

# **COMPLAINTS POLICY & PROCESS**

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# Complaints Policy and Procedure

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## Contents:

- 1.0 [General Principles](#)
  - 2.0 [Issues Excluded from the Procedures](#)
  - 3.0 [Complaints Procedure](#)
  - 4.0 [Complaints Procedure for Admissions](#)
  - 5.0 [Annex 1 – Stage II Formal Complaints Form](#)
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## 1.0 General Principles

The FRA Complaints Policy and Procedure is governed by the following key principles:

- This policy applies to all complaints within FE, HE and Apprenticeship provision, and related FRA college services and departments (with the exception of complaints relating to any aspect of the admissions process which should be raised according to the process outlined at [4.0](#) below);
- The FRA strives for excellence and aims to continually raise the standard of teaching, learning and services provided to learners and other key stakeholders. The FRA values the opportunity presented by complaints to continuously monitor our service and strive for improvements;
- The policy is clear and sensitive to issues of confidentiality. All complainants should feel that they can bring issues of concern, difficulties or differences of opinion to the attention of the FRA. Complainants have a right to expect that they will be listened to and that their concerns will be investigated properly and dealt with fairly without fear of recrimination or penalty;
- The overarching policy and procedures are monitored by the Head of Quality Assurance and Enhancement (QAE) and a summary is reported to both the FRA Quality Steering Committee (QSC) and FRA Governors, as appropriate;
- Complaints should be made as soon as possible after the event which caused dissatisfaction. Generally, only complaints received within three months will be accepted. Any delay in submitting a complaint will need to be fully explained and may be grounds for rejection;
- In cases where a student is over 18 years of age, the FRA will request the student's permission to pursue the complaint when parents/guardians (or other third parties) make a complaint on the student's behalf. In such cases permission must be received from the student in writing;
- All complaints will be dealt with in accordance with the timescales outlined within this document. In exceptional cases, where it may not be possible to meet a prescribed deadline, all affected parties will be made aware in writing at the earliest opportunity;
- Every attempt should be made to resolve complaints informally through a dialogue with those immediately concerned;
- Disabled students or complainants who require reasonable adjustments in order to undertake a complaint should contact the Curriculum Administration Office directly in the first instance;
- All complaints must be supported by documented evidence. Failure to submit evidence with a completed complaint form will result in rejection.

## 2.0 Issues excluded from the procedures

The following areas are excluded from the FRA Complaints Procedure:

- Complaints raised about any aspect of the admissions process (see section [4.0](#) below);
- Complaints in relation to the decision of Final Award Boards. Such matters are covered by the FRA Appeals Procedure (for HE provision any appeals would follow the [Falmouth Appeals Procedure](#));
- Complaints in relation to the outcomes of a student disciplinary hearing. Students have a right of appeal against the findings of a disciplinary hearing through a separate procedure;
- Complaints against fellow students unless those students are acting as agents or employees of the FRA.

## 3.0 Complaints Procedure

3.1 The procedure is made up of a number of stages which are intended to occur in sequence. The following section outlines each stage of the complaint procedure and indicates roles and responsibilities alongside timescales and potential outcomes.

### STAGE I – Raising a Concern [informal]

The initial stage of the complaints process should facilitate an informal discussion with those staff who are immediately concerned with the event or matter of dissatisfaction. Every effort should be made to resolve complaints through a dialogue or a meeting with those involved as soon as possible.

Complaints can be made in person, by phone or by email. If appropriate, a meeting may be offered between the complainant<sup>1</sup> and relevant member of staff or department representative. The aim of any activity during this stage will be to resolve the complaint promptly at a local level and arrive at an agreed resolution which will then be recorded in writing and kept on file. The expectation will be that complaints at this informal stage will be acted upon and resolved within 10 working days.

Where the complainant is not satisfied, staff members will inform the individual of their right to raise a formal complaint, reference this policy and explain the relevant procedures.

### STAGE II – Investigation by the Head of QAE [formal]

In the event that a resolution to the complaint is not possible by the complainant and relevant member of staff, the matter will be referred to the Head of Quality Assurance and Enhancement for investigation.

