

WESTMINSTER ADULT EDUCATION SERVICE

Compliments & Complaints Policy & Procedure

Ref No: LE3

Version:1

Owner:	Head of Learner Development	Approved by:	Signature of behalf of Executive Board  Arinola Edeh	Date of approval:	16.11.2021
Effective From Date:	16.11.2021	Effective To Date:	16.11.2022	Next Review Date:	October 2022

1. Purpose & Scope

1.1 Purpose

The Compliments and Complaints Process is to encourage an open and transparent approach to the management of both complimentary and critical feedback. This is applied to the full range of services provided by Westminster Adult Education Services.

WAES strives to provide the best quality of learning and services that meet or exceed expectations of learners and users. WAES promotes a culture that is responsive to feedback, whether complimentary or critical. Comments about our services are actively encouraged and acknowledged as a valuable source of information that we can evaluate and use to improve the quality of our provision to learners and other users.

Occasionally services fail, and this can lead to customer dissatisfaction, we seek to address and resolve all complaints within a specified period, in a manner that is supported by clear and accessible procedures that ensure thorough investigation and fairness.

Likewise, we seek to identify what has worked well, to enable spreading of good practice and reward staff. This is recorded within this policy as a compliment.

In addressing issues that may give rise to complaints, complainants are strongly encouraged to resolve the matter informally with appropriate members of staff. It is the WAES experience that good communication between concerned members of staff can frequently stop minor issues from developing into major ones and can avoid the need for the time and difficulties associated with formal investigations.

It is the responsibility of all staff to take action to deal quickly with issues or concerns as they arise, to communicate with others as needed, and discuss matters with their line managers before recommending that individuals follow the formal compliments and complaints procedure.

WAES recognises that there may be aspects of its operations that exceed or fall short of its requirements. Its aim is to identify areas of success, to share that good practice and reward appropriately. Alternatively, dissatisfaction should be managed as quickly as possible to improve the quality of service provided.

1.2 Scope

WAES defines a complaint as an expression of dissatisfaction about

- Standards of Service
- Action of lack of action by WAES or its employees
- Provisions of WAES affecting learners, visitors, or other stakeholders

This policy covers areas of WAES activities where an individual has a complaint arising from their learning experience. The Policy should not be used where an issue is covered by any other WAES policy. In such cases learners will be advised and directed to the appropriate policy e.g.,

Learner Behaviour & Disciplinary Policy, Attendance Policy, Academic Appeals Policy, Fitness to Study Procedure, Safeguarding and Radicalisation Policy, Admissions Policy etc.

Complaints must be made directly by the learner/s concerned unless they are in receipt of an Educational Health Care Plan (EHCP) or a learner who is classified as LDD in which case the parent/carer/ guardian or next of kin can do so on the learner's behalf.

All learners who study under WAES will fall under the scope of the policy. This includes learners studying AEB funded provision, Community Learners, Work based learners including Apprenticeships, Traineeships and Employability Sector Based Work Academy Programmes, Distance Learners, and all part-time learners.

2.Objectives

The objectives underpinning this policy are as follows:

- To Recognise and collect complimentary feedback in a formal and structured way
- Encourage complainants to resolve their dissatisfaction through open and informal procedures in the first instance
- Provide clear procedures for users of the Service to raise their comments in a way that is free from intimidation and excessive bureaucracy
- Ensure that staff are provided with the necessary guidance and skills to handle compliments and complaints effectively and appropriately, in accordance with the procedures
- Ensure that the complainant is advised of the outcome of their complaint within the specified timeframes
- Offer guidance and support to complainants with making their complaints and any subsequent appeals
- Ensure that privacy and confidentiality is respected when dealing with a complaint

3. Definitions/Abbreviations

WCC – Westminster City Council

EB – Executive Board

ESFA – Education & Skills Funding Agency

AEB- Adult Education Budget

4. Responsibilities

4.1 Learners

Learners have a responsibility to:

- Comply with the WAES Code of Conduct relating to Attendance, Behaviour and Commitment such as meeting deadlines, behaving appropriately etc.
- Bring the complaint to the College's attention as quickly as possible after the reason for the complaint occurs.
- Explain the facts of the complaint as clearly and in as much detail as possible, including any action you have already taken.
- Allow WAES reasonable time to deal with the complaint content.
- Accept that some circumstances may be beyond the College's control.

