

Compliments and Complaints and Procedure

1. Introduction

Compliments and Suggestions

Your feedback is important to us as it helps us to improve our services to make sure we are meeting your needs. We are committed in providing high standard services to all our students/employers and your feedback is important to us as.

We can use compliments to help us identify what our students/employers value and highlight as good practice and we can build on our success and strive to provide exceptional levels of service.

We would welcome your compliments and suggestions and when received we will record details and pass on to the relevant service for consideration. If you would like to provide us with positive feedback about a particular member of staff or any part of our services, you can email Compliments@blackburn.ac.uk. We appreciate you taking the time to let us know what you think.

Blackburn College is committed to providing a high quality learning experience to all its' students, however, we recognise that there may be times when you feel the need to raise concerns or even make complaints about some aspect of your experience with us. The College wants to learn from complaints to improve the student experience in future.

Through this procedure, the College commits to:

- Taking all complaints seriously
- Responding to complaints in a timely manner and updating the complainant on any unforeseen delays
- Handling complaints confidentially and only disclosing information as necessary to progress the complaint
- Providing responses to all aspects of the complaint

This procedure provides guidance on the acceptable grounds for a complaint, the difference between raising a concern and making a complaint and how to complain. It also provides details of how your complaint will be dealt with.

Please read the procedure carefully before making a complaint. You may wish to seek further guidance from your Personal Tutor, Course Tutor or Head of School. If you are an Employer, you may seek further guidance from your Assessor, or a member of the Commercial and Business Development Team.

Blackburn College is committed to preserving the privacy of its' students and to comply with the General Data Protection Regulations (2018). To achieve this commitment, information about our students will be collected and used fairly, stored safely and not unlawfully disclosed to any other person. We guarantee that students making a complaint will be treated fairly, with dignity and respect and will receive support if required. The only time information about your complaint will be shared other than to progress the complaint is if there are safeguarding concerns.

At any time, you can contact Complaints@blackburn.ac.uk for further details and clarity around the complaints procedure and its contents or seek advice on any queries and questions you may have.

2. The Complaints Procedure

What is a Complaint and a Concern?

The College defines a complaint as a statement of dissatisfaction by one or more students about an unacceptable action or occurrence for which the College is responsible. A complaint is your opportunity to tell us when something is not right and you feel that it is the fault of the College. A concern is a worry or apprehension you may have which does not constitute as a complaint and can be expressed with your Tutor or Personal Tutor.

For further clarity around what constitutes as a complaint or concern, you can contact complaints@blackburn.ac.uk for more details. We can advise you if you need to be directed to another team who will be able to assist with your query or if an alternative College procedure needs to be followed.

Who can complain?

Any enrolled student or applicant of Blackburn College are able to submit a complaint. Parents or carer/guardians may also make a complaint on their behalf using this procedure. The College is only permitted to share details of a complaint with a parent or carer/guardian who have parental responsibility, this is for the purpose of safeguarding and promoting the student's welfare and complying with the Data Protection Act.

Employers may make a complaint under this procedure, in respect of a student or group of students undertaking training such as Apprenticeships, or in relation to a specific engagement with the College. In addition, any sponsor of a registered student may make a complaint under this procedure.

Students who are subject to breaks in training, who are temporarily suspended or have been excluded are able to make complaints using this procedure within a period of 1 calendar month.

Students who have completed or withdrawn from their studies may also make a complaint using this procedure within 1 calendar month.

We can accept complaints from groups of students as a collective complaint. In such instances the group should nominate a single spokesperson. The names and email addresses of each student must be included on the complaints form. Each student will be contacted to confirm they wish to be part of the group complaint. Any student from whom we do not receive confirmation from will be discounted from the group complaint and they will not receive a response. Please note that depending on the number of students and the complexity of the complaint, this may affect the timeframe for considering your complaint we will keep the spokesperson updated if we need a little longer than anticipated. Each of the complainants will receive the outcome either by email or as a completed Complaint Investigation Report along with information about any next steps. In case the group are not satisfied with the outcomes, the spokesperson should check if there are grounds to request a Review.

