

TITLE		REF	VERSION
Compliments, Comments and Complaints Procedure		CP001	11.0
DEPARTMENT		Group Administration and Compliance	
DATE	29 April 2025	REVIEW DATE	29 April 2027

## CUSTOMER COMPLIMENTS, COMMENTS AND COMPLAINTS PROCEDURES

### 1. Procedures Statement

This document is to support the implementation of the Compliments, Comments and Complaints Policy and details how a compliment, comment or complaint will be handled once received. It ensures that good practice is acknowledged and celebrated and that complaints are resolved quickly and satisfactorily to enable the group to monitor customer satisfaction and make continuous improvements.

A compliment, comment or complaint can be made via our website at <https://www.activatelearning.ac.uk/contact-us/customer-feedback/> or alternatively to any Activate Learning staff member who will assist you.

### 2. Compliment procedure

Compliment is received	2.1	The compliment will be centrally logged and passed to the relevant Director or Group Head of Department to review with the team member or department to be celebrated.
	2.2	They may nominate a member of the team to contact the customer if applicable.

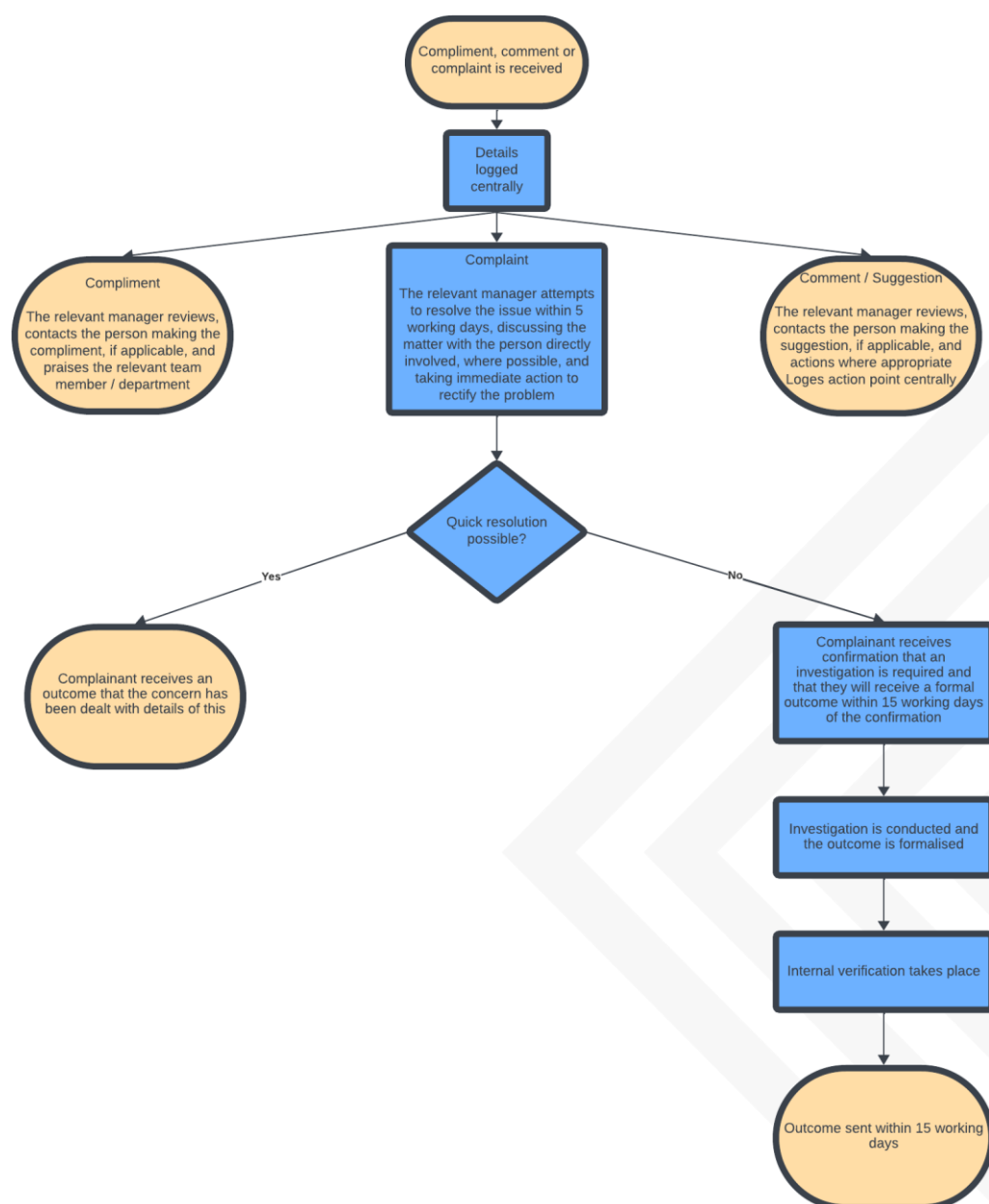
### 3. Comment procedure

Comment is received	3.1	The comment will be centrally logged and passed to the relevant Director or Group Head of Department to review.
Action	3.2	They may nominate a member of the team to contact the customer and take action if applicable.
	3.3	Actions are reported back and logged with the original comment.

### 4. Complaint procedure

Complaint is received	4.1	The complaint will be centrally logged and passed to the relevant Director or Group Head of Department to review.
Quick resolution	4.2	They may nominate an investigating manager to contact the customer by telephone within five working days to discuss the complaint and, if appropriate provide a verbal resolution.
	4.3	The investigating manager will complete the quick resolution form, and an email confirmation of the resolution will be sent to the customer.
Investigation	4.3	If a quick resolution is not possible due to the nature of the complaint, it will be escalated to an investigation, and this will be confirmed to the customer with an outcome timescale of 15 working days.
	4.4	The investigating manager will gather information relating to the complaint to gain a full understanding of the concerns, this may include interviews with students and staff, obtaining statements or liaising with other departments.
