



CUSTOMER COMPLAINTS & COMPLIMENTS POLICY

POLICY OWNER:	Quality Improvement
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1. POLICY STATEMENT

- 1.1 BMet welcomes the opportunity to resolve issues with any aspect of its services and sees this as an integral part of its drive to meet the needs of students¹ and the wider community. The college will view complaints positively as part of customer feedback and seek to put improvements in place as a result of complaints.

BMet recognises a complaint to be 'a specific statement of dissatisfaction about an aspect or aspects of experience relating to BMet'.

- 1.2 BMet welcomes compliments about its services and staff. Compliments allow BMet to give recognition where there is good practice and performance, and such feedback is used to share good practice and to continue to improve the service provided. These should be sent to the relevant members of staff, Vice Principal or the Quality team by email, compliments@bmet.ac.uk or using the [Customer Compliment Form](#). Compliments will be recorded and reported to the Senior Leadership Team and written acknowledgement will be sent from the Quality team to the staff/department concerned.

- 1.3 The college also aims to ensure that any problems experienced by students, parents, carers, guardians, employers and members of the community are resolved as fairly and as quickly as possible.

- 1.4 As far as possible, confidentiality will be observed. Where a complaint relates to specific individuals, the college may seek permission to share such details with them. If permission is not given, it may not be possible for the college to fully investigate or resolve the complaint.

- 1.5 It is expected that students will assume responsibility for all communication in relation to problems or complaints; however, parents, carers or other relevant parties may on occasion contact the college directly if they have serious concerns. Where a student is aged 18 or over the college will only release information to a parent/carer or relevant third party with the express written consent of the student. On receipt of written consent, the college will communicate directly with the parent/carer/relevant third party acting on behalf of the student.

- 1.6 The college will not normally act upon anonymous complaints due to the limitations for investigation and response. There may, however, be exceptional circumstances where the College deems it appropriate to

¹ The term 'students' is utilised here to refer to all those (including apprentices) who receive teaching, learning and assessment from BMet, either directly or through our subcontracting partners.

investigate a complaint from an anonymous source, which identifies a risk to the college community or the wider public.

- 1.7 A malicious complaint is that which is deemed unreasonable or untrue, having been made to abuse the complaints procedure, or an attempt to defame the name or character of another person. In these cases, the college reserves the right to terminate investigation of the complaint.
- 1.8 In a collective complaint, each individual must be named and agree with the content of the complaint for it to be considered. The nominated spokesperson will receive communication/correspondence from the college. Additional complainants will be contacted as required as part of the investigation and will be informed of the outcome of the investigation.
- 1.9 We seek always to feedback to our customers; where we can we will make improvements based on each complaint and the college Senior Leadership Team will undertake an annual review of the complaints made and how we have resolved them.

2. RESPONSIBILITIES AND OBLIGATIONS

- 2.1 This policy includes all complaints and compliments from students, parents, carers, guardians, employers and members of the community.
- 2.2 The policy cannot be used where an issue is covered in part by any of the following policies:
 - Assessment Internal Quality Assurance and Moderation Procedure
 - Higher Education Assessment Policy
 - Positive Behaviour Policy and Procedure
 - Child Protection and Safeguarding Policy
 - Staff Disciplinary Procedure
 - Staff Grievance Policy
 - Whistleblowing Policy
 - Anti-Fraud Policy
- 2.3 It is the responsibility of all employees to take complaints seriously and to resolve problems swiftly to prevent them escalating and becoming the cause of further dissatisfaction. Complaints that cannot be informally resolved by an individual member of staff must be reported to their line manager for investigation and response.
- 2.4 Where a problem or difficulty cannot be informally resolved by staff in the departments the complaint should be lodged with the Quality team.

2.5 The college has a firm stance regarding harassment, abuse and bullying and is facilitating safe spaces to raise concerns. Complaints of this nature are taken very seriously, and the college is committed to ensuring that all students feel safe in the college. Where a complaint indicates that a complainant has concerns relating to their treatment due to a protected characteristic, this will be recorded, and the Investigating Officer will take this into account in making their judgements, taking advice from specialists where appropriate.

