

## Student Complaints Procedure

### Introduction

This Procedure describes how students may make a complaint to the School, and how the School may investigate and act upon complaints. It is used where a student is dissatisfied with an aspect of their experience at the School.

The School considers complaints to be an opportunity to address and enhance its provision. The ability of and process for individuals to raise their dissatisfaction promotes equality of opportunity and the rights of all students to benefit from a high-quality academic experience and to access the support they need to succeed.

### Linked Regulations, Policies and Procedures

This Procedure should be read in tandem with the School's [General Academic Regulations](#), [as well as the School's Equality, Diversity and Inclusion Policy](#) and its [Data Protection Policy](#).

### Help and Guidance

For support and advice on complaints, a student can contact a student representative in the LIS students' association, or the Registrar ([registrar@t-lis.org](mailto:registrar@t-lis.org)).

### Principles

The School's Student Complaints Procedure has been developed in line with the [UK Quality Code for Higher Education](#), the [QAA's UK Quality Code Advice and Guidance on Concerns, Complaints and Appeals](#) and the [Office of the Independent Adjudicator's \(OIA\) Good Practice Framework: Handling Complaints and Academic Appeals](#).

The Procedure underpinned by the following OIA's principles:

- *Accessible, clear, fair*
  - Procedures in relation to complaints are accessible, clear, inclusive and reviewed regularly.
  - Information on complaints is clear and transparent.
- *Proportionate*
  - Measures for addressing complaints are proportionate.
- *Independent*
  - There shall be no conflicts of interest in the determination of complaints.
- *Confidentiality*
  - Confidentiality is appropriately assured in the handling of complaints, with information only released to those who need it to investigate or respond to the complaint.
- *Timely*
  - The procedure for dealing with complaints allows for cases to be resolved as early as possible.
- *Improving the student experience*
  - Complaints are used to improve the student experience.

The School is also committed to ensuring that those raising complaints, and those who are the subject of complaints, are treated with dignity and respect, and that complaints are handled with proper consideration for the wellbeing of those involved.

These principles also underpin our [Academic Appeals Procedure](#), which is separate and distinct. The [Academic Appeals Procedure](#) describes how students may appeal a decision of an academic body around a mark, outcome or decision.

A student raising an issue can seek guidance from the Registrar as to whether it falls into the Complaints or Academic Appeals category; where it spans both categories, the Registrar will advise on which issues will be dealt with under its Student Complaints Procedure, and which will be dealt with under its Academic Appeals Procedure. Students may also seek advice from a student association representative.

The School will ensure that no student suffers any disadvantage as a consequence of making a genuine complaint.

Where possible, the School will assist students to resolve any complaint informally before invoking formal procedures.

There is a separate [Applicant's Complaints and Appeals Procedure](#).

### **Scope**

The Student Complaints Procedure may apply to the following issues:

- The delivery or administration of the programme which the student is registered (e.g., quality of teaching);
- The conduct of a member of staff (e.g., discrimination);
- The conduct of a fellow student;
- An act or omission concerning the administration or operation of a procedure or service provided by the School;
- Any other matter concerning the operation of the School that adversely and unfairly affects the student, and which is under the School's control.

The Student Complaints Procedure does not apply to:

- Appeals against School admissions decisions or complaints about the School's admissions process (dealt with under the [Applicant Complaints and Appeals Procedure](#));
- Appeals against decisions by the Board of Examiners (dealt with under the [Academic Appeals Procedure](#));
- Allegations of cheating (dealt with under the [Academic Misconduct Policy](#));
- Student attendance or disciplinary issues raised by the School (dealt with under the [Student Code of Conduct and Disciplinary Procedure](#)).