All potential complainants should be aware that their complaints will be handled with discretion and you have the option to withdraw your complaint at any time during the investigation. We cannot guarantee to maintain a complainant's anonymity during the complaint process as there may be times that this needs to be disclosed to key staff in order to access information, relevant to the complaint.

Appeals

Whilst in UCBC, HE Appeals are dealt with as part of the Academic Regulations, for Further Education, this procedure also serves as our process for academic appeals.

What can I complain about?

Complaints specifically may be made on the following grounds;

- Quality of Teaching, Learning and Assessment
- Ineffective access arrangements
- The way exam entries have been made / not made
- The conduction of examinations
- The way results have been handled

Complaints are unsuitable for:

- Other students (unless there is a specific allegation of harassment or bullying)
- In some instances, a complaint may overlap with an academic appeal such as academic decisions made by tutors, examiners or Boards, including End Point Assessment outcomes for Apprentices.
- Any academic matter that falls under the UCBC Academic Appeals Procedure
- Services and facilities external to the College such as transportation to and from the College
- The College does not investigate and cannot resolve anonymous complaints

Full Academic Appeals/Complaints procedure is held by Examinations

Before I make a complaint

If you are considering making a complaint, you must read this procedure carefully to ensure you have understood the complaints process and what the College will need from you. You will need to decide what you want to happen as a result of your complaint.

Complaints handling

The Complaints Procedure starts with an informal stage followed by 3 formal stages. Each case is considered individually and during the formal stages, the Investigating Officer will speak with the appropriate staff members and gather evidence in order to provide a detailed and clear response. Please note that timings which relate to responses by the College, may experience a delay during non-teaching weeks. You will be notified of any delays. You can contact Complaints@blackburn.ac.uk for an update on the progress of your complaint.

Informal Stage

Often complaints can be resolved quickly and easily by having a face to face informal conversation and raising awareness with a member of staff, Tutor or Personal Tutor. It is important that all attempts of reaching an informal resolution at a local level have been exhausted before considering progressing to the formal stages. It is the aim of the College to resolve all complaints at this early stage.

You can approach the staff member verbally or in writing although it is not necessary to put this level of complaint in writing.

Employers are encouraged to attempt to resolve issues locally with the assessor or manager for the curriculum area concerned at any stage, but particularly at apprentice reviews.

Stage 1 Formal Complaint

If the informal stage has failed to produce a satisfactory resolution or you are not able to communicate or approach the staff member for any reason, you can refer the matter in writing on the Formal Stage 1 form.

How do I submit my request for a Stage 1 Formal Complaint

Students/Employers making a formal Stage 1 complaint must complete the Stage 1 Complaint form which attached at the end of this procedure and can be accessed on the home page of Blackburn College Website under Useful Links to print or download.

The form asks you to provide a summary of the steps taken and the outcome of the Informal Stage if applicable.

A clear detailed description of your complaint must be provided, along with copies of any letters or emails related to the complaint. The form requires, student ID number, contact details, Tutor and the course you are completing. These details must be provided to ensure we are accessing your correct details on the College system to liaise with the appropriate staff members.

You should follow the instructions on the form, submitting it to Complaints@blackburn.ac.uk

Forms for the Stage 1 can also be hand delivered in person to the Hub, Beacon Centre (reception). In return, students will be given a reference number which will act as a receipt for their complaint form. The form will then be scanned and emailed for processing to Complaints@blackburn.ac.uk

What happens next?

Once you have submitted your Stage 1 complaint you will receive an email within 3 working days acknowledging receipt of your complaint. Following this, a further email will be sent informing you of the Head of School or Curriculum Team Leader who has been appointed as the Investigating Officer. They will make a decision as to whether or not your submission has grounds to proceed as a complaint. If the submission cannot be taken forward, you will receive a rationale as to why this is the case.

If you are asked to attend a meeting to discuss your complaint further, you will receive a set of notes from the meeting. You will be asked to confirm that you are happy that they represent the conversation during the meeting. We allow students to be accompanied at the meeting for support or you can ask for someone to be present. For further advice, contact Complaints@blackburn.ac.uk.