In order to initiate this stage of the process, the complainant is required to complete and submit a Complaints Form (annex 1) to [qae@fra.ac.uk](mailto:qae@fra.ac.uk).

The Stage II investigation will be conducted within 10 working days following receipt of the Complaints Form. The Head of QAE will review all information provided within the form, along with any supporting evidence, and, if appropriate, may arrange a meeting with the complainant<sup>2</sup> and member of the Curriculum Administration Team to

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<sup>1</sup> Where the complainant is under 18 years of age, they will have the option to bring along a parent/guardian or other representative.

<sup>2</sup> Where the complainant is under 18 years of age, they will have the option to bring along a parent/guardian or other representative.

further investigate the points raised. The outcome will be sent in writing by post and by email to the address provided on the form.

A Stage II investigation may result in one of the following outcomes;

- The complaint is deemed to be unfounded and is therefore formally dismissed. A full rationale for this will be provided;
- An amicable settlement is proposed;
- The complaint is upheld or partially upheld and appropriate steps are taken to address the issue and avoid further occurrences.

### **STAGE III – Final Review by the Principal of the Academy (or nominated Director<sup>3</sup>) [formal]**

In the event that the complainant remains unsatisfied with the outcome of a complaint following the Stage II process, the option to appeal against the findings of the formal investigation is offered by requesting a review by the Principal of the Academy (or nominated Director<sup>4</sup>), and thereby triggering Stage III of the complaints procedure.

In order to initiate this stage of the process, the complainant is required to write to the Principal via the QAE Office [gae@fra.ac.uk](mailto:gae@fra.ac.uk). The complainant must write to the Principal within 10 working days of the date of receiving the outcome of the Stage II Investigation, outlining the following;

- The areas of the Stage II outcome with which there is dissatisfaction;
- The reasons why the response to the Stage II was not deemed to be satisfactory;
- The desired resolution.

The Curriculum Administration Office shall acknowledge receipt of the stage III complaint within 48 hours and an account of the complaint and the FRA's response to date shall be provided to the Principal or the nominated Director.

The Stage III review will be conducted within 10 working days and it may be necessary for a further meeting with the complainant to take place. The Stage III review may result in one of the following outcomes;

- The complaint is deemed to be unfounded and the original decision to dismiss is upheld;
- The complaint may be referred back to a particular area or department to propose an amicable settlement or for further investigation;
- The complaint is upheld or partially upheld and appropriate steps are taken to address the issue and avoid further occurrences.

- 3.2 Once the FRA complaints procedure is complete, should the complainant remain unsatisfied they have the right to submit a complaint to the relevant funding/regulating body or delivery partner.
- For Higher Education students, complaints relating to academic standards can be escalated to Falmouth University.
  - For complaints relating to qualifications awards, the relevant Awarding Body may be contacted.
  - For publicly funded or financed students on Further Education programmes, complaints may be escalated to the Education and Skills Funding Body.
- 3.3 Should a complaint be made against the Principal of the Academy, these should be addressed directly to the Chair of the Board of Governors, c/o the Clerk to the Board of Governors. For further information on this

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<sup>3</sup> Nominated by the Principal of the Academy

<sup>4</sup> Nominated by the Principal of the Academy

process, advice should be sought from the Curriculum Administration Office in the first instance [gae@fra.ac.uk](mailto:gae@fra.ac.uk).

3.4 Should a complaint be made against the Chair of the Board of Governors, these should be addressed directly to the Clerk to the Board of Governors and the Principal of the Academy. For further information on this process, advice should be sought from the Curriculum Administration Office in the first instance [gae@fra.ac.uk](mailto:gae@fra.ac.uk).

3.5 Should a complaint be made against the Clerk to the Board of Governors, these should be addressed directly to the Chair of the Board of Governors and the Principal of the Academy. For further information on this process, advice should be sought from the Curriculum Administration Office in the first instance [gae@fra.ac.uk](mailto:gae@fra.ac.uk).

