



## Student Complaints & Appeals Policy

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<b>Related policies</b>	<ul style="list-style-type: none"> <li>– Academic Misconduct Policy</li> <li>– Safeguarding and Prevent Policy</li> <li>– Student Code of Conduct</li> <li>– Academic Appeals Policy</li> <li>– Student Handbooks</li> <li>– Anti-Bullying &amp; Anti-Harassment Policy</li> <li>– Data Protection Policy</li> <li>– Data Privacy Notice and Consent Policy</li> </ul>
<b>External reference points</b>	Office for the Independent Adjudicator Good Practice Framework Sep 2015 Data Protection Act 1998, 2018. Article 51 GDPR

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## **1. Introduction**

The College recognises and respects that students may wish to make a complaint. This policy and its procedures provide full information on how students can make complaints and how the College intends to deal with them in line with the guidelines set down by the Office of the Independent Adjudicator. The College welcomes the opportunity to correct mistakes, clarify misunderstandings and to respond positively and constructively on any occasion when students feel the need to express dissatisfaction with a particular service provided by the College and its staff.

## **2. Purpose and Scope**

The College intends to provide access for students and staff to an effective system for handling students' complaints efficiently and effectively. Implementation of this policy and procedures by the College, should ensure that students and those applying to become students feel able to make a complaint and appeal, knowing that it will be fairly investigated.

The policy and procedures are for applicants and students who wish to enrol, are currently enrolled or have recently been enrolled on any courses provided by the College, whether through blended or distance learning on virtual learning platforms, or in-person at any one of the College's campuses. See further details about making complaints and appeals in relation to Admissions in the Admissions Policy. By 'recently' the College means no more than one academic year before the complaint is submitted. This College will only consider complaints from students who were registered more than one academic year ago at its discretion if the complaint is deemed reasonable.

## **3. Aims and Objectives**

The policy aims to ensure that students' complaints at the College are dealt with appropriately. The College has the following objectives in relation to student complaints:

- To provide clear information to students on complaint procedures
- To ensure students' complaints are dealt with fairly and honestly
- To ensure that the complaint handling process helps to improve the student experience

The College aims and objectives are further informed by the 8 principles of the Good Practice Framework for handling complaints as set out by the Office of the Independent Adjudicator (OIA) in Sep 2015:

- Accessibility
- Clarity
- Proportionality
- Timeliness
- Fairness
- Independence
- Confidentiality
- Improving the student experience

For further details on each of these principles please see Appendix 6.

#### **4. Definition**

For the purpose of this procedure, and in line with the Core Practices for Higher Education (UK Quality Code), a complaint is defined as the ‘expression of a specific concern about matters that affect the quality of a student’s learning opportunities.’

#### **5. Principles**

The procedure is based on the principles of fairness and transparency and is in keeping with the Office of the Independent Adjudicator for Higher Education’s *Good Practice Framework for Handling Complaints and Academic Appeals*. The procedure is set out to ensure:

- Timely resolution of complaints, with an emphasis on local resolution at the earliest opportunity
- Processes, decisions and the reasons behind them are clear and there is opportunity for independent
- Review of the way complaints are handled
- Students are supported throughout the process

In this spirit, it is anticipated that the majority of student complaints will be resolved as early as possible through informal dialogue between staff and students at a local level and to the satisfaction of all parties.

The College will make reasonable adjustments at any stage of the proceedings to accommodate the needs of students if they require special consideration due to a disability or any other reason.

Students making complaints will not suffer any disadvantage or discrimination as a result of making a complaint in good faith. However, if a complaint is judged to have been frivolous, vexatious or malicious, disciplinary action may be taken against the student.

The College expects all parties in a dispute to act professionally, respectfully and within the spirit of its policies and codes of conduct throughout all stages of the Complaints Procedure.

The College will monitor the operation of the Student Complaints Procedures in such a way as to assist in the maintenance and continuous improvement of service standards.

The College does not pay any expenses incurred by a student as a result of a complaint. In exceptional circumstances, the Managing Director has the discretion to offer a payment to meet reasonable and proportionate incidental expenses arising from the complaint. In such cases, complainants would be required to provide original receipts of expenses incurred.