Time Limit

After completion of the investigation, you will receive an outcome letter from the Investigating Officer that outlines the decision and whether your complaint has been upheld (agreed with) or not upheld (no case to answer). This will explain the reasons around the decision reached and, in the case of your complaint being upheld, will recommend any actions or solutions as applicable. The College's aim is to provide a written response within 15 working days, but College closures and staff annual leave may necessitate a longer response period. Where this is the case you will be informed of the revised time limit. Also, should your case be deemed to be unusually complex an extension to the investigation will be agreed and you will be contacted informing you of the delay.

If you are not satisfied with the outcome of Stage 1, you may be eligible to progress the complaint to Stage 2 Appeal.

Stage 2 Appeal

If you do not accept the outcome from the Stage 1, for any of the reasons below, then you may proceed to the Stage 2 Appeal.

- a. That new evidence has come to light that was not or could not have been available during the Stage 1 investigation
- b. That there is evidence that the investigation at Stage 1 has not been conducted properly e.g. maladministration
- c. That there is evidence that the judgement reached at Stage 1 was biased or unfair

If you feel that your complaint meets one or more of the above grounds and you can provide evidence to substantiate this, then you may request a Stage 2 Appeal.

How do I submit my request for a Stage 2 Appeal?

Students/Employers must make a formal Stage 2 Appeal using the specified Stage 2 Appeal form which is attached at the end of this procedure and can be accessed on the home page of Blackburn College Website under Useful Links to print or download.

You should follow the instructions on the form, submitting it to complaints@blackburn.ac.uk

Forms for the Stage 2 Appeal can be hand-delivered in person to the Hub, Beacon Centre (reception). In return, students will be given a reference number which will act as a receipt for their complaint form. The form will then be scanned and emailed for processing to complaints@blackburn.ac.uk.

You have 10 working days from receiving the Stage 1 outcome to request a Stage 2 Appeal via complaints@blackburn.ac.uk. This includes any time you need to collect further for evidence to fulfil the grounds above. If you require extra time and there are exceptional circumstances, these must be agreed via complaints@blackburn.ac.uk.

What happens next?

Once you have submitted your Stage 2 Appeal, you will receive an email within 3 working days acknowledging receipt of your appeal form. Following this, a further email will be sent informing you of the name of the Investigating Officer. This will be a member of the College Leadership Team. They will make a decision as to whether or not your submission has grounds to proceed as a complaint. If the submission cannot be taken forward, you will receive a rationale as to why this is the case.

If you are asked to attend a meeting to discuss your complaint further, you will receive a set of notes from the meeting. You will be asked to confirm that you are happy that they represent the conversation during the meeting. We allow students to be accompanied at the meeting for support or you can ask for someone to be present. For further advice, contact complaints@blackburn.ac.uk.

Time Limit

After completion of the investigation, you will receive an outcome letter from the Investigating Officer that outlines the decision and whether your complaint has been upheld (agreed with) or not upheld (no case to answer). This will explain the reasons around the decision reached and, in the case of your complaint being upheld, will recommend any actions or solutions as applicable. The College's aim is to provide a written response within 15 working days, but College closures and staff annual leave may necessitate a longer response period. Where this is the case you will be informed of the revised time

limit. Also, should your case be deemed to be unusually complex an extension to the investigation will be agreed and you will be contacted informing you of the delay.

If you are not satisfied with the outcomes of the Stage 2 Appeal, you may be eligible to progress the complaint to Stage 3 Final Appeal. You have 10 working days from receiving the Stage 2 Appeal outcome to submitting your request for a Stage 3 Final Appeal.

Stage 3 Final Appeal

If you do not accept the outcome of the Stage 2 Appeal, for any of the reasons below then you may proceed to the Stage 3 Final Appeal, which is the final stage of the complaints process.

- d. That new evidence has come to light that was not or could not have been available during the Stage 2 investigation
- e. That there is evidence that the investigation at Stage 2 has not been conducted properly e.g. maladministration
- f. That there is evidence that the judgement reached at Stage 2 was biased or unfair

If you feel that your complaint meets one or more of the above grounds and you can provide evidence to substantiate this, then you may request a Stage 3 Final Appeal.