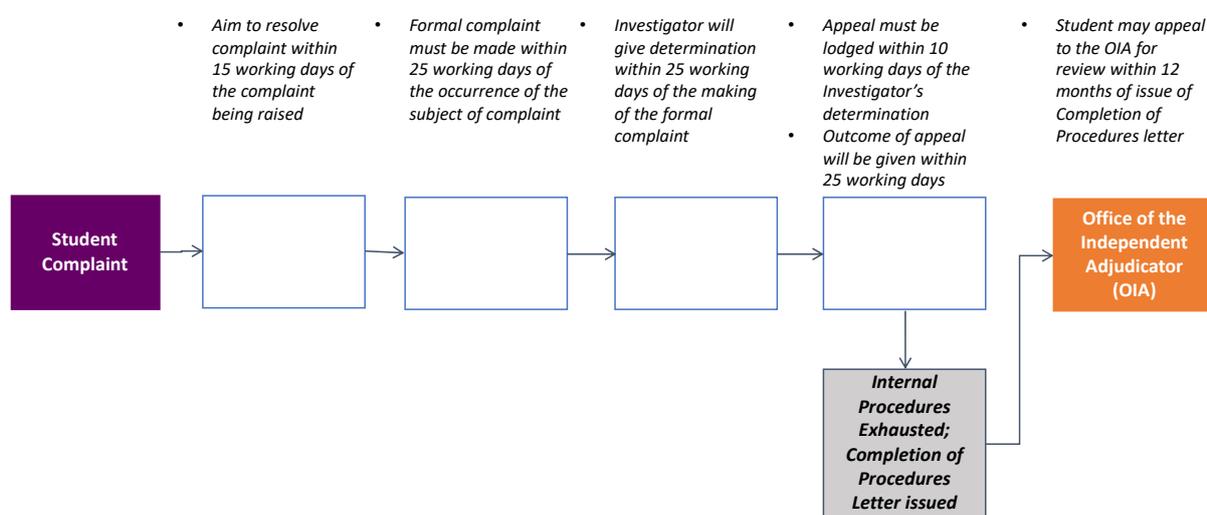
### **Overview of Procedure**

The School’s internal Student Complaints Procedure follows an escalating three-stage approach:

1. Opportunity for early resolution at a local level;
2. Formal complaint and determination;
3. Internal appeal against the School’s formal determination;

Where a student has exhausted the School’s internal Student Complaints Procedure and is still unhappy with the outcome, they may apply for a review of the matter to the [Office of the Independent Adjudicator for Higher Education](#) (OIA).

### Exhibit: Overview of LIS Student Complaints Procedure



### LIS Internal Complaints Procedure Step-by-Step

#### 1. Early resolution at a local level

The School will encourage students to resolve their complaints quickly and informally and at the local level.

In the first instance, the student should raise their complaint informally with the person concerned. If this is not possible or is not appropriate, the student should raise their complaint informally with their academic tutor, the Student Support Department, the relevant module leader, or the Director of Teaching and Learning (depending on the nature of the complaint). The recipient of an informal complaint may refer it to a more appropriate staff member, with the student’s consent.

The recipient of the complaint will seek to resolve the complaint quickly and informally, within 15 working days of the complaint being made. In doing so, they may liaise with other appropriate members of staff.

Where the complaint is against a staff member or another student, the staff member or student concerned will be informed of the complaint against them and given the opportunity to respond.

Resolutions at the informal level may include offering more information or explanation, listening and apologising, or suggesting solutions.

Where the nature of the complaint is sufficiently serious, the student may be justified in making a formal complaint without first attempting to resolve the complaint informally. If the student is not satisfied that their complaint has been resolved at the informal level, they may raise a formal complaint.

## **2. Formal complaint and determination**

### **Making a formal complaint**

A formal complaint should be made as soon as possible after informal attempts to resolve the issue have been exhausted, and must be made within 25 working days of the occurrence of the subject of the complaint. A complaint may be considered beyond this deadline if the student can demonstrate good, evidenced reasons for not making it within the specified timeline. Where a student has missed the deadline for making a formal complaint, they must write by email to the Registrar, setting out the reasons for the delay, supported by objective, authoritative evidence (e.g., a medical letter) ([registrar@t-lis.org](mailto:registrar@t-lis.org)).

