
| 5.4.1 | The complaint will be logged in the Customer Complaint Log (ref Q-CC-02).   | <p>QAM /<br/>Designate</p>                         |
| 5.4.2 | A formal acknowledgement of the complaint will be sent to the complainant within one working day of receiving the Customer Complaint Form, using the Model Acknowledgement of Complaint (ref Q-CC-03) as a guide.   | <p>QAM /<br/>Designate</p>                         |
| 5.4.3 | If the complaint is regarding the conduct of a member of staff, the Customer Complaint Form together with a covering memo (ref Q-CC-11) will be forwarded to the relevant line manager. A copy of the complaint and covering memo will also be forwarded to Human Resources (HR) for reference. For other complaints, the procedure will be followed from clause 5.4.7.   | <p>QAM /<br/>Designate</p>                         |
| 5.4.4 | The line manager will undertake an initial investigation of the complaint within three working days of receiving the complaint.   | <p>Line Manager</p>                                |
| 5.4.5 | Following the initial investigation, the line manager must discuss the content of the complaint with the HR Manager/designate to determine if the matter is to be processed further using an appropriate HR procedure (ref 3.1, 3.2, 3.3, 3.4).   | <p>Line Manager/<br/>HR Manager/<br/>designate</p> |

|        |   | <b>Responsibility</b>                     |
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| 5.4.6  | <p>a) If, it is decided that, it is appropriate for the issues raised in the complaint to be dealt with through one of the HR Procedures then all information relating to the complaint will be forwarded to Human Resources to inform the relevant process. The line manager must complete section D of the Complaints Form to record that initial investigation has taken place and that the complaint has been referred to HR. The Complaint Form must then be forwarded under confidential cover to the Quality Assurance Manager.</p> <p><i><b>Note:</b> The complaint will still be monitored through the Complaints Procedure. The HR Manager/designate and the Quality Assurance Manager will work closely together whilst the issues raised in the complaint are being dealt with.</i></p> | Line Manager/<br>HR Manager/<br>designate |
| OR     | <p>b) If it is agreed by the line manager and HR that the complaint has been resolved or it is not necessary to refer the complaint to a HR procedure then the line manager must complete section D of the complaints form giving details of the action that has been taken or is to be taken and confirm the outcome of the discussions with HR in section D. The completed Complaint Form must then be forwarded under confidential cover to the Quality Improvement Office within 10 working days of the receipt.</p>  | Line Manager/<br>HR Manager/<br>designate |
| 5.4.7  | For all other complaints the Customer Complaint Form, will be forwarded to the Manager responsible for the area to which the complaint refers.  | QAM /<br>Designate                        |
| 5.4.8  | Within ten working days of receipt of the Customer Complaints Form, the Manager will investigate the complaint and describe any corrective and preventive action taken in section D of the form. The Manager must sign and date section D before returning the completed Complaints Form to the Quality Improvement Office.   | Manager                                   |
| 5.4.9  | <p>If the Customer Complaint Form is not returned to the Quality Improvement Office within 10 days (from the date it was forwarded to the Manager), the Quality Assurance Manager will make contact with the relevant Manager to establish how the investigation is progressing.</p> <p><i><b>Note:</b> If it is not possible to determine corrective/preventative action within the 3 working week timescale, it may be appropriate for the Quality Assurance Manager to provide an interim response to the complainant using the Model Interim Response Letter (ref Q-CC-14).</i></p> <p><i><b>Note:</b> All paperwork relating to the complaint and the investigations must be forwarded to the Quality Office – no copies of the documentation are to be retained by the investigator.</i></p>  | QAM                                       |
| 5.4.10 | Within five working days of the Customer Complaint Form being returned (or after consultation with HR, if appropriate) the Quality Assurance Manager will notify the complainant of the action taken/to be taken, using the Model Response to a Complaint (ref Q-CC-04) as a guide. This will be followed up with further communication if necessary.   | QAM                                       |
| 5.4.11 | The Quality Assurance Manager will update and review the Customer Complaints Log regularly. Any outstanding complaints will be followed up with the appropriate Manager.  | QAM                                       |

