



## Complaints Procedure for External Stakeholders

### 1. Introduction

Norland College is committed to providing a high-level service. If you do not receive satisfaction from us or you have a concern about Norland, we need you to tell us about it. This will help us to improve our standards of excellence.

This procedure provides a mechanism for addressing concerns raised by external stakeholders promptly, fairly and effectively in order to help the College achieve the highest quality in its education provision. External stakeholders may include, for example, Agency clients, Norlanders or members of the public.

There is a separate procedure for complaints by students and NQNs.

### 2. Guiding principles

- 2.1 In the event that you are dissatisfied with a College service, the College seeks to:
  - (a) resolve the matter at the earliest possible opportunity and, where appropriate, through informal channels;
  - (b) investigate fairly and thoroughly;
  - (c) ensure the process is unbiased.
- 2.2 It is the intention of the procedure that complaints are resolved as quickly and at as early a stage as possible.
- 2.3 In order to achieve this, the College asks that you will have observed your own obligations and raised the problem as soon as it arose.
- 2.4 Details of your complaint will remain confidential to the parties concerned.
- 2.5 In the interests of fairness, you, and anyone else directly involved in the complaint, will be entitled to see all evidence to be considered and to put your case.
- 2.6 If there is to be a hearing, all those directly involved will have the right to attend and to be heard.
- 2.7 Anonymous complaints or evidence may be considered but are likely to be given less weighting in evaluating the evidence unless they are corroborated. Anonymous corroboration may be considered and may carry more weighting in evaluating the evidence.

- 2.8 If there are allegations of a criminal offence, the College may refer the matter to the police and suspend its own proceedings until the outcome of any criminal proceedings are known, other than where the College needs to act in the interests of the safety and wellbeing of students, staff and third parties, including visitors.
- 2.9 You will not be disadvantaged as a result of making a complaint. However, if it is later discovered that a complaint was malicious or vexatious, the College may consider taking legal action.

### **3. Who may use this procedure and in what circumstances**

- 3.1 The procedure is available for you to raise concerns about your experience of the services the College has provided or if you have concerns about any of the College alumni. You may or may not have been directly affected by the matter of concern.

### **4. How to complain**

There is one informal stage and two formal stages to the complaints procedure. In summary, they are:

#### **4.1 The informal stage**

- 4.1.1 At this stage you should raise the issue with the person most directly responsible, such as the Manager or a suitable alternative, for example the Head of Department or the Principal, with the aim of resolving it as soon as possible. It is expected that both sides will make a genuine and reasonable attempt to resolve any issues at this stage. The issue may be raised by telephone or by email.
- 4.1.2 If the issue does not involve you directly or you do not wish to pursue the matter further, the College reserves the right to conduct its own investigation in order to resolve the matter or take further action. The anonymity of the complainant will be preserved if requested. For example, if a complaint is made about a Norlander by a member of the public, the College may pursue its own investigation and make any necessary adjustments, or take further action such as instigating a disciplinary procedure, should the complaint and evidence of the complaint be of sufficient concern. This investigation will be held internally and may lead to formal action being taken.

#### **4.2 Formal stage 1**

- 4.2.1 If you have been unable to resolve your complaint informally and wish to take it further, you should put your complaint in writing, addressed as appropriate to the Principal, stating with whom you attempted to raise the matter informally (if relevant), the outcome and why you remain dissatisfied.

#### **4.3 Formal stage 2**

- 4.3.1 If your formal complaint has not been resolved in a way that is satisfactory to you, you should refer your complaint to the Board of Directors, through the Principal's Executive Assistant (EA). At each stage your complaint should indicate what resolution you are seeking, without prejudice to any final remedy. You are reminded that an informal resolution to your complaint remains possible at any stage.

## 5. The procedure

### 5.1 The informal stage

5.1.1 Any complaint should normally be raised directly with the person(s) concerned or responsible for that service as soon as possible after the experience that gave rise to the complaint. A complaint that is raised more than 30 calendar days after the incident will be difficult to follow up and will not normally be accepted other than where you can show good cause for the delay (such as extenuating circumstances).

