

POLICIES AND PROCEDURE



Policy Title	STUDENT COMPLAINTS POLICY AND PROCEDURE
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STUDENT COMPLAINTS POLICY AND PROCEDURE

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STUDENT COMPLAINTS POLICY AND PROCEDURE

1. PRINCIPLES

As part of our commitment to providing a quality service, we listen to, record, act on information received and provide appropriate feedback. Through this process, we seek to ensure that all student concerns/ comments are dealt with professionally and we aim to resolve any complaints as soon as possible. The policy has been developed to incorporate the following principles:

- Proportionality - to address all the points raised and provide an effective response
- Accessibility – to be accessible and understood by students and staff
- Timeliness – to allow speedy handling within reasonable time limits
- Fairness –to ensure a full and fair investigation
- Communicative- to keep people informed of progress
- Confidentiality – to respect people’s confidentiality
- Improving the student experience –to capture learning to ensure that decisions are made consistently; decisions are made at the appropriate level; Information gathered is used to improve services
- Clarity - Is easy to understand and gives clear information about time limits within a staged process

The College Complaints Policy and Procedure complies with the UK Quality Code which sets out the following Expectation about academic appeals and student complaints.

“Higher education providers have procedures for handling academic appeals and student complaints about the quality of learning opportunities; these procedures are fair, accessible and timely, and enable enhancement”

2. CONTEXT

WLCBMS takes all suggestions and complaints seriously.

2.1 What the policy deals with:

This policy deals with recruitment and admissions, teaching, learning and methods of assessment, equipment and accommodation issues, standards of service and general course-related problems.

2.2 What the policy does not deal with:

2.2.1 appeals against assessment decisions. Appeals against assessment decisions are dealt with through a separate Appeals Procedure (Ref: www.wlcb.co.uk-governance/policies)

2.2.2 an act or omission by the College. (for complaints related to an act or omission by the College the student can raise this with the OIA or if the complaint is, for example programme or assessment related the student can complain directly to the relevant Awarding Body only if the College was unable to resolve the matter internally - refer Section 6 - 3.3.14)

2.2.3 students should also be made aware that if their complaint is related to the College not meeting standards it has set, for example its advertised programme provision, then they can complain directly to the CMA albeit with the understanding that the CMA are not in a position to resolve individual complaints.

2.2.4 for discrimination and bullying, students should contact the Student Welfare Officer. In determining what is an unacceptable action or behaviour by a student the College refers to the 'Office of Independent Adjudicators' for Higher Education "OIA" - Unacceptable Behaviour Policy ([Ref: www.oiahe.org](http://www.oiahe.org))

2.2.5 neither will the College, the OIA or the Awarding Body deal with a student who has acted aggressively, offensively, or abusively, or unreasonably persistently, or has made unreasonable demands or has misled the College, the OIA or the Awarding Body in his or her conduct of his/her complaint.

3. EXTERNAL COMPLIANCE

WLCBMS are members of the Office of the Independent Adjudicator for Higher Education ("the OIA"). College complaints procedures comply with the principles and rules of the OIA (latest changes effective from 9 Sept 2015) incorporating the new EU regulations and timescales for complaints. Ref: www.oiahe.org. Complaints received by the OIA prior to this date will be dealt with under the rules prevailing at the time.

Although the OIA does not deal with problems related to admissions, if a student, having registered at WLCBMS is required to leave because of some irregularity in his/her application for admission this form of complaint will be considered. The OIA may also consider complaints from prospective and registered students which relate to the information given by the College (refer 2.2.3)

New timeline restrictions effective from July 2015 now apply to complaints to the OIA ([Ref: www.oiahe.org Section 4](http://www.oiahe.org))

4. EQUAL OPPORTUNITIES

This policy has been reviewed in line with the Equality Act 2010 which recognises the following categories of an individual's protected characteristics: age, gender, race, religion and belief, sexual orientation and disability. The College will continue to monitor this policy and to ensure that it promotes equal access and does not discriminate against anyone, especially any person's listed under any protected characteristic.

