



## Complaints Policy and Procedure

Reference	
Status:	Final
Document Title:	Complaints Policy and Procedure
Version:	4.3
Date:	October 2021
Previous Version/Date:	4.2/ July 2021
Next Review:	October 2022
Classification:	External and Internal
Approve By:	Academic Board
Prepared By:	Quality Assurance
Received By:	BoD/COB
External Referents:	<p><i>UKSCQA/ UKQC</i></p> <p><i>Core Practice-Q6</i></p> <p><i>Advice and Guidance-</i></p> <p><i>Concerns, Complaints and Appeals (11/18)</i></p> <p><i>Office of the Independent Adjudicator (OIA): The Good Practice Framework for handling complaints and academic appeals</i></p> <p><i>Competition and Markets Authority Higher education: consumer law advice for providers</i></p>

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## **1. Aim**

- 1.1. London Churchill College (LCC) defines a complaint as an expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, when the complainant has drawn his or her concern to the attention of the College and is not satisfied with the response.
- 1.2. This policy seeks to ensure that complaints against the College are treated seriously and, if found to be valid, are acted upon.
- 1.3. The College committed to address all complaints with fairness and use information to improve the services.

## **2. Examples of Complaints**

- 2.1. The examples covered in the below list they are not exhaustive. These are possible area that may be considered by the students or prospective students for complaints.
  - 2.1.1. Failure by the College to meet obligations including those outlined in programme or student handbooks.
  - 2.1.2. Misleading or incorrect information in prospectuses or promotional material and other information provided by the College.
  - 2.1.3. Concerns about the delivery of a programme, teaching or administration.
  - 2.1.4. Poor quality of facilities, learning resources or services provided directly by the College.
  - 2.1.5. Any form of harassment or bullying from fellow students, member of staff on grounds of their perceived race, gender, gender reassignment, marriage and civil partnership, disability, sexual orientation, pregnancy and maternity, religion or belief, age, or for any other reason.
  - 2.1.6. Complaints about procedural irregularity in the admission process.
  - 2.1.7. Concerns relating to the Work placement provider.
  - 2.1.8. Concerns about Brand Advocates contracted by the College

## **3. Policy**

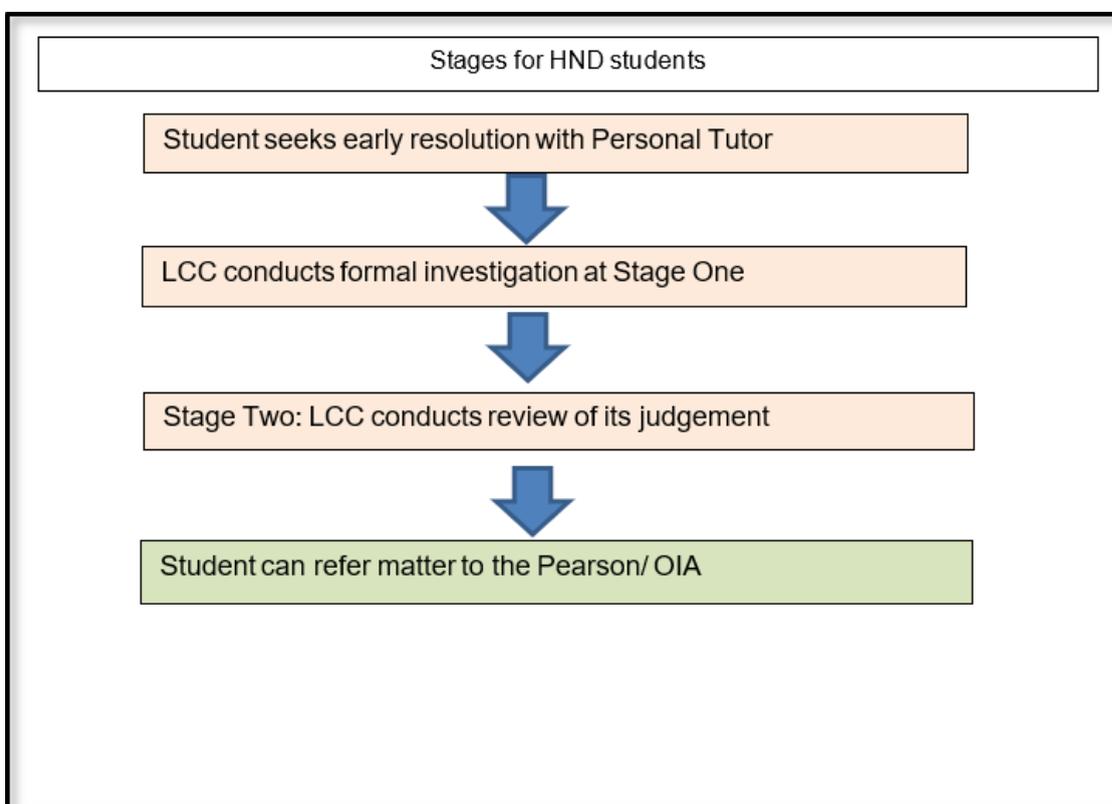
- 3.1. All parties shall be treated with dignity and respect in the application of the Policy. Students and other stakeholders will not be disadvantaged as a result of making a formal complaint.
- 3.2. At all stages of the complaints process a complainant should ensure that he or she avoids disclosing unnecessary personal information (e.g. medical conditions etc.) unless s/he feels it is relevant to the issues raised. A complainant must also avoid disclosing personal data of any other person in the appeal unless they have been given written permission by the person/s to do so.
- 3.3. The College must support a complainant during the process by signposting available internal support services such as student representative body or designated student engagement staff.
- 3.4. The Registrar will report to the Academic Board after the end of each academic year on the activity and outcomes of Complaints, process time and consideration of protected characteristics as part of a continuous monitoring.



