

STUDENT COMPLAINTS POLICY AND PROCEDURE

TEA is committed to maintaining its responsiveness to the needs and concerns of our students as a component of our quest to deliver high quality educational services. This Policy is designed to provide guidance on the way TEA receives and handles complaints made by students, against the organisation and its employees.

Complaints are concerns or issues raised by a student or students and may be made in orally or in writing. A complaint exists where a decision or action which relates to the performance of a function by an individual or groups of individuals at TEA, is claimed not to be in accordance with the rules, practice or policy of the organisation or the generally accepted principles of fairness and good administrative practice and which adversely affects the person concerned. Complaints are therefore distinguished from suggestions for improvement in services or request for services that are dealt informally or formally using the routine students' voice and student representation without applying this policy and procedure.

Purpose and Scope of the Procedure

The purpose of the complaints policy and procedure is to provide a channel through which students can bring their complaints to the attention of TEA and be assured of a prompt and amicable resolution. We ensure that, as far as possible, complaints are dealt with and resolved informally through discussion between the aggrieved individuals and respondents before using the complaint procedure. The formal stage of the procedure should only be used when informal resolution has failed or is not making progress at reasonable speed. In appropriate cases the TEA may offer facilities for mediation. This policy and procedure applies to all students. In all cases the college will abide by the QAA Quality Code (*Chapter B9: Academic Appeals and Student Complaints*). This procedure takes account of the ACAS code of practice on complaints procedures and will be reviewed periodically in line with developments in good practice.

Principles of the Procedure

The procedure is based on the following principles:

- A student has the right to be accompanied by a colleague or friend at every stage of the formal procedure.
- Any complaints, to become formal, must be made in writing as soon as possible.
- It is only possible to hear complaints that are within the power of TEA to remedy.

- In all cases, reference to informal resolution in advance of formal complaint is recommended.
- All proceedings, whether informal or formal, should, so far as is practicable, remain confidential.
- A formal record of any hearing will be available to the student.
- The timescales agreed for resolution may be extended with the agreement of the parties involved.
- Where more than one student has lodged a complaint relating to the same, or substantially the same issue, the complaints may be dealt with together in the interests of fair and consistent decision-making.
- Where a complaint concerns an apparently trivial issue the relevant staff member will discuss this informally with the student to determine whether there is a real need to pursue the matter through the complaints procedure.
- If the student and member of staff are unable to agree, the student will be entitled to submit the complaint formally together with any further evidence or explanation that throws new light on it, and demonstrates that a substantive complaint is in fact being made.
- If the student's complaint restates a complaint that the TEA is already dealing with, or that it has dealt with in the past, the student will be asked to explain how the new complaint differs from the previous one and if possible to provide new supporting evidence.
- Where it is clear that there is nothing new being raised, the TEA can reject the complaint without a hearing or committee meeting.
- Deliberately false or malicious complaints will be treated as matters of misconduct and will be investigated in line with the Disciplinary Policy and Procedure.
- Complaints raised while a student is subject to disciplinary proceedings will be heard when the disciplinary process has been completed. If the complaint has any bearing on the disciplinary proceedings, it can be raised in the course of those proceedings.

Informal Resolution

If a student has a complaint about anyone in the TEA, be it a student or a staff, he or she may approach the person involved and try to resolve the situation informally.

If the matter remains unresolved, the student may approach a relevant staff member to resolve the issue. The staff member who may be approached for mediation is dependent on the nature of the complaint. It could be a Tutor, the Welfare Officer or the Programme Leader. In many cases, the matter will be resolved straightaway by these means to the student's satisfaction. The staff member who may be approached will **make a written record** of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 5 working days or in the event that the staff member fails to reach a satisfactory conclusion, then the students

will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

Formal Resolution

If the complaint has not been resolved informally and the student wishes to proceed to a formal resolution, the student may do so and the complaint will be heard by a panel or in a relevant college committee. The student must set out in writing the nature of their complaint and the reasons why they are dissatisfied with the outcome of the informal resolution. The student should explain how they feel the issue should be settled. This must be submitted to the Principal. Complaints raised against the Principal should be submitted to the Board of Directors. In all cases a copy of the complaint should be sent to the Principal.

Should the complaint relate to a process or decision, the Principal will appoint another person as Investigating Officer who will be asked to provide a full written report together with any relevant documents. The investigation should be conducted as quickly as possible while allowing for all relevant information and evidence to be gathered. A timescale for this will be agreed between the student and the Principal.

Should the complaint be against a named individual or individuals, the Principal will give them a copy of the complaint at the earliest opportunity. The individual will present their response at the hearing and it would not normally be necessary to conduct an investigation. Complaints about named individuals will not be dealt with in routine committee meetings of the College.

The panel will consist of two nominees of the Principal. Where possible, there should be a gender balance on panels. The college will make every attempt to ensure that the hearing will be held within 10 working days of receipt of the investigating officer's report, or within 10 working days of the complaint being received if it is against an individual. The student will be given at least five working days' notice before the hearing. The student may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the student is still unable to attend, they may send a representative, or the hearing may be held in their absence.

The complainant should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform the Principal and/or the chair of the panel if the complaints are against staff, as soon as possible. If they fail to attend without explanation, or it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

Any relevant written information or evidence must be made available to all parties at the earliest opportunity and, in any case, two working days before the hearing.

All parties involved will be allowed to attend and make representations at the hearing. Witnesses may be called.

Refusal of either party to attend shall not invalidate the proceedings. The panel, in seeking to resolve the complaint, may adjourn the meeting or defer a decision if more information is required.

