



Reference: **QC_02_01a**

Policy: **Complaints and Compliments Procedure**

Owned by: Senior Quality and Compliance Officer

Approved by: Director of Quality of Education

Review date: May 2025 Version: 5 October 2025

Date of next review: August **2028**

Please contact us on 01904 770372 or email us at qi-admin@yorkcollege.ac.uk if you would like this document in an alternative format

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Relationship to other documents

This is a procedure which falls under the Quality Improvement Strategy and should be read in conjunction with that Strategy.

Introduction

Staff at York College welcome feedback and take all complaints seriously, whilst also valuing compliments. A complaint is defined as “a statement that something is unsatisfactory or unacceptable” (Lexico, 2021) and a compliment as “a polite expression of praise or admiration” (Lexico, 2021). We will act appropriately whenever complaints are received. The College takes the view that a complaint is an opportunity to improve our level of service.

When a complaint or compliment is received, it is forwarded to the Quality and Compliance (Q&C) Team for recording and disseminating as appropriate.

The College complaints procedure comprises of three stages **informal** complaints, **formal** complaints and finally **appeals**. The procedure applies to all services, and we accept complaints from students, apprentices, parents of students or apprentices (subject to permission), employers and members of the public.

An **informal** complaint is one which can be dealt with, without the need for a formal investigation, within 5 working days. The informal complaint will be recorded and forwarded to the relevant Manager for information and/or action. The relevant manager will contact the complainant as appropriate to discuss and resolve the concerns raised. Where a resolution is not possible, the relevant Manager can advise on the process required to start a formal complaint. If a pattern of a particular type of informal complaint begins to emerge, the Senior Quality and Compliance Officer (SQCO) may initiate an investigation.

Formal complaints will be investigated by an appropriate manager and will normally be the outcome of an informal complaint which has not yet been resolved. The College will not usually accept a formal complaint unless there has been an attempt to resolve it at the informal stage.

Appeals are made at the end of the complaints procedure when a complainant believes that there is a significant reason why the process completed is flawed.

The Complaints and Compliments Procedure does not apply to appeals against an assessment decision relating to an academic award or progression on a programme of study. These matters are covered by the [Academic Appeals Procedure](#). If the College receives a complaint that the College believes would be more appropriately dealt with as an academic appeal, it may decide to follow the Academic Appeals Procedure.

Making a complaint

Anyone wishing to make a formal complaint can complete a Complaints Form (see page 6) however, we recognise that it is not always possible to do this and therefore a letter or e-mail will suffice. Where a complainant wishes to make a formal complaint over the telephone or in person, they should be advised to put their complaint in writing unless there are exceptional reasons as to why this may not be possible.

Quality & Compliance will ascertain whether the complaint has been through the informal stage before either progressing it to the investigation or passing it onto the relevant

manager as an informal complaint. In exceptional cases, a formal complaint will be accepted directly.

Anonymous complaints will not be investigated. Complaints that the SQCO or an investigating manager consider to be vexatious or malicious may not be investigated.

Complaints must be raised within one calendar month of the incident or where a series of associated incidents have occurred, within one month of the last of these incidents. Complaints must be received within one month of the course finishing. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints by a third party on behalf of a student:

For any student or apprentice aged 18 or over, the complaint must come from them directly and we will not deal with complaints by a third party on their behalf. The exception to that would be students with an EHCP where the age at which third party complaints will no longer be accepted is 25.

For all other students and apprentices, complaints should be made directly by the student/apprentice themselves and not by a third party on their behalf. Where this is not possible, complaints that are made by a third party (e.g. parent, guardian, employer) will ordinarily only be considered if a signed statement is received from the student/apprentice confirming their agreement for the complaint to be investigated and for all information to be shared with the complainant. It is the responsibility of the student/apprentice to advise the college if there is any sensitive information that may be part of the investigation and response that they do **not** wish to be shared with the complainant. It should be noted by the complainant that if this is the case, this may hamper the investigation and may limit the response the college is able to give. Where a third-party complaint raises a safeguarding concern, an investigation may take place without the student/apprentice's consent.

Managing Formal Complaints

The Quality and Compliance Team will acknowledge receipt of the complaint within **three** working days, though if there is no evidence of a previous informal response they will request this from the complainant.

The Senior Quality and Compliance Officer (or in their absence a member of the Strategic Leadership Team (SLT)) will direct the complaint to the most appropriate manager to investigate. It is the responsibility of the Quality and Compliance team to check that where the complaint is from a third party, the student/apprentice themselves has provided a signed statement of authority and to ensure the investigating manager is made aware of any sensitive information that must not be disclosed to a third party. Where a signed statement of authority does not accompany a complaint, the Quality and Compliance Team should respond to the complainant stating that the complaint cannot be investigated and draw the complainant's attention to the relevant section of this policy.

Once an investigation is initiated, it should be completed and forwarded to the Quality and Compliance Team within fifteen working days. If that cannot happen, it is the responsibility of the investigating manager to advise the Quality and Compliance Team of the reasons for the delay and anticipated date, though a request for information will

be sent by the Quality and Compliance team if necessary. The Quality and Compliance Team will inform the complainant

The investigating manager should investigate the complaint thoroughly. They should then write a written response. A written response should be sent to the Quality and Compliance Team who will send it on to the complainant (within **five** working days) with a copy of this policy should they wish to make an appeal. All evidence associated with the investigation should also be sent to the Quality and Compliance Team to be filed.

