

# Complaints Procedure

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## 1. Value and Goals

VALUE	GOAL
<b>STAND OUT:</b> We STAND OUT from the crowd. We are a GOOD education group with OUTSTANDING features. Keen to innovate, we create Social Value and push the boundaries to achieve more	To have a measurable positive impact on lives and communities
<b>TEAMWORK:</b> We are a team. Together we get the job done. Together we achieve our goals. It's everyone's job to step in and help.	To have the right people in the right jobs at the right time
<b>ACCOUNTABLE:</b> We own our actions. We take responsibility. We are accountable for the decisions we make and how these affect others. We own this	To maximise learners' success and ambitions through a learning strategy and approach that connects learning to the world To deliver high quality outcomes across all aspects of the Group's business
<b>RESPECT:</b> We respect everyone. Full stop. Diversity is valued and we maximise this as a talent and strength.	To embed a culture of discipline, values and evidence that will drive our behaviour
<b>STRIVE:</b> Every day we strive to be better. To achieve more. To continuously improve, in all that we do. Individually, and as a Group.	To establish a group identity/one organisation – shared vision, mission and values with a new emphasis on social enterprise

## 2. Introduction

- 2.1 At London South East Colleges, we aim to provide an efficient and responsive service to our students, employers and to the wider community that we serve. This procedure explains how you can make a complaint if you feel our services have fallen below the standard which you expect of us.
- 2.2 To ensure fairness and transparency, all complaints will be handled using a consistent and clearly defined procedure. This approach promotes equitable treatment for everyone involved and helps maintain trust in the process. By applying the same standards to each case, we aim to resolve concerns effectively while upholding the principles of respect, accountability, and impartiality

## 3. Scope

- 3.1 A complaint is defined as 'an expression of dissatisfaction by one or more people about the College's action or lack of action, or about the standard of service provided by or on behalf of the College'.

- 3.2 This procedure will be used for all complaints relating to any aspect of the College's services except:
- Complaints about admissions.
  - Academic appeals.
  - HE where a separate policy exists.
  - Complaints arising from disciplinary policy or the 42-day process.
  - Complaints about criminal convictions decisions.
  - Whistleblowing complaints.
  - Complaints against Corporation Board members including the Clerk.
  - Complaints that are classified as grievances under the College's staff grievance procedures.
- 3.3 This policy may be used by learners, parents/carers and members of the public.
- 3.4 Where complaints are deemed to be vexatious, they will be subject to the 'Vexatious Complaints Policy'.
- 3.5 If a complaint relates to an issue regarding a marking or assessment decision this will be dealt with under our published Student Appeals Policy and Procedures.
- 3.6 It is anticipated that complaints should be made in a timely manner, and normally within 20 working days of the matter that caused the original complaint. However, the College reserves the right to exercise discretion in this time limit e.g. should new facts arise outside the time limit that caused a complaint to be considered
- 3.7 Contact details of all complainants are required so the complaint can be investigated, and the outcome reported back. Anonymous complaints will only be investigated at the discretion of the College, and no response will be given or published.
- 3.8 All complaints are treated seriously by the College.
- 3.9 The College has the right to extend all deadlines set out in this document due to unforeseen circumstances and/or the requirement to gain further information.

#### 4. Making a complaint

##### 4.1 Stages in making a complaint

<b>Stage 1</b>	<i>Informal Complaints</i> seeking to resolve complaints swiftly and close to the point at which they arise. Informal complaints should be discussed with the member of staff dealing with the matter or the manager for that area.
<b>Stage 2</b>	<i>Formal Complaints</i> seeking to investigate complaints fully and resolve them satisfactory to the complainant's complaint reasons. We would encourage you to complete a complaint form (appendix 3) when making a formal complaint. In order for a complaint to be considered under Stage 2, the complainant may provide evidence of attempting to resolve the issue under Stage 1.
<b>Stage 3</b>	<i>Appeals</i> are complaints that have not been resolved satisfactory to the complainants' complaint reasons under Stage 2. Appeals must be made in writing via email at <a href="mailto:Complaints@lsec.ac.uk">Complaints@lsec.ac.uk</a> to the Group Executive Director Governance and Administration (see section 7.1).