Resolution	4.5	A formal outcome will be written detailing all points raised in the complaint and the proposed outcomes. This will be sent to the Regional Head of Student Experience for Internal verification, to ensure fairness and consistency, before being sent to the customer.
Considerations		
Support requirements	4.6	If you have Learning Difficulties or Mental Health issues you can request support, advice and guidance to engage effectively with the complaint's procedures.
Student representatives	4.7	Students may appoint a representative to submit a complaint on their behalf. They should request a representative at the time of submitting a complaint, providing the name and contact details of who will represent them, and giving permission for Activate Learning to discuss all matters relating to the complaint with them via our consent form, which we will provide.

Safeguarding	4.8 Feedback which raises a concern related to safeguarding will be reported to the safeguarding team and may be dealt with, in conjunction with them.
No contact	4.9 If the investigating manager is unable to contact the customer but can offer a resolution, this should be done. If a resolution cannot be offered, then a 'no contact' communication will be sent to the customer, and the complaint will be closed. The complaint can be reopened if the customer requests this.
Consent	4.10 Consent will be obtained from the learner if a complaint is made on their behalf by a third party and the learner is over 18 on 31 August of that academic year or if the complaint is made by someone who isn't a recorded contact on the learner's file. If consent is not received within five working days, the complaint will be closed.
Group complaints	4.11 Complaints on behalf of more than one student will be considered as a group complaint. Members of the group must complete a consent form within five working days to be a named participant in the complaint. A member of the group should be nominated as spokesperson and all communication, including the outcome, will be sent to them and it is their responsibility to communicate forward to the rest of the group.
Complaints against employees of Activate Learning	4.12 Complaints regarding a staff member will be passed to HR to review and may be dealt with under HR procedures if deemed more appropriate. The customer will not receive an outcome, but will be informed that the complaint may be dealt with in line with our internal staff disciplinary policy.
Extended timeframes	4.13 We reserve the right to extend the given timeframes when outside of the college term time or when it is deemed appropriate to ensure a robust investigation.