5. ROLES AND RESPONSIBILITIES

The Principal has ultimate responsibility for monitoring the Complaints Policy & Procedure. The Deputy Principal, Dean of Teaching and Head's of Department, play a pivotal role in the decision making process within the remit of the procedure. The policy and procedure for complaints shall be reviewed annually by Academic Committee and amended as appropriate. The Deputy Principal stands as the 'Point of Contact' between the College, the OIA and the Awarding Body.

6. STUDENT COMPLAINTS PROCEDURE

1. Introduction:

- 1.1 This procedure has been devised in order to resolve issues from students who wish to complain about the treatment or services they receive whilst studying at the West London College of Business & Management Sciences. The procedure identifies how the College aims to investigate and resolve complaints in an equitable and timely manner.
- 1.2 The procedure provides a series of mechanisms to resolve the complaint in a manner which is acceptable to the student and about whom the complaint is made. If mutual resolution does not prove to be possible, the College will make a decision on the complaint, concluding the College process. The student may then apply to the Awarding Organisation for further investigation and ultimately apply to the Office of the Independent Adjudicator (OIA) for consideration of the student's case under the rules of its scheme.
- 1.3 It is expected that, other than in exceptional and fully documented circumstances, a student who wishes to make a complaint must invoke Stage 1 (refer 3.1) of the Student Complaints Procedure as soon as possible after the event, and within 28 days of the incident which is the cause of the complaint. Complaints submitted after the required 28 day period will normally be rejected. If a student submits a late complaint, the student must enclose with the Student Complaint Form a written explanation for the late submission.

2 informal stage:

- 2.1 Before pursuing a formal complaint through this procedure, students are advised and expected to attempt to resolve the matter informally, directly with the relevant person. In order that a complaint can be dealt with effectively and efficiently, and to enable the concern to be addressed whilst the issue is still current, it must be drawn to the attention of the member of staff or other person concerned as quickly as possible, and in any event within 28 working days of the incident giving rise to the complaint.
- 2.2 The Informal Stage does not negate a student's right to submit a formal complaint.

2.3 When a student wishes to pursue the Informal Stage, the student should, in the first instance, talk or write to the person directly concerned. If the student is unsure of the identity of the person they should get advice from the Student Welfare Office.

3 Formal stage:

3.1 Stage 1 – Formal Stage

- 3.1.1 If a student has a complaint which he/she has been unable to resolve informally, he/she shall, in the first instance, direct the complaint in writing using the Complaint Form to the Student Welfare Officer.
- 3.1.2 On receipt of the complaint, the Student Welfare Officer (or nominee) will, in writing, acknowledge its receipt. The Student Welfare Officer will forward a copy of the Student Complaint Form, together with any written evidence, to the Deputy Principal, who should normally appoint an investigating Officer to consider the complaint, determine any findings and implement any actions.
- 3.1.3 Where the complaint is against Deputy Principal or a member of its staff, the matter will be referred to the College Principal to nominate an appropriate officer to investigate the matter.
- 3.1.4 The Investigating Officer must not be any person previously involved in investigating the complaint at the Informal Stage.
- 3.1.5 Where appropriate, the Investigating Officer should inform the person(s) named in a complaint, or anyone who can provide relevant information to assist in an investigation, that a complaint has been received and the basis of its content, with due regard to maintaining confidentiality where more than one person is named in the complaint.
- 3.1.6 An investigation into the matters complained of should be undertaken promptly. In order to investigate the complaint, the Investigating Officer may need to request further information from the student and/or appropriate members of the College staff. The investigating Officer may request a meeting with the student and members of staff associated with the complaint. Any student or member of staff invited for an interview may be accompanied by a friend/colleague, but it would not be appropriate for the “friend” to be a legal practitioner, acting in a professional capacity.
- 3.1.7 The Investigating Officer is expected to maintain a case file of the investigation. Where individual interviews take place, and a record of the meeting is made, the Investigating Officer should inform the interviewee that a record of the meeting may be released following a request for disclosure.
- 3.1.8 At the conclusion of the investigation, the Investigating Officer should provide the student, the Deputy Principal and the person(s) named in the complaint with a written response no later than 20 working days after receipt of the Student Complaint Form.