<b>Stage 4</b>	<i>Escalation to Funding Agency</i> – guidance can be found on their website.
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- 4.1 In some cases, where the nature of the complaint is sensitive or complex, the complainant may make the complaint in person or may be requested to do so via the Complaints Administrator.
- 4.2 Complainants are entitled to support from friends, family or student union representatives at stages two or three in the complaint process (detailed in Appendix 2), but this excludes legal representation.

General guidance and support in making complaints can be sought from Student Achievement Tutors or the Student Union <https://www.nus.org.uk/>

## **5. Stage 1 - Informal Complaint**

- 5.1 It should be possible to resolve most complaints informally and we will endeavour to manage your complaint as swiftly as we can. All staff are encouraged to seek to resolve any issues informally so as to reduce the need for a formal complaint.
- 5.2 In the first instance you should speak to the member of staff dealing with the matter alternatively, you can speak to the appropriate manager for that area. The member of staff may be able to deal with the situation immediately. If you are unsure of who to speak to, please contact the Complaints Administrator via the complaints email.
- 5.3 Upon receipt of your Informal Complaint, we will:
  - Acknowledge your complaint verbally or via email (dependant on how your complaint is received)
  - Send you a full response within 10 working days
- 5.4 If your informal complaint is received into the complaint's mailbox, your email will be forwarded by the Complaints Administrator to the appropriate manager of that area, and you will be notified.

## **6. Stage 2 - Formal Complaint**

If you are unable to resolve your complaint informally, please put your complaint in writing as follows:

- Complete a Complaint Form, appendix 3 (form is also available on the College website and/or at Reception in each Campus)
- Email [Complaints@lsec.ac.uk](mailto:Complaints@lsec.ac.uk)

*We would encourage you to complete a complaint form when raising a formal complaint as this will help to resolve your complaint more quickly.*

- 6.1 Upon receipt of your Formal Complaint, we will:
  - Send an auto-response via email acknowledging your complaint.
  - Appoint an appropriate Investigating Officer who will conduct an investigation of your complaint.

- Send a response within 5 working days of receiving your complaint to inform you of your Complaints Reference Number and Investigating Officer. If you do not receive a response, please contact [Complaints@lsec.ac.uk](mailto:Complaints@lsec.ac.uk).
- The Investigating Officer may follow this up with a phone call informing you of the next steps (if a contact number has been provided).
- Send you a full response within 20 working days.
- Any complaint which does not follow the process detailed in Section 4.3 falls outside of the complaints policy. Therefore, a delay of your complaint is possible.
- Should the college be closed, a response will be sent to you on the first working day of the college re-opening.

6.2 Complainants may be requested to have a meeting with the Investigating Officer or another member of College staff to clarify issues about the complaint especially if it is complex or sensitive. Complainants are strongly encouraged to engage in this process as it will help the College carry out a full and fair investigation. Failure to do so may limit the scope of the investigation, inhibit the process from continuing or cause the case to be closed.

6.3 Where complaints have been made about members of staff, they will be notified about the nature of the complaint, but the complainant's identity will not be revealed unless there are compelling reasons to do so.

6.4 The College will aim to comply at all times with the Complaints Procedure. However, this might not always be possible, for example, if a complainant fails to reply/respond to contact made by the College.

6.5 There may be other circumstances which delay investigation. This includes but is not limited to:

- College closure or holiday
- Staff illness or absence
- Failure by the complainant to follow college procedures

In such cases the complainant will be notified of the delay and given a new deadline date for the College to respond to the complaint.

## **7. Stage 3 Formal Complaint – Closure**

7.1 We aim to provide a full written response to complaints as soon as possible however, for more complex complaints the College will respond within 20 working days. This timeframe excludes any periods when the college is officially closed, as well as any leave taken by the investigating officer during the investigation period. If delays are anticipated, the complainant will be informed and provided with an updated timeline.

7.2 The final response to a complaint may be issued directly by the investigating officer or, where appropriate, by the complaint's administrator on the investigating officer's behalf via email and/or post.

