

Policy/procedure title	Handling and Resolving of Complaints Policy		
Review Cycle *Please specify	1 year	Responsible Department	Quality
Procedure Owner *overall responsibility	Head of Learning Improvement		
Responsible Person (if different to above) *responsibility for communicating changes and staff training where appropriate	Quality Coordinator		
Types of provision this procedure applies to: (delete as appropriate)	14-16 Study Programmes 19+ Apprenticeships Higher Education		
Revision Record			
Rev. No.	Date of Issue	Details and purpose of Revision:	
5	20/06/19	Amendments to scope to provide additional clarity	
6	06/01/20	New Work Instruction – combined STU02	
7	01/11/2021	Change of ownership to Head of Learning Improvement	
8	30/05/2023	Update of role titles	
9	26/06/2023	Clarification of Roles at each stage	
10	22/04/2024	Formatting changes made to bring policy in line with OU CMA recommendations	

Equality Impact Assessment

Whenever a policy is reviewed or changed, it's impact assessment also must be updated. The Equality Act 2010 seeks to simplify discrimination law and introduced statutory duties to promote equality whereby The College of West Anglia must, in the exercise of its functions, pay due regard to the need to promote equality in relation to the protected characteristics.

Could any staff or students be adversely impacted by this policy/process? If yes give details and how this will be mitigated:

Date	Action and Monitoring:
22/04/2024	No Actions Required HP

E, D & I Statement

This procedure has been reviewed in line with the Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment., Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual Orientation and Disability. We will continue to monitor this procedure to ensure that it allows equal access and does not discriminate against any individual or group of people.

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1 Policy

This policy applies to all learners who receive funding under the following funding streams: Education and Skills Funding Agency; 16-18; 19+; Adult Education Budget; Advanced Learner Loans; Apprenticeships; Cambridgeshire and Peterborough Combined Authority Devolved Budget; Higher Education Learners funding through Anglia Ruskin University and Commercial and/or Self-funded Learners

CWA will have a fair, non-biased and robust process for dealing with complaints. Where the complaint relates to Higher Education, CWA have a transparent approach to signposting students to the Office of the Independent Adjudicator (OIA) at the appropriate time.

2 Purpose

This document outlines the process to be followed where there has been a failure to maintain the high standards set at CWA, of a nature which has prompted a person (or people) to make a complaint. It details how that complaint will be investigated and the actions to be undertaken where a complaint is found justified or non-justified.

For complaints related to Higher Education, please see [the HE Students Complaints Policy](#)

3 Scope and Eligibility

This approach covers all college activities, provision (including Higher Education and Apprenticeships) and services.

To be eligible for consideration under this process the complaint must be raised in a timely manner (within 20 working days of becoming aware of the issue). For final year Higher Education students, complaints must be raised by the date of the CWA Graduation event, regardless of attendance, or within 3 calendar months of the identification of the issue, depending on which is the longest. Complaints received outside of this deadline will be considered under this procedure at the college's discretion.

Any student or member of staff who is the subject of action under any other college process (e.g. the Grievance, Disciplinary Policy/Code or Student Charter and Code of Conduct) cannot in addition invoke the complaints procedure, other than about the process itself. This process will also be made accessible to members of the public where appropriate. CWA would not typically accept a complaint from a third party such as a friend or family member. Complainants are expected to raise the complaints directly themselves, but we appreciate that in some circumstances this is not always possible. Anonymous complaints will not normally be accepted, complainants should be assured that CWA will deal with the complaint appropriately, and therefore, a complaint of this nature should not be needed, unless there are extraordinary circumstances*.

A complaint relating to an employment matter by a student who is also an employee would be dealt with under the relevant Human Resources Policy and Procedure (Dispute Resolution and Grievance Procedure). Complaints against students will be dealt with via the Student Disciplinary Code by the relevant Faculty Manager. Concerns about a member of staff or student relating to bullying or harassment can be considered under the College's Harassment Procedure.

