

Complaints Procedure

Policy/Procedure Title & Number	Complaints Procedure
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1. Introduction

- 1.1. At Abingdon and Witney College we strive to achieve a 'Right First Time' culture and as such we welcome feedback on all aspects of work, since this is invaluable in helping us to make improvements. Where a concern does arise, we shall treat the matter seriously and aim to resolve it quickly, effectively and, where possible, to the satisfaction of all parties. Likewise, where compliments are received, we strive to share best practice across the organisation.
- 1.2. The College acknowledges that information provided throughout the complaint is often of a sensitive nature and is accordingly treated as confidential. Appropriate disclosure procedures will be followed when sharing information as necessary.
- 1.3. The College embraces equality and diversity and operates an inclusive environment. Our intention is to ensure student success by supporting individual needs as far as is reasonable and possible. We will ensure all details of the complaints procedure are understood by students and will make complaints information available in other formats as required. We will also ensure that, where necessary, support is made available to help guide students through the procedure, for example, access to support in drafting the written complaint.
- 1.4. This procedure applies to all enrolled students, parents and other stakeholders. Higher Education students should fully exhaust the College complaints process before escalating any complaint to their HEI, where applicable (eg Oxford Brookes University <https://www.brookes.ac.uk/students/sirt/student-complaints/>), or the Office for the Independent Adjudicator.
- 1.5. A customer or stakeholder may comment about an aspect of college that they find unsatisfactory. In most instances, the issue can be resolved by the member of staff to whom they have made their comments. Matters like this, which are satisfactorily resolved, are not regarded as complaints to be dealt with by these procedures. This document gives guidance regarding issues that cannot be resolved as soon as they become apparent. These issues may be referred to as 'informal complaints'.
- 1.6. A complaint is any expression of dissatisfaction by a student, parent, employer, or other stakeholder regarding the provision of, or failure to provide, a service by the College, where the issue has had an adverse effect and has not been resolved at the point it was first raised.
- 1.7. Complaints about Governors and the Corporation Board are handled according to the procedure set out in the Standing Orders of the Corporation Board and are not covered by this Procedure.
- 1.8. Complaints related to the quality of teaching, learning and assessment are summarised, anonymised, and reported annually to the Corporation Board.

2. Compliments

- 2.1. The college is delighted to receive compliments from its customers and stakeholders, especially where they identify particularly high standards of service or delivery. As such compliments may be made directly at the point of access, via the Head of Faculty, or directly to the Senior Management Team via the email pastosmt@abingdon-witney.ac.uk.

3. Review of arrangements

- 3.1. Complaints received formally by the Senior Management Team will be responded to accordingly by the most appropriate member of SMT, however relevant members of the College Leadership Team may be asked to investigate matters or contribute to the response.
- 3.2. The PAs to the Senior Management Team will administer all formal complaints and hold all records.
- 3.3. The Senior Management Team will review the complaints log on a termly basis to review for patterns or areas of concern.

4. General principles

- 4.1. In responding to a concern, the College undertakes to:
 - Listen carefully to the complainant, and ensure the matter is responded to by the most appropriate manager.
 - Record the complaint accurately and in accordance with the Data Protection Act;
 - Investigate the complaint fully, objectively and within the time frames stated;
 - If the complaint is upheld, provide feedback to the complainant as to steps taken to prevent a recurrence, noting that there may be confidential aspects which cannot be fully divulged to the complainant.