Once a complaint has been logged as a formal complaint and an investigation is underway, all communication must go through the Quality and Compliance Team. This will enable all communication to be filed and will ensure consistency in our approach to responses. It will also enable the Quality and Compliance Team to track key issues and actions taken because of formal complaints.

Appealing the Outcome of a Complaint

The complainant can appeal against the outcome of the investigation. The complainant must identify that:

- a) the initial complaint was not investigated according to this procedure and/or
- b) all the evidence at the time of the investigation was not considered. (Additional evidence cannot be produced at this point).

An appeal is **not** another investigation of the facts of the original complaint.

The appeal must be in writing and received by the Senior Quality and Compliance Officer within **ten** working days from the date of the written response sent regarding the outcomes of the original complaint. Ordinarily, the Director of Quality of Education will review the appeal, but this may be delegated to another member of SLT as appropriate. The Director of Quality of Education (or other member of SLT) will then decide if the appeal is valid before investigating the circumstances surrounding the initial investigation or assigning a new investigating (appeal) manager to do this. Appellants will be informed of the decision made at this point.

Appellants **may** be invited to a meeting (face-face or online) to consider the appeal, and this will ordinarily take place within **ten** working days of the College receiving a written notice of appeal. Where it is not possible to hold such a meeting within this timescale, the complainant will be kept informed.

Ordinarily, appellants will receive written notification of the appeal decision within these timescales:

- where no meeting is held - within **ten** working days of the College receiving the written notice of appeal
- where a meeting is being held - within **five** working days of the meeting.

The decision reached, because of consideration of the appeal, will be final. Appellants will be sent a "Completion of Procedures at York College" (CoP) letter saying that they have come to the end of the York College complaint procedure and outlining if they have the right to appeal to any external organisation. In many cases,

external bodies will not accept complaints unless a CoP letter has been issued by the College.

If the complaint is about an aspect of College activity which is not funded from an external funding body, then there is no automatic right of appeal to a further body. There are three situations in which such appeals can be made. These are:

a) Complaints from students undertaking College run courses, where the Awarding Organisation allow appeals from students studying their qualifications within the College

Some Awarding Organisations (such as CIPD, NEBOSH, SEG, and Signature) allow students who have been studying at the College the right to appeal any complaint that the College has dealt with to them. CoP letters will ensure that complainants are made aware of the contact details, timescales and other information required to appeal the College's decision should that facility exist.

b) Complaints from students undertaking courses funded by the Education and Skills Funding Agency (ESFA)

Where the course has been funded by the ESFA, appeals about the outcomes of a complaint should be directed to them. The ESFA will not usually investigate complaints until the College's procedure, including the appeal, has been exhausted. Appeals to the ESFA should be made within 3 months of getting a decision from the College. More information can be found on the following website

<https://www.gov.uk/complainfurthereducation>

c) Complaints Relating to Higher Education (HE) provision

If after the internal procedures for York College have been exhausted the complainant remains dissatisfied, they will

- a) have the right to refer the matter to the Office of the Independent Adjudicator who will either review the case or pass it on to the relevant Awarding Organisation. The College's Closure of Proceedings at York College letter will make it clear how the complainant can proceed.
- b) Where the provision is validated by a University, the decision of the College will be reviewed by the University. The College's Closure of Internal Proceedings letter will make it clear how the complainant can proceed

The OIA is an independent body established to consider student complaints which have not been resolved internally. Appeals to the OIA should be made within 12 months of getting a decision from the College. This service is free to students. More information can be found on the OIA website: www.oiahe.org.uk

Complaints/Compliments/Comment Form



YORK COLLEGE COMPLAINTS FORM

For Students Aged 16–18 and Their Parents/Guardians



Complainant Details

- **Full Name:**
- **Date of Birth (if student):**
- **Student ID (if known):**
- **Course Name:**
- **Year of Study:**
- **Contact Email:**
- **Phone Number:**
- **Postal Address:**



Parent/Guardian Section (if applicable)

- **Your Name:**
- **Relationship to Student:**
- **Has the student given written permission for you to submit this complaint?**
☐ Yes (please attach signed statement) ☐ No
- **Does the student have an EHCP and is under 25?**
☐ Yes ☐ No



Complaint Details

- **Date of Incident:**
- **Location of Incident (e.g. classroom, online, canteen):**
- **Names of Staff or Students Involved (if known):**
- **Have you already raised this informally?**
☐ Yes ☐ No
- **If yes, who did you speak to and what was the outcome?**



Description of Complaint

(Please describe clearly what happened, including dates, times, and any relevant context. Attach extra pages if needed.)

 Supporting Evidence

(List and attach any documents, screenshots, emails, or other evidence.)

 Desired Outcome

(What would you like to see happen as a result of this complaint?)

 Confidentiality Request

Do you wish your identity to be kept confidential during the investigation?

☐ Yes ☐ No

Note: This may limit the College's ability to fully investigate.

 Declaration

☐ I confirm the information provided is accurate to the best of my knowledge.

☐ I understand that malicious or false complaints may not be investigated.

☐ I understand that anonymous complaints will not be accepted.

☐ I understand that complaints must be submitted within 3 months of the incident.

- **Signature:**

- **Date:**

 Submission Options

You can submit this form by:

- **Email:** qi-admin@yorkcollege.ac.uk

- **Post:** Quality & Compliance, York College, Sim Balk Lane, York YO23 2BB

- **In Person:** Hand it in at Welcome Desk (mark envelope *Private and Confidential*)