## 5. Complaint Appeals Procedure

### Stage 1 appeal

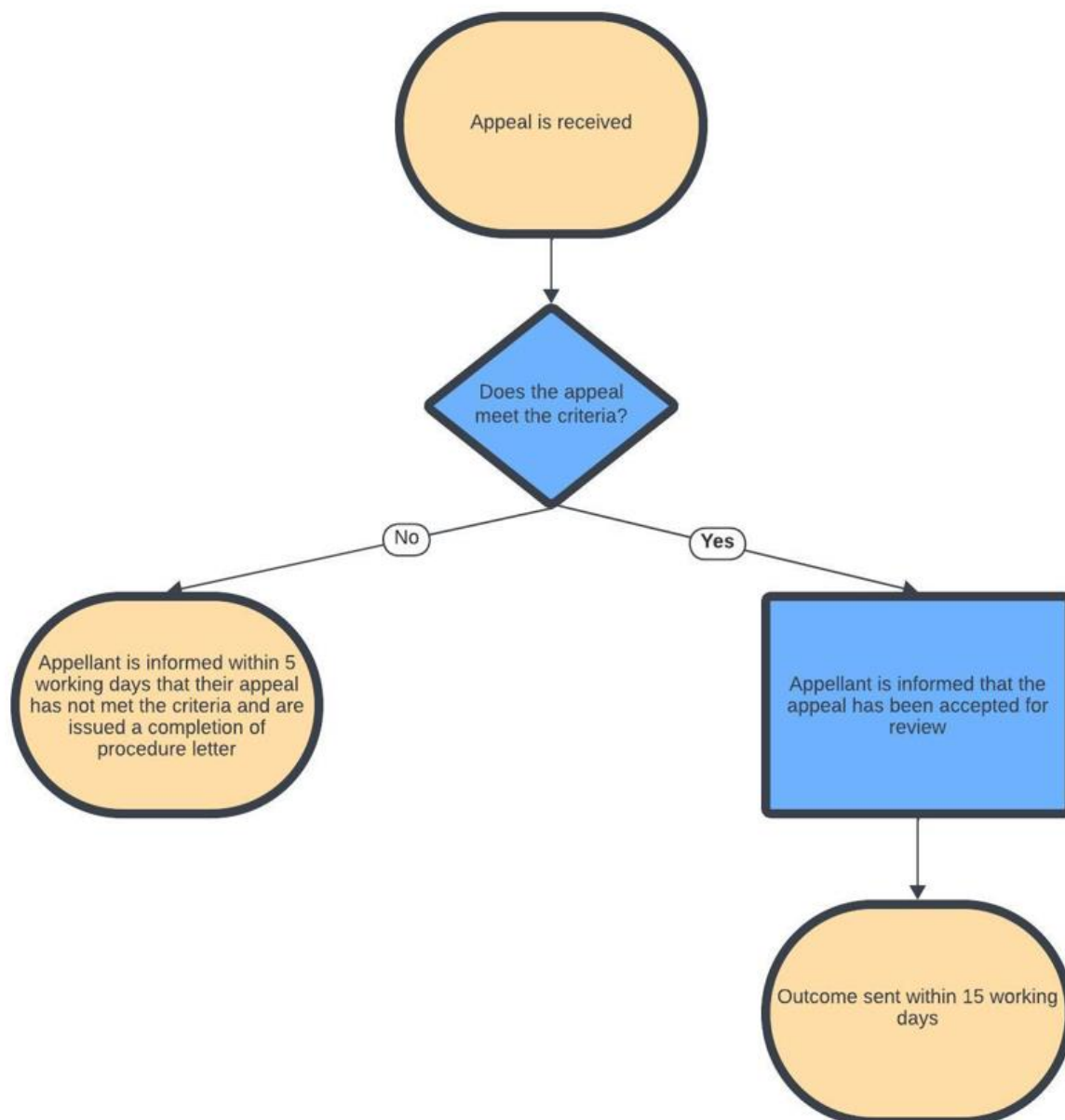
Appeal is received	<p>5.1 If the customer is not satisfied with the outcome of their complaint, they can request to appeal. A stage 1 appeal request must be made within 10 working days of the complaint outcome date via the online form <a href="#">here</a></p> <p>5.2 A stage 1 appeal will only be considered on the following grounds:</p> <ul style="list-style-type: none"> <li>• The investigation did not address all the complaint points raised.</li> <li>• New evidence has been made available that was not available at the time the complaint was submitted.</li> <li>• The investigation was not conducted in accordance with the procedures set out in the procedure for dealing with a complaint.</li> <li>• We have not implemented the resolution detailed in the outcome.</li> </ul>
Appeal review	5.3 The appeal is escalated to the relevant member of the Group Executive Team to review and decide whether it should be accepted. The decision is communicated to the customer within five working days.
Appeal rejection	5.4 If the appeal request is rejected the customer will be issued with a completion of procedure letter and has no further option to appeal.
Appeal acceptance	5.5 If the appeal is accepted it will be assigned to an independent director, and this will be confirmed to the customer with an outcome timescale of 15 working days.
Investigation	<p>5.6 The investigating director will contact the customer to fully understand the decision to appeal.</p> <p>5.7 They will review the original complaint and investigation and will consider the integrity, additional evidence and outcome provided. They will not fully reinvestigate.</p>
Resolution	5.8 A formal outcome will be written detailing the outcome of the investigation and whether the appeal is upheld, partially upheld or rejected. This will be sent to the Group Executive Director who accepted the appeal for internal verification, to ensure fairness and consistency, before being sent to the customer.