## **6. Confidentiality**

All information obtained during the process of making the complaint will be held in accordance with the Data Protection Act 1998, 2018, Article 51 EU GDPR and the Student Privacy Notice.

Students must note that information about complainants, and individuals against whom complaints are made, will be dealt with sensitively and will be kept confidential, except where the disclosure is necessary to progress the complaint or implement a decision on the complaint, or where it is required by law or in the public interest.

In submitting a complaint, the student understands that their complaint will be shared with the staff member responsible for conducting the investigation into the matters raised, and that the content of their complaint may need to be disclosed to relevant staff in order for the complaint to be investigated and/or resolution sought. Also, it must be understood that an individual against whom a complaint is made has the right to be made aware of any allegations and evidence against them. If there are elements of a student's complaint that are particularly sensitive and have concerns about their confidentiality, they are welcome to raise this with the MD or Head of Quality, who will discuss if / how disclosure can be minimised.

Students should avoid disclosing unnecessary personal information (e.g. medical conditions etc.) in their complaint unless they feel that it is relevant to the issues raised. Students must also avoid disclosing personal data of another person/s in their complaint unless they have been given permission by them to do so.

## **7. Who can make a Student Complaint?**

The Student Complaints Procedure may be used by anyone who is, or was, an applicant to the College, and anyone who is, or was, an enrolled student at the College. This includes those accepted to study with the College or registered for its awards; those currently on an internal placement of employment and those who recently left the College.

Where issues of complaint affect a number of students, those students may submit a complaint as a group. Students submitting a group complaint are expected to show how they have been personally affected by the matter which is the subject of the complaint. In order to manage the progression of the complaint in such circumstances, the group must agree in writing that they nominate one student to act as the spokesperson for those students complaining. A copy of this agreement must be submitted alongside the complaint. In agreeing to act as spokesperson the student accepts responsibility for representing the views of the group and to act as key contact in relation to the complaint. Any complaints affecting a module or course and its delivery as a whole should be raised with the relevant Tutor, Programme Leader, Head of Higher Education or Head of Community Learning as soon as they arise.

The College will only accept a complaint from a student and not from someone else on the student's behalf, for example, from a parent or spouse. In exceptional circumstances, at the discretion of the MD, or Head of Quality, a third party may submit a complaint on a student's behalf if the student provides written consent and a reason deemed acceptable.

Student complaints, which are received anonymously, are not normally accepted but may be accepted at the discretion of the College. However, students who wish to raise a concern anonymously should be aware that this could impede the investigation and communication. If a member of staff receives an anonymous complaint, he/she will be expected to seek advice from the Senior Management Team as to how the complaint should be dealt with.

At any stage of the procedure, students have the right to be accompanied, supported or advised by another member of the College community, which is a person who is a currently an enrolled student at the College, or a member of the College staff. If a student is under 18 years of age a parent, guardian or other responsible adult must accompany them. At the time of writing/updating this policy, the College does not offer any courses or services to anyone under 18 years of age.

## **8. Types of Complaints that can be submitted using this Procedure**

Complaints can be academic or non-academic in nature. Academic-related complaints may include alleged inadequacies in the provision of a programme of study, tuition, supervision, learning support materials, etc. Non-academic complaints normally relate to alleged inadequacies in other services provided to students by the College such as a failure to provide appropriate reasonable adjustments related to a disability, or failure to meet contractual or other legal obligations.

Please note that there is a separate Academic Appeals Procedure which enables students to request the review of a decision by an Assessor or Assessment Board regarding procedural matters of student progression, assessment and awards.

There may be times when what is expressed as a complaint contains within it an academic appeal and vice versa. Where this is the case, the Head of Quality will determine whether a complaint or academic appeal should be reclassified (at whatever stage they may have reached). This decision will

be made in consultation with the student, and they will be advised of the alternative procedure which will be used to consider their case.