WAES recognises that, on occasion, a group of learners may wish to raise a common or re-occurring concern, in which case the group should nominate one of its number to act as its representative and to receive the response from the College.

4.2 All Service Staff

It is the responsibility of all WAES Service Staff to:

- Treat all complaints seriously, dealing with them promptly and courteously in accordance with the Compliments and Complaints policy
- Provide support and guidance to any student or member of the public who requests assistance to access the Compliments and Complaints process
- Respond promptly to any requests for information
- Treat all those involved with the complaint with respect
- Investigate impartially and deal with all information factually to conclude the complaint
- Ensure confidentiality is maintained throughout

4.3 Managers/Heads of Department

It is the responsibility of all managers/Heads of Department to:

- Ensure complainants are contacted immediately. Make initial contact about the issues and resolve their concerns, if possible, without the need for further investigation
- Include and update any relevant team member of progress and outcome of the investigation
- Keep Head of Learner Development and Central Administrator (lead Administrator for complaints) informed of progress if/when a complaint is not resolved within the published timelines
- Support members of staff who may be subject to a formal complaint
- Inform the relevant EB (Executive Board) member of all complaints and seek guidance if further assistance is required
- Ensure the complaint outcome and any preventative action is recorded on the central Feedback tracking log in a timely manner and those complaints are closed immediately following resolution of a complaint in line with the Compliments and Complaints policy

4.4 Investigating Managers

It is the responsibility of the Investigating Manager to:

- Ensure complainants are contacted immediately to make initial contact and resolve their concerns if resolution is possible without the need for further investigation
- Include and update the relevant team of progress and the outcome of the investigation
- Keep the Head of Learner Development and lead Administrator informed of progress if/when a complaint is not resolved within the published timelines
- Proactively listen to all those involved
- Record and update complaints accurately and consistently
- Move the investigation forward in a timely manner
- Ensure confidentiality is maintained throughout
- Investigate impartially and deal with all information factually to conclude the complaint
- Ensure outcome and any preventative action is recorded on the central Feedback log in a timely manner and those complaints are closed down immediately following resolution of a complaint in line with the Compliments and Complaints policy

4.5 Head of Learner Development

It is the responsibility of the Head of Learner Development to:

- Coordinate the Compliments and Complaints process and keep a record of all complaints received
- Send holding letters to complainants and keep them informed of progress if a complaint or appeal investigation/review is not resolved within the published timelines
- Monitor the Central Feedback Log for accuracy/consistency
- Produce a Termly Report Compliments and Complaints report for the Service Management Team, Executive Board Members and Performance Review Committee (PRC)
- Provide training to new Managers on investigating complaints
- Provide support and guidance on all matters relating to the Compliments and Complaints Policy
- Escalate to the Executive Board when complaints are not actioned correctly
- Manage the RAG rating of complaints in conjunction with Executive Board and Quality Assurance

4.6 Central Administration Teams

It is the responsibility of the appointed Administrator to:

- Log each complaint onto the dedicated complaints and compliments tracker
- Send out acknowledgment letter to complainant, alongside the complaint's procedure
- Liaise with Investigating Manager
- Take meeting minutes of any complaint interviews as requested through the investigating officer
- Collate any relevant information, as requested by Investigating Manager
- File and log all information linked with the complaint. Emails, letters, complaint outcomes etc.
- Log customer appeals
- Support the Head of Learner Development with reports tabled at Executive Board (EB) Senior Management Team (SMT) or Performance Review Committee (PRC)
- Support Head of Learner Development with tracking and monitoring of compliments and complaints

4.7 Assistant Principal Business Support Services

It is the responsibility of the Assistant principal Business Support Services to:

- Closely monitor complaints to ensure appropriate, timely action is taken in line with Compliments and Complaints policy
- Investigate appeals and ensure all information relating to each appeal, the outcome and any preventative action is recorded on the central Feedback log in a timely manner and that appeals are closed immediately following resolution of a complaint
 - Take appropriate action where Service Management Teams are not responding to complaints in line with the Compliments and Complaints policy

5.Compliments

5.1 How to Send Compliments

Please send your compliments through to feedback@waes.ac.uk Here your feedback will be recorded and shared with the staff member or service team you want to thank. This will be shared with the Principal and Head of Service as part of routine reporting. This informs our quality assurance framework and is reported routinely to the Governing Board. WAES will respond to all compliments.