2.6 The Quality team maintain records of complaints which are reviewed monthly by the Senior Leadership Team and presented to Governors annually. Records are examined for timeliness, quality of handling and resolution and patterns and trends. This analysis is used to inform the quality improvement plan and ultimately improve the quality of service to its customers.

2.7 The Quality team are responsible for:

- Ensuring that this procedure is available to all college users
- Logging formal complaints and monitoring response times
- Checking the written response provided by the Investigating/Appeal Officer covers all aspects of the complaint prior to sending the response to the complainant
- Recording, analysing and reporting on the outcomes of complaints
- Checking that actions have been put in place to prevent the re-occurrence of complaints
- Ensuring that central records relating to formal complaints are securely stored for a maximum period of six years.

2.8 The Investigating / Appeals Officer is responsible for:

- Carrying out a balanced investigation into the complaint/appeal
- Complying with the timescale for completion
- Providing a written response to the Quality team
- Ensuring actions have been put in place to prevent the reoccurrence of complaints
- Forwarding all related documentation to the Quality team for secure storage and/or disposal of duplicate records.

3. **PROCEDURE**

3.1 Actions on receipt of a complaint:

Complaints may be submitted in written or electronic format via letter, email or by completing a [Customer Complaint form](#). Support can be made available to anyone requiring help to capture their complaint in writing via the Quality team.

Wherever possible, complaints should be dealt with via Informal Resolution. Usually only when this route fails to bring about a resolution should the Formal Complaints procedure be initiated. In the case of a serious complaint the matter will usually progress immediately to a Formal Complaint, for example where a complaint is received from a regulatory body.

3.2 Informal Resolution

Where the quality of the service received from BMet falls short of expectations, the first step is to raise it informally. Often concerns can be addressed quickly by talking to the appropriate person. Students and their representatives should initially discuss any concerns with their personal or subject tutor and employers should contact their Business Development Manager/Advisor to discuss concerns. Informal complaints should be addressed in a timely manner (no more than five working days) to the satisfaction of all parties. Where this is not appropriate or **where action taken by the tutor or Business Development Manager/Advisor does not resolve the issue**, the matter should be escalated to the Department Manager or Department Director who will respond to the issues raised. The person resolving the complaint should make notes of the issue and the agreed resolution and should store these notes securely on the Directorate Site for 3 years from the date of resolution, noting that they may be required by the Quality team if concerns re-emerge.

Informal complaints are not normally reported to the Quality team, unless there is a specific reason to do so.

If the informal route does not lead to satisfactory resolution the Formal Complaints Procedure should then be used. (3.3)

Please note that where the concern relates to the marking or results of an assessment or examination, the Academic Appeals Policy should be used, which is available for staff on SharePoint and for students on the Learner Landing Page and within the relevant Course Handbook.

3.3 Formal Complaints Procedure

Where a complaint has not been resolved through the Informal Resolution process the matter will be treated as a Formal Complaint. The complaint should be made using the [Customer Complaint Form](#), or by letter or email and sent to the Quality team. Support can be made available to anyone requiring help to capture their complaint in writing via the Quality team. Formal Complaints should be made within **three months** of the initial incident. The Quality team will acknowledge receipt of the complaint in writing within **three working days** of receipt of the complaint. An Investigating Officer will be appointed by the Quality team and this will normally be a manager with direct involvement in the area of the complaint,

which ensures that an individual with appropriate knowledge, skills and experience is handling the investigation.

The Investigating Officer will aim to conclude their investigation within **10 working days** of receipt and will send a response to the Quality team. The Investigating Officer will also confirm whether in their view the complaint was substantiated (valid and verified), partially substantiated or unsubstantiated (not valid and/or not verified).

The Quality team will send the final response to the complainant within **15 working days** of the receipt of the original complaint and close the complaint. Please note timelines may need to be extended outside of term time due to the availability of the relevant staff, and if the complaint is of a complex nature involving a number of parties. Any delay in providing a response will be communicated to the complainant by the Quality team and will explain the reasons for the delay and provide an update of the investigation to date where possible/appropriate.