The College recognises that students may raise multiple issues which do not fall neatly into the category of either a complaint or academic appeal. In these circumstances, the student will be informed which issues will be considered under which procedure and they will be directed to the alternative procedure as appropriate to allow all issues to be considered. This may require one procedure to be suspended pending the completion of the other or alternatively, the College may, with the agreement of the student, decide to consider the matters together. Students will be advised of the effects, if any, of following two procedures at once, particularly where one procedure may be suspended until the other is completed.

Where there is significant overlap, the College may decide to consider matters together, if the student agrees to this. For example, if an appeal includes matters that could also be dealt with under other procedures, such as the Student Complaints Procedure, a joint investigation may be carried out. In such cases, the student will be informed where responsibility for the overall investigation lies and who will issue the final decision.

## **9. Types of Complaints that cannot be submitted using this Procedure**

The Student Complaints Procedure cannot be used for any of the following matters, for which separate policies and procedures exist:

- Matters relating to assessment of performance and issues of academic judgement, except where there is a complaint about a service provided which needs to be resolved before an academic appeal decision can be made.
- Matters relating to Fitness to Practise or Supported Study Procedures, where separate procedures exist
- Complaints which relate to whistleblowing, Freedom of Information or of personal harassment or bullying, where separate procedures exist

The following includes policies and procedures for the above types of complaints not covered by this policy:

- Bullying & Harassment Policy & Procedure
- Academic Appeals Policy & Procedure
- Fitness to Study & Practice Policy

## **10. Advice and Guidance**

For independent, non-judgemental guidance students may find it helpful to ask the Student Committee or Student Support Officers on how to proceed with their intended complaint. If students have any questions about how the complaints process works, they can contact a member of the Senior Management Team at the College such as the Head of Quality, or MD.

## 11. Timescales

To enable the College to investigate and resolve complaints in a timely manner, students should raise issues of complaint as soon as they occur and make reasonable attempts to resolve the matter informally at a local level. If the matter could not be resolved informally, the student may pursue a formal complaint. Formal complaints should be raised no later than 28 days of the matter arising, or within 28 days of receiving a response to the informal complaint from College staff.

If there is a valid reason for not raising a formal complaint within this timeframe, for example, the student has a disability that causes them to take longer to do things and they need a reasonable adjustment to process times, or the impact of the matter was such that they felt unable to come forward until now, then they should include this information within the complaint form and it will be considered. This includes cases where students may be making a complaint more than 28 days after completing their studies or withdrawing.

The College is committed to dealing with complaints as quickly as possible, and to complete the processing of a formal complaint and any associated review within 90 calendar days. In most cases the College intends to deal with the complaint well before the 90-day deadline has passed. Within that 90-calendar day timeframe, students must meet any College deadlines for the submission of documentation and attending meetings. There may occasionally be circumstances when the timeframe needs to be extended for different stages of the procedure for good reason, particularly if the complaint is complex, extensive, or was submitted at a time when key staff are away from the College.



## 12. Procedures for Submitting a Complaint

### 12.1. Stage 1: Informal Immediate Local Resolution

Concerns and complaints can be sent by email to: [complaints@trenteducation.co.uk](mailto:complaints@trenteducation.co.uk)

The College believes that a complaint should be addressed quickly. In order for this to happen, students are expected to attempt to resolve issues or concerns directly with the appropriate member of staff best able to deal with it as soon as possible. For example, this may be the Module/Unit Tutor, Programme Leader or Academic Dean for academic-related complaints or an appropriate member of staff for non-academic complaints.

Informal resolution enables the College to resolve as quickly as possible concerns which are straightforward and require little or no investigation. Concerns raised at this stage can be handled by a face-to-face discussion in-person or virtual with the complainant or by asking an appropriate member of staff, or trained mediator, to help them deal with the matter. If the responsibility for the matter raised lies within the staff member's area of work, every attempt should be made to resolve the concern in consultation with the student where appropriate. If responsibility lies elsewhere, the staff member should liaise with the relevant area to facilitate swift resolution.

Students may raise their concern or complaint at this stage by sending an email to [complaints@trenteducation.co.uk](mailto:complaints@trenteducation.co.uk). The concern or complaint will be referred to the appropriate member of staff, who will be expected to respond to the concern or complaint within 5 working days.