A student may be asked to raise a formal complaint where there is a possibility of disciplinary action against a staff member or fellow student.

A formal complaint must be made by the student by email to the Registrar ([registrar@t-lis.org](mailto:registrar@t-lis.org)) setting out:

- The nature of the complaint;
- What, if any, informal attempts have been made to resolve the complaint;
- Any supporting evidence or documentation;
- The remedy sought.

The Registrar will send an acknowledgment of receipt to the student within five working days of receiving the formal complaint.

### **Formal investigation**

The Registrar or their nominee will investigate the formal complaint, provided they have no material interest in the outcome of the complaint. The investigation may include contacting the student for further information or clarification; in some cases the Registrar or their nominee will submit the complaint to another independent staff member for a second opinion. Where the subject of the complaint is a student or staff member, the subject will be notified of the complaint and given an opportunity to respond.

Complaints will be determined on the basis of balance of probabilities.

The Registrar or their nominee will notify the complainant in writing with their conclusions within 25 working days. These conclusions may be:

- Complaint is fully upheld and a remedy determined; *or*
- Complaint is partially upheld, with an explanation of the parts which are dismissed, and a remedy determined; *or*
- Complaint is dismissed, with an explanation of the reasons.

Remedies normally aim to return the student to the position they would have been in if the failure identified had not occurred, or if this is not possible, some other suitable remedy. In the event that a remedy comprises an apology, this apology should acknowledge what went wrong, and explain what the School will do to minimise the likelihood of a similar issue recurring.

Where the student is satisfied with the Registrar's response, the complaint is deemed to have been resolved. The Registrar or their nominee will communicate any actions arising from the complaint to the relevant School Department and will record the actions taken.

Where a student complains of a disciplinary offence committed by another student, and the School decides to initiate its Student Disciplinary Procedure against the accused student, this will normally be deemed a resolution of the complaint.

### **3. Appeal against formal determination**

Where a student is dissatisfied with the formal determination of their complaint by the Registrar or their nominee, they may appeal to the School's Chief Executive for review. Appeals to the Chief Executive will only be considered where: (a) there were procedural irregularities in the investigation of the formal complaint; or (b) new evidence is presented which could not reasonably be have made available during formal investigation. A student appealing to the Chief Executive must specify the grounds on which the complaint should be reviewed (i.e., either (a) or (b)), and the remedy sought. Where an appeal fails to satisfy either condition (a) or (b), or where it fails to specify the grounds of appeal, it will be dismissed, and the Registrar will issue the student with a Completion of Procedures letter.

The student must submit their appeal by email to the Chief Executive ([chiefexecutive@t-lis.org](mailto:chiefexecutive@t-lis.org)) within 10 working days of the notification of the outcome of the formal investigation. Where the student is unable to submit their appeal within this timeframe, they must write to the Chief Executive with good, evidenced reasons for their failure to do so. In such cases the Chief Executive may consider the late appeal.

The Chief Executive or their nominee will review how the formal complaint was investigated and will review the decision reached. The Chief Executive or nominee will notify the student in writing of the outcome of their appeal within 25 working days of receiving it. The outcome may be:

- To confirm the outcome of the formal complaint. Where this is the case, there School's internal mechanisms for appeal will have been exhausted, and the Registrar will issue the student with a Completion of Procedures letter. *Or*

- To revise the decision on the complaint; *or*
- To order a new investigation.

### **The Office of the Independent Adjudicator for Higher Education**

If, having completed all of LIS's internal procedures, the student is still dissatisfied with the outcome, they may be able to apply for a review of the matter to the [Office of the Independent Adjudicator for Higher Education](#) (OIA). The OIA was set up under the [Higher Education Act 2004](#) to provide 'an independent student complaints scheme'. All HEIs in England and Wales are required to comply with the scheme, which is free to students.