|  | <b>Responsibility</b>                           |
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| 5.4.12 The complaint will be closed out and recorded as closed in the Complaints Log unless the complainant has communicated in writing that they wish to Appeal against the outcome of the complaint (see 5.5).   | QAM   |
| 5.4.13 A report on customer complaints will be presented each term to the Senior Leadership Management Team. Customer complaints relating to SWDT will be discussed at the monthly management meetings of SWDT.  | HOQ / QAM /<br>DCE / CE SWDT<br>(if applicable) |
| 5.4.14 Significant complaints, that may pose a risk to the Provider, will be communicated to the Corporate Board / Executive Council of SWDT.  | HOQ   |
| 5.4.15 At the discretion of the Head of Quality/Quality Assurance Manager, particularly significant complaints may be followed-up to check whether the complainant(s) is satisfied with the way in which their complaint was dealt with.   | HOQ / QAM                                       |
| <b>5.5 STAGE 1 - APPEAL AGAINST THE RESPONSE TO A COMPLAINT</b>  |   |
| 5.5.1 If the complainant is dissatisfied with the outcome of their complaint, they have 10 working days (from the date of the response letter) in which to appeal. The complainant must appeal in writing and state the reason(s) why they are dissatisfied with the response and if possible the outcome they are seeking.  | Complainant                                     |
| 5.5.2 On receiving the letter of appeal from the complainant, the Quality Assurance Manager will record receipt of the appeal on the original Complaint Form and log the appeal on the Customer Complaints Log (ref Q-CC-02).  | QAM   |
| 5.5.3 A formal acknowledgement of the appeal will be sent to the complainant within one working day of receiving the appeal using the Model Appeal Acknowledgement letter (ref Q-CC-10) as a guide. The letter will notify the complainant that their complaint will be forwarded to an Appeal Panel and that they will receive a response within 15 working days. | QAM   |
| 5.5.4 The Quality Assurance Manager will appoint two impartial senior managers to consider the Appeal and forward all relevant documentation associated with the complaint, together with a covering memo (ref Q-CC-12) to them.   | QAM   |
| <i><b>Note:</b> If the complaint was referred to a HR procedure then the appeals process will be in accordance with the relevant section(s) of that Procedure (ref 3.2).</i>   |   |
| 5.5.5 Within 10 working days of receiving the appeal letter the Quality Assurance Manager will convene an Appeal Panel Meeting.  | QAM   |



|   | <b>Responsibility</b>   |
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| <p>5.5.6 The Appeal Panel will review the complaint and the grounds for appeal. They may also seek/request further clarification/evidence on any point raised in the appeal, including interviewing any relevant parties involved in the complaint as required. The Appeal panel will then make a decision and record the outcome of the Appeal on the Customer Complaints – Appeals Decision Record Form (ref Q-CC-13). The completed form will then be returned to the Quality Improvement Office.</p> <p><i><b>Note:</b> The Quality Assurance Manager will attend the meeting to advise on procedure and provide clarification of any aspect of the complaint and associated information/ documentation.</i></p> <p><i><b>Note:</b> All paperwork relating to the appeal and the investigations must be forwarded to the Quality Office – no copies of the documentation are to be retained by the Appeal Panel.</i></p>  | <p>Appeal Panel</p>   |
| <p>5.5.7 The Quality Assurance Manager will then provide a response to the complainant regarding the outcome of the appeal, using Model Appeals Response Letter Stage 1 (ref: Q-CC-15).</p>   | <p>QAM</p>  |
| <p>5.5.8 A copy of the letter informing the complainant of the result of the appeal together with all of the relevant documentation associated with the complaint will be retained by the Quality Improvement Office and filed and logged appropriately.</p>  | <p>QAM</p>  |
| <p>5.6 STAGE 2 - APPEAL AGAINST THE RESPONSE TO A COMPLAINT</p>   |   |
| <p>5.6.1 If the complainant is dissatisfied with the stage 1 appeal decision, they have 10 working days (from the date of the appeal response letter) in which to appeal. The complainant must appeal in writing to the Principal/Chief Executive or Chief Executive SWDT, and state the reason(s) why they are dissatisfied with the response and if possible the outcome they are seeking.</p>  | <p>Complainant</p>  |
| <p>5.6.2 The Principal/Chief Executive or Chief Executive SWDT will review the complaint and the grounds for appeal and respond to the complainant within 10 working days.</p> <p>If the complainant is on an ESFA course the Model Appeal Response Letter Stage 2 (ref: Q-CC-16) will be used. This letter informs the complainant that they can contact the ESFA and gives details of how to do this, if the complainant feels that their complaint has not been resolved.</p> <p>If the complainant is attending a Higher Education course through the University of Sunderland the Model Appeal Response Letter Stage 2 (Q-CC-17) – University of Sunderland will be used. This letter informs the complainant that they can contact the University of Sunderland within 3 months of receiving the complaint decision, and gives details of how to do this, if the complainant feels that their complaint has not been resolved.</p> <p>If the complainant is attending a Higher Education course (HNC/HND) solely within the College, Model OIA Completion of Procedures Letter (Q-CC-18) will be used. This letter informs the complainant that they can contact the OIA within 12 months of receiving the Completion of Procedures Letter, and gives details of how to do this, if the complainant feels that their complaint has not been resolved.</p> | <p>Principal CE/ CE<br/>SWDT</p> <p>Complainant</p> <p>Complainant</p> <p>Complainant</p> |