Staff should make every effort to resolve complaints informally but, in the interests of the student, may suggest use of the formal (Stage 2) complaints procedures if they regard the matter to be highly complex, believe that a solution cannot be reached within the required timeframe for informal resolution (10 working days), or that only part of the complaint can be resolved at this stage.

Where it is evident to the student or to staff that a concern will need to be considered at the formal stage of the procedures, the student should be directed promptly to Stage 2 of the Student Complaints Procedure.

Students must have tried to resolve the issue informally at a local level first wherever possible before moving to the formal stages of the procedure.

## 12.2. Stage 2: Formal Complaint Resolution

If the complaint is not resolved informally to the satisfaction of the student at Stage 1, the student has the right to pursue a formal complaint by completing the Complaints Form, which can be found on the College website and sending it by email to: [complaints@trenteducation.co.uk](mailto:complaints@trenteducation.co.uk).

It is a requirement that the Student Complaint Form is completed so that staff understand this is a formal complaint and that the matter can be carefully managed; so that students may be precise about their concern(s), how they have attempted to resolve the matter informally at a local level, and what resolution they are seeking. Wherever possible, the form should be accompanied by evidence to support the issues of complaint. This may be for example, copies of relevant correspondence. Advice on how to complete the form can be obtained from Registrar or the Head of Quality.

It is the responsibility of the student to ensure that they raise all relevant issues and that they provide all the necessary information and supporting documentation at the point of submission. The student may be asked to provide further information or evidence and will set an appropriate time limit for this to be made available by the student.

Students should expect to receive an email acknowledgement to their formal complaint within 3 working days of receipt. If a student has not received an acknowledgement within 5 working days, they should contact [complaints@trenteducation.co.uk](mailto:complaints@trenteducation.co.uk) to check that the complaint has been received.

Stage 2 of the procedures allows for the complaint to be investigated by an appointed Student Complaints Officer. The Student Complaints Officer will be appointed by the Head of Operations. Upon concluding their investigation, the Student Complaints Officer will make a recommendation to the Head of Operations on what action should be taken, within 10 days of receiving the Student Complaint. They may recommend that, in the interests of the student, partially unresolved matters be considered at a Stage 3 Review.

The student will be provided with a written outcome of the conclusion of Stage 2. If the complaint is upheld, the student will be informed what action is to be taken, or any recommendations that have been made. If the complaint is partially upheld or is dismissed, the student will be informed of reason(s) for the decision.

In cases where a complaint is upheld or partially upheld (e.g. The College finds that some, or all, of the issues raised by the complainant are justified), the College may offer a range of compensations or actions to be put in place. In cases where a complainant accepts the settlement being offered by the College (i.e. financial payment, a written apology, further tuition etc), this acts as acceptance of the outcome of the complaint, and there is no further recourse to move to Stage Three. The complainant cannot accept the settlement the College offers, and then ask for the case to be subsequently reviewed.

In the case of financial settlement of a group student complaint, where the reason for awarding the settlement is partial refund of tuition fees, this will be awarded on a percentage basis (not a set fee) in order to best compensate all those involved (e.g. an international student and a home student who have paid different initial fees will be most equally compensated).

Students will also be advised on how they may proceed if they remain dissatisfied following Stage 2.

Mediation:

- If the complaint cannot be resolved satisfactorily through the normal procedure, mediation may be arranged.
- Mediation is voluntary and will only take place with the agreement of both parties.
- The Head of Operations will be responsible for arranging mediation.
- The mediator will be a member of the Senior Management Team who is neutral to the dispute e.g. the Head of Higher Education

### **12.3. Stage 3: Appeal and Review**

If the complaint is not resolved to the satisfaction of the student at Stage 2, the student has the right to appeal and have the complaint considered by a Student Complaints Review Panel. The request for a review will be on limited grounds that the student does not think the outcome of Stage 2 is reasonable because:

- There were unresolved matters at the end of Stage 2, and which may need to be dealt with at a higher level within the College
- New material evidence has now become available and which the student was unable, for valid reasons, to provide earlier in the process
- There was procedural irregularity in how the College followed the process in Stage 2

If the student wishes a review to take place, they must present notice of this in writing to the Managing Director. This should be sent by email or post within 10 working days from the date of the outcome of Stage 2. The student must include a statement explaining why they remain dissatisfied and on what grounds, and what the desired outcome of the complaint is. The request for a review will be acknowledged in writing within 5 working days.

