



STUDENT COMPLAINTS PROCEDURE

1 GENERAL PRINCIPLES

- 1.1 The New Career Skills is committed to ensuring that we provide for our students a high quality educational experience, supported by appropriate academic, administrative and welfare services and facilities. We recognise, however, that there may be occasions when students will feel that they have cause for complaint. In this context, a complaint is defined as an expression of dissatisfaction either about the programmes, courses, facilities or services provided by the Company or about actions or lack of actions by the Company or its staff. Complaints may be made by individuals or, in limited circumstances, by groups of students. This Complaints Procedure sets out how students may seek to have complaints addressed. It should be recognised that the vast majority of student complaints can be handled fairly, amicably and to the satisfaction of all concerned on an informal basis. Only when informal means have been exhausted should a formal complaint be pursued. This procedure does not cover the following matters for which separate procedures exist:

- Appeals against academic assessment and progress decisions
- Disciplinary issues

Information about academic appeals and disciplinary issues may be sought from Student Support Services.

- 1.2 The Student Charter sets out the general entitlements and responsibilities of students. If a student believes that s/he has a legitimate complaint, s/he should refer in the first instance to the Student Charter to clarify what it is reasonable for him/her to expect from the Company in the relevant area and whether s/he has discharged his/her corresponding responsibilities, if applicable. If, having consulted the Student Charter, the student wishes to proceed with his/her complaint, s/he may invoke the Complaints Procedure set out in this document.
- 1.3 New Career Skills will seek to ensure that all complaints from students are treated seriously, positively and constructively. It will also seek to ensure that complaints are dealt with promptly, with fairness and consistency and with due regard to the Companies Equal Opportunities Policy. If a complaint is found to be justified, the Company will take such action or provide such remedy as may

Private & Confidential

- be appropriate and will do so promptly. If a complaint is not upheld, the reasons for the decision will be communicated to the complainant.
- 1.4 Complainants will not suffer any disadvantage or recrimination as the result of making a complaint in good faith. However, if a complaint is judged to have been made frivolously, vexatiously or with malice, disciplinary action may be taken against the complainant.
 - 1.5 Complainants and any individual against whom complaints might be made may expect complaints to be dealt with confidentially and that his/her privacy will be respected. However, it may be necessary to disclose information to others in order to deal with the complaint and in these circumstances the parties concerned will be informed of such disclosure. Whenever, in the course of a complaint being dealt with, a complainant or any person against whom a complaint is made is invited to discuss the complaint orally or to attend a hearing, s/he shall be entitled to be accompanied by a friend or colleague or other member of the Company, who may speak on his/her behalf.
 - 1.6 Anonymous or third party complaints will not be dealt with under this procedure. If a member of staff receives an anonymous complaint, s/he will be expected to seek advice from his/her line manager as to how the complaint should be dealt with.
 - 1.7 New Career Skills believes that complaints should be resolved as near to their source as possible. For this reason, this Complaints Procedure provides for there to be a number of stages, both informal and formal, in the handling of a complaint. Complaints will not be rejected solely on the grounds of minor procedural deficiencies on the part of the complainant. At each stage of the process, the person to whom a complaint has been referred shall, if it is upheld, apply such appropriate remedies as are within his/her powers. If s/he considers that the remedy is outside his/her powers s/he shall refer the matter to the appropriate authority.
 - 1.8 The Management Team will monitor, on an annual basis, complaints which have been referred to them and will be responsible for implementing, or recommending to the appropriate authority, changes to systems or procedures suggested by the nature and pattern of the complaints received. The outcome of such monitoring may also be used to inform other processes or activities. Formal complaints submitted to the Company will also be monitored. The Directors shall receive on an annual basis a report on the outcome of the monitoring processes and from time to time shall consider, in the light of such reports, whether changes to the Companies systems and to the Complaints Procedure itself would be appropriate.
 - 1.9 This Complaints Procedure may be invoked by students registered for programmes of study leading to awards of the Company.
 - 1.10 Advice about the Complaints Procedure may be obtained from Student Support Services.

- 1.11 This Complaints Procedure has been ratified by the Directors, the governing body of the Company, and it forms part of the Companies overall quality assurance framework. It will be brought to the attention of all new students and staff in the Annual Annexe the Student Charter. It will also be available on the Companies web site and periodically will be brought to the attention of all staff and students.