The written response should include the investigating Officer's findings, and either outline a proposed remedy or explain why there are no grounds to take the matter further and/or why no action will be taken. The written response should remind the student that, if the student remains dissatisfied with the response, the student has the right to refer the matter to Stage 2 of the Student Complaints Procedure.

- 3.1.9 A copy of the formal response should be sent to the Student Welfare Officer.
- 3.1.10 If the student is dissatisfied with the outcome, the student must, within 28 working days of receipt of the response of Stage 1, submit a Stage 2 Student Complaint Form.

If no form is received within 28 working days, then the complaint will be deemed closed.

3.2 **Stage 2 – Mediation**

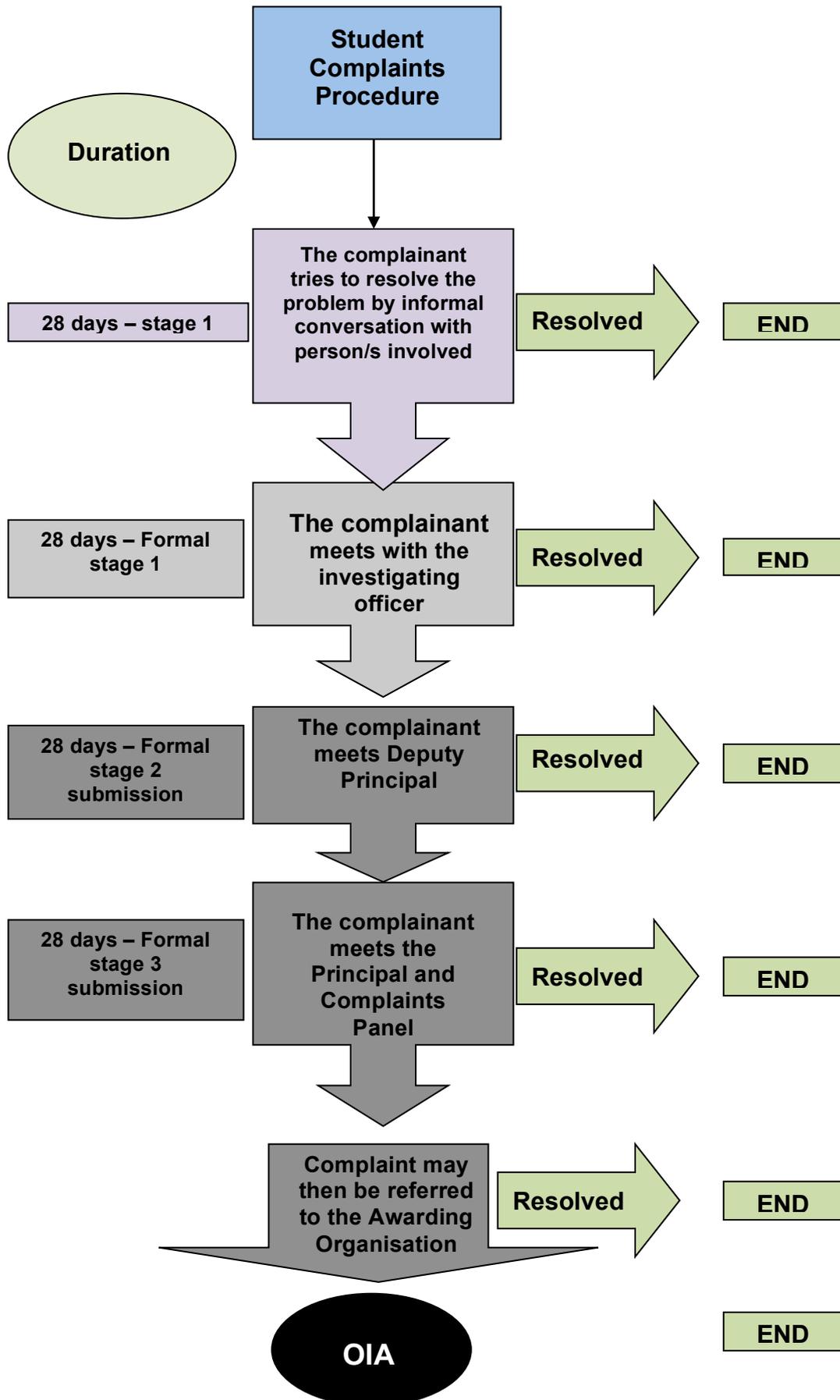
- 3.2.1 If a student remains unhappy with the outcome of Stage 1, the student has 28 working days from receipt of the Stage 1 outcome in which to submit a Stage 2 Complaint. The student should submit his/her Stage 2 complaint to the Student Welfare Officer.
- 3.2.2 On receipt of the complaint, the Student Welfare Officer (or nominee) will, in writing, acknowledge its receipt and log the complaint in the records of the Student Welfare Office.
- 3.2.3 The Student Welfare Officer will also forward a copy of the Student Complaint Form (2), together with any written evidence, to the deputy Principal and any member of staff named in the complaint.
- 3.2.4 The Deputy Principal will act as a facilitator. Her/his role will be to attempt to facilitate a meeting of the parties, and to reach a resolution of the complaint.
- 3.2.5 The facilitator will provide all parties with confirmation of the outcome of the mediation process. The written response (within 10 days) should remind the student that, if she/he remains dissatisfied with the response, the student has the right to refer the matter to Stage 3 of the Student Complaints Procedure.
- 3.2.6 If the student is dissatisfied with the mediation outcome, the student must, within 28 working days of receipt of written confirmation of the outcome of the mediation process, submit a Stage 3 Student Complaint Form. If no form is received within 20 working days, then the Complaint will be deemed to be closed.