On completion of an investigation the Investigating Officer should send all related notes and documentation to the Quality team for secure storage.

3.4 Appeal

A complainant has **10 working days** from the date of the confirmation letter to deliver a written notice of appeal to the Quality team if they are dissatisfied with the outcome of the Formal Complaint investigation.

An appeal must be made in writing and include the reason for the appeal along with any additional supporting evidence. An appeal can only be considered on the basis that at least one of the following criteria apply:

- There has been a procedural irregularity
- New evidence has come to light
- Not all of the evidence was considered when coming to a conclusion

An Appeals Officer will be appointed by the Quality team. This would normally be someone of equal or higher seniority than the original Investigating Officer. The Appeals Officer will review the complaint and any new evidence and come to a conclusion. The Appeals Officer will normally respond in writing to the complainant within **15 working days**.

3.5 Taking a complaint beyond the College (excluding Higher Education Students)

When the Formal Complaints procedure has been exhausted, and if a resolution has not been achieved, the complainant has a right to complain to BMet's regulatory body, which for the purpose of this policy in the main (see exception below for AEB) is the Education and Skills Funding Agency (ESFA). Please note that the ESFA will normally only consider a complaint

when they are satisfied that the College procedure, including appeal, has been exhausted, unless the Agency believe that the complaint is not being dealt with appropriately, when they may intervene during the Formal Complaints procedure.

Details about how to complain to the Education & Skills Funding Agency (ESFA) are available from their website:

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

If the complaint relates to an AEB course funded by the West Midlands Combined Authority (WMCA), the college's complaints process, including any right of appeal, must be exhausted before the WMCA can investigate. Students to whom this particular right to escalation applies will be made aware of this in their Completion of Procedure letter.

Details about how to complain to the West Midlands Combined Authority (WMCA) are available from their website:

<https://www.wmca.org.uk/policies>

3.6 Taking a complaint beyond the College – Higher Education Students

If the Formal Complaints process has been exhausted, and if a resolution has not been achieved, the complainant has a right to complain to the validating Higher Education Institution (HEI). Contact details and information about how to make complaints are available on the web-site of the relevant HEI. If a satisfactory resolution has not been achieved through BMet's Formal Complaints procedure and the validating HEI's complaints procedure, the complainant may take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education students. The OIA website is: <http://www.oiahe.org.uk>

4. COMPLIANCE

4.1 It is the responsibility of all members of staff to comply with this Policy and to follow the procedures outlined herewith in. Failure to do so will compromise effective complaint handling and resolution and may therefore result in disciplinary action.

4.2 The relevant Manager is responsible for ensuring informal complaints and compliments are addressed in accordance with the policy.

4.3 Where a complaint reaches the formal stage, the process will be monitored by the Quality team who will monitor and record Investigating/Appeal Officer compliance with the policy, and adherence to specified timescales.

Non-compliance is reported swiftly to line managers so that timely support and intervention can be put in place.

- 4.4 The Quality team record actions / changes made which arise from complaints and monitor the impact of these changes.
- 4.5 Formal complaints and appeals are reported to the Senior Leadership Team regularly through the Quality report, outlining details of compliance and timeliness. A detailed analysis and evaluation of complaints data takes place twice per annum and the key findings with recommendations are reported to the Governors.