Some issues may more appropriately be considered under alternative processes. For example, but not exclusively:

Academic Appeals - for concerns about a decision in relation to academic progress, assessment, judgement or award

Disciplinary (Student or staff) processes – for concerns relating to conduct along with other HR processes

**Note: For those under 18, where a complaint has been raised on their behalf, we may not be able to respond without the direct positive consent from the young person concerned, unless they are deemed to be unable to raise the complaint themselves for a clearly defined reason. The college will always act reasonably.*

4 Definitions

Complaint	An expression of dissatisfaction by a person (or people) about the action or lack of action, or standard of service provided by the College of West Anglia (CWA) or on behalf of CWA.
Complainant	A person(s) who has expressed dissatisfaction in relation to an action, or lack of action, relating to a standard of service provided by or on behalf of CWA.
Higher Education Student (HE Student)	A person who is enrolled on any Higher Education course delivered by The College of West Anglia (any programme at Level 4 or above, including Apprenticeships). A higher education course is a course of any description mentioned in Schedule 6 to the Education Reform Act 1988 and which also meets the academic standards as they are described in the Framework for Higher Education Qualifications (FHEQ) for England, Wales and Northern Ireland at Level 4 or higher. This will include Higher Technicals and Apprenticeships.
Harassment	Harassment is the unreasonable pursuit of actions in such a way that they; <ul style="list-style-type: none">a) appear to be targeted over a significant period on one or more members of college staff and/orb) cause ongoing distress to individual member(s) of staff and/orc) have a significant adverse effect on the whole/parts of the college and/ord) are pursued aggressively
Persistent, Frivolous, Vexatious, Malicious	A persistent complainant is any person who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the college and whose behaviour is unreasonable.

Complaints

A vexatious or malicious complaint is defined as a complaint which patently cannot be substantiated, or which has been made to defame the name and character of another person. Examples of a frivolous and vexatious complaints include:

- Complaints or academic appeals which are obsessive, harassing or repetitive
- Insistence on pursuing non-meritorious complaints or academic appeals and/or unreasonable outcomes
- Insistence on pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value

Actions or behaviour that fall into any of the categories defined above, or any other harassing or persistently unreasonable behaviour, may render an individual liable to become subject to this procedure.

Faculty Manager

Course Director, Programme Manager or Head of Faculty

Investigating Manager

A member of college senior staff (CLT) who will investigate the complaint under stage 2 of this procedure

Independent Reviewer

At stage 2 this individual, independent of the complaint, will review the evidence and evaluate the outcome to ensure it is both reasonable and proportionate. This will typically come from a member of the college leadership team (CLT), normally the Head of Faculty. The Independent Reviewer will be appointed by the Quality co-ordinator.

Representative / supporter	An identified individual(s) who has permission from the complainant to accompany them to meetings. In some cases, these may be entitled to respond on behalf of the complainant or request a brief adjournment.
Case Manager	A senior member of college staff appointed by the principal to undertake the review at stage 3, normally SLT.
Case Officer	A member of college senior staff who will assist the Investigating Officer and, where necessary the Panel, in managing Stage 3 of this procedure.

5 Actions and responsibilities

The effectiveness of this procedure will be enhanced by incorporating the following principles:

- the right of an employee to know the allegation(s) being made against them
- the right of all parties to be heard
- the right of all parties to be treated fairly
- the right of all parties to have access to an investigator and decision maker who acts fairly and in good faith
- the right that a decision is based on sound evidence or the balance of probabilities

Issues raised may not fall neatly into the category of a complaint. Where this happens, the matter will be considered by the quality unit to determine how the issues will be dealt with. CWA may, in discussion with the individual(s), investigate the item further under the following complaints process.

Occasionally the quality unit could identify that two procedures may be followed at the same time. This may in turn see one procedure suspended pending the completion of another.

All persons involved in a complaint must observe confidentiality, unless otherwise authorised, by the complainant or Quality Unit, or required to disclose information.

