



HARTPURY

COMPLAINTS POLICY

PURPOSE

To ensure that formal complaints from complainants are responded to in a prompt and professional manner and are handled in a fair, impartial and non-confrontational manner.

DEFINITION

A formal complaint is an expression of dissatisfaction by one or more customers (including students) about Hartpury's action or lack of action, or about the standard of service provided by or on behalf of Hartpury.

Complaints should be submitted electronically using the form available on the Hartpury Website [Click Here](#) and should include evidence to substantiate the issues raised.

SCOPE

1. This policy relates to all formal complaints relating to the work and services provided by Hartpury. Complainants can seek guidance as to whether their complaint falls under the scope of this policy by letter or email to the Chief Operating Officer (as above).

The following matters are **not covered** by this policy:

- a. Matters and issues that arose more than one academic term or semester (whichever is the greater) ago.
 - b. Exam results or academic judgement where a more appropriate form of redress would be the submission of an Academic Appeal.
 - c. Contractual disputes e.g. disputes that arise from a contractual agreement between the complainant and Hartpury.
 - d. Matters that are subject to legal action or where legal proceedings are the most appropriate way of resolving the dispute.
 - e. Dissatisfaction about the outcome of an academic misconduct or disciplinary process. These are covered by other policies and are subject to an appeal process set out in those policies and not a complaints process.
 - f. Matters explicitly relating to an organisation with its own complaints policy, where a more appropriate form of redress would be that organisation's own complaints policy, e.g. Student Loans Company, Students' Union or University of the West of England.
2. We will not investigate the following:
 - a. Complaints that are deemed by the Vice-Chancellor / Principal to be either vexatious or malicious.

- b. Anonymous complaints.
 - c. For students aged 18 and above, their permission is to be obtained before answering complaints raised by parents or guardians. Any communication with parents or guardians of student over 18 will be shared with the student too.
3. Complaints will be treated as confidential and the complainant's identity and the content and nature of the complaint will only be disclosed as necessary to facilitate the investigation of the complaint. If any named individual specifically wishes their identity to remain confidential for a specific audience, this should be stated explicitly within the complaint. If maintaining this confidentiality means the complaint cannot be investigated the investigation will be suspended and the complainant informed.
 4. If the complaint is from a group of individuals the group must nominate one person to be the spokesperson for the group, representing the group in all matters relating to the complaint.
 5. This Policy is intended to be clear, transparent, and fair to all parties. All Complaints which are made in good faith will be taken seriously and thoroughly investigated. Students who raise Complaints in good faith will never be disadvantaged or treated less favourably, regardless of the outcome.
 6. All parties involved in a complaint regardless of their part in the process will be treated equally and fairly.

RESPONSIBILITIES

1. The Chief Operating Officer is responsible for the overall operation of this policy. If unavailable, this responsibility will be delegated to a nominee from within the Executive of Hartpury. Members of senior staff nominated by the Chief Operating Officer are responsible for investigating and proposing suitable actions to address formal complaints made in accordance with this policy.

METHOD: COMPLAINTS

1. All reasonably practicable steps to resolve complaints informally should be taken in the first instance.
2. To avoid any misunderstandings concerning the substance of a complaint, formal complaints must be via the complaints form found on the Hartpury website [Click Here](#)
3. Complainants should use the formal complaints policy only in the event that issues raised through informal means, close to the source of the complaint, usually through their personal tutor if they are a student, cannot be resolved. If a complainant has not raised a complaint informally then their complaint may be referred to the informal procedure prior to being considered as a formal complaint.
4. Any evidence submitted with the complaint should be relevant to the complaint. Evidence is submitted separate from the online Complaints Form and has to be provided within 48hrs of the online form completion.
5. On submitting the online Complaints form, the complainant will receive an automated response advising that the Chief Operating Officer will acknowledge receipt within three working days via email.

