HART LEARNING GROUP
COMPLAINTS

GOVERNANCE AND CONTROL

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Accountable member of Group SMT	Deputy Principal
Responsible member of staff	Head of Teaching, Learning and Quality
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AUDIENCE

Applicable to students?	Yes
Accessible to students?	Yes
Accessible to public?	Yes

PURPOSE

We want to ensure that all of our students and customers have an excellent experience of the Hart Learning Group. We're proud of the good work that we do for our students and the customers we work with.

We are aware that things can sometimes go wrong. When this happens, we want to know about it so we can do our best put things right and make sure things don't go wrong again in the future.

All complaints are handled by the Hart Learning Group Quality team. We will share your feedback, make sure that any complaints are properly considered – and that we respond in good time.

COMPLAINTS

If you make a complaint, we'll follow the process outlined below:

STAGE 1: INFORMAL COMPLAINT

You may find you are able to deal with your complaint informally. If you are a student, or parent / guardian of a student, you may find it useful to speak to your course team leader or the manager of the area in which you study. If you are a business client or partner organisation, you may wish to speak to the manager you work most closely with in Hart Learning & Development or NHC. At this stage, your complaint will be listened to and taken seriously, and every effort will be made to deal with the issue in an effective and efficient manner.

STAGE 2: FORMAL COMPLAINT

If you have found you are not satisfied with the outcome of your informal complaint or do not find that stage appropriate you can make a formal complaint. This can be made in one of three ways:

- You can use the Contact Us form available on both the North Hertfordshire College and Hart L&D websites

- You can make your complaint in writing to:
  Deputy Head of Teaching, Learning and Quality – Quality Assurance
  Hart Learning Group
  Stevenage Campus
  Monkswood Way
  Stevenage
  SG1 1LA

- You can email us at complaints@nhc.ac.uk. Please ensure the email is marked for the attention of the Deputy Head of Teaching, Learning and Quality – Quality Assurance.

In your complaint, you should include as much detail as possible and provide evidence where appropriate. We refuse to accept video or audio recordings that were obtained covertly or without informed consent of all parties being recorded as evidence for any complaint.

All formal complaints must be received within 2 months of the incident or the end of the programme of study, whichever comes first. We reserve the right to decline to investigate the complaint if these conditions are not met.

STAGE 3: ACKNOWLEDGEMENT

You will receive an acknowledgement within five working days of our receipt of your complaint.

STAGE 4: INVESTIGATION

Your complaint will be forwarded to an appointed manager for investigation, which may be the Deputy Head of Teaching, Learning & Quality as appropriate. They may contact you for further information if appropriate. This investigation may include further information provided by you, interviews with the relevant person or audits.

If no response is received to a request for further information within 10 working days from the date the request was sent by the investigating manager, and the investigation is unable to proceed as a result of this, the investigation will be closed. You will be contacted in writing to confirm this.

STAGE 5: RESPONSE

You will receive a response within 20 working days* from the date of acknowledgement. If further investigation is required then a revised response date will be given. The response to your complaint will be confirmed in writing.

STAGE 6: REVIEW

It is rare that complaints are not fully answered or customers are dissatisfied with their response. However, if this happens, you can request a review of the response.

There must be a clear rationale for a review to take place. This includes the submission of new evidence that was not previously considered as part of the original investigation.

Requests for a review of the response along with the new evidence must be sent within ten working days of the date of the response to the formal complaint to the Head of Teaching, Learning and Quality and must clearly detail the grounds upon which the review is requested. The Head of Teaching, Learning and Quality reserves the right to deny the request for a review if these conditions are not met.

A request for a review of the response must be made in writing in one of two ways. You can ask for a review of the response by writing to:

Head of Teaching, Learning and Quality
Hart Learning Group
Stevenage Campus
Monkswood Way
Stevenage
SG1 1LA

Or you can email us at complaints@nhc.ac.uk. Please ensure the email is marked for the attention of the Head of Teaching, Learning and Quality.

You will receive an acknowledgement within five working days of our receipt of your request for a review.

STAGE 7: DESK-BASED REVIEW AND FURTHER INVESTIGATION

The review will be undertaken by an appointed manager not connected to the original investigation or the Head of Teaching, Learning & Quality where appropriate.

The reviewing manager will first complete a desk-based review of the original investigation and response to ensure it was sufficient and that the complaints process was applied appropriately alongside any new evidence submitted with the request for a review.

If the desk-based review does not identify any issues with the original investigation or response or identifies there is not sufficient new evidence to warrant further investigation, the Head of Teaching, Learning and Quality reserves the right to deny the review at this point by providing written explanation.

If the desk-based review highlights any issues with the original investigation or response, or that there is new evidence that had not previously been considered, a further investigation may take place. This may include further information provided by you, interviews with other relevant persons or audits.

If no response is received to a request for further information within 10 working days from the date the request was sent by the reviewing manager, and the review is unable to proceed as a result of this, the review will be closed. You will be contacted in writing to confirm this.

STAGE 8: FINAL RESPONSE

Following the review, the reviewing manager will provide a full and final written response within 20 working days* from the date of acknowledgement of the request for a review. If further investigation is required then a revised response date will be given. There will be no further opportunity to appeal this response.

** There will be occasions when these time periods could be extended due to College holidays, operational demands, staff availability, or the need to secure additional information. If for any reason more time is required this will be communicated via email.*

Referral to external organisations

If you are not satisfied with the final decision, you are able to refer your complaint to the Education and Skills Funding Agency or the relevant awarding organisation. If you remain dissatisfied and the qualification is regulated, you can complain to the appropriate regulator.