The complainant may request that their concerns are dealt with confidentially. In these situations we will act reasonably, there may be some situations where confidentiality is not possible depending on the nature of the concerns, where this is the case it will always be discussed with the complainant initially.

Group complaints will normally be allowed where the issue has affected several people. In this situation to effectively manage this the group will be asked to nominate one member as a representative. CWA staff will normally deal with the nominated representative of the group and in turn it is expected that they will liaise with the group members. Where this happens, then the outcomes of any investigation may differ depending on the experience and impact on the individuals concerned.

5.1 The Process The process for dealing with complaints is typically divided into three stages:

5.1.1 Early Resolution / Stage 1 Complaint, in which an attempt is made to quickly resolve the matter by a representative of the faculty or support department in which the grounds for complaint arose. All complaints typically should have Stage 1 attempted unless otherwise directed by the quality unit. Stage 1 is normally led by relevant Course Director or Programme Manager.

5.1.2 Stage 2 – Formal Investigation and Resolution, which involves an investigation by an authorised senior member of staff. **This stage is led by an appointed Investigating Manager (IM), normally the senior faculty or department manager aligned to the provision or service department (Head of Faculty).**

Once the IM has concluded their investigation the quality unit will appoint an independent reviewer, typically a member of CLT, who will review and approve the outcome, based on whether it is reasonable and proportionate to the initial concerns raised.

5.1.3 Stage 3 – Appeal/Review – Where the complainant remains unsatisfied with the outcome of Stage 2 and has requested a review, this will be initially considered **by the Principal**. The outcome of this will be progression to either Part 1 or Part 2, where a further **Case Manager** will be appointed.

Note: Complaints may be prioritised or fast-tracked through the stages outlined above. This decision may be influenced by the following factors;

Professional, regulatory body requirements or time frames for a decision

The potential that an existing condition (physical or mental) may be exacerbated by protracting the process any longer than necessary

The college will always seek to act reasonably and in the best interest of the complainant. Where deviation from the standard process occurs, the rationale must be clearly documented.

5.2 *Complaints pertaining to staff* Where a complaint relates to a member of college staff then the **Head of Human Resources** will be informed. In such situations this may result in other college approaches being used in place of this instruction. e.g. Staff disciplinary. If the complaint is not deemed to require other processes, then the individual member of staff will be informed by their line manager of the substance of the complaint. When a completion of procedures letter is issued to the complainant, the staff member will also be informed that the matter has been closed. The appropriate manager will communicate the basis of the outcome and ensure any recommendations/ remedial actions required are undertaken.

As a 'public authority' CWA will ensure we are compliant with the expectations of the General Data Protection Regulation (GDPR). Confidentiality is an important issue in any investigation concerning employees, students or third parties. Confidentiality assists the investigative process by encouraging witnesses to be forthcoming in their evidence. It reduces the likelihood or opportunity for evidence to become compromised and reduces the risk of untested or unsubstantiated allegations being circulated outside of the complaint

process. Confidentiality also helps develop and maintain employee confidence in the process.

6 Each stage in detail

6.1 Stage 1: Early Resolution

Critically in this stage the complainant should be able to discuss their concerns and feel they have been listened to. It should be followed by an attempt to resolve the concern at this stage. Stage 1 seeks to resolve straightforward concerns swiftly and effectively, at the point at which a complaint is made, or as close to that point as possible, at **Programme Area** or **Support Department** level. These are issues that are typically resolved by a **face-to-face meeting** or a **telephone conversation** with the complainant. Matters that require more than this may be escalated to Stage 2.

The Early Resolution stage should be resolved in a timely manner (typically no longer than **10 working days** from the point that the complaint is logged by the Quality Department, although some complex complaints may require longer).

In a situation where contact has not been made and the investigation started within 10 working days then the matter may be automatically escalated, by the Quality Department, to an authorised senior member of staff and progress the complaint to Stage 2 for investigation and resolution.