Under the rules, a student who has exhausted the full complaints, appeals or disciplinary procedure available to them within LIS, must be informed, via a 'Completion of Procedures' letter of their right to a review by the OIA. The student may apply to the OIA for a review of the matter within 12 months of the issuing of the 'Completion of Procedures' letter. Further details are available [here](#).

### **Link to Student Compensation and Refund Policy**

If a complaint about the School's delivery of its programme is upheld under the provision of this Procedure, the student may make a claim for a refund and/or compensation under the [Student Compensation and Refund Policy](#).

### **Frivolous or Vexatious Complaints**

Where a student submits a complaint that is, in the view of the School, without substance or merit, or is otherwise unreasonable, the School may dismiss the complaint as frivolous or vexatious. The OIA sets out that frivolous or vexatious complaint may be characterised by the following:

- Complaints which are harassing and repetitive;
- Complaints which are pursued in an unreasonable manner (even where the complaint has merit);
- Demands for remedies which are unrealistic or unreasonable or lack serious purpose or value.

The Chief Executive or their nominee will review formal complaints that the Registrar has identified as frivolous or vexatious, and will make a determination on them in writing within ten working days. This determination will either be that the complaint should not be considered frivolous or vexatious, and should be considered under the formal Student Complaints Procedure, or that the complaint is frivolous and vexatious, and should be dismissed.

Where a complaint is dismissed by the Chief Executive or their nominee for being frivolous or vexatious, the student will be notified with reasons.

Students who submit frivolous or vexatious complaints may be subject to disciplinary procedures under the [Student Code of Conduct and Disciplinary Procedure](#); the Chief Executive will determine whether this is appropriate.

### **Monitoring and Review**

As part of the School's quality review, Registrar will report annually to the Academic Council on the complaints that have been brought and the outcomes of these cases, as well as a review of the effectiveness of this procedure and recommendations for any changes. Where relevant, this report may include a year on year analysis of complaints in terms of numbers and types of appeals and outcomes. In making his/her report, the Registrar will also take into account any recent decisions taken or guidance issues by the [QIA](#) and other external bodies. The Academic Council will consider the Registrar's report and findings and authorise any appropriate changes.

Outcomes of the Registrar's review and a summary of actions taken and changes made will also be shared with staff and the student association. Shared information will be at a summary level and will not disclosed details of specific cases or allow for individuals who have brought a complaint to be identified.

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<b>Date of next review:</b> (annually unless otherwise agreed)	
<b>Related documents:</b> (eg associated forms, underpinning processes, related policies or overarching policies)	<b>Academic Appeals Procedure</b> <b>Applicant Complaints and Appeals Procedure</b> <b>Student Conduct Policy and Disciplinary Procedure</b> <b>Academic Misconduct Policy</b> <b>Student Compensation and Refund Policy</b> <b>Student Protection Plan</b>

<b>Version Control</b>			
<b>Version</b>	<b>Author</b>	<b>Date</b>	<b>Brief summary of changes</b>
<b>1</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>13/01/2019</b>	<b>Original draft</b>
<b>2</b>	<b>Ed Fidoe (Chief Executive)</b>	<b>13/03/2019</b>	<b>Adjustments to wording</b>

<b>3</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>04/06/2019</b>	<b>Addition of Monitoring and Review section; addition of visual diagram for procedure; addition of reference to Refund and Compensation Policy</b>
<b>4</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>27/07/2019</b>	<b>Registrar makes annual report on complaints to Academic Council, not Board of Directors</b>
<b>5</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>10/08/2019</b>	<b>Minor formatting changes</b>
<b>6</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>02/12/2019</b>	<b>Removal of references to validating partner</b>
<b>7</b>	<b>Academic Council</b>	<b>18/12/2019</b>	<b>Requires update given decision to pursue NDAPs</b>
<b>8</b>	<b>Hannah Kohler (Director of Admissions and Student Support)</b>	<b>19/12/2019</b>	<b>Removal of reference to validation partner</b>
<b>9</b>	<b>Academic Council</b>	<b>16/03/2020</b>	<b>Approved</b>