5.1.2 The complaint may be made by telephone or by email. If the matter is not resolved immediately, the complaint may need to be put in writing, via email, so that the nature of the complaint is clear and further action may be taken.

5.1.3 It may be appropriate to arrange a meeting either in person or via other means with the relevant person(s). You may wish to be accompanied by a friend or supporter. At the meeting, you should state the nature of your complaint and the remedy you are seeking. It may help to put your thoughts in writing and to take notes during the meeting. If a meeting is not possible or appropriate, you should email the person(s).

5.1.4 Normally within five working days following the meeting or your email, the person(s) will either:

email you (or your spokesperson, in the case of a group complaint) with a summary of what was discussed if a meeting was held or addressing the points you have raised if by email, what (if any) remedy is proposed, and the timescale for its implementation;

or

respond to propose a timescale for resolution.

Unless agreed otherwise with you, this timescale should be no longer than 10 working days from the date of the email. If, however, you have not received an email within five working days of the meeting, you should email them yourself using your own notes of the discussion and setting a deadline of 10 working days from your email to provide a remedy to your complaint.

5.1.5 Where you have been unable to arrange a meeting within a reasonable amount of time (five working days would be normal) of contacting the person(s) concerned, or no acceptable resolution has been received within 15 working days following a meeting (unless you have agreed otherwise), you should email the person(s), advising them you will be making a formal complaint.

5.1.6 The informal stage ends when one of the following applies:

(a) A remedy that is acceptable to you has been put forward and you consider the matter resolved.

(b) You are not satisfied with the remedy proposed within 15 working days (or whatever longer period was agreed) of your informal meeting with the person(s) to whom you complained.

(c) You have been unable to arrange a meeting with the person(s) concerned within five working days of your contacting them or have not received a response to your initial email.

## **5.2 Formal stage 1**

- 5.2.1 In order for the complaint to be considered formally, you must put the complaint in writing and send it to the Principal (email communication is sufficient). Your details, the details of the complaint, the remedy sought and any supporting evidence should be included. You should also explain how you have attempted to raise the matter informally and why you remain dissatisfied. You should attach an email or other written confirmation to the complaint to evidence that the matter has been raised informally. Unless you can demonstrate that you have been unable to receive an informal resolution of your complaint, you may be asked to return to the informal stage before a formal complaint can be considered.
- 5.2.2 A formal complaint must be submitted to the Principal no later than 10 working days after the email concluding the informal stage as described in 5.1.5.
- 5.2.3 You should expect to receive an acknowledgment from the Principal's office within five working days of your formal complaint being received.
- 5.2.4 We aim to resolve a formal complaint, which has previously been raised informally, within 15 working days of receipt. If there is likely to be a delay, you will be informed of this and the reasons for it.
- 5.2.5 You, or the spokesperson if a group complaint, will be offered a personal meeting with the Principal or relevant nominee in order that you can explain your complaint and why you remain dissatisfied. At that meeting, which may include another member of staff, an administrator will be present to take notes. You will be given a copy of these notes for your records. You may be accompanied to this meeting by a supporter, but you should inform the College that you wish to be accompanied and give them the name of your supporter.
- 5.2.6 The Principal or nominee may undertake whatever investigation is considered appropriate in order to establish the facts of the case, and if meetings are held with members of staff, notes will be taken by an administrator and you will be entitled to a copy of those notes. Similarly, if the complaint is about a member of staff, he or she will be entitled to see all the relevant documentation, including the notes of your meeting with the Principal. You may wish, however, to remain anonymous, but please note that anonymous evidence does not carry as much weight. All evidence considered as part of the complaint, including email correspondence, will be shared with all relevant parties.
- 5.2.7 You will receive a written decision which addresses the points you have made and gives reasons for the conclusion reached. The letter will also advise you of your right to refer the matter to stage 2.
- 5.2.8 Where recommendations are made as a consequence of your complaint, you will be entitled to know what these may be and when they will be implemented.

### 5.3 Formal stage 2

5.3.1 If your complaint is not resolved under stage 1, you may refer it to the Board of Directors via the Principal's EA within 10 working days of the date of the final response letter from the Principal. For your complaint to be accepted, you will need to demonstrate and provide supporting evidence for one or more of the following grounds:

(a) That new and relevant information is available that for good and independently verifiable reasons was not available at stage 1 and now ought to be considered.

