

Regent College London

Complaints Policy and Procedure

1 Purpose

Regent College London's (the College) Complaints Policy and Procedure is designed to ensure that anyone who is entitled to and wishes to make a complaint about an action or lack of action, or about the standard of service provided by or on behalf of the College, including behaviour of other students or members of staff, is dealt with in a fair, effective and timely manner.

Note: This policy and set of procedures is for complaints only. The College has a separate policy and procedure for academic appeals.

2 QAA UK Quality Code

2.1 This Policy aligns with the UK Quality Code core and common practices in

Expectations for Quality:

Courses are well-designed, provide a high-quality academic experience for all students and enable a student's achievement to be reliably assessed.

From admission through to completion, all students are provided with the support that they need to succeed in and benefit from higher education.

- The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.
- The provider reviews its core practices for quality regularly and uses the outcomes to drive improvement and enhancement.

This Policy also incorporates the following Guiding Principles set out in the Advice and Guidance for *Concerns, Complaints and Appeals*:

- Concerns, complaints and appeals are used to improve the student experience.
- Concerns, complaints and appeals are used to improve the student experience.
- Information is clear and transparent.
- People raising concerns or making complaints or appeals are treated with dignity and respect, and their well-being is properly considered.
- Concerns, complaints and appeals processes are proportionate and allow for cases to be resolved as early as possible.
- Concerns, complaints and appeals procedures are fair and impartial.
- Confidentiality and anonymity are appropriately assured.
- Concerns, complaints and appeals are resolved in as timely a way as possible.

3 Scope of the complaints policy and procedure

- 3.1 Regent College London defines a complaint as an expression of dissatisfaction with any action or lack of action, or standard of service provided by the College. The College believes it is important that its stakeholders feel able to express dissatisfaction to which a response should reasonably be expected. The College's Complaints Policy and Procedure aims to provide a fair, accessible and straightforward system which enables students and entitled others to raise concerns which are dealt with effectively, and in a timely and appropriate manner.
- 3.2 The Complaints Policy and Procedure should also be used by students, prospective students and others in the case of allegations of harassment or bullying or other forms of unfair treatment.¹ The Complaints Policy and Procedure is not restricted to students of the College.
- 3.3 A complaint may also be made, for example, by a prospective student (such as a complaint about the admissions process) or a member of the public. A complaint may also be submitted by a group of students, in which case a spokesperson should be nominated and will be the channel of communication for the group. A complaint may not be lodged by a third party on behalf of the complainant.
- 3.4 Students and others considering making a formal complaint are advised to consider whether there are more suitable ways for them to express the concerns they have. For example, this may be done through Student Representatives at a meeting of the Student Representative Committee or through other feedback mechanisms such as student evaluation surveys. Alternatively, students can discuss concerns in an informal way with the relevant member of staff, for example their Cohort Leader or a Student Support Officer. Anyone thinking about making a complaint is urged to seek to resolve their complaint informally. This can be done either before embarking on the formal complaints procedure or at any stage during the formal complaints procedure. In general, outcomes from an informal resolution of a complaint are usually swifter and more satisfactory for all concerned.
- 3.5 If, after initial investigation, it becomes apparent that a complaint may be more appropriately dealt with under the staff disciplinary procedure, the case will be passed to the Human Resources Manager for the duration of the investigation. The Human Resources Manager will use the appropriate procedure for dealing with the matter.
- 3.6 Students are advised to read the *Student Complaints Procedure - Guidance Notes for Students* so that the Complaints Policy and Procedure is fully understood. The *Complaints flow chart* provides a useful visual summary of the complaints procedure.
- 3.7 The documents named above are available on Regent College London's website
(<http://www.regentcollegelondon.com/our-college/policies/>)
They are also available from the College's virtual learning environment (HELP).

4 Complaints Procedure

4.1 Overview

- 4.1.1 There are three stages to Regent College London's internal complaints procedure:

Stage 1: Conciliation

¹ See Regent College London's (a) *Anti-Harassment and Anti-Bullying Policy and Procedure*; and, (b) *Equality and Diversity Policy*. These are both available on the VLE (HELP) and the College's website.