|            |   | <b>Responsibility</b>     |
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| 5.6.3      | A copy of the appeal response will be forwarded to the Quality Improvement Office for filing.   | Principal/Chief Executive |
| 5.7        | <b>RECORDS</b>  |                           |
| 5.7.1      | The Quality Assurance Manager is responsible for maintaining the documented records associated with this procedure. S/he will determine the records to be held, their location, retention period and dispersion using the 'Guidelines for Completing a Quality Records Schedule' (ref 3.8) for reference. The Quality Records Schedule associated with this procedure is included as section 7. | QAM                       |
| <b>6.0</b> | <b>Documentation</b>  |                           |
| 6.1        | Q-CC-01 Customer Complaint Form   |                           |
| 6.2        | Q-CC-02 Customer Complaints Log   |                           |
| 6.3        | Q-CC-03 Model Acknowledgement of Complaint  |                           |
| 6.4        | Q-CC-04 Model Response to a Complaint   |                           |
| 6.5        | Q-CC-05 Customer Complaints, Guidelines to Staff  |                           |
| 6.6        | Q-CC-10 Model Appeals Acknowledgement letter  |                           |
| 6.7        | Q-CC-11 Memorandum to Line Manager  |                           |
| 6.8        | Q-CC-12 Memorandum to the Appeal Panel  |                           |
| 6.9        | Q-CC-13 Customer Complaint- Record of Appeal Panel's Decision   |                           |
| 6.10       | Q-CC-14 Model Interim Response Letter to a complainant  |                           |
| 6.11       | Q-CC-15 Model Appeals Response Stage 1  |                           |
| 6.12       | Q-CC-16 Model Appeals Response Stage 2  |                           |
| 6.13       | Q-CC-17 Model Appeals Response Stage 2 – University of Sunderland   |                           |
| 6.14       | Q-CC-18 Model OIA Completion of Procedures Letter   |                           |

**7.0 Quality Records Schedule**

| <b>Identification of Record</b>                                  | <b>Medium</b>     | <b>Storage Location/<br/>Protection</b>   | <b>Retention Period</b> | <b>Access Rights/<br/>Retrieval</b>  | <b>Method of Disposal</b>                                  |
|--|-------------------|---|-------------------------|--|--|
| Completed Customer Complaints Forms and Associated Documentation | Paper Based       | 3 Years Quality Office<br>Locked office/ in a<br>locked cupboard<br><br>3 Years College Archive<br>area | 6 Years                 | Quality Office Staff<br><br>Filed by academic year<br>in numerical order by<br>log number. | Destroyed (Shredded<br>on site as 'Confidential<br>Waste') |
| Q-CC-02<br>Customer Complaints Log                               | Computer Database | Password protected<br>and restricted by<br>access rights  | 6 Years                 | Quality Office Staff   | Deleted  |