The decision of the panel, reasons for that decision and any redress will be communicated to the student who has made the complaint. Where the complaint is against an individual, both parties will be given a copy of the decision. The Panel's findings and, if any, recommendations will be sent by electronic email or otherwise given to the complainants and where relevant, the person complained about; and available for inspection on the TEA premises by the panel. TEA will keep copies of all correspondence for at least 3 years and a written record will be kept of all complaints and whether they are resolved at the preliminary stage or proceed to a Panel Hearing.

Students can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements, and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 requests access to them, or where any other legal obligation prevails.

Failure to meet the requirements of redress set out by the panel will result in the invocation of the Disciplinary Policy and Procedure, unless an appeal has been lodged.

Right of Appeal

Should the complainant wish to appeal against the decision of the panel they must do so, in writing, to the Principal, if the complaint was heard by Committee members within five working days of being informed of the decision. A request for an appeal must specify the grounds of the appeal preferably under one or more of the following headings:

- The nature of any redress.
- The finding of the hearing on a point of fact which is pertinent to the decision of the hearing.
- A failure to adhere to the published procedure.

The appeal will be considered by an external independent adjudicator who has not been directly involved in the matters detailed in the complaint and is independent of the management and running of the college. A member of the original panel will attend to present their findings and reasons for their decision. Witnesses may be called.

The appeal will be heard by the independent external adjudicator. The appeal panel adjudicator, the student and the management representative should receive the written cases five working days before the hearing. The format of the appeal hearing will depend upon the nature of the appeal. The student will be given five working days' notice that the hearing is to be held. The complainant may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the student is still unable to attend, they may send a representative, or the hearing may be held in their absence.

The complainant should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform the Principal as soon as possible. If they fail to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

The appeal is not a rehearing of the original complaints, but rather a consideration of the specific areas with which the student is dissatisfied in relation to the original complaints. The adjudicator may therefore confine discussion to those specific areas, rather than reconsider the whole matter afresh. The adjudicator will hear all or part of the previous hearing depending upon the nature of the appeal.

The adjudicator has the scope to:

- uphold all or part of the previous decision
- not uphold the previous decision.

If the adjudicator decides either to uphold only part of the previous decision or not to uphold the previous decision, it may at its discretion substitute an appropriate remedy of its own choosing.

Within three working days of the appeal the adjudicator will record the decision and hand it to the student wherever possible otherwise it will be posted via recorded delivery.

Any recommendations made by the adjudicator will be notified to the appropriate individuals, and will be time bound. Failure to meet the requirements of the adjudicator will result in the invocation of the Disciplinary Policy and Procedure. The decision of the appeals adjudicator is final as far as TEA is concerned.

If the complainant is still not satisfied with the decision of the appeals adjudicator, he/she can take the matter to the Office of the Independent Adjudicator (OIA) for further advice and guidance at the following address :-

Second Floor, Abbey Gate, 57-75 King's Rd, Reading RG1 3AB

Complaints Procedure

A complaint is an expression of dissatisfaction concerning Technical education Academy's product or service. TEA take all complaints extremely seriously and all staff are trained and committed to rectify any problem as soon as it is brought to their attention.

It is recognised that a customer who has a complaint dealt with to their complete satisfaction is likely to become a repeat customer. Therefore, we ask that if you are dissatisfied with the service you have received that you bring this to our attention as soon as possible by speaking to your course Tutor in the first instance.

Should this fail to provide you with a satisfactory resolution, or you feel it is inappropriate to address your complaint to the Tutor, then please contact the Centre Manager via one of the following options:

Call: 07572454166

E-mail: s.shamsi@teacademy.org.uk

Write to: Unit 21 Crawley Business Centre
Stephensons Way
Crawley
RH10 1TN

When you contact us, please give us your full name, contact details, and include a daytime telephone number along with:

- A full description of your complaint (including the subject matter and dates and times if known);
- Any names of the people you have dealt with so far; and
- Copies of any papers or letters to do with the complaint.

TEA ask that you raise your complaint as soon as possible after the event so that we have the opportunity to investigate fully. The Centre Manager will investigate your complaint and respond to you within ten working days.

Appealing after an initial complaint has been raised

In the unlikely event that you remain unhappy after your complaint has been investigated and a decision reached then you may escalate your complaint to our Head of Organization. Please include any further items for consideration and state clearly why you remain unhappy with the decision taken so far. The Head of Organization will investigate in full and respond to you within ten working days.

The Head of Organization can be contacted on:

Call:

E-mail: s.goraya@teacademy.org.uk

Write to: Unit 21
Crawley Business Centre
Stephensons Way
Crawley
RH10 1TN

This will be the final route of escalation within our company. Therefore, if you remain unhappy after following our own internal complaints procedure and your complaint refers to services you have received relating to your course and achieving your qualification then please contact the Awarding Organisation directly. The Awarding Organisation is Highfield Qualifications and their complaint policy can be located on their website: **www.highfieldabc.com**. Alternatively, please speak to the Highfield team on 0845 2260350.

Should you address your complaint to Highfield and remain unhappy with the outcome you may then raise your complaint to the relevant qualification regulator (for example, OFQUAL, SQA Accreditations or Qualifications Wales dependent upon the qualification). Either a representative of TEA or Highfield will be able to offer you guidance on the appropriate qualification regulator in each instance and provide contact details.

If you have any queries about the contents of this policy, please contact the Mr. Sohail Shamsi directly on 07572454166 or email s.shamsi@teacademy.org.uk.