5.2 Compliment Process

Step 1	Step 2	Step 3	Step 4
Compliment made	Compliment recorded & acknowledgement communication is sent. <i>(admin)</i> WAES-CCP/ S2	Compliment is shared with Head of Department and staff	Compliments report shared with Governing Board

6. Complaints

Your complaint will be shared with the Principal and Head of Service as part of routine reporting. This informs our quality assurance framework and will be reported routinely to the Governing Board.

6.1 How to Make a Complaint

To make a complaint you can go onto the website: www.waes.ac.uk/services/making-complaint. Alternatively, please send your complaint in writing to feedback@waes.ac.uk or addressed to Head of Learner Development, WAES, 219 Lisson Grove, London NW8 8LW.

Learners who are on Apprenticeship programmes can escalate a complaint to Gail Birkin Head of Apprenticeships and Professional Pathways GBirkin@waes.ac.uk
Gail will be able to liaise with External Assessors and Employers, if the issue is linked to Safeguarding email safeguarding@waes.ac.uk

6.2 Timelines

Learners must complain within these timelines:

- Complaints may be made by registered learners of WAES or by individuals who have until recently been enrolled.
- Registered learners must make their complaint within 30 calendar days of the origin of their concern.
- Individuals who are no longer registered learners must make their complaint within 30 calendar days of the cessation of their registration.

WAES must respond within these timelines:

- All complaints will be acknowledged within 5 working days of receipt and an initial response or outcome will be provided within 15 working days.
- If WAES needs longer to investigate a complaint, or it's during a holiday period and limited staff are available a notification will be given to the complainant about a variation in the timeline
- If we are unable to respond or resolve your complaint within these timelines the Head of

Learner Development will make contact to advise the target date for completion.

6.3 Closure of Complaints

WAES will deem a complaint closed if a request for appeal (see section 7 of this policy) is not received within 10 working days of the date of the letter the outcome to the original complaint. The closure will not be reversed. Closure does not affect your statutory rights to submit a petition to external agencies, other regulatory bodies, or a court of law.

6.4 RAG rating Complaints

Green	Complaints dealt with informally (quick investigation through Learner Development)
Amber	Complaints that need a minor investigation through Head of Learner Development with some support if required
Red	Complaints that need to be fully investigated through a lead Investigating Officer

6.5 Complaint Process (The 3 Stages)

Stage 1. Informal complaint

1.A	1.B	1.C	1.D	1.E
Informal complaint identified to a member of staff	Informal complaint is documented by a member of staff and forwarded to their line manager	Parties attempt to resolve issues informally by communicating with a member of staff	The issue is resolved	Unresolved - Go to Stage 2

Stage 2. Formal complaint

2.A	2.B	2.C	2.D	2.E	2.F
If you remain unsatisfied, register a formal complaint using the WAES Feedback Form or email feedback@waes.ac.uk	Complaint is logged & acknowledged. (admin)	Investigating Manager is assigned and communication is sent to Complainant. WAES-CCP /2.C	Manager will respond with an outcome within 15 working days. This will be sent to complainant by administration WAES-CCP /2.D	Issue is resolved. Complaint closed after 10 working days	Unresolved -Go to Stage 3

Stage 3. Appeal against outcome of investigation

3.A	3.B	3.C	3.D	3.E	3.F
Complainant will send letter of appeal to appeals@waes.ac.uk or in writing by post to Head of Learner	Appeal is logged, acknowledged, and passed to Principal and Head of	The Principal will review the complaint, examine all evidence and convene a	The Principal will respond to the complainant within 15 working days and copies sent	Problem resolved	Unresolved, you may appeal further - see section 7 below for

Development, WAES, 219 Lisson Grove, London NW8 8LW	Service Within 5 working days	meeting, if it is needed	to Head of Learner Experience WAES-CCP 3.D		guidance
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7. Outcomes and Appeals

7.1 Outcomes

On completion of the complaint investigation, the complaint will be classified in one of three ways: -

- **Upheld** – the complaint was fully justified and will result in corrective action being taken, e.g., an amendment of services/procedures, staff training, improved communications
- **Partially upheld** – certain aspects of the complaint were considered justified and will result in follow-up action
- **Not upheld** – the complaint was not justified.
- **Withdrawn** – complaint withdrawn by the college or the complainant

7.2 Appeal Against Outcome of Investigation (Stage 3)

If having made a complaint and you remain unsatisfied by the outcome, you are entitled to seek further guidance. You have the right of appeal if you have either or both of the following grounds:

- You reasonably believe that the **procedures** set out in this document have **not been complied with**; and/or
- **New evidence** has come to light which may affect the decisions already reached in relation to the complaint considered.

