

TST (South West) CIC Complaints and Appeals Procedure

1. Purpose

1.1 To detail TST (South West) CIC processes for resolving complaints.

2. Applies to

2.1 Complaints raised by participants, partners, guardians, employers, customers, staff members or the general public in relation to college activities, staff and provision.

2.2 It is not applicable to participants or staff members who have a grievance against an individual person such as another staff member or participant. Such grievances are the subject of separate staff and participant grievance procedures.

3. Responsibility

3.1 **Education Manager (EM) and Business Manager (BM):** for maintaining an overview of complaints and their satisfactory resolution.

3.2 **Education Manager (EM) and Business Manager (BM)** for

- a. Monitoring the operation of the complaints system
- b. Briefing, and where necessary involving, the HoE in investigations
- c. Termly analysis of formal complaints.
- d. Managing the investigation and resolution of formal complaints within their areas of responsibility
- e. Allocating suitable staff to investigate complaints
- f. Completing Complaint Checklists and acquiring and retaining related documentation.

3.3 **Staff / Instructors:** for

- a. Investigating and taking action to resolve formal complaints that involve the managers in 3.1 & 3.2 and more senior managers.
- b. Taking action, on receipt of complaints, in accordance with this procedure.

4. Processes and documentation

STEP 1- INFORMAL RESOLUTION

4.1 Wherever possible, staff should endeavour to resolve complaints informally. Complaints of a minor nature should be raised immediately with:

- a. A member of staff directly involved or who is able to address the concerns or solve the problem directly and informally.
- b. The Complainant's Personal Tutor or Instructor.
- c. EM or BM, who can advise who best to contact with regard to a complaint.

STEP 2 - FORMAL WRITTEN COMPLAINTS

- 4.2 A complaint will be regarded as formal if it is of a serious nature and/or cannot be satisfactorily resolved on an informal basis by TST (South West) CIC or individual against whom it is directed.
- 4.3 Formal complaints must be submitted in writing to the EM.
- 4.4 Complainants should provide details of their name and address together with all supporting information regarding the complaint e.g. relevant documentation, details of dates, locations and witnesses if appropriate. Complainants should also detail any previous attempts to resolve the problem and what action they would like taken to resolve the complaint.
- 4.5 If the complainant is unable for any reason to submit a complaint in writing, a member of staff will record all the details on a Complaint Form.
- 4.6 The EM will acknowledge formal complaints in writing within 5 working days of receipt. The acknowledgement will detail who the complaint has been referred to for investigation.
- 4.7 The EM will refer will then communicate directly with the complainant.
- 4.8 The EM or BM will investigate the complaint fully and provide a full response within 20 working days.
- 4.9 During the course of their investigations the EM or BM may arrange to meet with:
 - a. The complainant to discuss the complaint.
 - b. Any person(s), if appropriate, who are the subject of the complaint.
- 4.10 During any meetings the complainant and/or subject of the complaint may be accompanied by a colleague or fellow participant. A written record of all proceedings will be made by the EM or BM.
- 4.11 If the complaint cannot be resolved within 20 working days for any reason, the complainant will be advised why the response has been delayed.
- 4.12 Once all investigations are complete, the complainant will be informed in writing of the outcome of the investigation and what, if any, action is being taken.

STEP 3 - APPEALS

- 4.13 If the complainant is not satisfied with the outcome of their complaint, an appeal must be submitted in writing to the Education Manager. This appeal should outline:
 - a. The grounds for the appeal. This should not just re-iterate the original formal complaint.
 - b. Any aspect of the response or action taken that is considered inadequate.
 - c. The response or action that would be considered appropriate by the complainant.

- 4.14 TST (South West) CIC will acknowledge appeals in writing within five working days of receipt.
- 4.15 Depending on the nature and cause of dissatisfaction TST (South West) CIC may:
- a. Conduct further investigations and/or consult with the EM/BM in order to respond to specific issues raised and make a final decision with regard to the complaint.
 - b. If appropriate, refer the complaint to an Appeals Panel within 20 working days of the conclusion of any further investigation. This panel will consist of three members of staff not previously involved in the complaint. The panel will review all documentation and make appropriate recommendations. The panel will provide a written response to the complainant within five days of their meeting.
 - c. If appropriate, refer the complaint to an Appeals Panel Hearing with the same members of staff who originally reviewed the documentation. The complainant will be invited to attend and s/he or a person who is the subject of the complaint may be accompanied by a colleague or fellow learner.
- 4.16 Any decisions made by the EM, BM, Appeals Panel or Appeals Panel Hearing are final and no further correspondence with regard to the substance of the complaint will be entered into.

5. Related documents and data

Complaints guidance for staff
Complaint Form
Participant Grievance Procedure
Staff Grievance Procedure

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