Stage 2: Formal Complaint

Stage 3: Appeal to the Principal

4.1.2 In the case of a complaint about a member of the management team, Stage 2 will be as follows:

- a) A complaint about the Chief Operations Officer, Academic Dean, Head of Academic Standards & Quality Enhancement, Registrar or Head of Admissions, Marketing & University Partnerships will be heard by the Principal
- b) An appeal against a decision of the Principal made under 4.1.2 a), above, or a complaint about the Principal will be referred to a delegated member of the Regent College London Advisory Board

4.2 Stage 1: Conciliation

- 4.2.1 Complainants are strongly advised to make every reasonable effort to resolve their complaint informally through a meeting with the member of staff or student most directly concerned with the matter before proceeding to Stage 2 and submitting a formal complaint. If necessary a conciliation meeting involving a more senior member of staff (for example, Programme Leader or Academic Dean) and the member of staff or student concerned may be held. The College acknowledges that methods other than a meeting may be more suitable when attempting to resolve the complaint at Stage 1. Students at Stage 1 of the Complaints Procedure are strongly advised to seek advice and assistance from the Student Support Office. They will arrange for a representative to attend conciliation meetings that are held between the appropriate member of staff and the student, or student and student. In many cases, a resolution may be arrived at with staff through email and/or telephone communications. The College urges students to attempt to resolve complaints at Stage 1 and anticipates that the majority of complaints will be resolved satisfactorily at this stage.
- 4.2.2 The complaint should be raised as soon as possible and normally no more than 10 working days after the failure in the service or the issue giving rise to the complaint. The member of staff approached should try to resolve the complaint through meeting with the complainant within 10 working days of receipt of the complaint.
- 4.2.3 Where it is not clear to the complainant which member of the College's staff is directly concerned, or the complainant is unclear on the correct complaints procedure to follow, the complainant will be advised by the Student Support Office.
- 4.2.4 Normally, complaints concerning the structure or organisation of a course will most appropriately be dealt with by the appropriate Programme Leader in liaison with the Academic Dean.
- 4.2.5 Where the procedure outlined in Section 4.2 above does not produce a satisfactory resolution to the issue, the complaint may be formalised and dealt with as a Stage 2 Formal Complaint, detailed in Section 4.3 below. While every reasonable effort should be made to resolve complaints at Stage 1, the complainant has the right to proceed to Stage 2: Formal Complaint at any time provided that it is within two calendar months, of the matter giving rise to dissatisfaction. Where allegations of harassment, bullying or other forms of unfair treatment are being made it may be appropriate to go directly to Stage 2 Formal Complaint where the issue is deemed to be serious. In the case of the latter, and where a student is the cause of the complaint, the College may also invoke the Student Disciplinary Procedure.²

² See Regent College London Student Disciplinary Procedure. This available on the VLE (HELP) and the College's website.