How do I submit my request for a Stage 3 Final Appeal?

Students must make a formal Stage 3 Final Appeal using the specified Stage 3 Final Appeal form which is attached at the end of this procedure and can be accessed on the home page of Blackburn College Website under Useful Links to print or download.

You should follow the instructions on the form, submitting it to complaints@blackburn.ac.uk

Forms for the Stage 3 Final Appeal can be hand delivered in person to the Hub, Beacon Centre (reception). In return, students will be given a reference number which will act as a receipt for their complaint form. The form will then be scanned and emailed for processing to complaints@blackburn.ac.uk.

You have 10 working days from receiving the Stage 2 Appeal outcome to request a Stage 3 Final Appeal via complaints@blackburn.ac.uk. This includes any time you need to collect further for evidence to fulfil the grounds above. If you require extra time and there are exceptional circumstances, these must be agreed via complaints@blackburn.ac.uk.

What happens next?

Once you have submitted your request for a Stage 3 final appeal, you will receive an email within 3 working days acknowledging receipt of your appeal form and advised that this will be forwarded to the Investigating Officer, Vice Principal of Finance and Corporate Services. They will make a decision as to whether or not your submission has grounds to proceed as a complaint. If the submission cannot be taken forward, you will receive a rationale as to why this is the case.

If you are asked to attend a meeting to discuss your complaint further, you will receive a set of notes from the meeting. You will be asked to confirm that you are happy that they represent the conversation

during the meeting. We allow students to be accompanied at the meeting for support or you can ask for someone to be present. For further advice, contact complaints@blackburn.ac.uk.



Time Limit

After completion of the investigation, you will receive an outcome letter from the Investigating Officer that outlines the decision and whether your complaint has been upheld (agreed with) or not upheld (no case to answer). This will explain the reasons around the decision reached and, in the case of your complaint being upheld, will recommend any actions or solutions as applicable. The College's aim is to provide a written response within 15 working days, but College closures and staff annual leave may necessitate a longer response period. Where this is the case you will be informed of the revised time limit. Also, should your case be deemed to be unusually complex an extension to the investigation will be agreed and you will be contacted informing you of the delay.

If you remain dissatisfied with the outcomes of the Stage 3 Final Appeal, you can escalate the complaint further outside of the College.

Taking your complaint further

If all the stages of the Complaints procedure have been completed and you still feel dissatisfied with the outcome of your case, then you are within your rights to take your complaint external to the College addressing Education and Skills Funding Agency for Further Education Students

Complaints team,
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT
complaints.ESFA@education.gov.uk

Additionally, if you are an Apprentice or an Apprentice Employer you can contact ESFA Apprenticeship Service Support on 08000 150 600 or helpdesk@manage-apprenticeships.service.gov.uk

OR if you are a Higher Education student **either** Office of the Independent Adjudicator (OIA)

OIA, Second Floor
Abbey Gate
57 – 75 Kings road
Reading
RG1 3AB
enquiries@oiahe.org.uk

or the awarding partner, if your award is validated by the University of Lancaster or the University of Central Lancashire, depending on the nature of your complaint. Where a student on an award with the University of Lancaster or the University of Central Lancashire is unsatisfied by the response of their awarding body, they will be issued with a completion of proceedings letter and can, if they wish, complain to the OIA. Students whose award is validated by the University of Cumbria or the University of South Wales can, once Blackburn College's complaints process has been exhausted, appeal directly to the Office of the Independent Adjudicator (OIA). The Stage 3 Final Appeal outcome response will be the completion of procedure letter from the College which will signpost the relevant next steps for you in line with our contractual agreements with our partner universities.

3. Monitoring, Reviewing and Learning from Complaints

This procedure is held by the College Quality and Standards Unit. It is the responsibility of Head of Quality and Standards (FE and WBL) and Head of Quality and Standards for HE to monitor and review the effectiveness of the procedure, and to ensure that the College learns from the complaints it receives. There is a consistent approach in recording and reviewing the outcomes regularly in order to implement improvements to the procedure and to other areas of practice as appropriate as a result of learning from the outcomes of complaints. The recommendations identified from a complaint indicate actions which the investigating officer communicates with the appropriate managers.