7.3 If we do not receive a response from the complainant within 20 working days following the last contact made by the investigating officer, the complaint will be considered closed, and no further action will be taken. The complaint will not be reopened unless the complainant can demonstrate that there were extenuating circumstances which prevented them from responding within the specified timeframe.

- 7.4 To request the reopening of a closed complaint, the complainant must provide a written explanation outlining the reasons for the delay to the Complaints mailbox.

## 8. Stage 3 - Appeal

- 8.1 If you are dissatisfied after having followed the above procedure you should respond to the Group Chief Governance Officer within 20 working days upon receipt of your outcome via email at [Complaints@lsec.ac.uk](mailto:Complaints@lsec.ac.uk) stating your Case Number and the reason for your dissatisfaction.

In making the appeal, the complainant should state the grounds for the appeal

- New evidence has come to light which was not reasonably available at the time of the complaint investigation
- You believe the outcome of the complaint was manifestly unreasonable and/or any resulting action was disproportionate
- The complaints procedure was not followed

- 8.2 The complaints procedure **must have been followed in full** before an appeal is made and if this has not happened it will be referred back to the Investigating Officer.

- 8.3 Upon receipt of your appeal:

- The Group Executive Director Governance & Administration will review whether the appeal is justified in light of the stated grounds in section 7.1.
- If grounds are not justified, the complainant will be informed, and the procedure is exhausted.
- If the appeal is justified, the Group Chief Governance & Administration Officer will appoint an Investigating Officer from college senior staff to review the appeal.
- A response will be sent within 30 working days, depending on the gravity or complexity of the complaint. The response will include any conclusions drawn from the review. The response will conclude whether the appeal was or was not upheld and will give the reasons for the conclusions reached.

- 8.4 The Investigating Officer may invite the complainant to make detailed submissions in support of the appeal and report to the Group Executive Director Governance & Administration within 15 working days. The report will outline a summary of the findings and a recommendation as to whether the appeal is upheld in whole or part or rejected, whether further investigation is required, any recommendations for the College, any new outcome (e.g. dismissal or disciplinary actions) and reasons for the decision.

## 9. Stage 4 - How to complain to DfE or OIA

If you are dissatisfied with the College's final response to your appeal or believe that your complaint has not been handled fairly, objectively or in accordance with the procedures stated above, you can make a complaint to.

**FE:** Department for Education

**HE:** The Office of Independent Adjudicators for Higher Education (OIA)

Before making a complaint to DfE or OIA about the College, you should have exhausted the College's own complaints procedure, including any appeals process.

## 9.1 DfE

The DfE will only consider complaints about a college or funded training provider once you have completed the providers own complaints procedure, except in the following circumstances:

- You have been prevented from completing the college or training provider's own complaints procedure
- The complaint is related to safeguarding concerns

The DfE will also need you to confirm that that you understand they generally will not (and in some cases cannot):

- Investigate complaints that are more than 12 months old, aside for in exceptional circumstances.
- Reinvestigate your original complaint.
- Force the college or training provider to take disciplinary action.
- Force the college or training provider to apologise to you.

You can raise a complaint via their Customer Help Portal –

<https://customerhelpportal.education.gov.uk/access-the-enquiry-portal/>

When you contact the DfE about your complaint, you will need to provide them with the following:

- Either, the Unique Reference Number (URN), Uk Provider Number (UKPRN) or name of the organisation you are complaining about
- if you are acting on behalf of a learner, evidence that you have their permission to do so
- evidence that you have fully exhausted the organisation's complaints procedure, including any appeals process (for example, written correspondence confirming the outcome)
- permission to disclose details of your complaint to the organisation concerned
- details of what your complaint is, together with the relevant documents

## 9.2 OIA

You can request an independent review within 12 months of your complaint issue completion. Information on the process may be obtained directly from the OIA at [www.oiahe.org.uk](http://www.oiahe.org.uk)

You will normally need a Completion of Procedures (COP) letter from the College before seeking a review from the OIA which is a letter issued by the College once you have exhausted our complaints or appeals procedures. This letter, labelled as a Completion of Procedures Letter, will set out the issues that have been considered, the College's final decision and the deadline for taking a complaint to the OIA. (See appendix 4 for COP template).