- 3.5. This Policy covers students who are registered with the College or were recently registered on a programme of study delivered by the College within the qualifying period, as well as applicants and members of the public.
- 3.6. Where an issue affects a number of students, a group or collective complaint may be made, and one student may be nominated as a spokesperson or liaison point, if all others agree, in order to manage the process more effectively. Collective complaints follow the same procedure as stated below.
- 3.7. A complaint made against a fellow student may be investigated in line with Student Code of Conduct and Disciplinary Procedure.
- 3.8. A complaint from a prospective student should adhere according to the relevant policy such as Recruitment, Selection and Admission Policy or Brand Advocate Policy

#### **4. Procedures**

- 4.1. In order to be considered by the College, a complaint must be received no later than **three months** after the incident that gave rise to the complaint. The College does not normally extend time limits for making complaints. If a complaint is submitted outside of the three-month deadline, it will be deemed out of time.
- 4.2. The Complaints process consists of multiple stages, which allow students to escalate their complaint to higher authorities if they are dissatisfied with the initial result.
- 4.3. The process for students on HND courses is outlined in the figure below:





## **4.2. Informal Resolution**

- 4.2.1. Any student or group of students, or applicant who is considering making a complaint should discuss the matter informally in the first instance with their personal tutor or other relevant member of LCC staff in order to seek early resolution.
- 4.2.2. Early resolution is designed to address straightforward concerns swiftly and locally for the benefit of all parties before any formal complaint is made.
- 4.2.3. On completion of the informal stage, the Personal Tutor/other staff member should provide the student with a written outcome.

## **4.3. Stage One: Formal Stage**

**Complaint should be received no later than 3 months of the occurrence of the issue complained about**

**Outcome to be issued to the student within 20 working days**

- 4.3.1. To make a formal complaint, the students can access the complaint form from the Student Portal or can be obtained and submitted at reception for the attention of the Registrar at LCC. For a Member of Public can request the complaint form by sending email to the Registrar at [registry@londonchurchillcollege.ac.uk](mailto:registry@londonchurchillcollege.ac.uk)
- 4.3.2. The College students who wish to make a complaint and requires reasonable adjustments during the procedure, is encouraged to provide details at the beginning of the formal stage.
- 4.3.3. The formal complaints process is triggered when:
  - 4.3.1.1. the student or applicant declines to engage with early resolution and initiates the formal process
  - 4.3.1.2. early resolution was attempted, but the student or other remains dissatisfied.
  - 4.3.1.3. the issues raised are complex and will require detailed investigation, for example where a complaint relates to the conduct of staff members or covers a number of different incidents.
- 4.3.4. Formal complaints should be submitted to the Registrar within 10 working days of the outcome of the Early Resolution using the Complaints Form.
- 4.3.5. Students will need to ensure that they:
  - 4.3.1.4. make clear the details of the complaint in writing;
  - 4.3.1.5. provide any evidence to support his or her complaint;
  - 4.3.1.6. express clearly the outcome being sought
- 4.3.6. On receipt of a Complaint, the Registrar will undertake an initial evaluation to:
  - 4.3.1.7. consider whether the correct procedure is being used, referring it on as necessary to an independent staff member.
  - 4.3.1.8. acknowledge receipt of the written complaint within five working days;



- 4.3.1.9. consider the evidence, and, if necessary, hold discussions with the complainant and any other persons he or she deems appropriate in order to fully investigate the complaint.
- 4.3.7. Where the complaint is about a member of staff or a student at LCC, the Registrar will ensure that the principle of 'right of reply' is upheld by giving all parties an opportunity to fully respond to the issues raised in the complaint through written statements or by minuted individual interviews in support of, or challenge to, the complaint. The written statement or recorded minutes should be available for the future reviewer or panel members.
- 4.3.8. Having fully investigated the complaint over a period not normally exceeding 10 working days from its receipt, the Registrar shall decide whether:
  - 4.3.1.10. there is no reasonable justification for the complaint
  - 4.3.1.11. the complaint should be progressed through other procedures in which case the complaint shall be terminated at this stage; or whether
  - 4.3.1.12. the complaint should on account of its complexity be referred to a Complaints Panel meeting; or whether
  - 4.3.1.13. there is reasonable justification for the complaint
- 4.3.9. This Registrar shall seek to resolve any justifiable complaint through recommendations; and shall, if the recommendations are agreed by all parties, refer the matter to the Principal, who will ensure that the resolution is implemented.
- 4.3.10. The outcome of the formal stage shall be communicated to the student in writing within 20 working days. If the complaint is not upheld, the student will be informed of their right to request a review of Stage One, as well as instructions on how to do so and the time limits.