This is done via:

- Updates by semester to Assistant Principals (FE) and Executive Dean on complaints from their areas (number, nature, stage, resolution, characteristics of complainants)
- Semester 1 and 2 reports to Academic Board and Learning and Quality Committee, drawing on data from the termly updates and an analysis of the resolutions to create recommendations for improvements to this procedure and/or others, as appropriate
- Annual Review to the Policy and Resources Committee and Academic Board.

4. Related Policies/Procedures/Codes and Guidance

This procedure should be read in relation to:

- The Student and Staff Pledge on Moodle
- Academic Regulations for UCBC and in particular the Mitigating Circumstances / Academic Appeals / Misconduct procedures

All these procedures and guidance can be accessed on the home page of Blackburn College Website under Useful Links – Complaints and Compliments.

This procedure has been developed in accordance with the Office of the Independent Adjudicator's 'Good Practice Framework for Handling Complaints and Appeals' and the UK Quality Code for Higher Education.

5. Equality Impact Assessment

Blackburn College 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. Therefore, this policy has no adverse impact on any of the above protected groups.

6. Diversity Monitoring

Blackburn College recognises that our response to complaints plays a vital role in our drive to promote equality and diversity, eliminate discrimination and safeguard our users from abuse and harassment.

The College aims to ensure that unfair discrimination does not take place when a student makes a complaint. Blackburn College is committed to preserving the privacy of its students and to complying with the General Data Protection Regulations 2018. To achieve this commitment, information about our students will be collected and used fairly, stored safely and not unlawfully disclosed to any other person.

Complaints relating to Equality and Diversity will be identified on termly reports to the Single Equality and Safeguarding Committee and the Academic Board.

7. Dissemination of and Access to the Procedure

This procedure is accessible on the Blackburn College Website.

All College procedures, once approved, will be held electronically in a document repository on the College's intranet and a hard copy deposited in the Executive Office.

8. How we use your Personal Information – Privacy Statement

A reminder of the privacy statement from your current enrolment form:


This privacy notice is issued by the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department of Education (D of E). It is to inform learners how their personal information will be used by the D of E, the ESFA (an executive agency of the D of E) and any successor bodies to these organisations. For the purposes of the Data Protection Act 1998, the D of E is the data controller for personal data processed by the ESFA. Your personal information is used by the D of E to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information may be shared with third parties for education, training, employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with the Data Protection Act 1998. The English European Social Fund (ESF) Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training. You can opt out of contact for other purposes by ticking any of the boxes in the 'Contact Methods' section of your enrolment form if you do not wish to be contacted:

Further information about use of and access to your personal data, and details of organisations with whom we regularly share data are available at: <https://www.gov.uk/government/publications/esfa-privacy-notice>.