The complainant must formally make an appeal within 10 working days of the decision of the complaint being finalised. The appeal should include the complaint reference number, detail what steps have been taken to resolve the complaint and explain why the outcome is not considered satisfactory.

Appeals will be acknowledged within 5 working days, by administration and responded to within 15 working days. Some appeals, especially if they are complex, may take longer. If it is going to take longer to respond the Head of Learner Development will provide an update.

7.3 Further Appeals

If having **first exhausted the College's complaints procedure** you are still not satisfied with the outcome, you can contact several agencies depending on the complaint.

If you would like to progress your complaint further, see the contacts below or contact us for details of the most appropriate external agency, e.g., the awarding or funding body, to highlight your complaint to.

Clerk to Governors, Westminster Adult Education Service (WAES), Lisson Grove or call Executive

Officer (Tel: 020 7641 8102) and your query will be forwarded to the Clerk of Governors.

Westminster City Council – Email: stage2complaints@westminster.gov.uk, or Telephone: 020 7641 1911 or by post to: Westminster City Council, City Hall, 64 Victoria Street, London SW1E 6QP.

Awarding Organisation – You can contact the Awarding Organisation that regulates the qualification/s you are studying (City & Guilds, Pearson, UAL, NCFE, Gateway etc). Their details and complaints process can be found via their websites.

Education and Skills Funding Agency – Adult education Budget

Email complaints.ESFA@education.gov.uk or write to: the Complaints team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT

GLA - complaints@gla.gov.uk

Apprenticeship Learners. ESFA Apprenticeship Service Support on 08000 150 600 or helpdesk@manage-apprenticeships.service.gov.uk

8. Serial and vexatious complainants

A serial and/or vexatious complainant is someone who acts in an unreasonable manner, is unreasonably persistent in the way they raise their complaint. WAES has a duty of care for its employees, when dealing with a serial and/or vexatious complainant we reserve the right to refuse to investigate a complaint.

9. Associated Documentation/Linked Policies/Procedures

- Academic Appeals Policy
- Fitness to Study Policy
- Admissions Policy
- Learner Behaviour & Disciplinary Policy
- Safeguarding and Radicalisation Policy

10. Access to the Policy

The policy will be published on the WAES SharePoint Home Site under “Documents...WAES Policies” and the WAES website.

11. Monitoring and Review

The **Head of Learner Development** will review this document annually. The operation and effectiveness of this policy will be monitored and evaluated through regular reviews of the record of complaints and outcomes so that any patterns can be identified, and appropriate interventions made. WAES Governing body reviews an annual anonymised report.

Equality Impact Assessment / Safeguarding Considerations

Westminster Adult Education Service is committed to the promotion of equality, diversity and providing a supportive environment for all members of our community. Our commitment means that this policy has been reviewed to ensure that it does not discriminate (either intentionally or unintentionally) any of the protected characteristics of age, disability, gender (including gender identity), race, religion or sexual orientation and meets our obligations under the Equality Act 2010.

Name of Policy/Procedure	Compliments & Complaints Policy & Procedure
1 If Equality Impact Analysis is not relevant to this function, give reasons and proceed to section 5.	
2 In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?	There could be resource limitations in helping learners to follow all the requirements of this procedure. We would explore all the options available to us in order to support all users in their understanding and application of the procedure and make reasonable adjustments to the procedure if required, for instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations
3 In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans that will further advance equality?	This policy aims to be an open access and all-inclusive process. The annual review of complaints will look to identify any patterns and trends and actions to address these.
4 What evidence supports your judgement eg. Observations, Consultations, expert opinions, quantitative or qualitative surveys. If the evidence is in the form of additional documentation where is this stored?	Comprehensive and up to date Complaints Records
5 Has this function taken into account and cross-referenced where appropriate to Safeguarding policy and procedures? Give Details.	GDPR regulations have been considered and actions comply with data protection requirements.
POLICY OWNER	Annette Elizabeth Robson

Signed: Date:	16.11.2021
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Version Control Information

Version	Date	Revision Author	Summary of Changes
1	16 th November 2021	Annette Elizabeth Robson & Shaz Whitehouse	Added clarity around scope and learner responsibility. Included the different possible outcomes following complaint investigation. Made clear the 2 grounds for appeals to be considered. Added statement on serial and vexatious complaints