#### **4.0 Complaints Procedure for Admissions**

The following procedure is applicable to FRA applicants who wish to appeal a decision made on their application, or raise a concern regarding a procedural error, irregularity or administration error in the application process.

The procedure applies to applicants for FE and Apprenticeship provision at the FRA. For HE provision, applicants are advised to follow the complaints procedures for our validating partner Falmouth University.

Once a student has completed enrolment they would normally use the FRA Complaint Procedures outlined in section [3.0](#) above.

##### **4.1 General Principles**

- Complaints can cover a wide range of issues which may have resulted in an irregularity in the conduct of the application process and be material enough to affect the outcome (of the application). This may include the way in which an application has been handled, the outcome of the selection, or, where applicable, the way in which an applicant has been interviewed;
- Complaints in relation to academic judgement<sup>5</sup> will not be accepted;
- All complaints will be dealt with in confidence, and as close as possible to the point in time that it arises.

##### **4.2 Admissions Complaint Procedure**

Initially, concerns should be raised by telephone or email. The member of staff responding to the concern is responsible for listening to all details in full and taking notes of all relevant information. If the applicant is not content with the response provided, they should be informed that they are able to make a formal complaint, following the procedure outlined below;

- 4.2.1 Complaints relating to admissions should be made no more than 14 working days after the communication of the admissions decision, or after the cause of the complaint arises;
- 4.2.2 Formal complaints must be made in writing, either by email or by letter, and should be sent to the Applicant Services Manager;
- 4.2.3 The Applicant Services Manager will confirm if the complaint is within the scope of the policy, and, if so, will confirm in writing to the applicant that the complaint has been received and will be investigated within 14 working days;
- 4.2.4 The Applicant Services Manager may appoint a member of their team to act as the Investigator on their behalf. If this is the case, they will ensure that they are independent from the issues under consideration;

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5 Defined as a judgement about a matter where only the opinion of an academic expert will suffice.

- 4.2.5 An initial investigation will be conducted, and a recommendation will be put forward. The Applicant Services Manager will discuss the case with the Director of Marketing to ensure they have a full understanding of the case before a formal response is made;
- 4.2.6 The response to the complaint will be confirmed in writing to the applicant;
- 4.2.7 The written response will mark the completion of the complaint;
- 4.2.8 All correspondence, along with any notes relating to the case will be retained by the Applicant Services Manager.





# STUDENT COMPLAINT FORM

THE INFORMATION ON THIS FORM IS CONFIDENTIAL

Before completing this form:

- Please ensure you have read the FRA Complaints Policy;
- If you require advice or support in completing this form, please contact the Curriculum Administrative Team in the first instance; [gae@fra.ac.uk](mailto:gae@fra.ac.uk);

Please submit the completed form to [gae@fra.ac.uk](mailto:gae@fra.ac.uk), along with any supporting evidence, and ensure you retain a copy for your records.

Please click [here](#) to download a word version of this form.

Part A: Details of Complainant		
1	First Name:	
	Surname:	
	Email address:	
	Contact Telephone:	
	Postal Address:	
	If you are/were a student, please provide us with the following details: Course: Year of Study: Course Leader:	
2	Do you have a disability? Y/N	
	Do you think you will need any disability related support of adjustments at any stage during the complaints process?	Y/N
	If yes, please provide further details of your requirements below:	
3	Have you spoken to anyone about your complaint? (e.g. your Course Leader, a student representative, FRA staff member?)	Y/N
	If yes, please provide the person's name and position:	
	Have you attempted to resolve your complaint informally as per the required Stage I process?	Y/N

If yes, please provide details of the member of staff you spoke with and provide a summary of the meeting/discussion:

**Part B: Supporting Statement**

4 Please outline below the reasons for your Stage II Formal Complaint:

Please indicate the resolution you are seeking:

Please list all evidence in support of your complaint which should be attached to this form, as appropriate (please note that forms submitted without evidence will be rejected):

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

*[Delete/continue as appropriate]*

5 I confirm that I have had access to a copy of the FRA complaints policy and know I can ask for clarification on the procedures at any time

Complainant Signature:

Date: