

Complaints Policy

April 2025 V25

Introduction:

The majority of issues raised by users of our services, members from the community, employers or learners, are concerns rather than complaints. Phoenix College (PC) is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the PC formal complaints procedure. For Phoenix College to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated unless it relates to a criminal offence, safeguarding, racism, sexism, discrimination, civil legal proceedings or health & safety.

The aim of the Phoenix College complaints policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by Phoenix College. The following details outline the stages that can be used to resolve and manage complaints.

The Phoenix College Complaints Policy has four main stages:

In summary they are as follows: -

- Stage 1: A concern is raised informally with (or by) a staff member.
- Stage 2: Formal complaint is heard by the Director of Operations
- Stage 3: Complaint is heard by the CEO
- Stage 4: Complaint is heard by the Phoenix College SMT Complaints.

Stage 1 – Raising a concern:

Concerns can be raised with Phoenix College (PC) at any time and will often generate an immediate response, usually by telephone, which will resolve the concern. PC requests that customers/learners make their first contact which will normally be their Assessor or Tutor. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write or call Phoenix College within 10 working days and state what you would like Phoenix College to do. Phoenix College will then look at your complaint at the next stage. We will keep all people who make a complaint informed of the next step and timelines. All people making a complaint will be protected as per Phoenix College Whistleblowing Policy, especially staff.

Any staff member that takes responsibility for dealing with a complaint will log it on to our complaints form and tracker within 24 hours of receiving the complaint, collecting and applicable information, evidence or data. In most instances, minor complaints are resolved within this time period however, all complaints must be logged, even if they have already been resolved. Throughout the process outlined below, the complaint and resulting actions will be followed up by the Lead.

Stage 2 – Complaint heard by the Director of Operations:

Formal complaints shall be put in writing and addressed to Phoenix College at 591-593 Harrow Road, North Kensington W10 4RA Tel: 0203 784 6005. The complaint will be logged, including the date it was received. Phoenix College will normally acknowledge receipt of the complaint within two working days of receiving it. In many cases, this response will also report on the action that Phoenix College has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within ten working days. The aim will be to resolve the matter as speedily as possible. However, if the person making the complaint is not satisfied with the result at stage 2, please inform them to write to or call Phoenix College within 10 working days of receiving our response.

Stage 3 – Complaint heard by the CEO:

If the matter has not been resolved at Stage 2, the CEO will arrange further investigation. Following the investigation, the Director of Operations will normally give a written response within 10 working days. If the person making the complaint is still dissatisfied with the result at stage 3, please get them to inform Phoenix College within 10 working days of getting their response.

Stage 4 – Complaint heard by the Phoenix College Senior Management Team:

If the matter has still not been resolved at Stage 3, then inform the person making the complaint that they should write to the Phoenix College's Principal giving details of the complaint. The Principal will convene a complaints panel hearing. The hearing will normally take place within 10 working days of the receipt of the written request for Stage 4 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between Phoenix College and the complainant. All parties will be notified of the Panel's decision in writing within 3 working days after the date of the panel hearing. The letter will also contain what you need to do if you wish to take the matter further.

Panel Hearings:

Where it has been necessary to convene a panel hearing for a complaint, a person independent of the management and running of the Phoenix College organisation will be appointed to the panel (usually drawn from the relevant referring agency of the complainant) to act as an independent advisor and mediator if required. The other members of the panel will be appointed by the CEO and consist of three members from the Phoenix College Senior Management members (SMT) who have not been directly involved in the matters detailed in the complaint.

The SMT hearings allow for customers/learners to be in attendance (if they wish) and to be accompanied by another person for support purposes only.

Findings & Recommendations:

The SMT hearings are intended to make findings and recommendations that will be sent using electronic mail or given to the complainant in the form of a letter and where relevant, to the person complained about. Should the complainant at this stage of the process, remain unhappy with the decision made by Phoenix College, the individual can complain to relevant Awarding Organisation (CMI) who will use their own complaint procedure to hear the complaint.

Should the complainant/learner, remain unhappy with the outcome of the External Awarding Body/CMI's decision, then they have the right to take their complaint to the Regulatory Body (Ofqual) as a final point of the complaint procedures.

Written Records:

A written record will be kept of all complaints made at all stages of the complaints process (from the preliminary stage of the hearing). Records will indicate whether complaints have been resolved at the preliminary stages or whether they proceeded to a panel hearing.

All correspondence, statements and records relating to individual complaints will be kept confidentially secured on the Phoenix College head office premises available for inspection by the Awarding Organisation/CMI (if applicable) or other regulatory or quality inspection organisation conducting an inspection for government agencies and governmental bodies who may require access to them.

N.B. In cases where the matter concerns the conduct of Phoenix College employees, the CEO will be informed of the complaint. The Director of Operations will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Phoenix College SMT, an independent consultant will be employed to conduct an enquiry into the complaint.

Procedures

- All learners and staff must be informed of our complaints policy at induction and should be included in learner's personal folders and employee's personnel folders
- All learners, staff and customers should know how to complain and who to complain to and that they are protected by our Whistleblowing policy
- All Learners and customers must be informed that our complaints policy does not take away or affect their rights under English, EU and International laws
- All Learners and customers should be informed of external agencies which they can share their complaint such as funding organisations and awarding organisation (OCN London)
- How to complain is available on our website and where possible posters displayed
- All staff must record all complaints as Phoenix College will monitor and evaluate complaints to make sure we are getting it right and to make sure we make it better through our continuous improvement process
- Safeguarding and Health & Safety complaints must be recorded and the Director of Operations informed Immediately
- This policy must be read by all staff at induction

This policy will be reviewed

annually. Review date: April 2026