Complainants should be encouraged to consider whether a facilitated meeting with an independent member of the College, not related to the curriculum area concerned would be an appropriate and alternative method of resolution. Further information on Facilitation can be found under "Stage 2: Formal Stage" in this procedure.

In this stage, the complainant is not expected to be accompanied in any meetings with staff, unless they require support for recognised reasons. If the complainant feels that they cannot meet with a member of staff without being accompanied by a third party (family member or friend) then the complainant should communicate this to the **Quality**

Department (quality@cwa.ac.uk) to attend, the third party may advise the complainant, but they are not permitted to speak on their behalf.

Mediation and conciliation during this early stage can be particularly helpful in understanding what is driving the concern, particularly in disputes between students or students with staff. If used effectively it can also lead to a swift and mutual satisfaction between parties.

If a complaint addresses several areas of the institution, this must be passed on to the **Quality Department** for initial investigation.

- 1) The Early Resolution stage will normally be concluded **in writing** to the complainant by the **member of staff who managed Stage 1** who should also add all evidence and documentation to the complaint file to be checked by the **Quality Coordinator** prior to any response being sent. If a resolution is concluded over the phone or in person a written resolution summary should still be sent.

The complainant will be informed of their right to request that their complaint is progressed to Stage 2, should they be dissatisfied with the outcome of Stage 1, and the deadline for doing so (typically within **15 working days**). Please use the **Resolution letter to complainant template** found in the complaints folder.

6.2 Stage 2: Formal Stage (Investigation)

Where a complainant is dissatisfied with the Stage 1 outcome and wishes to request a formal investigation the complainant should write to the **Quality Department** (Quality@cwa.ac.uk) within **15 working days from the date the outcome of Stage 1 was communicated to them**.

An Escalate to Stage 2 form will be emailed to the complainant from Quality. The form should outline the grounds for their request to move to stage 2. It should give an account of attempts at resolution made under Stage 1 and explain why they believe the outcome of Stage 1 is unsatisfactory. Complainants are invited to indicate what form of redress they are seeking, without prejudice to any final remedy which may be determined.

On some occasions stage 2 will be the starting point. In situations where the complaint is automatically escalated by the college to Stage 2 then the complainant is informed of this by email or letter from a representative of the Quality Department.

The request will be acknowledged within **five working days** and the complainant will be informed that their complaint has been assigned to an **Investigating Manager (IM)** (normally the senior faculty or department manager (**Head of Faculty**) who will review the matters raised and ultimately report directly back to the complainant and quality department within **20 working days** from receipt of the stage 2 request. Where there is a need to extend this deadline, within reason, then it is the responsibility of the **IM** to communicate this to the complainant.

The **IM** will consider the most appropriate way of dealing with the matter. Normally, one of the following approaches may be adopted, depending on its nature:

- Dismissing the case out of hand if it appears vexatious or malicious.
- Directing the matter to be pursued under another set of procedures (e.g. Academic Appeals or Procedures Relating to Student Disciplinary Offences) where that is appropriate.
- Attempting to resolve the issue by correspondence between the parties or negotiation between the complainant and relevant Manager (e.g. Head of Faculty or Head of Department).
- Offering a facilitated meeting between the complainant and relevant individual/Manager.
- Investigating the grounds of the complaint to identify further or new evidence.

Note: At this stage the identity of the person making the complaint may remain anonymous (where a complainant has named a member of staff as the subject of their complaint, then the Investigating Manager must ascertain whether the name of the complainant may be released to the member of staff. The complainant should be made aware that where a member of staff is named and the complaint is not founded then the member of staff may have recourse to pursue other college processes, or external processes [where legal action may be taken])

The **IM** may wish to meet with the complainant to gain a deeper understanding of the case. The complainant is entitled to be accompanied by one other person typically (this must not be a legal representative). In some cases there may be a need for two persons/supporters to accompany the complainant where medical or personal care requirements dictate. In these situations only one representative/supporter should be permitted to speak on the complainant's behalf, and this should be clearly articulated by both parties. If a complainant wishes to be accompanied, then they must make the **IM** aware as far in advance of the meeting – this should be no less than **two working days** in advance of the meeting.