### Stage 2 appeal – For Further Education, Apprenticeships or Higher Education students registered with Pearson, including those studying a Higher National award as part of a Higher Apprenticeship.

Appeal is received	<p>5.9 If the customer is not satisfied that the stage 1 appeal has followed our procedure as set out above, they can request a stage 2 appeal via our online appeal form <a href="#">here</a>. A stage 2 appeal request must be made within 10 working days of the outcome date of the stage 1 appeal</p> <p>5.10 A stage 2 appeal will only be considered on the following grounds:</p> <ul style="list-style-type: none"> <li>• The Stage 1 Appeal was not conducted in line with the procedure.</li> </ul>
Appeal review	5.11 The appeal is escalated to either the Group Chief Executive or the Deputy Group Chief Executive to review and decide whether it should be accepted. The decision is communicated to the customer within five working days.
Appeal rejection	5.12 If the appeal request is rejected the customer will be issued with a completion of procedure letter and has no further option to appeal.
Appeal acceptance	5.13 If the appeal is accepted it will be investigated by either the Group Chief Executive or the Deputy Group Chief Executive and this will be confirmed to the customer with an outcome timescale of 15 working days.
Investigation	<p>5.14 The investigating officer may choose to contact the customer to fully understand the decision to appeal.</p> <p>5.15 They will review the stage 1 appeal investigation and will consider if the procedure was followed. They will not reinvestigate.</p>
Resolution	5.16 A formal outcome will be sent to the customer detailing the outcome of the investigation and whether the appeal is upheld, partially upheld or not upheld. This will be the completion of procedure with no further options for appeal.

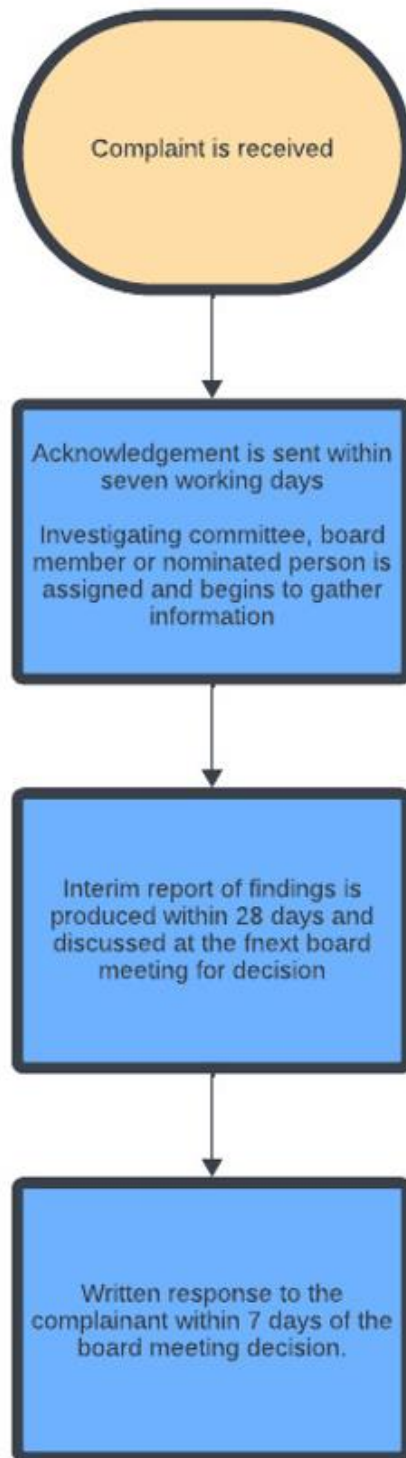
## Stage 2 appeal – Higher Education students registered with a partner University.

Appeal progression	5.18 If the customer is not satisfied that the stage 1 appeal has followed our procedure as set out above, the complaint should be progressed through their partner university complaints procedure, details of which are provided in the programme handbook and university website.
	5.19 Once investigated the university will issue a completion of procedure letter.
	5.20 If the customer remains unsatisfied, the complaint can be progressed to the Office of the Independent Adjudicator for review.



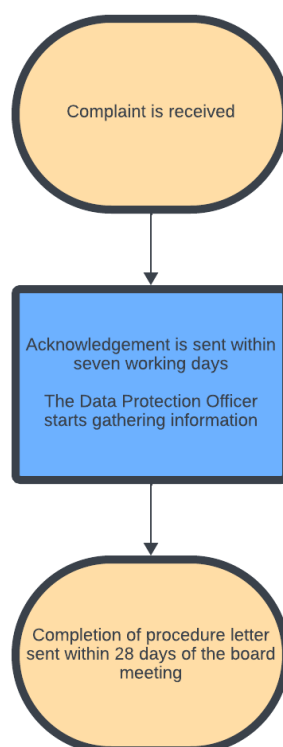
## 6. Complaints against Corporation Board Members and Head of Governance Procedure.

Making a Complaint	<p>6.1 A complaint against the Corporation; a Corporation Member; (including the CEO if the complaint relates to their role as a Board Member); or the Head of Governance may be made by an individual or an organisation in relation to their dealings with Activate Learning. Complaints must relate to:</p> <ul style="list-style-type: none"> <li>the performance by the Corporation, a Corporation Member or the Director of Governance of the functions respectively allocated to them under the Instrument and Articles of Government.</li> <li>the exercise by the Corporation of its powers; and/or</li> <li>any other alleged breach or non-observance of the duties of the Corporation, individual members or the Head of Governance under the Instrument or Articles of Government, its Code of Conduct for Corporation Members or the funding agreement.</li> </ul>
Complaint is received	<p>6.2 All complaints should be made in writing and addressed to the Head of Governance (except for when the complaint is in relation to the Head of Governance, in which case it should be addressed to the Chair of the Corporation). Complaints will be preferably raised by email to <a href="mailto:Clerk@Activatelearning.ac.uk">Clerk@Activatelearning.ac.uk</a>.</p> <p>The complainant will be expected to state clearly the nature of and grounds for the complaint (see 6.1 above) and, if appropriate, provide copies of any related documentation. The complainant should also state the remedy they are seeking.</p>
Acknowledgement	<p>6.3 The complaint will be acknowledged within seven working days and will be referred to one or more of the following for investigation:</p> <ul style="list-style-type: none"> <li>The Activate Learning Audit and Risk Committee.</li> <li>One or more Board Members.</li> <li>A person (nominated by an external sector body) who has substantial experience of college governance.</li> </ul>
Investigation	<p>6.4 Such person(s) shall:</p> <ul style="list-style-type: none"> <li>consider the complaint and, if necessary, in order to determine disputed issues of fact, interview the complainant and those who are the subject of the complaint. They may refer issues to the Corporation's auditors (external and/or internal) or other independent advisers as they feel appropriate; and</li> <li>produce a written report of their findings in relation to the complaint and provide the complainant and the Corporation with a copy of such report as soon as possible. In any event they shall produce an interim report within twenty-eight days of the complaint being referred to them.</li> </ul>
	<p>6.5 The Board shall, at its next scheduled Board meeting following receipt of the investigation report, consider the findings and determine whether to uphold the complaint in whole or part. In the event that a complaint is upheld, the Board shall agree to a suitable and proportionate response or remedy. Where the complaint relates to one or more specified Board Members or the Head of Governance, they shall withdraw and take no part in the discussion of the investigation.</p>
Resolution	<p>6.6 The Head of Governance (Chair of the Corporation) shall within seven working days of the Corporation's determination of the complaint, provide a written response to the complainant and to those who are the subject of the complaint, confirming the decision of the Corporation in relation to the complaint, with reasons for its decision. The response will include details of any arrangements for pursuing the matter with any relevant external body (e.g. Department of Education) as appropriate.</p>