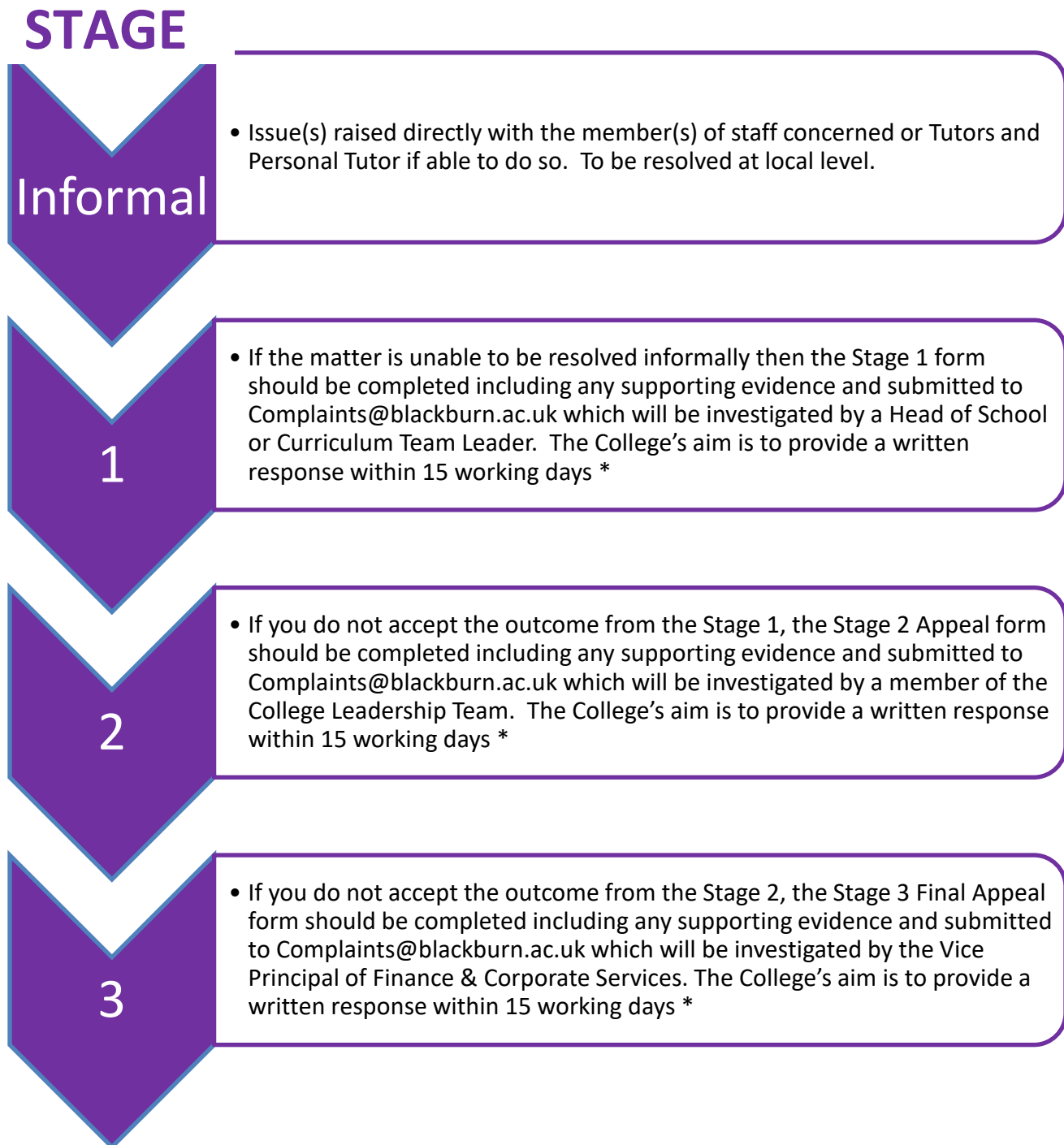
On completion of your course and on receipt of your certificate/s from the awarding body, the College will send out said certificates to your most current address, 2nd class post. You must therefore keep your address details up to date by notifying the College Registry should you move house. Any certificate posted out to an incorrect address due to non-notification of an address change will mean you, the learner, will be charged a full cost for certificate replacement. The College will not be liable for any lost or damaged certificates in the post. Should you wish the College to retain your certificate you must inform the Registry department in advance of the completion of your course. If you ticked that you are unemployed and have provided evidence that you are in receipt of a benefit, you are also confirming that you wish to enter employment and that the enrolment to the programme detailed on this form will provide the skills and training to do so. If have declared false information, action may be taken against you to reclaim tuition fees and any associated costs.

For learners under 18 years of age only: I agree that the College may contact my parents or guardians over concerns relating to my academic performance, attendance, punctuality or behaviour.

| | |
|--------------------------|--|
| Author: | Head of the Quality of Education |
| Consulted with: | OIA, complaints officer, awarding partners, investigating officers |
| Date of approval: | 18 January 2022 |
| Approved by: | Academic Board |
| Next Review date: | January 2023 |

| | | |
|-------------------|---|--------------|
| Signed By: | Signature: | Date: |
| A. CHADSON |  | 27/1/22 |

Blackburn College Internal Complaints Process



Once all the Colleges complaint stages have been exhausted, the complainant has the right to contact Education and Skills Funding Agency for Further Education Students and Additionally, Apprentices and Apprentice Employers can contact ESFA Apprenticeship Service Support on 08000 150 600 or helpdesk@manage-apprenticeships.service.gov.uk or for Higher Education students **either** the Office of the Independent Adjudicator **or** the awarding partner for your programme depending on the nature of your complaint.