The representative/supporter must operate within the spirit of their accompanying role. They must not exploit circumstances for any other reason than in the interest of the complainant and the constraints of the complaint. Representatives should not typically answer questions on the behalf of the complainant. In some situations a family member or close relation could be in attendance for clearly defined reasons and act in such a role.

Minutes/notes of any meeting will be taken either by the **IM** or a third party arranged by the IM. If the IM has arranged for a third party to take notes, the complainant will be informed by the **IM** ahead of the meeting of their presence outlining that they will not be permitted to speak at the meeting unless this is to gain clarity for the notes. The **IM** may determine the need to speak to other parties, staff members or review further materials.

The **IM** will need to determine whether the complaint is:

- Trivial, vexatious or malicious
- Without substance and requires dismissing.
- With substance and requiring remedy, mediation, procedural change or potential financial redress (this may require Principal approval).
- A combination of these is likely.

Prior to conclusion, the matter at this stage should be subjected to an **Independent Reviewer** to determine that the outcome is proportional and reasonable determined by the

information provided by the **IM**. The **Independent Reviewer** will be assigned by the **Quality Department**. The conclusions of this element should be **within 5 working days** of the IM concluding their investigation.

If the **IM** decides that the complaint is without substance, the complainant will be written to informing them that the complaint has been dismissed and outline the grounds of dismissal.

If it is concluded that the complaint is trivial, vexatious or malicious, the **IM** may recommend that disciplinary action should be taken against the complainant. If the complaint is upheld then this will be communicated to the complainant, outlining the proposed course of action and remedy and informing them that the complaint has been closed at Stage 2.

With any outcome **the letter/email sent by the Investigating Manager** will inform the complainant of their right to appeal/request review (under Stage 3 of this Procedure), the grounds on which they may do so and the time limit for doing so (**15 working days form the Stage 2 outcome being communicated to them**). All evidence and documentation should be added to the complaint file by the **IM** and **IR** and checked by the **Quality Coordinator** prior to any response being sent.

Stage 2 will normally be completed within **25 working days**, including the independent review element. If, because of the nature of the investigation required, this timescale needs to be extended the **IM** will inform the **Quality Department** and advise the complainant of the reason for the delay and the revised timescales.

These must be reasonable and be in line with the prioritisation comments on page 3.

6.3 Stage 3 (Final Review and Closure of Procedures)

Stage 3 will not normally consider issues afresh or involve further investigation. A complaint must have been considered at the Stage 2 before it can be escalated to Stage 3.

The grounds for which a complainant may appeal/request a further review are:

- There was a procedural irregularity at this or the previous stage
- Outcome reasons have not been effectively communicated or are perceived by the complainant to be unreasonable.
- New evidence is now available which was not available upon reasonable enquiry or application at the time of the investigation during the formal stage

To appeal to stage 3 the complainant will need to complete the Escalate to stage 3 form and return to the **Quality Department** Quality@cwa.ac.uk, **within 10 working days** of the outcome of stage 2 being communicated to them. The complainant must clearly explain the grounds for their appeal and where necessary, provide evidence. A request submitted outside the appeal deadline may be considered at the discretion of the Principal.

6.3.1 Stage 3, Part 1, Principal's Review.

The **Principal** may dismiss an Appeal by writing to the complainant within **five working days**, if it is deemed to be outside of the grounds identified above or timeframe (within 10 working days of the stage 2 outcome being communicated to them). In such cases, a Completion of Procedures (CoP) letter will be issued by the **Quality Department**, along with the response from the **Principal**.

6.3.2 Stage 3, Part 2. If the **Principal** considers the complainants' Appeal to be well founded, this will then progress to Part 2 (Stage 3)

The **Principal** will allocate a **Case Manager (CM)** (usually a member of the Senior Management Team (SMT) or a suitably experienced senior member of staff).