(b) That at stage 1 the College failed to follow correct procedures.

(c) That the conduct of the investigation into your complaint was subject to bias and/or prejudice against you.

(d) That the decision reached at stage 1 is one at which no reasonable body (properly directing itself, and taking into account all relevant factors) could have arrived.

You should send copies of all relevant documentation with your stage 2 complaint.

5.3.2 The College aims to complete stage 2 within 20 working days of receipt of the complaint at stage 2. If there is likely to be a delay, we will inform you of the reasons.

5.3.3 The Chair of the Board of Directors will obtain a copy of the full file from the College and will identify a member of the Board who has not previously been involved in the case to consider the paperwork. The member of the Board will consider the complaint and decide whether the complaint should be rejected or whether there are reasons why it should be considered by a complaints committee. If the complaint is rejected at this stage, you will be sent a letter explaining the reasons for the decision. This will complete the College's internal procedures and the letter will be a formal Completion of Procedures letter.

5.3.4 If a committee is convened, it will be chaired by the member of the Board (referred to above). The committee will include three members of the Board who have had no previous involvement in the matter.

5.3.5 The Principal's EA will prepare the documentation for the committee meeting, which will consist of all paperwork relevant to the case. You may submit further documents for consideration only if there are good reasons why they were not submitted earlier. The amount of paperwork must be proportionate.

5.3.6 The file of documents will be sent to you at least five working days before the committee is due to meet.

5.3.7 Either party, or the committee, may call witnesses. If witnesses are to attend, they will be asked to submit a written statement at least 10 working days prior to the hearing. These statements will be circulated to all parties as part of the committee file. It will be the responsibility of the person calling the witness to ensure the statement is supplied in time to be included in the file of committee papers.

## **6. Complaints committee protocol**

- 6.1 The committee may review any relevant evidence as well as the way in which the complaint has been handled. It may not act as a disciplinary body.
- 6.2 You may be accompanied to the meeting by a friend or other supporter. Your supporter may, at the discretion of the Chair, address the meeting or ask questions on your behalf.
- 6.3 At the meeting, you will be asked to present your case, and you may call witnesses whose testimony you have previously submitted. You, and your witnesses, may be questioned by the committee and the person or the representative of the College or service which is the subject of the complaint.
- 6.4 The representative of the College, which is the subject of the complaint, will then be allowed to present the case for the College and respond to your points, and they may call witnesses whose testimony has previously been submitted. The representative and the College's witnesses may be questioned by the committee or yourself.
- 6.5 Both sides will then be given the opportunity to sum up their case.
- 6.6 The burden of proof will be on the complainant.
- 6.7 The standard of proof will be on the balance of probability.
- 6.8 The committee will then retire to consider its decision, and the clerk to the committee will aim to inform you of the outcome of the hearing within five working days.
- 6.9 If you are unable to attend the committee meeting or comply with the timescales, this will not invalidate the proceedings and the meeting may be held in your absence. The outcome letter will confirm that the College's internal procedures have been exhausted.

## **7. Appeals**

- 7.1 There is no scope for appeal, as the committee, which represents the Board, will be the final authority on the matter.

## **8. Timescales**

- 8.1 The College will not normally consider a complaint that is raised more than 30 calendar days after the incident giving rise to the complaint unless there are good and independently verifiable reasons for the delay.
- 8.2 In the event that you feel there are good reasons for the delay, you should let the College know of those reasons and should support this with independently verifiable evidence in writing from a relevant professional (e.g. your GP or another registered clinician).

- 8.3 The College aims to resolve matters as quickly as possible. The College aims to give decisions within the following timescales:
- (a) informal stage: not normally more than 15 working days after the matter has been raised with the person responsible (see 5.1.6);
  - (b) formal stage 1: within 15 working days of the College receiving a formal complaint (see 5.2.4);
  - (c) formal stage 2: within 20 working days of receipt of the complaint at stage 2 (see 5.3.2).

If the matter requires further investigation and the timescales cannot be achieved, you will be informed of the delay, and the reasons for it, in writing.