It is not normally possible to introduce new grounds for complaint at this stage unless it relates to evidence that could not have been provided sooner.

The Managing Director will identify the membership of the Student Complaints Review Panel. The constitution of the Panel will be as follows:

- Chair (drawn from the Senior Management Team)
- Student representative
- Member of the Senior Management Team
- A member of College staff appointed as note-taker/minutes

No members of the Student Complaints Review Panel should have a connection with, or will have previously advised, the student or be part of the College involved in the complaint.

The Head of Operations will make arrangement for the hearing of the Review Panel at the earliest opportunity. This will normally be within 20 working days. The College expects the student requesting the Review to attend the hearing and requires all parties to make reasonable efforts to find a mutually suitable date within the desired timeframe. In the event that the hearing date cannot be found within the desired timeframe or has to be delayed, all parties will be kept informed as to the reasons for this.

All papers presented to the Student Complaints Review Panel will also be provided to the student and the relevant members of the College staff to which the complaint relates.

The student will be invited to attend a hearing in the course of the review, as will any individual against whom the complaint is made. The student may be accompanied by a member of the College community if he or she so wishes. The student must confirm the name and status of the person accompanying them in writing to the Managing Director no less than 4 working days before the Panel hearing.

On the basis that reasonable steps have been taken to find a mutually suitable date for the hearing, the College will not normally rearrange the date of a hearing due to the absence of the student. If the student is unable to attend, they may nominate a representative to attend on their behalf, providing that the representative is also a member of the College community. The Chair of the Student Complaints Review Panel will decide how the Panel will proceed with a hearing in the voluntary or unavoidable absence of the student and whether or not it will permit a proxy to be nominated to represent the complainant.

A quorum of the Student Complaints Review Panel will be two voting members including the Chair. In the interest of natural justice, both the student requesting review and those responding to the complaint will normally be invited to be present at the hearing at the same time so that both parties will hear all of the evidence presented to the Panel and have the opportunity to comment on it.

The student may opt not to attend at the same time as the other parties and should confirm this preference in writing to the Registrar when they receive notification of the Review Panel date.

The College will normally expect that if the student is happy for all parties to be present that staff members will also agree to be present. However, the College recognises that this may not be reasonable in all cases and a member of staff as well as the student may request to be heard separately by the panel if they have particular grounds for making the request. The appropriateness of an invitation for all parties to be present at the same time is a matter on which the Chair may exercise discretion depending on the nature of the case.

Where agreed, a student's presence at a Panel may be through virtual means such as video or telephone conferencing. This should be arranged in advance.

The Chair will provide the Panel will an initial briefing before the student and those responding to the complaint join the meeting.

The student will be invited to present their case and to answer any questions of clarification. Representative(s) from the College will be invited to make an initial statement on behalf of the College responding to the complaint and will also be asked questions of clarification. If the student is accompanied by a member of the College, the representative may speak on behalf of or otherwise represent the interests of the student but may not give evidence except on matters of which he/she has direct knowledge.

The Panel may call any other members of staff or student it considers might assist it in reaching a decision. Any such persons shall be notified in advance of the hearing.

The Panel will review the evidence and reach a decision. The possible decisions arising from the hearing are:

- That the complaint is **upheld**
- That the complaint is **partially upheld**
- That the complaint is **dismissed**

There may be occasions in which the Panel cannot make its decision without re-convening at a subsequent date and time. In such cases, the Chair and officer of the Panel would do so in consultation with the student.

Considerations of the Panel will be confidential and, where necessary, its decision will be reached by ballot. The Chair will have a casting vote in the event of a tie.

The decision will be communicated to the complainant and all other relevant parties in writing (via email), normally within 5 working days. If this timescale is to be extended for any reason, the student will be advised in writing. This concludes the College's internal procedures.