Critically the **CM** will have had no previous direct involvement with the case. The **Principal** will normally respond to the complainant within **five working days**, detailing the process for the Review Stage and confirming the identity and contact details of the **CM**. It is expected at this point that the **CM** will determine whether a panel is required based on the information received.

The **CM** will review the information provided and may conduct a further investigation to conclude **within 15 working days** of the Principal's decision being communicated to the

complainant. This may lead to an outcome that overturns the decision made at Stage 2 or suggest alternate remedies. In normal circumstances, where the **CM** considers the Appeal without forming a Review Panel, the complainant will be issued with a letter/ report from the **CM** detailing the final decision. Where a complaint is upheld, information will be provided on how and when the College will implement any remedies where appropriate and whether this includes an apology.

This outcome of the Review stage represents the final stage of the College's internal procedures. The complainant will be issued with a Completion of Procedures letter by the **Quality Department** within **15 working days** of the conclusion of the Review

If the complainant relates to Higher Education and the complainant remains dissatisfied, they can pursue the matter through the procedures of the Office of the Independent Adjudicator. Details may be found on the OIA website <http://www.oiahe.org.uk> or later in this document.

Though it is highly unusual to consider the case afresh, the **CM** may convene a Review Panel in the rare circumstances that a case is so complex, or the issues are so contentious that further consideration is necessary to reach a fair and reasonable conclusion. This decision will need to be communicated to the complainant **within 10 working days of the notification from the Principal of the Case Manager**. In such circumstances, the **Case Manager** will appoint a **Case Officer** to convene matters and to communicate with the complainant, detailing, in writing the panel process, details of representatives on the panel and the date and venue of the meeting. The complainant will have the right to object to any member of the panel and this should be communicated quickly to the **CM** within 5 days of receipt of the information. The Panel will be chaired by the **CM** conducting the review and will include two other senior members of staff from Faculties or Departments unrelated to the complaint and an invited independent member, typically representing either students or the community.

A panel meeting must be convened **within 25 working days** of the appointment of the **CM**. The complainant will be asked in advance to provide a brief synopsis of their case

should they wish to and any further evidence / witness statements (including names and contact details for verification) if necessary. If the complainant wishes to be accompanied by a non-legal representative, they should inform the **Case Officer** of the person accompanying them and provide all other information requested **ten working days** in advance of the panel hearing. Any accompanying representative is neither a witness nor are they able to answer questions on behalf of the complainant. They are simply there to support the complainant, request opportunities for breaks and enable transparent processes to be undertaken. The attendance of the complainant and requirement for a synopsis and for any further evidence are at the discretion of the **CM**. If the complainant declines the offer to attend and/or provide a synopsis for the panel then the panel will proceed based on the evidence available.

The Faculty or Department representatives will be invited to present their case to the panel and/or provide a synopsis by the **CM**.

The Panel will have access to all previous documentation in connection with the complaint. In addition, both parties' synopsis of their case, and any additional witness statements, will be made available to all parties at least **five working days** before the hearing. The Panel may wish to request the presence of a witnesses in person at the meeting and be able to question them.

No new evidence may be introduced in the summing up. The Panel may refuse to hear evidence that it deems irrelevant. It has the power to adjourn the hearing to another date and to summon additional witnesses if it thinks it would be appropriate to do so to pursue its investigation and reach a conclusion. If the complainant chooses not to attend the meeting a decision will be made on the evidence available to the panel.

The Panel (including the **Case Officer**) will reach a decision in private. The **CM** will consider the feasibility and proportionality of any recommended action as part of the decision making. For higher education complainant's consideration should be given to the 'Distress and Inconvenience bands' issued by the OIA (available from the quality unit). Where necessary the **CM** may seek approval from the Principal (or another member of the Senior Management Team if the **Principal** is not available) on the outcome.

If the Panel decides that the appeal should be upheld, it may make any recommendations which it sees fit to the Faculty or Department. It may reject the appeal if it finds that it was unfounded or that the Faculty or Department had responded appropriately at an earlier stage. If the members of the Panel cannot agree, the verdict will be that of a simple majority of its members.