5. Anonymous complaints

- 5.1. The college shall endeavour to apply the same level of scrutiny and reflection to all complaints, including those received anonymously, however it is noted that action may be limited if further information is required to ensure a full and fair investigation;

6. Complaints Procedure

6.1. Informal complaints: seek the help of a member of staff

- 6.1.1. In the case of a student, parent, employer or other stakeholder, if an issue arises concerning a member of College staff, another student, the College estate or service, the issue will be best and most swiftly resolved by addressing it promptly at the point of origin.
- 6.1.2. Where it is not felt possible to talk directly to the person concerned, another member of staff should be approached and concerns shared with them.
- 6.1.3. With the consent of the complainant, this member of staff may seek further advice or evidence or escalate the matter to a more senior member of staff, who may be best placed to respond. Concerns should be addressed immediately and acknowledged within 48 hours as an absolute maximum. In most circumstances a resolution to the matter should be identified within 7 days, however it is recognised that the scope of the issue may mean this is not sufficient time. The complainant should be kept informed of any delays.
- 6.1.4. Where a complaint or concern is voiced via social media – for example, a comment directly on the college Facebook page – an immediate response will be posted by the Marketing team, ensuring confidentiality at all times and seeking to reassure both the complainant and the wider public that the college will listen to and address the complaint. In most cases such issues will be

deemed 'informal complaints' and as such the Marketing team will pass the complaint to the most relevant member of the College Leadership Team to provide a more detailed response, where possible. Depending on the nature of the issue, the Marketing Team may deem the matter serious enough to be considered a 'formal complaint' and therefore raise directly with SMT.

6.1.5. If a customer or stakeholder remains dissatisfied with the responses received after raising a concern informally, they may escalate their concerns to a formal complaint by following the process set out below.

6.2. Formal complaints

- 6.2.1. Formal complaints should be emailed to the SMT PA team at pastosmt@abingdon-witney.ac.uk. or submitted in writing and sent via post to Abingdon campus and addressed to "SMT PA". A PA to the Senior Management Team will co-ordinate the response and hold any evidence centrally.
- 6.2.2. All formal complaints will be acknowledged by a PA to the Senior Management Team as soon as possible, and within 2 working days.
- 6.2.3. The relevant member of the College Leadership Team or their nominated representative will then investigate the matter and respond a response will be sent by a member of the SMT within 10 working days of receiving the written statement to explain how the complaint has been dealt with.
- 6.2.4. If further information is required from the complainant, this must be submitted to a PA to the Senior Management Team within 10 working days. On receipt of the additional information, steps 6.2.2 and 6.2.3 above will apply.
- 6.2.5. Where a complaint is upheld, action will be taken and the complainant informed as far as possible, what steps have been taken to prevent a future reoccurrence, although it may not be possible to share detailed information about outcomes and actions, depending on the circumstances.
- 6.2.6. Where a complaint is not upheld, a full explanation will be given and the right of appeal will be explained.
- 6.2.7. On the rare occasion where the next stage of the complaint process would involve the same member of staff, an alternative staff member would be asked to investigate, at the college's discretion.

7. Appeal

- 7.1. If the complainant remains dissatisfied following the process set out above, they may appeal in writing to the Principal within 10 working days of receiving a response to their formal complaint.
- 7.2. The appeal will be chaired by the Principal or designated member of the Senior Management Team. The outcome of the appeal will be communicated in writing to the complainant within 10 working days.
- 7.3. Full details of the appeal procedure can be found in Appendix A of this document.

8. Policy Exclusions

- 8.1. This procedure does not apply to certain complaints, including:

- Those from College employees where the College's grievance policy and procedure should be used;
- Those which are contractual disputes;
- Those that are being, or have been, considered by a court or similar body;
- Complaints made more than 12 months after the decision or action was taken. We will check whether the decision or action complained about occurred more than 12 months ago. Complaints older than 12 months will be reviewed on a case-by-case basis and if we decide not to review the complaint for this reason we will let you know why;
- Complaints made about Governors;
- Complaints considered by the college to be vexatious or malicious, which are defined as:
 - they have insufficient grounds and intend to do harm, cause annoyance, frustration or worry
 - Use obscenities, racist, homophobic or other discriminatory language;
 - Contain personally offensive remarks about members or our staff;
 - Are repeatedly submitted with only minor differences after we have fully addressed the complaint.

