



WINC COMPLAINTS PROCEDURE

1. Introduction

- 1.1 This Procedure shall be supplemented by a Code of Practice for Staff and for Students which will be approved within the Organisation and amended as necessary by the appropriate authority.

2. Definition

- 2.1 A complaint is an expression of dissatisfaction with any aspect of the Organisation's activities, or their absence, in a manner that expects and allows for its proper consideration and the appropriate responses to the relevant individual/s.

The following will not be regarded as a complaint:

An **enquiry** e.g. when a student asks about the availability of a course, service or facility in the Organisation.

A **request** e.g. when a student asks for the provision of a service or facility, for action to be taken, for an explanation or justification.

A **comment** e.g. which is informal and does not require further action.

A **suggestion** e.g. for an improvement in provision of a course, service or facility.

A **report** e.g. when a student reports that something is wrong.

An **appeal** e.g. when a student 'appeals' i.e. requests a review of an Assessment Board decision.

- 2.2 The complaint must be about a matter relevant to the Organisation's activities and be made by a student, or a group of students, who must have a relationship with the Organisation of prospective, accepted, enrolled or past student status. (In the case of a complaint from a group of students, the complaint should be submitted on their behalf by the Student Representative).

Where it is inappropriate or not possible for the student to make the complaint this may be done on their behalf by a person, who in the view of the Organisation has a legitimate interest in the student's complaint (and with the student's knowledge and written consent) and that interest must be made clear to the Organisation.

- 2.4 A complaint must be made within three months of the occurrence of the relevant event or activity or its absence.
- 2.5 Where it is decided at any stage that the complaint does not meet these criteria and therefore shall not be considered, the reason for this shall be included in the response to the student.

3. Stage 1 Informal Complaint

- 3.1 Complaints of a minor nature can frequently be sorted out quickly by talking directly to the tutor or to the person providing the service.
- 3.2 It is anticipated that informal resolution of a complaint will be an oral process, no written record will be made and that the majority of complaints will be resolved in this manner.
- 3.3 If you wish make an informal complaint about any aspect of the Organisation's activities, please make contact with your Module Tutor or Course Manager.

4. Stage 2 Formal Complaint

- 4.1 A formal complaint must be made in writing on/or attached to, a completed and signed Student Complaint Record Form either by the person making the complaint or on their behalf by a person who, in the view of the Organisation, has a legitimate interest in the student's complaint (and with the student's written agreement (see 2.2 above)).

The Form and any additional documents should be sent to the Course Manager.

- 4.2 All complaints will be considered initially by the Course Manager who will decide if the Form (and any attachments) has/have been completed adequately and if the complaint is acceptable under the formal procedure.

A copy of the complaint will be forwarded to the Director of Administration/ Academic Coordinator / or their nominee which is the subject of the complaint for investigation. This person will undertake the role of Investigator of the complaint. It is the duty of the investigator to make any person subject to a complaint aware of the details as soon as possible (see 5.2 below).

- 4.3 The Quality Manager will make available guidance on complaints to the student and to that part of the Organisation considering it, where necessary.
- 4.4 The complainant will receive a written acknowledgement of the complaint normally within five working days of the completed Student Complaint Record Form being received by the Course Manager and, subsequently, either the written response to it or a report on progress, normally within 10 working days of receipt of the complaint and every 10 working days thereafter.

5. Considering Student Complaints

- 5.1 Student Complaints shall be handled by staff in accordance with the Code of Practice for Staff ie in an unbiased manner and without prejudice.
- 5.2 Where the student, or any individual against whom the complaint is made, participates in any investigation they are entitled to relevant documents (at least the complaint and any record of the outcomes of any previous stage) and to be accompanied and/or represented by another student or staff member of the Organisation at any hearing or interview. However, any person accompanying the complainant at such meetings must not be a legal representative.

- 5.3 The Quality Manager shall be kept informed by the person investigating the complaint on progress every 10 working days in order to maintain appropriate accurate records and will receive a copy of the letter of response to the student when this is issued.
- 5.4 A review of a complaint at the student's request at a subsequent stage of the procedures shall be on the grounds of a material error or irregularity in the handling of the original complaint or of the unreasonableness or unfairness of the decision reached. This review should consider whether the Student Complaints Procedure has been observed correctly and/or that the decision reached was reasonable and fair. The student may choose for this to be only by examination of relevant documentation.
- 5.5 The person investigating a complaint at any stage shall have access to all relevant documents, any other evidence and individuals, and may offer an informal resolution of the complaint at any stage.
- 5.6 Complaints will be dealt with in confidence as far as possible and only by those members of staff who need to consider them. Only information about the complaint that is necessary for the purpose of investigating and resolving the complaint and keeping appropriate records will be revealed to another person.
- 5.7 Documentation on the complaint will be kept in a secure location. Discussions and interviews on the matter will be held in private and may be recorded for accuracy.
- 5.8 If a complainant requests anonymity they will be advised by the Quality Manager that this may place limitations on the investigation and possible outcome. If this is likely to be the case, a request will be made for the student's agreement for disclosure of their name in connection with their complaint and it may be that the complaint will not be considered if anonymity is insisted upon.
- 5.9 A complaint which proves to be frivolous, malicious, libellous or vexatious can jeopardise the effective use of the procedure and may not be considered. This may result in disciplinary action. A complaint may not be considered if it is in, or accompanied by, an unacceptable form of behaviour or writing.

6. Outcome and Redress

- 6.1 The outcome of any stage in the procedure and the reasons leading to this decision shall be communicated in writing to the complainant, the Quality Manager and all other relevant parties normally within 10 working days of the decision being taken.
- 6.2 The outcome may include redress for the complainant and/or the removal of the cause of the complaint or a recommendation on either of these.
- 6.3 Any redress shall be determined by the person considering the complaint within the limits of their authority and any recommendation beyond this shall be to the appropriate person or part of the Organisation.
- 6.4 A member of staff or part of the Organisation receiving a recommendation for redress for a complainant or for other action to be taken shall consider this carefully and report their response to the student complainant, the Quality Manager and other relevant parties within 10 working days of the receipt of the recommendation.

7. Stage 3 Consideration by the Director

- 7.1 If the student is not satisfied with the outcome of Stage 2, they may submit a request to the Quality Manager for their complaint to be referred to the next stage giving their reasons in writing within 10 working days of the decision from Stage 2 being notified to them. Further consideration of a complaint at the student's request at a subsequent stage shall be on the grounds of a material error or irregularity in the handling of the original complaint. The student may choose for this to be only by examination of the relevant documentation.
- 7.2 If one or both of these grounds are present, a senior member of the organisation or the Director will investigate the complaint and respond directly to the complainant.
- 7.3 The response to the complaint from the Director represents the final response within its Student Complaints Procedures.
- 7.4 A copy of the response will be sent to the Quality Manager within 10 working days for record.

Last Updated: February 2019