The brief conclusion and verdict from the panel will be communicated in writing by the **CM** to the complainant and to the Faculty or Department within **two working days** of the conclusion of the Panel. Following the hearing, the **Case Officer** will write a short report of the hearing which will be approved by members of the panel. The report will set out the grounds for the complaint, provide a summary of the evidence received, and record the decision of the Panel with any recommendations. The report will be prepared and agreed within **five working days** of the meeting. The complainant will be sent a copy of the report of the Review Panel, along with a letter from the **CM** detailing the final decision and any remedy which will be taken if appropriate; this normally takes place within **10 working days of the meeting**.

A copy of this correspondence will also be sent to the member of the Senior Management Team responsible for the Faculty or Department concerned.

The outcome of the Review stage represents the final stage of the College's internal procedures. The complainant will be issued with a Completion of Procedures (CoP) letter by **Vice Principal Curriculum and Quality** or the **Quality Department**, within **15 working days** of the conclusion of the Review.

If the complainant is a higher education student and they remain dissatisfied, they can pursue the matter through the procedures of the Office of the Independent Adjudicator.

Details may be found on the [OIA Website](#) or by writing to:

OIA

Second Floor Abbey Gate

57-75 Kings Road

Reading

RG1 3AB

7 Further Information and Guidance

7.1 Staff complaints

Where a member of staff (or a group of staff) is the primary subject of a complaint, then the respective line manager shall meet with the identified member of staff indicating that they have been named in a complaint together with the following information:

- date complaint was made
- nature of the complaint (i.e. necessary detail)
- who has been appointed as the Investigating Manager
- when were they appointed
- their role, and likely interaction with the member of staff
- what will happen to the outcomes of the investigation
- the mechanism by which the named member(s) of staff may respond to the complaint (including via interviews with the Investigating Manager)

There is further guidance in relation to informing staff on page 10.

If you are writing to a staff member regarding a complaint about them or are informing them face to face then the following information is really useful to include:

"I do appreciate that this may be a difficult time for you. If you are in a trade union I would encourage you to contact them as they have experience of this type of situation and can provide appropriate support, alternatively, you can contact the HR team. Additionally, the College has a confidential telephone employee support helpline available 24/7 on 0117 934 2121 which I would encourage you to make use of, should this be necessary"

For complaints received specifically citing the Clerk to the Corporation, the Principal, a named member of the Corporation, or the Chair of the Corporation, the following actions will overrule the stated action on the flow diagram.

7.1.1 Complaints against the Clerk - The investigating officer will be the Principal. Any appeal will be heard by the Chair of Governors

7.1.2 Complaints against a Governor (other than the Principal/Chief Executive) - The investigating officer will be the Clerk to the Corporation. Any appeal will be heard by the Chair of Governors

7.1.3 Complaints against the Chair of Governors - The investigating officers will be the Principal and the Vice Chair of Governors. Any appeal will be heard by a panel of three Governors selected by the Clerk (excluding the Vice Chair and the Principal and any other governor previously involved in the process)

7.1.4 Complaints by the Vice Chair against the Chair of Governors - The investigating officer will be the Principal and a member of the board selected by the Clerk (excluding the Chair, Vice Chair, Principal and any other Governors previously involved in the process)

7.1.5 Complaints against the Principal - The investigating officers will be the Chair and Vice Chair of Governors. Any appeal will be heard by a panel of three Governors selected by the Clerk (excluding the Chair, Vice Chair and any other Governors previously involved in the process)

7.2 Whistle-blowing

The **Clerk to the Corporation** shall ensure the [Whistle-blowing procedure](#) is reviewed by the Audit Committee at least every two years. The clerk will ensure appropriate action is undertaken when the Whistle-blowing procedure is activated.