6. Each incoming complaint form will be allocated a number which will be recorded in the Complaints Log.
7. The incoming complaint form will be reviewed and if it is not within the scope of this policy then the complainant will be informed that investigation will not proceed.
8. The Chief Operating Officer will advise Executive Team members of complaints relevant to their areas of responsibility.
9. The complaint will be investigated by the Chief Operating Officer, who has the option to pass to a nominee to assist.
10. Where the Chief Operating Officer identifies a Complaint or Complaints that require early resolution, they may decide to expedite that Complaint under this Policy, which means it will do all it can to investigate and consider the Complaint quickly. Complaints which may be expedited include Complaints which involve serious harm, potential adverse impact to wellbeing or health or those which involve serious or highly sensitive issues. In deciding whether to expedite a Complaint the Chief Operating Officer must balance the fairness to all parties of a full and fair investigation against the need for swift resolution.
11. The Chief Operating Officer or the member of the Hartpury Executive will investigate the complaint thoroughly and promptly, recording details and/or actions and maintaining other such written records as are appropriate. Within twenty working days, following the date of acknowledgement of receipt of the complaint form, a draft written response to the complainant will be sent to the Chief Operating Officer. This timescale may be extended where a complaint is either complex or requires a number of issues be addressed – in such circumstances the complainant will be informed of a likely timescale for a full response.

The Chief Operating Officer or member of the Hartpury Executive may request a meeting with the complainant to ensure that both they and the complainant understand the purpose and scope of the investigation, if this appears to be unclear to either party. The complainant has the right to be accompanied by a Representative at this meeting. Appendix A sets out the support students can access whilst making a complaint. A record of the meeting will be made and agreed by both parties. If the complainant's expectations appear to go beyond what Hartpury can reasonably provide, they will be advised of this in writing, as soon as possible.

12. Within twenty working days, following the date of acknowledgement of receipt of the complaint form, the Chief Operating Officer will provide a written response to the complainant. The complainant will also be provided with a summary of the information considered, a copy of this complaints policy (or details of how to find this on the Hartpury's website) drawing the complainant's attention to the appeals policy should they be dissatisfied with the response.
13. At the end of the investigation, the written complaint will be filed, and the Complaints Log updated.
14. Regular reports of complaints and responses will be provided by the Chief Operating Officer to the Quality Enhancement and Standards Committee of the Board of Governors.

APPEALS OF COMPLAINT OUTCOME

1. The complainant may submit a written appeal of the complaint outcome to the Vice-Chancellor / Principal within twenty working days of receiving the formal decision.
2. Any appeal must provide new or additional evidence that has not been considered to date as a prerequisite for consideration.
3. An appeal may also be made on the basis the complainant believes that there was a flaw in the process and/or that the outcome was manifestly unreasonable. Clear and specific grounds for appeal are helpful in ensuring that complainants know their case has to be different from first time round.
4. Upon receiving the appeal, the Vice-Chancellor / Principal will:
 - a. Acknowledge its receipt within three working days and indicate a timescale for the appeal to be considered/resolved.
 - b. Review the complaint in full, including Hartpury's response and the grounds cited for the appeal and decide the appropriate course of action. This may include:
 - i. upholding the appeal either in full or in part.
 - ii. dismissing the appeal citing the reasons for doing so.
 - iii. convening a panel to hear the appeal - normally consisting of the Vice-Chancellor / Principal (or nominee) and a member of the Executive Team.
5. If required, an appeal panel meeting will take place within twenty working days of the Vice-Chancellor /Principal's receipt of the notice of appeal. The complainant will be informed in writing of the appeal panel meeting at least ten working days before the proposed meeting date. The complainant will be provided with the names of panel members and their job titles, the names of anyone else attending, an outline of how the meeting will proceed and copies of relevant documents. The complainant will be allowed to attend and make representations at the meeting. The complainant has the right to be accompanied by an individual at this meeting. By agreement of all parties there may be a change in the time limits. Refusal of the complainant to attend should not invalidate the proceedings.
6. The appeal panel, in seeking to resolve the complaint, may adjourn the meeting or defer their decision until they are satisfied, they have had the opportunity to take account of all relevant factors.
7. The decision of the appeal panel, any actions from the appeal panel decision and the reasons for that decision will be communicated to all parties and confirmed in writing within three working days. The decision reached by the appeal panel will be final.