2. INFORMAL RESOLUTION OF COMPLAINTS

- 2.1 The majority of complaints can be resolved satisfactorily on an informal basis. If the complaint is against an individual, the complainant should, if possible, first raise their complaint either orally or in writing with that individual, stating the remedy they are seeking. If the complaint is about programmes, courses, facilities or services provided by the Company, the complainant should raise the complaint with the person who has responsibility for the area concerned, again stating the remedy being sought. The complaint must normally be made within one month of the actions (or lack of actions) which prompted the complaint. The person to whom the complaint has been made shall respond to the complaint, normally within ten working days of the complaint being made. If it proves impossible to respond fully within ten working days, the complainant shall be informed of the timescale for the receipt of a full response. If making or responding to the complaint involves face to face contact between the complainant and a person against whom the complaint has been made, both shall be entitled to be accompanied by a friend or colleague or other member of the Company. If the person to whom a complaint has been made rejects the complaint, s/he must state his/her reasons for doing so.
- 2.2 If a complaint is of a general rather than specific nature, it may be more appropriate to ask the relevant student representative to raise it with Student Support Services.
- 2.3 If the complainant is dissatisfied with the response s/he receives from the person to whom a complaint has been made, or if s/he feels unable to approach directly the person against whom s/he has a complaint, s/he should submit a written complaint to The Management Team or to the line manager for the service concerned. If the head of an academic department is the subject of the complaint, then the written complaint should be made to the Directors. If the complainant is unsure whom to approach at this stage, s/he may seek advice from Student Support Services. The written complaint should set out briefly: the nature of the complaint and the remedy sought; the informal steps already taken (if any); details of the response received; a statement as to why the complainant remains dissatisfied; and, without prejudice to any formal remedy which might be determined, the remedy s/he is seeking. The Management Team or line manager for the service shall investigate the complaint and shall submit a written response to the complainant normally within fifteen working days of the receipt of the complaint. If it should prove impossible to respond fully within fifteen working days, the complainant shall be informed in writing of the timescale for the receipt of a full response. If the investigation involves a face to face meeting between the Director/Centre Manager and Quality Manager for the service and the complainant and/or person against whom a complaint has been made, the latter

two shall both be entitled to be accompanied by a friend or colleague or other member of the Company. If the complaint is not upheld, the reasons for this decision must be stated in writing to the complainant and to any person against whom a complaint has been made.

3. THE FORMAL COMPLAINTS PROCESS

- 3.1 The process described in paragraphs 2.1-2.3 represents the informal stage in seeking to resolve complaints. If, having pursued the matter informally, the complainant remains dissatisfied with the written response s/he should refer the matter formally in writing to Quality Manager and should enclose copies of the correspondence exchanged during the informal procedure and any other relevant papers.
- 3.2 The Quality Manager shall acknowledge receipt of a formal complaint in writing within five working days. Subject to his/her being satisfied that the complainant has taken all reasonable steps to resolve the matter informally using the procedures detailed in paragraphs 2.1-2.3 above, the Manager shall appoint a person or persons within the Company, having no material interest in the complaint, to carry out an investigation. The investigator(s) may seek to resolve the issue on the basis of documentation, after having sought further information from the members of staff involved in the informal investigation of the complaint, or may, at the discretion of the investigator(s), call a hearing at which the complainant and any other persons involved may submit their respective cases. The complainant and any person who is the subject of a complaint may each be accompanied at any such hearing by a friend or colleague or other member of the Company, who may speak on his/her behalf, if appropriate. In the unavoidable absence of any parties in the hearing, the hearing may be postponed, but the voluntary absence of one of the parties shall not prevent the hearing proceeding.
- 3.3 After investigation of the complaint the investigator(s) shall decide whether the complaint is justified or not and shall submit a report in writing to the Manager, containing such recommendations as may be appropriate. The Manager shall determine what action, if any, shall be taken and shall communicate this in writing to the complainant and all other relevant parties within 30 working days of the date of acknowledging receipt of the formal complaint.
- 3.4 Following formal investigation of a student complaint, there shall be no right of appeal as to the merits of the case. Dissatisfaction as to the outcome of the complaint itself shall not in itself constitute an acceptable reason for appeal. However, if a complainant believes that his/her complaint has not been handled properly or fairly in accordance with the procedures set out in paragraphs 3.2 and 3.3, and then s/he may submit a letter of appeal to the Directors requesting a review. The letter must set out the reasons for requesting the review, should normally be submitted within ten days of notification of the decision on the complaint by the Registrar and should include copies of all previous correspondence and relevant papers.
- 3.5 Appeals will be considered by the Directors or his/her nominee. The Director will acknowledge receipt of an appeal within five working days. The Director or

Private & Confidential

- his/her nominee shall consider the circumstances of the case on the basis of the documentation and, having taken such advice as s/he deems necessary, shall determine whether there is *prima facie* evidence to support the complainant's appeal that the case had not been handled properly or fairly. If s/he determines that no *prima facie* evidence exists, then the appeal shall be dismissed. If, however, the Director or his/her nominee is satisfied that there is *prima facie* evidence to support the appeal, then s/he shall review the case. S/he shall inform the complainant, normally within 30 working days of receipt of the appeal, either that there is no *prima facie* evidence to support the appeal and therefore that the appeal has been dismissed, or that the case is to be reviewed.
- 3.6 Reviews will normally be conducted by means of scrutiny of written documentation. Following completion of a review, the Director shall ensure that any appropriate action arising from the report and its recommendations is taken and shall inform the complainant accordingly.
- 3.7 In normal circumstances any hearing which a complainant is invited to attend in connection with the investigation of a complaint will be held during semester time. If, in exceptional circumstances, the investigation of a complaint requires a complainant's attendance in the Company outside of course time, reasonable travel and subsistence expenses incurred by the complainant in attending the Company will be reimbursed by the Company.
- 3.8 This represents the companies internal procedure for the handling of student complaints. Any student who remains dissatisfied with the outcome of the Companies internal procedures may appeal for consideration of their case by an Independent Arbitrator whose appointment will be made by joint agreement. Further details and advice on how to do this can be obtained from the Quality Manager.

Private & Confidential