4.3 Stage 2: Formal Complaint

- 4.3.1 If a complainant is dissatisfied with the outcome of Stage 1 or wishes to proceed directly to Stage 2, they should make a written complaint on the Complaints Form (see Appendix 1). By proceeding directly to Stage 2, the complainant should be aware of the lost opportunity to resolve the matter by informal means. Any complainant who has not attempted to resolve their complaint through conciliation (Stage 1) will be asked to explain, on the Complaints Form, why they have not completed Stage 1 of the Complaints Procedure or why the informal process has not resolved matters to their satisfaction.
- 4.3.2 The completed Stage 2 Complaints Form should be lodged with the Head of Academic Standards & Quality Enhancement within 10 working days of the unsatisfactory outcome of Stage 1 or within two calendar months of the complainant becoming aware of the issue with which they are dissatisfied or concerned. An extension of these time limits will only be possible in exceptional circumstances, such as illness, an apparent risk of victimisation, harassment or bullying, personal embarrassment or other hindrance beyond the student's control. In such circumstance, the formal complaint should be made as soon as possible thereafter, without undue delay, and the complainant will be asked to explain on the Complaint Form the reason for the complaint being lodged outside of the time limits.
- 4.3.3 If the complaint is appropriate to the Complaints Procedure, an acknowledgement letter will be sent within five working days of receipt of the Complaints Form. If the complaint is not within the remit of the Complaints Procedure, the complainant will be notified of the appropriate procedure.
- 4.3.4 All Stage 2 complaints made using the Complaints Form shall be dealt with by the Head of Academic Standards & Quality Enhancement (unless the complaint is about the Head of Academic Standards & Quality Enhancement, in which case the Principal will deal with the Stage 2 complaint).
- 4.3.5 The Head of Academic Standards & Quality Enhancement will pass the complaint to the appropriate manager(s), as outlined below:
 - a) The Academic Dean if the complaint relates to teaching staff or other students.
 - b) The Registrar or specifically named person if the complaint is about a member of the professional services staff.
 - c) The Head of Admissions, Marketing & University Partnerships where the complaint comes from a prospective student.
- 4.3.6 If the person cited in paragraph 4.3.5 is personally involved in the matter of the complaint, the complaint will be dealt with by their line manager or member of staff nominated by the Principal.
- 4.3.7 If the complaint is more appropriately investigated through the Academic Appeals Procedure then the complaint will cease to be handled as a complaint at this point and will instead be processed as an Academic Appeal. The complainant will be notified of this change of procedure.
- 4.3.8 If the complaint concerns a member of staff and/or concerns harassment, bullying or other forms of unfair treatment, the Head of Academic Standards & Quality Enhancement will consult with the Human Resources Manager regarding the appropriate procedure to adopt before conducting an investigation.
- 4.3.9 **Investigation of a complaint:** The member of staff responsible for dealing with the complaint (the investigator) shall:
 - a) make such investigations as they deem appropriate;
 - b) ask any person(s) being the subject of a complaint for a written statement on the alleged issue(s);

- c) keep the complainant, the Head of Academic Standards & Quality Enhancement and other relevant members of staff involved informed on the progress of the investigation.
- 4.3.10 If the Head of Academic Standards & Quality Enhancement and/or investigating person considers that there appears to be a case to proceed under the staff disciplinary procedure, the case will cease to be handled through the complaints procedure and be dealt with henceforth by the Human Resources Manager. The complainant will be notified of this decision.
- 4.3.11 The investigator may make one of the following decisions within the procedures laid down by the College and under the rules of natural justice:
 - a) to dismiss the complaint;
 - b) to suggest an amicable resolution to the complainant (and member of staff, where appropriate). If this is not mutually accepted within five working days, then the investigator shall make a decision under (a) or (c) of this section. If the resolution is accepted, the procedure terminates at this stage;
 - c) to find the complaint justified and make an offer of redress to the complainant, for example, an apology and/or appropriate recommendations to Regent College London.
- 4.4 The investigator shall, within 15 working days of receipt of the Complaints Form, produce a written report responding to all pertinent complaint points and making clear the grounds on which a decision or settlement has been reached. *Where it is not possible to adhere to this timeframe (eg. Those under investigation are on annual leave and cannot be contacted during this period), the complainant will be informed of the delay and given an alternative timeframe.* This report will be given to the Head of Academic Standards & Quality Enhancement. A letter will be sent to the complainant, based on the investigator's report. The letter will address the pertinent points of complaint and include actions taken/to be taken, as appropriate.
- 4.5 Stage 3: Appeal to the Principal.**
 - 4.5.1 If the complainant is still not satisfied with the response, they should give written notice to the Principal within 10 working days of receipt of the response, explaining why they are not satisfied with the outcome. The complainant should indicate the matter(s) from the original complaint which they consider to be outstanding.
 - 4.5.2 Within 10 working days of receipt of the Appeal, the Principal or nominee will decide whether there appears to be a case to refer the matter to a Complaints Review Panel, provided that:
 - a) there is, at the time, still a complaint which comes under the scope of this procedure
 - b) the student's desired outcome to the complaint is achievable
 - c) the complaint was lodged within the set time limit.
 - 4.5.3 If there does not appear to be a case for proceeding to a Complaints Review Panel, the complainant shall receive a written statement explaining the reasons for this. There is no further recourse for the complainant within the College's Complaints Policy and Procedure.
 - 4.5.4 If there does appear to be a case for proceeding the Principal shall arrange for a Complaints Review Panel to be convened within 20 working days of the decision, to consider and adjudicate on the complaint.
 - 4.5.5 The complainant will be invited to attend the Review but is under no obligation to do so.
 - 4.5.6 A Complaints Review Panel shall normally consist of the following members of staff:
 - a) The Chair, who shall normally be a senior member of staff

- b) Two members of staff, one of whom shall be at management grade.