### **13. Office of the Independent Adjudicator (OIA)**

If a student has completed the College's internal Student Complaints Procedure and they remain dissatisfied with the outcome, they may be able to forward their complaint for review to the Office of the Independent Adjudicator for Higher Education (OIA), providing that it is eligible under the OIA's Rules.

Where a student has exhausted the College's internal complaints procedure, they will be issued a **Completion of Procedures** letter by the College (please see **Appendix 2**). If a student chooses to refer their complaint to the OIA for review, they must do so in writing to the OIA within 12 months of the receipt of their Completion of Procedures letter, using the Scheme Application form. The procedures and the form can be accessed from the OIA's website: <http://www.oiahe.org.uk/>. For other alternatives please see **Appendix 5**.

## 14. Recording, Reporting and Organisational Learning

### Acceptance of Minutes:

- During the hearing, minutes will be taken by an impartial member of staff.
- At the end of the hearing, the complainant and any other members involved in the hearing, and the members of the Panel, will be asked to read through and sign that they agree what has been written is a true representation of the events that occurred.
- In the case where one does not agree with the minutes, this must be communicated at this point, and any amendments made must be agreed upon and initialled by all signatories.
- There is no recourse for any party to dispute the minutes after these signatures (neither the complainant nor any member of the Review Panel can argue that the minutes are false once they have been signed).

The College will record student complaints in sufficient, proportionate detail for analysis and management reporting to allow the causes of complaints to be identified, addressed and, where appropriate, for training opportunities and improvements to be introduced.

On an annual basis, an anonymised report on the number and nature of formal student complaints considered and their outcomes will be presented to the Academic Board. An anonymised annual summary report of Stage 2 complaints will also be considered. This process will ensure appropriate monitoring of all complaints and related outcomes and is intended to facilitate learning from complaints.

The College will keep and dispose of records relating to student complaints in accordance with its Data Privacy Notice.

## 15. Appendix 1: Student Complaints Form

If you wish to make a complaint or suggestion, you can use:

[complaints@trenteducation.co.uk](mailto:complaints@trenteducation.co.uk)

If you make a complaint using the complaints email and are not satisfied with the outcome, you may use the formal complaint form below:

[Complaint Form](#)

### Who can use this form?

Anyone applying to study or already studying at the College may use the complaints form. A complaint submitted by a third party will not be accepted unless accompanied by written authorisation from a student. Anonymous complaints will not be accepted.

### What is this form for?

This form is used to submit a formal complaint about a service you have received from the Trent Education Centre. Complaints can also be raised informally if you would prefer to take this course of action. If have already raised an informal complaint and you are unhappy with the way your complaint has been handled informally, or if you do not feel that informal resolution is appropriate, please complete this form.)

*Regardless of any other representation, complaints only become formal when a fully completed Complaint Form has been received.*

***Complainants are advised to exercise caution regarding use of language and avoid personal abuse as anything appearing in this form will be disclosed to the subject of the complaint during any investigation.***

### What will happen next?

Once you have submitted this form, the following process will take place:

- A staff member will be appointed within **5 days** of receipt of the Complaint Form.
- The staff member may get in touch with you to discuss your complaint.
- You will receive a written outcome within **20 days** of raising your formal complaint.

The College will have due regard towards maintaining confidentiality in relation to your complaint but, to enable it to be considered fully, the content will need to be disclosed to members of staff involved in the investigation your complaint. Please note that by signing the Declaration you consent to the disclosure and sharing of information relevant to your complaint within the College at all stages.

## Appendix 2: Completion of Procedures (COP) Letter Template

Dear [Name of complainant],

### **Completion of Procedures Letter**

This letter confirms that the internal procedures of TEC in relation to your *complaint / appeal etc\** regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal etc\** were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc was / were\**: [brief summary of the complaint etc].

The final decision of TEC is\* [detail] because [reasons].

The procedures / regulations applied were\*: [details and date as supplied to the OIA's electronic Regulations Bank].

TEC subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc\** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2021, this date should be 9 July 2022].

[Include here any factors of which the College is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website.