7.3 Evidence Details

This may include medical evidence, such as letters confirming attendance or treatment at a GP or hospital or counselling service, reports by professionals such as psychologists or disability advisers, police crime numbers in the case of reported incidents, financial information such as evidence of loss of income (where relevant to the complaint) bank statements or receipts or statements of witnesses to incidents where it is safe and helpful to provide these. Such evidence will be managed in a confidential and sensitive manner. Should there be a requirement for such information to be shared with another member of

staff within the institution, the complainant will be informed of this requirement and invited to give their consent.

Complainants must be aware that all information and evidence will be passed to the Quality Unit and may also be seen by members identified in the investigation.

8 Order of Proceedings for Review Panel in Stage 3:

The order of proceedings shall normally be as follows:

Introduction of those present

- Outline of the purpose of the review hearing
- Reference to information provided by complainant and Faculty/Department
- Reference to synopsis summarising the main points of their case by complainant and Faculty or department
- Presentation of not more than 15 minutes by complainant or representative
- Opportunity to question complainant and witnesses by Panel and Faculty/Department
- Faculty or Department presentation of not more than 15 minutes
- Opportunity to question Faculty or Department representative and witnesses by Panel and complainant
- Complainant's or representative's summing up (maximum 5 minutes)
- Faculty or Department's summing up (maximum 5 minutes).

Appendix 1 Summary

1.1 Stage 1

- 1) Issue / Concern is raised via the website [make-a-complaint](#)
- 2) Stage 1 Early Resolution: Attempt is made to resolve the matter with a member of staff.
- 3) If resolved, the resolution of complaint form is completed and written confirmation of the resolution is sent to the complainant by the member of staff.
- 4) If unresolved the complainant can request Stage 2 within 15 days of receiving the stage 1 resolution by contacting the Quality Department quality@cwa.ac.uk

1.2 Stage 2

- 1) A formal Investigation is completed by an authorised senior member of staff (CLT) within 20 working days of receiving the request.
- 2) The findings and resolution are checked by the independent reviewer within 5 working days.
- 3) The investigating member of staff sends the resolution of stage 2 letter within a total of 25 working days from receiving the complaint and updates the resolution of complaint form.
- 4) If unresolved the Complainant can request Stage 3 within 10 working days of receiving the Stage 2 resolution by contacting the Quality Department quality@cwa.ac.uk

1.3 Stage 3

- 1) The Principal will review the complaint within 5 Working days of receiving the Stage 3 request and decide if it is well founded or to be dismissed
- 2) If the appeal is dismissed the Principal will write to the complainant to inform them and update the resolution of complaint form.
- 3) If the appeal is found to be well founded then the Principal will allocate a Case Manager, usually a member of the Senior Management Team (SMT) who has had no prior involvement in the complaint.
- 4) The Case Manager will review all the information provided and will decide if further investigation is required or if the complaint should be closed.
- 5) After further investigation the Case Manager may decide to convene a panel review (see appendix 2) or close the complaint. If closing the complaint, the complainant will be issued with a report / letter from the Case Manager detailing the final decision within 15 working days.

Appendix 2 Review Panel Process Summary

- 2) The Grounds for appeal are within scope of Stage 2
- 3) The Principal allocates a Case Manager within 5 working days of receiving the request
- 4) The Case Manager will review all the information provided and decide if the complaint is upheld or if a Review Panel needs to be convened.
- 5) If the complaint is upheld the Case Manager will write a letter/report detailing the final decision within 15 working days. This will include information on how and when the college will implement any remedies and an apology where appropriate. If the student is an HE student and remains dissatisfied with the outcome they will be directed to the [Office of Independent Adjudicator](#).
- 6) If a review panel needs to be convened, the Case manager will appoint a Case Officer to convene matters and to communicate with the complainant.
- 7) For further details please see the [Review Panel Process](#) document
- 8) The complainant will be sent the Review Panel report and a completion of procedures letter within 10 Working days of the panel meeting. If the student is an HE student and remains dissatisfied with the outcome they will be directed to the [Office of Independent Adjudicator](#).