No member of a Complaints Review Panel shall have been involved in the complaints case before reaching the Complaints Panel Review stage.

- 4.5.7 In the event of a complaint against a senior member of staff the Complaints Review Panel shall consist of the following members:
 - a) The Principal or nominee, as Chair
 - b) Two members of staff, one of whom shall be at management grade.
- 4.5.8 Where possible, Regent College London shall seek to ensure that the composition of the Complaints Review Panel reflects the character of the College.
- 4.5.9 The Head of Academic Standards & Quality Enhancement shall make available to the Complaints Review Panel the completed Complaints Form, previous correspondence relating to the complaint and any other relevant documentation.
- 4.5.10 The Complaints Review Panel will send a report summarising the complaint, the action taken to resolve it, and the Panel's conclusions and recommendations to the Principal. The outcome(s), together with reasons for the decisions, of the Complaints Review Panel will be communicated by the Principal to the complainant within 10 working days of the meeting of the Complaints Review Panel. The decision of the Review Panel will be final and binding.
- 4.5.11 If the complaint is upheld, the manager concerned will be asked to respond to the Principal and to the Chair of the Complaints Review Panel within 15 working days of receipt of the report, stating what action has been taken or is proposed in the light of the Panel's recommendations. The Complainant will also be notified of action taken or action proposed in response to the Panel's recommendations.
- 4.5.12 The procedure of the Complaints Review Panel hearing shall be as specified in paragraph 5 below.
- 4.5.13 As far as is practicable, confidentiality shall be preserved in the investigation of the complaint. However, information provided by the complainant may be used when a complaint is investigated.
- 4.5.14 Once the Stage 3 procedure has been completed, the College will issue the complainant with a *Completion of Procedures Letter*. This letter will be issued by the Head of Academic Standards & Quality Enhancement. The letter will notify the complainant of the outcome of their complaint and any changes or adjustments that may have been made as a result of the complaint.

5 Procedural rules for the Complaints Review panel

- 5.1.1 The hearing shall take place in private on the premises of Regent College London on a date fixed by the Chair in consultation with members of the Panel.
- 5.1.2 The complainant may be accompanied at the hearing by one friend (who may be another student) but not a paid legal representative. Where several students are bringing the same complaint, they shall appoint two of their number (each may be accompanied by one friend who cannot be one of the complainants) to attend the hearing. Both the complainant and their friend will have the opportunity to address the panel and ask questions
- 5.1.3 After the date of the hearing has been fixed the Head of Academic Standards & Quality Enhancement shall write to the complainant(s):
 - a) notifying the date of the hearing;

- b) requesting any additional written submissions from the complainant, to be submitted at least five full working days before the hearing date;
- c) requesting the complainant(s) to provide the name(s) of any other friend(s) who will accompany them at the hearing and the name(s) of any witness(es) they would like to call. It is the responsibility of the complainant(s) to notify such friend(s) or witness(es) of the hearing;
- d) requesting the complainant(s) to provide details of any reasonable adjustments that may need to be made for the hearing in order to accommodate the complainant or accompanying friend(s) if they have a declared disability.

- 5.2 At all times following the lodging of a complaint under the formal complaints procedure, a member of Regent College London staff who is concerned or named in the complaint, or whose conduct is by implication called into question by the complaint, has the right to be represented by a friend, who shall normally be another member of staff of the College.
- 5.3 The Head of Academic Standards & Quality Enhancement will circulate all the information received to the Panel at least two working days before the date of the hearing.
- 5.4 Written information not received in advance shall not be considered by the Panel unless the Panel decides, in exceptional circumstances, to receive such evidence.
- 5.5 If the complainant confirms their wish to attend but subsequently does not appear at the date and time scheduled for the hearing, the Complaints Review Panel shall consider whether any reasons advanced for non-attendance are valid, and:
 - a) if members so judge, adjourn proceedings to a later meeting
 - b) if no reasons are advanced, or if they are judged invalid, proceed in the complainant's absence.
- 5.6 The Panel will decide whether or not any particular witness should be called.
- 5.7 A Secretary shall be appointed to service the Panel and for producing the report on behalf of the Panel.
- 5.8 The Chair has the power to regulate the procedure of the hearing within the spirit of these rules, having regard to the need to maintain informality and reasonable progress of the proceedings.
- 5.9 Time limits may be departed from only at the discretion of the Chair. If a complaint lapses as a result of failure to keep to a time limit, the complaint cannot be recommenced. Time is calculated on working days throughout the year.
- 5.10 In exceptional circumstances the Panel may consider documents or hear evidence in the absence of the parties.