You can contact the OIA directly:

Office of the Independent Adjudicator for Higher Education  
Third Floor, Kings Reach  
38-50 Kings Road  
Reading RG1 3AA



Telephone No. 0118 959 9813  
Email: enquiries@oiahe.org.uk

Further information and guidance on Completion of Procedures Letters can be found here – <https://www.oiahe.org.uk/media/yefjanlx/cop-letter-guidance-note-january-2019.pdf>

Guidance from the Consumer Markets Authority can be found here <http://bit.ly/HEadvice>.

## **10. Monitoring**

- 9.1 All complaints are formally logged and monitored regularly by the College Executive Group and monitoring reports are provided periodically for the Governing Body. Feedback is an integral aspect of our quality assurance monitoring.
- 9.2 Suitable training to investigate complaints will be provided to new and existing staff as and when required.

## **11. Delegation**

- 10.1 Any actions that refer to named staff may be taken by suitable nominees. If this is the case, the complainant will be made aware of this.

## **12. Communication**

Information on how to access the complaints procedure will appear in all relevant student related literature including the student contract.

## **13. Suggestions, Comments and Compliments**

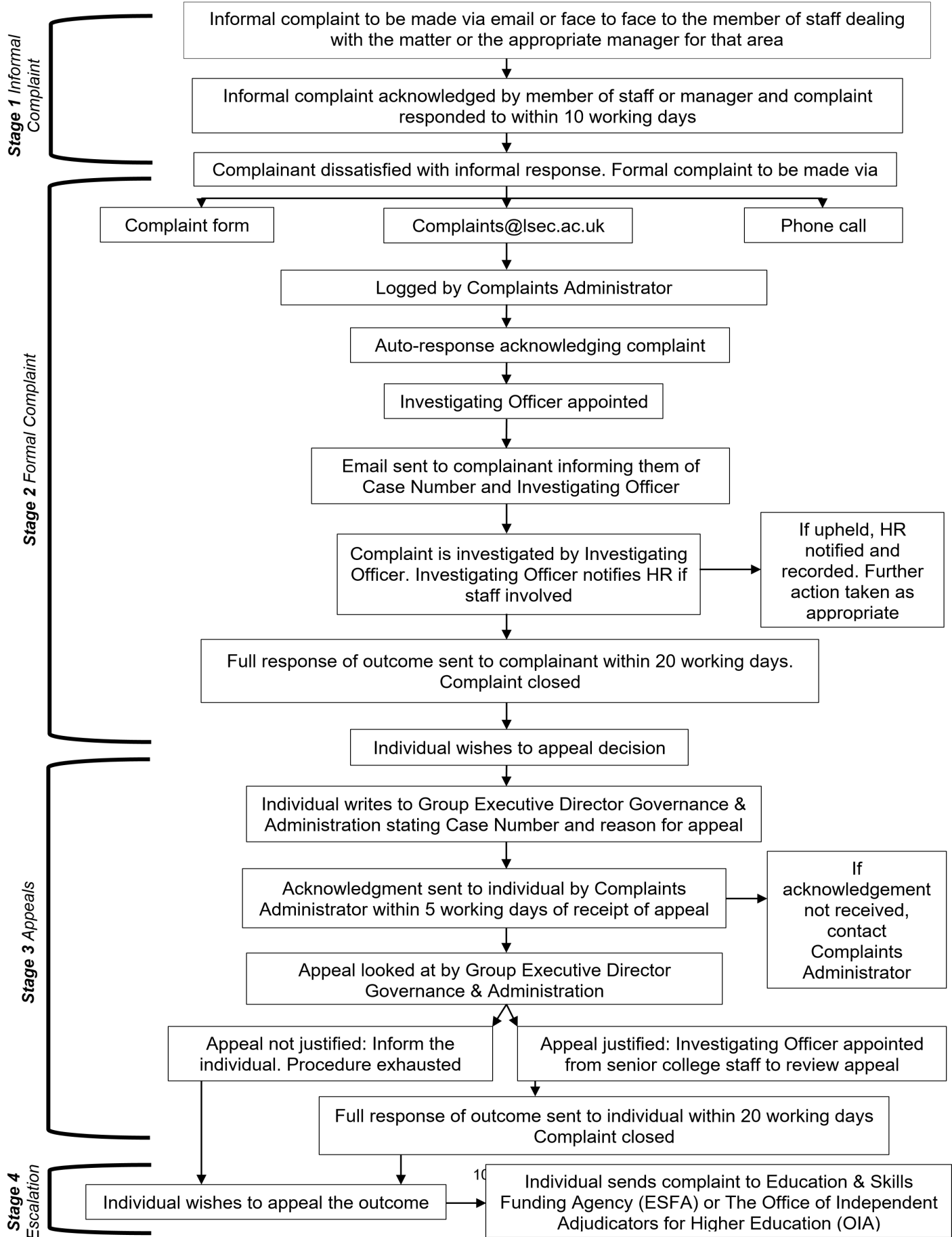
- 12.1 Suggestions and general comments regarding our provision may be submitted on the Comments Form or via email at [SuggestionsCommentsCompliments@lsec.ac.uk](mailto:SuggestionsCommentsCompliments@lsec.ac.uk), These suggestions will be logged and passed to the relevant team.
- 12.2 Compliments and commendations on our service and staff may also be submitted via the Comments Form or via email at [SuggestionsCommentsCompliments@lsec.ac.uk](mailto:SuggestionsCommentsCompliments@lsec.ac.uk). Commendations will be acknowledged and drawn to the attention of the member of staff via the Senior Leadership Team. A 'Register of Commendations' is kept and maintained by the College and a report is produced annually for review by the Governing Body alongside the complaints report.