FURTHER ACTION

If you are a Higher Education student who has complained, you will be issued with a Completion of Procedures letter once you have completed Hartpury's internal complaints process.

If the complainant is a student (past or present), or a parent, guardian or carer if the student concerned is under eighteen years of age, has completed the Hartpury Complaints Procedure and is dissatisfied with the way Hartpury has dealt with their complaint they may refer their complaint.

Complaints from a Higher Education student may be referred to the Office of the Independent Adjudicator. More information about this can be found at [OIA](#)

Complaints from Further Education students may be referred to the Education Skills Funding Agency. More information about this can be found at [ESFA](#)

EQUALITY, DIVERSITY AND INCLUSION

As with all Hartpury policies and procedures, due care has been taken to ensure that this policy is appropriate to all members of staff and students regardless of their age, disability, ethnicity, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation and transgender status.

The policy will be applied fairly and consistently whilst upholding Hartpury’s commitment to providing equality to all. If any employee feels that this or any other policy does not meet this aim, please contact the HR Department.

Hartpury is committed towards promoting positive mental health and aims to create a culture of support where staff and students can talk about mental health problems without the fear of stigma or discrimination.

REVIEW CYCLE

DATE LAST APPROVED	September 2023
POLICY OWNER	Chief Operating Officer
APPROVING COMMITTEE	SMT
STATUS	Approved
NEXT REVIEW DATE	September 2024

RELATED DOCUMENTS

- 1. Student Handbook
- 2. Grievance Policy – Staff Handbook
- 3. FE Student Academic Behaviour Management Policy
- 4. Student non-academic Behaviour Management Policy.
- 5. Complaints Form

Appendix A – What support is available to students when bringing a complaint?

1. Any Student using this Procedure is entitled to seek advice and support on raising a Complaint from the Students Union (SU) and Hartpury strongly encourages all Students to access this service before initiating this Policy.
2. The SU Officers have knowledge and experience of Hartpury's procedures who can offer confidential and independent advice on the process, support Students in the preparation of their Complaint and attend meetings under this Procedure as a Representative.
3. During all stages of this Policy, a student may be accompanied to meetings by a Representative. A Representative can be:
 - fellow student
 - Students' Union representative; or
 - member of staff at Hartpury
4. A Representative may not be a fellow student who has had prior involvement in the case or who is likely to be or has been interviewed as part of the Complaint.
5. Please note that only in exceptional circumstances and by prior agreement may a student be accompanied by someone who is external to Hartpury. For Hartpury College students aged under 18 they can be accompanied by their Parent or Next of Kin.
6. A student's Representative will not be permitted to answer questions on behalf of the student.
7. Where a student has protected characteristics under the Equality Act 2010 Hartpury can make appropriate adjustments in order to prevent the student being treated less favourably. This may include holding meetings by MS Teams, video conferencing, telephone conferencing, or other appropriate means. Any Student who may require assistance in making their Complaint should discuss their needs with Hartpury and it will then seek to refer the student to appropriate support.
8. Hartpury acknowledges that its procedures can cause additional worry and stress to Students. Students are encouraged to seek support from any of the Hartpury's support services, particularly the Wellbeing Team who can provide immediate support and further signposting for any personal difficulties Students may be facing and who also have a drop-in service where Students can go when feeling distressed and needing direction or guidance. There are also several other online support functions, leaflets and workbooks designed for Students which they are encouraged to view.
9. Any requests for support will be treated sensitively and confidentially by the Hartpury.

COMPLAINTS – TIMELINE