Formal Complaints should be made using the [Customer Complaints Form](#), or made direct to the Quality team by email: complaints@bmet.ac.uk

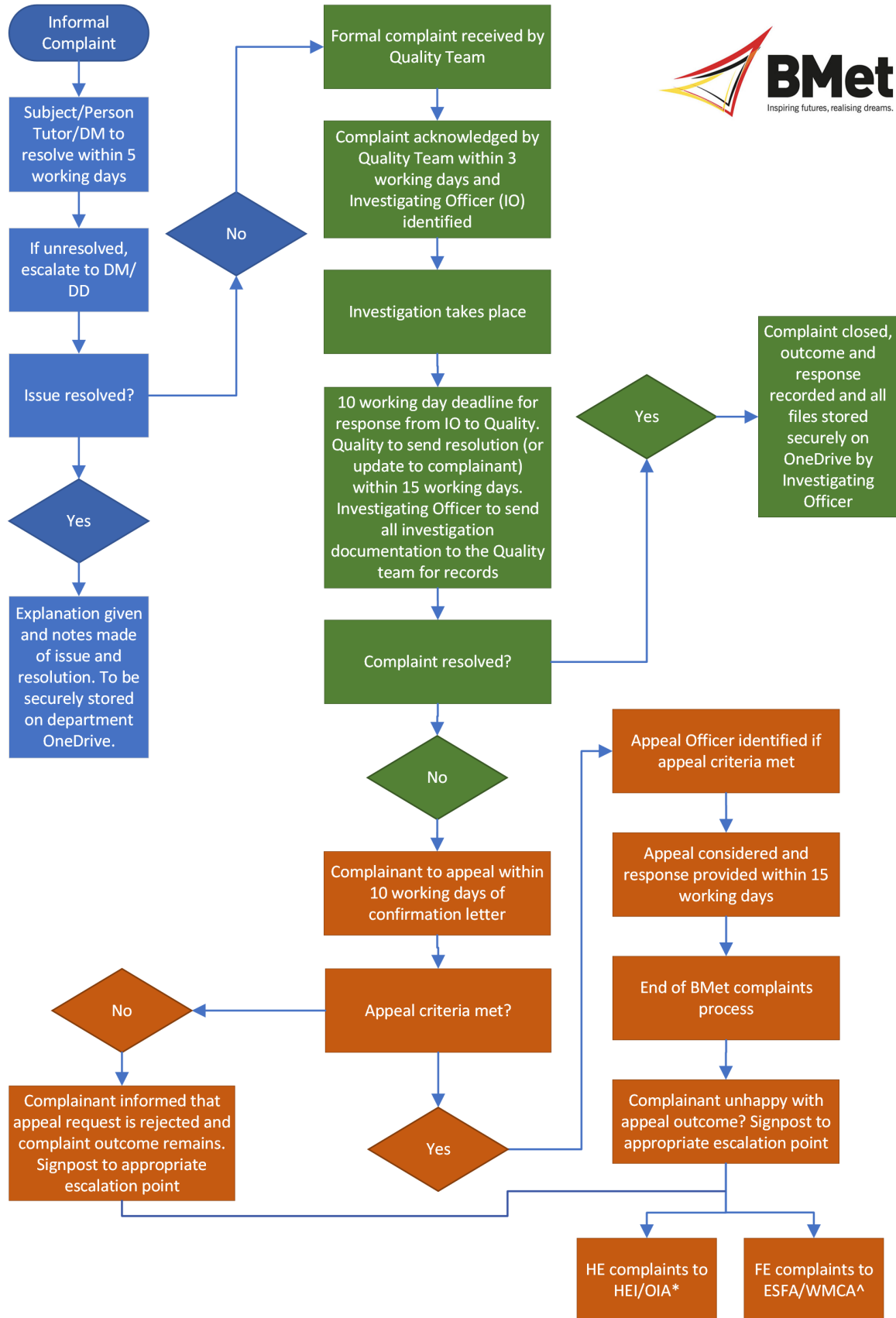
Alternatively, you can hand in a complaint to the Reception of any BMet College or write to:

The Quality Team
Birmingham Metropolitan College
Jennens Road
Birmingham
B4 7PS

Complaints handed into Reception will then be forwarded to the Quality team via the complaints inbox: complaints@bmet.ac.uk.

The flowchart in Appendix One provides an overview of the complaints process.

Appendix 1 - Complaints Process



* The HEI stage only applies to HE complaints which are not related to Pearson accredited courses.
 ^The WMCA stage only applies to FE complaints which related to AEB funded courses.