## **Appendix 1 - Associated Documents**

All College policies and procedures can be found on the College Website or SharePoint. Alternatively, you can make a request to the Curriculum Admin Office Manager or the HR Department.

- Admissions Policy
- Vexatious Complaints Policy
- HR policies including the Dignity at Work Policy & Procedure
- Complaint Form

## Appendix 2 - Complaints Process



## Appendix 3 - Complaint Form

### COMPLAINT FORM

#### Who can use this form?

This form may be used by learners, parent/carers and members of the public at stage 2 (formal) of the Colleges complaint's procedure.

A complaint submitted by a third party will not be accepted unless accompanied by written authorisation from the complainant. Anonymous complaints will only be investigated at the discretion of the College and no response will be given or published.

#### What is this form for?

This form is used to submit a formal complaint if you have already raised an informal complaint and you are unhappy with the way your complaint has been handled informally, or if you do not feel that informal resolution is appropriate.

#### What will happen next?

Once you have submitted this form, the following process will take place:

- You will receive a response within 5 working days of receipt of your complaint informing you of your complaints reference number and the Investigating Officer.
- You may be asked to meet with the Investigating Officer to discuss your complaint.
- You will receive a full response within **20 working days** of raising your formal complaint.

#### Important information

Please ensure that you have attempted to resolve your complaint informally by speaking to the member of staff dealing with the matter alternatively, you can speak to the appropriate manager for that area. If you are unsure, please contact the Complaints Administrator via the complaints email.

Where complaints have been made about members of staff, they will be notified about the nature of the complaint, but the complainant's identity will not be revealed unless there are compelling reasons to do so. Please note that by signing the Declaration you consent to the disclosure and sharing of information relevant to your complaint within the College at all stages when necessary.

Complainants are advised to exercise caution regarding use of language and avoid personal abuse as anything appearing in this form will be disclosed to the subject of the complaint during any investigation.

The information you provide on this form will be used for the purpose described and will be processed in compliance with the Data Protection Act 1998. Further information about Data Protection is available on request.

#### Where do I submit my form?

Please submit your form via email at [Complaints@lsec.ac.uk](mailto:Complaints@lsec.ac.uk). Alternatively, you can submit your form by hand to Reception who will forward it to the Complaints Administrator.