## 7. Data Protection Complaints Procedure

Complaint is received	7.1 Data subjects are encouraged to direct any data protection related complaints to the Data Protection Officer at <a href="mailto:dpo@activatelearning.ac.uk">dpo@activatelearning.ac.uk</a> . However, a complaint may be made to any member of staff, in which case the staff member should immediately forward the complaint to the DPO.
	7.2 Data subjects of Activate Learning may register a formal complaint concerning the way that Activate Learning processes, or has processed, their personal data in the following circumstances: <ul style="list-style-type: none"> <li>• Activate Learning has not kept their personal data secure.</li> <li>• Activate Learning has processed their personal data in a way that is contrary to Data Protection Legislation.</li> <li>• Activate Learning holds inaccurate personal data which has not been fully rectified.</li> <li>• Activate Learning has disclosed their personal data in a manner which not legal, fair or transparent.</li> <li>• Activate Learning has kept their personal data for longer than is necessary.</li> <li>• Activate Learning has collected their personal data for one reason and is using it for another</li> <li>• Activate Learning has failed to comply with a right request.</li> </ul>
Acknowledgement	7.3 The complaint will be acknowledged within seven working days.
Investigation	7.4 The DPO will initiate an investigation into the matter, with the support of relevant staff and departments. Where a complaint relates specifically to the actions of the DPO or there is a conflict of interest, an independent member of staff, usually a Director, shall be appointed to conduct the investigation.
	7.5 The investigation will aim to ascertain: how the incident occurred, whether a breach of Activate Learning's data protection obligations has occurred, whether any risk or damage to the subject has arisen as a result and, where relevant, what mitigations have been enacted in order to prevent further damage or distress to the data subject.
Resolution	7.6 Once the investigation has been concluded, the investigator will make a written report of the findings to the complainant within 28 days. This will outline the investigation process and conclusions and, where relevant, any resulting action that has or will be taken. Where appropriate, the complainant may be offered the opportunity to discuss the matter with the investigator; any appeal shall be referred to the Information Commissioner's Office.



## 8. External Appeal

In the rare cases where the internal complaints procedure has not resolved the matter, and depending on its nature, the following external organisations may review unresolved issues:

Contact	Area	Contact details
Ofsted	Nurseries only	<a href="mailto:enquiries@ofsted.gov.uk">enquiries@ofsted.gov.uk</a>
University Partners	University awarding bodies provide an opportunity for students to avail themselves of the university complaints procedure.	Dependant on the partner
Office of the independent adjudicator (OIA – Higher Education)	The OIA for Higher Education provides an independent scheme for the review of student complaints or appeals. Students wishing to avail themselves of the opportunity for an independent review by the OIA must submit their application within 3 months of the issue of the completion of procedure letter.	<a href="http://www.oia.org.uk">www.oia.org.uk</a>
Education Funding Agency	Students up to the age of 18 years	<a href="http://www.gov.uk">www.gov.uk</a>
Education Skills Funding Agency (ESFA)	The ESFA can investigate complaints about quality or management of learning provision, undue delay or non-compliance with published procedures, poor administration by the Provider, equality and diversity issues (except where there is a more appropriate mechanism for dealing with the matter through the court or tribunal or other organisations), health and safety concerns, complaints made by learners following HE courses in FE colleges and complaints from apprentices and their employers.	Email. <a href="mailto:complaints.ESFA@education.gov.uk">complaints.ESFA@education.gov.uk</a>  For further concerns, complaints or enquiries regarding an <b>apprenticeship</b> , apprentices and employers can contact the Education and Skills Funding Agency (ESFA) directly through the apprenticeship helpdesk (on 08000 150400 or email <a href="mailto:nationalhelpdesk@apprenticeships.gov.uk">nationalhelpdesk@apprenticeships.gov.uk</a> ).
National Union of Students	Students recognised union representation	<a href="http://www.nus.org.uk">www.nus.org.uk</a>
Information Commissioners Office (ICO)	The ICO can investigate the results of your internal appeal regarding Freedom of Information requests.	<a href="https://ico.org.uk">https://ico.org.uk</a> Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 0303 123 1113 (local rate) or 01625 545 745 (National rate number)

### **Associated policies and procedures.**

- Student Positive Behaviour Management Policy and Procedure
- Search procedure
- Student Health and Wellbeing Policy
- Admissions Policy
- Student Criminal Convictions Procedure
- Use of Reasonable Force Procedure
- Safeguarding and Child Protection Policy
- Residential Statement of Principles and Practice
- Student Code of Conduct
- Student Code of Conduct and Behaviour in Accommodation
- HE Academic Misconduct Procedure