The decision and any recommendations made by the Complaints Review Panel is final. There is no further recourse for the complainant within Regent College London's Complaints Policy and Procedure.

6. Office of the Independent Adjudicator (OIA)

- 6.1 If the complainant remains dissatisfied with the outcome of their complaint following the informal and formal procedures of the College, the complaint may refer their complaint to an independent external body called the Office of the Independent Adjudicator Higher Education(OIAHE) <http://www.oiahe.org.uk>. The OIAHE is an independent body set up to review student complaints. It is a free service for students and deals with individual complaints against higher education institutions in England and Wales. For the OIAHE to consider a complaint the complainant must present Regent College London's Letter of Completion together with a fully completed OIAHE Complaint Form

(<https://www.oiahe.org.uk/students/can-you-complain-to-us/>) to the Office of the Independent Adjudicator. Guidance on eligibility and the rules of the IOAHE are given at <http://oiahe.org.uk/media/42281/guidance-note-scheme-eligibility-march-2013.pdf>. The Complainant has one calendar year from the date of Regent College London issuing the Letter of Completion to refer a complaint to the Office of the Independent Adjudicator.

7. Role of awarding bodies

- 7.1 Where a student is on a programme of study whose award is made by one of Regent College London's awarding bodies the following applies:
- (a) Students registered on Pearson programmes such as the HND Business programme must use Regent College London complaints procedure as detailed above.
 - (b) Student registered on a programme from one of our University partners must use the informal Stage 1 of the complaints procedure as outlined above. Depending on the nature of the complaint it may be appropriate to use the University or Regent College London's complaints procedure for the formal stages of the complaints procedure. The Head of Academic Standards & Quality Enhancement will advise the student or students making the complaint concerning which procedure to follow after the informal stage. The Head of Academic Standards & Quality Enhancement may liaise with the University partner to determine the procedure to be used and advise the student accordingly.
- 7.2 Each awarding body may adopt a slightly different approach to how a complaint is dealt with. The Head of Academic Standards & Quality Enhancement will provide further advice on these matters.

8 Reporting of Formal Complaints to Academic Board

- 8.1 The Head of Academic Standards & Quality Enhancement will keep a record of all formal complaints that are made using the Complaints Log. The Head of Academic Standards & Quality Enhancement shall keep a record of the types of complaints, those making complaints and how each complaint was resolved.
- 8.2 The Head of Academic Standards & Quality Enhancement will make an annual report, as detailed in 8.3 below, in July/August of each year for consideration by the Autumn meeting of Academic Board. The annual report will also be considered at the next appropriate meeting of the Cross-Campus Management Team.
- 8.3 The Head of Academic Standards & Quality Enhancement's annual report to Academic Board concerning formal complaints (Stage 2 and Stage 3) received will include:
- (a) The number of formal complaints lodged and the number satisfactorily addressed at Stage 2
 - (b) The number of complaints that proceed to Stage 3
 - (c) The number of complaints that were dealt with by the awarding body's complaints policy and procedure
 - (c) The number of complaints that proceed to a Complaints Review Panel and number proceeding to independent review at the OIAHE

Data concerning equality and diversity monitoring, in line with Regent College London's Equality and Diversity Policy, will also be provided. Any overall recommendation(s) and actions arising from the annual report will be drawn to the attention of Academic Board.

9. General principles underlying the complaints Policy and Procedure

Regent College's Complaints Policy and Complaints Procedure recognises the importance of the protection of the rights of those wrongly accused. Malicious, frivolous or vexatious accusations will be viewed as a serious matter by the College and could lead to disciplinary action or legal proceedings.

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