## SECTION A – YOUR DETAILS

<b>Complainant type:</b>		
Student <input type="checkbox"/>	Parent/Carer <input type="checkbox"/>	Member of the Public <input type="checkbox"/>
<b>Full name:</b> _____		
<b>Student Name:</b> (if complainant is Parent/Carer) _____		
<b>Student ID Number:</b> (if applicable) _____		
<b>Programme of study:</b> (if applicable) _____		
<b>Address:</b> _____ _____		
_____ <b>Post Code:</b> _____		
<b>Telephone:</b> _____ <b>Mobile:</b> _____		
<b>Email:</b> _____		

## SECTION B – NATURE OF THE COMPLAINT

Please set out the reason(s) why the complaint is being made and specify:

- who or what is being complained about;
- the events that took place in chronological order; and
- the consequences that you believe you have suffered as a result.

*Please use additional sheets if necessary, ensuring your name and student number (if applicable) is on all additional sheets.  
Should you wish to provide additional supporting documents, please attach them with this form.*

**SECTION C – AN OUTLINE OF THE ACTION YOU HAVE TAKEN SO FAR**

If you have already taken steps to resolve your complaint *informally*, please outline below. \*If you have not taken these steps, please submit your informal complaint as detailed in the Complaints Procedure, Section 4.1.

Please provide details of attempts to resolve informally including names of people contacted, dates contacted, etc. These people may be contacted in the course of any investigation.

Why do you remain dissatisfied with the response to your informal (stage 1) complaint?

Give us details of anyone else who is acting on your behalf who you consent to us liaising with.

**SECTION D – DESIRED OUTCOME**

Please say what action you would like to be taken and any suggestion of resolution or redress in order to resolve the complaint to your satisfaction.

**SECTION E – DECLARATION**

As far as possible, all complaints will remain confidential to those people who are involved in investigating the complaint, providing a response to it and communicating with you, unless there is a serious risk of harm to you or others. In the interest of natural justice, parties to a complaint have the right to know the full details of the complaint.

**I declare that to the best of my knowledge all of the information I have supplied is true, accurate and complete.**

**SIGNED:** .....

**DATE:** .....

**PRINT NAME:** .....

Please list any correspondence or other documentation related to your complaint which you have attached along with this complaint form.

## Appendix 4 – Completion of Procedures Letter Template

### Completion of Procedures Letter Template

**For use where the student is studying for a qualification awarded by an external Awarding Body which is not a member of the OIA Scheme (for example an HNC or HND awarded by Pearson)**

**Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included.**

Dear [Name of complainant],

#### Completion of Procedures Letter

This letter confirms that the internal procedures of *London South East Colleges* in relation to your *complaint / appeal etc\** regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal etc\** were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc* was / were\*: [brief summary of the complaint etc].

The final decision of *London South East Colleges* is\* [detail] because [reasons].

The procedures / regulations applied were\*: [details and date as supplied to the OIA's electronic Regulations Bank].

*London South East Colleges* subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your *complaint / appeal etc\** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the *Completion of Procedures Letter* is dated 9 December 2023, this date should be 9 December 2024].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website. <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from <https://www.oiahe.org.uk/students/can-you-complain-to-us/>. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA [ optional - and our final decision] with your OIA Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from [refer to students' union or advice service if any] about taking your complaint to the OIA. Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.



Your qualification is awarded by [*name of awarding body*], which has some responsibility for considering complaints about the overall quality or standards of your qualification. [*name of awarding body*] is not a member of the OIA Scheme.

In the event that you submit a complaint to the OIA, it will consider your complaint to identify whether it relates to: (1) an act or omission of [*name of higher education provider*] relating to the service provided which falls within the OIA's remit; or (2) the overall quality or standards of the qualification itself. Complaints relating to the design, delivery of assessment, moderation and awarding of the qualification are likely to fall into (2). However, this will be for the OIA to determine.

If the OIA considers that your complaint relates to the overall quality or standards of the qualification itself, it will refer the complaint to [*name of awarding body*].

Yours sincerely,

[Authorised signatory]