* The College's aim is to provide a written response within 15 working days, however College closures and staff annual leave may necessitate a longer response period. Where this is the case you will be informed of the revised time limit. Also, should your case be deemed to be unusually complex an extension to the investigation will be agreed and you will be contacted informing you of the delay.

Stage 1 - Formal

| | | | |
|-------------------------------|--|--|--|
| Name: | | Date: | |
| Address & Postcode | | | |
| Telephone No: | | Student Email or Personal Email | |

| | | | |
|-------------------------|--|----------------------|--|
| Student ID Code: | | Course Tutor: | |
| | | Course Title: | |

Have you tried to resolve the issue at the Informal Stage? If 'yes', please provide the outcome and if 'no', please provide the reasons why

It is important that all attempts have been reached at the informal stage before progressing to the formal stages.

Yes ☐

No ☐

Please provide details of your complaint including:

- The nature and grounds for complaint;
- When the incident occurred;
- Attach any evidence with this form
- Explain briefly what you might consider to be a satisfactory resolution to your complaint.
(continue on a separate sheet if necessary)

Diversity Monitoring

The College aims to ensure that unfair discrimination does not take place when a student makes a complaint.

Blackburn College is committed to preserving the privacy of its students and to complying with the General Data Protection Regulations 2018. To achieve this commitment, information about our students will be collected and used fairly, stored safely and not unlawfully disclosed to any other person.

Please return this form to:

Quality and Standards Unit

Harrison Centre
Blackburn College

Or

complaints@blackburn.ac.uk

Stage 2 - Appeal

| | | | |
|-------------------------------|--|--|--|
| Name: | | Date: | |
| Address & Postcode | | | |
| Telephone No: | | Student Email or Personal Email | |

| | | | |
|-------------------------|--|----------------------|--|
| Student ID Code: | | Course Tutor: | |
| | | Course Title: | |

| |
|--|
| <p style="text-align: center;">Please provide information and evidence of your grounds for appeal. You may attach evidence of emails, doctors notes etc to the form if appropriate</p> <ul style="list-style-type: none"> That new evidence has come to light that was not or could not have been available during the Stage 1 investigation That there is evidence that the investigation at Stage 1 has not been conducted properly e.g. maladministration That there is evidence that the judgement reached at Stage 1 was biased or unfair Explain briefly what you might consider to be a satisfactory resolution to your complaint. <p style="text-align: center;"><i>(continue on a separate sheet if necessary)</i></p> |
|--|

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Please return this form to:

Quality and Standards Unit

Harrison Centre
Blackburn College

Or

complaints@blackburn.ac.uk

Stage 3 - Final Appeal

| | | | |
|-------------------------------|--|--|--|
| Name: | | Date: | |
| Address & Postcode | | | |
| Telephone No: | | Student Email or Personal Email | |

| | | | |
|-------------------------|--|----------------------|--|
| Student ID Code: | | Course Tutor: | |
| | | Course Title: | |

Please provide information and evidence of your grounds for appeal.
You may attach evidence of emails, doctors notes etc to the form if appropriate

- That new evidence has come to light that was not or could not have been available during the Stage 2 investigation
- That there is evidence that the investigation at Stage 2 has not been conducted properly e.g. maladministration
- That there is evidence that the judgement reached at Stage 2 was biased or unfair
- Explain briefly what you might consider to be a satisfactory resolution to your complaint.

(continue on a separate sheet if necessary)

Diversity Monitoring

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Blackburn College is committed to preserving the privacy of its students and to complying with the General Data Protection Regulations 2018. To achieve this commitment, information about our students will be collected and used fairly, stored safely and not unlawfully disclosed to any other person.

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complaints@blackburn.ac.uk