#### **4.3.2. Complaints Panel Meeting**

- 4.3.11. In instances where the Registrar deems that a complaint should be decided by a Complaint Panel meeting, he or she shall appoint an independent member of staff as Chair, together with two other members of staff with no prior involvement in the case, and a Minute Taker to minute proceedings.
- 4.3.12. The Chair of the Complaints Committee will then:
  - 4.3.2.1. convene a meeting within 21 working days of the Complaints Panel.
  - 4.3.2.2. issue an invitation to the complainant to attend the Panel to present their case (no later than five working days before the meeting is due to take place), informing him/her of their right to be accompanied by a current student/member of staff;
  - 4.3.2.3. invite students or staff members as appropriate to speak at the meeting;
  - 4.3.2.4. provide the student or applicant a minimum of five working days before the hearing with information about the composition of the Complaints Panel, other invitees and a copy of the information relevant to his or her case that will be considered.



#### **4.3.3. Conduct of Panel Meeting**

4.3.13. The Panel meeting shall normally be conducted in the following manner, with the provision to vary the procedure in exceptional circumstances:

- 4.3.3.1. Panel members hold a preliminary discussion in private
- 4.3.3.2. The Chair invites all parties to the meeting, introduces the Panel members, explains the role of the meeting and the way in which it will be conducted
- 4.3.3.3. The student or applicant is invited to present his or her case, referring to pre-disclosed evidence, as appropriate.
- 4.3.3.4. In instances where a complaint is about a member of staff or student, s/he will be invited to present any representations and/or evidence to challenge the complaint
- 4.3.3.5. Any person/s accompanying the student or applicant are invited to speak.
- 4.3.3.6. When all the evidence has been presented, the panel members may ask questions of any attendees, as they see fit.
- 4.3.3.7. The Chair will invite anyone present to ask further questions or to provide further information.
- 4.3.3.8. The student or applicant is then invited to make a brief concluding statement.
- 4.3.3.9. All parties in attendance are asked to leave the room while the Panel members deliberate and reach a decision.

#### **4.3.4. Outcome of Panel Meeting**

4.3.14. After due consideration of the arguments of the student concerned and other persons who have appeared before the Panel, the Panel will determine:

- 4.3.4.1. there is no reasonable justification for the complaint;
- 4.3.4.2. the complaint should be progressed through other procedures in which case the complaint shall be terminated at this stage; or whether
- 4.3.4.3. there is reasonable justification for the complaint.

4.3.15. The student or other will be notified of the outcome within 20 working days of the decision being made. The complainant will also be informed of their right to request a review of the decision made.

#### **4.4. Stage Two: Review Stage**

**Should be made within 10 working days of Stage One outcome**

**Outcome issued to student within 28 days of decision**

4.4.1. If the complainant is not satisfied with the decision at the conclusion of the Formal Stage or if the recommendations made at this stage are not implemented, he or she may appeal to the Principal using Complaints Form Stage 2 (Review Stage). The student should submit the form within 10 working days of receiving the outcome of the first Formal Stage.



- 4.4.2. A request for a review must be based on the following limited grounds:
  - 4.4.1.1. the outcome at Stage One is unreasonable;
  - 4.4.1.2. there has been a material procedural irregularity which has affected the outcome of the Stage One complaint;
  - 4.4.1.3. new material evidence has emerged which the student or applicant was unable, for valid reasons, to provide earlier in the process which would have significantly affected the outcome of the Stage One complaint
- 4.4.3. The review stage will not usually consider the issues afresh or involve a further investigation. A complaint must have been considered at the formal Stage One before it can be escalated to the Stage Two review
- 4.4.4. The Principal (or nominee) shall acknowledge receipt of the complaint within five working days and will:
  - 4.4.1.4. i. either dismiss the case and inform the complainant in writing with a Stage Two decision letter.
  - 4.4.1.5. ii. seek to negotiate and agree an alternative set of recommendations
- 4.4.5. This represents the terminus of the internal procedures, and a Completion of Procedures letter will be issued accordingly.

#### **4.5. The Office of the Independent Adjudicator (OIA)**

- 4.5.1. Following the exhaustion of the College's internal procedures, the student shall be issued with a Completion of Procedures (COP) letter, following which the student may, if the matter has not been resolved to their satisfaction, put their case to the Pearson or Office of the Independent Adjudicator (OIA).
- 4.5.2. The College is the member of the OIA independent scheme. This scheme provides opportunities to review students' complaint by the OIA under their eligibility rules. More information about making a complaint to OIA can be found here: <https://www.oiahe.org.uk/students/>
- 4.5.3. In addition, the COP letter will advise the student of where to obtain the Complaint Form and Guidance Note of the relevant organisation.
- 4.5.4. The OIA must receive the signed form within 12 months of the date of the COP letter, otherwise it will consider the complaint to be out of time.