A copy of the Education and Skills Funding Agency policy is available at: Complaints procedure - Education and Skills Funding Agency - GOV.UK (www.gov.uk)

Scottish Qualification Authority (SQA) Accreditation Telephone: 0345 213 5249 Website: https://accreditation.sqa.org.uk/accreditation/About_Us/Complaints_Handling_Procedure Email: accreditation@sqa.org.uk

FRIVOLOUS, VEXATIOUS OR UNREASONABLE COMPLAINTS

Hart Learning Group is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We also have a duty to our staff, and as such, do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening.

Hart Learning Group defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's communication with the organisation. Complaints may be rejected without full consideration if the complainant or complaint demonstrates unreasonable behaviours. Hart Learning Group also reserves the right to cease communications beyond those required by statue with any individual who demonstrates unreasonable behaviours. Examples of unreasonable behaviour include, but are not limited to, if the complainant or complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales

- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- submits complaints which are obsessive, harassing, or repetitive
- submits complaints which are designed to cause disruption or annoyance
- insists on pursuing unmeritorious complaints
- insists on pursuing what may be meritorious complaints in an unreasonable manner
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the complaint procedure has been fully and properly implemented and completed
- seeks an unrealistic or unreasonable outcome
- demands for redress which lack any serious purpose or value
- makes excessive demands on staff or organisation time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email or by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence via any communication method including but not limited to face-to-face, telephone, email or letter
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

If your complaint falls into this category, you will be advised that your complaint will not be considered further. You will be given the opportunity to appeal against this decision by submitting written reasons to the Head of Teaching, Learning & Quality within 5 working days from the date the email has been sent to you.

All HLG employees are entitled to be treated with dignity and respect while at work. Therefore, intimidation, victimisation, bullying or harassment of any kind towards our staff will not be tolerated. All allegations of bullying and harassment will be investigated and, if appropriate, action will be taken including contacting the Police.

DATA PROTECTION

Personal data that you provide in connection with your complaint will be used by us only to deal with your complaint and held by us securely and in accordance with the requirements of relevant data protection legislation.

You have a number of rights in respect of your personal data:

The right to access: You have the right to ask us for copies of your personal data. We may charge you a small fee for this service.

The right to rectification: You have the right to ask us to correct any information you believe is inaccurate. You also have the right to request us to complete information you believe is incomplete.

The right to erasure: You have the right to ask us to erase your personal data, under certain conditions.

The right to restrict processing: You have the right to ask us to restrict the processing of your personal data, under certain conditions.

The right to object to processing: You have the right to object to us processing of your personal data, under certain conditions.

The right to data portability: You have the right to ask that we transfer the data that we have collected to another organization, or directly to you, under certain conditions.

You can find more information about your data protection rights on the Information Commissioner's website: https://ico.org.uk/for-the-public/

If you make a request, we have one month to respond to you. If you would like to exercise any of these rights, please contact us by writing to the Data Protection Officer, Hart Learning Group, Monkswood Way, Stevenage, SG1 1LA or by email at DataProtectionOfficer@nhc.ac.uk

SAFEGUARDING

If the college receives information that a young or vulnerable person is, or has been, put at risk of harm, the matter will be addressed to one of the responsible persons for safeguarding at Hart Learning Group. Where this is the case, processes covering safeguarding of young and vulnerable persons will supersede the complaints process.

If a complaint is made by someone acting on behalf of an individual aged 18 or over (such as a parent, guardian or carer), confirmation will be sought from the complainant that they are happy for the complaint to be investigated and for the individual who raised the complaint to act on their behalf. If no response is received to this request within 10 working days from the date the request was sent by the investigating manager, the investigation will be unable to proceed and will be closed as a result. The individual who submitted the complaint will be contacted in writing to confirm this.

COMPLAINTS NOT IN SCOPE

Complaints regarding a staff member's behaviour or conduct do not fall under the scope of this policy and will be investigated by the Human Resources team under the Staff Code of Conduct and Disciplinary Policy. Complainants will be informed in writing if this is the case.

INTERDEPENDENCY WITH OTHER POLICIES

Where a complaint is made about the application of an organisational policy that has its own appeals process, e.g. the Admissions Policy or Positive Behaviour Policy, the concerns raised will be referred to the relevant department to investigate and respond to under the appeals process for the relevant policy.

Once the appeals process under the relevant policy is exhausted, individuals may make a formal complaint using the process outlined above only if the individual believes the appeals process has not been applied accurately. A formal complaint cannot be used to challenge the outcome of an appeal.

APPENDIX 1 – COMPLAINT PROCESS FLOWCHART

1	A formal complaint is submitted in writing via the Contact Us form on the website, by email to complaints@nhc.ac.uk, or by post.
2	A written acknowledgement is sent within 5 working days of the receipt of the complaint.
3	The complaint is reviewed to ascertain if it meets the definition of a frivolous, vexatious, or unreasonable complaint, or any other measures that would lead to a refusal to investigate. The complainant is informed in writing if the complaint is declined on these grounds.
4	An investigating manager is appointed.
5	An investigation into the complaint takes place.
6	Within 20 working days from the date of the acknowledgement, a written response is sent to the complainant. **If further investigation is required a revised response date will be given. This will be confirmed with the complainant in writing.*
7	If unsatisfied with the response, the complainant can request a review within 10 working days of the date of the response. Requests for a review must be made in writing by email to complaints@nhc.ac.uk or by post.
8	A written acknowledgement is sent within 5 working days of the receipt of the request for a review.
9	A reviewing manager is appointed.
10	A desk-based review and further investigation takes place (as necessary).
11	Within 20 working days from the date of the acknowledgement, a final written response is sent to the complainant. **If further investigation is required a revised response date will be given. This will be confirmed with the complainant in writing.*