Appendix A - Appeals

Terms of Reference

Purpose

To hear appeals against decisions made in accordance with the College Complaints Procedure

Powers

Decision-making

Membership

The Senior Management Team. In order to maintain objectivity, the appeal should be heard by staff who have not been involved in responding to earlier stages of the Complaints Procedure.

Chair

The Principal (or designated alternative).

Notes

Notes of the meeting will be taken and issued to relevant parties together with the decision.

In Attendance

Meeting Chair

The complainant

Other persons, as necessary, at the invitation of the Chair, including but not limited to:

- The investigating officer from earlier stages
- A member of student services who may attend as advocate for the complainant
- A friend or family member as a supporter to the complainant

Rules of Procedure for Appeals

1. The purpose of the appeal hearing is to consider whether:
 - The formal complaint – was conducted in line with College policy and procedures;
 - The outcome of the complaint was reasonable in light of the available evidence.
2. Any appeal must be made to a member of staff in a higher position than the original investigator: if the action has been taken by a senior member of staff, other than the Principal, then the appeal must be to the Principal.
3. The notice of appeal should be made by the complainant without unreasonable delay – within ten working days of receipt of the email or letter informing the complainant of the outcome of their formal complaint.
4. The complainant must give specific grounds for the appeal and the appeal hearing shall address itself exclusively to consideration of these grounds. In the absence of such specific grounds, the appeal shall not be heard.
5. Appeal hearings should be convened without undue delay but with reasonable notice to the complainant, which should be no fewer than ten working days after the notice to appeal has been received.
6. At the hearing of the appeal, the complainant shall have the right to make representations, including oral representations, for which purpose they may be accompanied and represented by a friend at invitation of the Chair.

DECISIONS

7. In the event of an appeal on grounds of defective procedure ('procedure grounds'), the outcome of the hearing shall EITHER be a statement that:
 - the procedure followed when responding to the formal complaint complies fully with the rules made for its operation,
OR
 - the procedure followed when responding to the formal complaint entailed a minor breach or breaches of the rules made for its operation, but these were not of sufficient seriousness as to have prejudiced the interests of the complainant or led to a different outcome of the investigation and/or hearing than would, in the opinion of a reasonable person, have been reached had the breach or breaches not occurred
OR

- the procedure followed during when responding to the formal complaint entailed a breach or breaches of the rules made for its operation which was of sufficient seriousness as to have prejudiced the interests of the complainant or led to a different outcome than would, in the opinion of a reasonable person, have been reached had the breach or breaches not occurred.
8. If reaching the last decision set out above, the appeal shall ensure that the defect is remedied.
 9. In the event of an appeal on grounds that the decision reached was inappropriate in the context of the evidence presented, or that the action undertaken was disproportionate to the complaint (both hereinafter called 'substantive grounds'), the outcome of the hearing shall EITHER be a statement that:
 - The decision reached was reasonable in the context of the evidence presented and the action undertaken proportionate to the complaint, OR
 - The decision reached was reasonable in the context of the evidence presented, but the action taken was disproportionate to the complaint, OR
 - The decision reached was not reasonable in the context of the evidence presented.
 10. If reaching either of the last two decisions set out above, the appeal shall ensure that the defect is remedied.
 11. The outcomes of appeal hearing shall be communicated to the complainant within ten working days of the hearing (or as soon as practicable thereafter), which shall give reasoned grounds for the decision or decisions made, and which shall mark the final stage of the college complaints process.
 12. After this stage, if the complainant remains dissatisfied with the outcome of the appeal, the complaint may be taken to the Department for Education . Further information and full details of the process are available at [Complaints procedure - Department for Education - GOV.UK](#)
 13. For Higher Education Students, the complainant will use the college complaints procedure in the first instance. A Completion of Procedures letter will be issued to the complainant at the close of all complaints. If, once the college complaints procedure has taken place, the complainant is still unsatisfied then they retain the right to pursue the matter further with the relevant university or directly with the OIA. You can find more information about the complaints process here: [Students - OIAHE](#)