<http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from

[http://oiahe.org.uk/media/42715/oia\\_intro\\_leaflet\\_16pp.pdf](http://oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf). Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA**

### **Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

MD



## 16. Appendix 3: Complaint Investigation Form

<b>Allegation/Issue</b>	
<b>Type of Investigation e.g. Disciplinary/Grievance etc</b>	
<b>Name(s) of persons subject to investigation</b>	
<b>Name of complainant (if appropriate)</b>	
<b>Investigator(s)</b>	
<b>Background</b>	
This may cover: <ul style="list-style-type: none"> <li>• How did the issue come to light?</li> <li>• Have any other actions been taken prior to the investigation?</li> </ul>	
<b>Remit Of The Investigation</b>	
This may cover: <ul style="list-style-type: none"> <li>• What specific allegations/concerns (by bullet points) were investigated?</li> </ul>	
<b>Investigation Process</b>	
This may cover: <ul style="list-style-type: none"> <li>• A brief description of method(s) used to gather information</li> <li>• A record of what interviews/statements were undertaken, and documents reviewed</li> </ul>	
<b>Witnesses</b>	
<ul style="list-style-type: none"> <li>• List of witnesses interviewed</li> </ul>	
<b>Findings</b>	
This should cover: <ul style="list-style-type: none"> <li>• A summary of findings and observations for each specific allegation/issue of concern investigated, cross-referencing any documentation where needed</li> </ul>	
<b>Conclusions</b>	
This may cover: <ul style="list-style-type: none"> <li>• For each concern/allegation investigated an overall opinion based ‘on the balance of probabilities’ on whether there is evidence to support allegations made</li> <li>• Recommendations on whether further actions under the relevant complaint’s procedure should be taken</li> </ul>	
<b>Appendices</b>	
<ul style="list-style-type: none"> <li>• These should be attached and may include witness statements, investigatory interview notes, chronology of events etc.</li> </ul>	
<b>Signed by Investigating Officer</b>	
<b>Date</b>	

## 17. Appendix 4: Flow Chart of Complaints Procedure and Time Frames

**Stage One: Informal Complaint**  
A concern or complaint is brought to an appropriate member of staff or emailed to [complaints@trentedcuation.co.uk](mailto:complaints@trentedcuation.co.uk) no more than 28 days after the incident. The complaint will be logged and passed to the appropriate staff member who will respond to the complaint within 10 working days. This could be done verbally or may be in writing or by email.



**Get a reply in 10 working days. Not satisfied? You have up to 28 working days for stage 2**



**Stage Two: Formal Complaint**  
The Formal Complaint Form is completed and sent to [complaints@trentedcuation.co.uk](mailto:complaints@trentedcuation.co.uk). If considered justified, a Review Panel is set up to hold meetings with all relevant people and a decision is provided in writing within 15 days.

**Get a reply in 10 working days. Not satisfied? You have up to 28 working days for stage 3**



**Stage Three: Appeal and Review of the Complaint**  
The complaint may be brought to the Managing Director for review within 10 days after the decision at Stage Two. If considered justified, a Review Panel is set up to hold meetings with all relevant people and a decision is provided in writing together with a Completion of Procedures (COP) Letter within 15 days.

**Still unsatisfied? Ask for a Completion of Procedures letter (COP) and Contact the Office of the Independent Adjudicator (OIA) within 12 months of receiving the COP.**

**Remember! A student may also contact a relevant external partner or awarding body.**

## 18. Appendix 5: Complaints to Pearson or other External Bodies

Following the outcome of the official internal complaints process, if a student is still unsatisfied, or feels the outcome was not fully justified, they are entitled to appeal externally to the following relevant external agencies:

- **Edexcel/ Pearson- academic complaints (in the case of courses where the outcome is a BTEC HNC or HND)**

[https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries\\_and\\_Appeals\\_on\\_Pearson\\_Vocational\\_Qualifications.pdf](https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf)

- **Office of the Independent Adjudicator (OIA) for all students on Higher Education courses**

<http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>

- **Office for Students (OfS) for all students on Higher Education courses**

<https://www.officeforstudents.org.uk/contact/notifications-and-complaints/>