3.3. **Stage 3 – Resolution by Principal**

- 3.3.1 If the student remains unhappy with the outcome of Stage 2, the student has 28 working days from receipt of the Stage 2 outcome in which to submit a Stage 3 Complaint. The student should submit his/her Stage 3 Complaint to the Student Welfare Officer.

- 3.3.2 On receipt of the complaint, the Student Welfare Officer will, in writing acknowledge its receipt and log the complaint in the records of the Student Welfare Office.
- 3.3.3 The Student Welfare Officer will also forward a copy of the Student Complaint Form, together with all previous documentation relating to the complaint, to the Principal's Office.
- 3.3.4 Within 10 working days of the receipt by the Principal's Office the Principal will arrange a Complaint Panel.
- 3.3.5 A Complaint Panel shall comprise the following:
- (i) Principal, who shall Chair the Complaint Panel;
 - (ii) Deputy Principal;
 - (iii) Student Member who has not been directly involved in the complaint;
 - (iv) Investigating Officer
 - (v) A senior member of staff who is not, and has not, been directly involved in the complaint
- 3.3.6 The Principal will provide to all parties one complete set of the documentation to be used during the formal meeting.
- 3.3.7 It will not normally be possible for the date of the formal meeting to be changed, and this will only be done in respect of exceptional circumstances, (for example medical treatment).
- 3.3.8 At the meeting, each party shall have the right to speak and to call witnesses who may be questioned by the Complaint Panel. There may also be questioned by the other parties, through the Chair of the Complaint Panel. The Complaint Panel may adjourn any meeting at any time, for any reason, for such period as it, in its absolute discretion, thinks fit.
- 3.3.9 The student and his/her friend and the relevant member(s) of staff and his/her/their friend(s) will normally be allowed to be present throughout the whole of the meeting of the Complaint Panel, except when the decision is being debated. Witnesses will only be invited to attend the formal meeting at the point their evidence is required, and they are expected to leave the proceedings at the conclusion of their evidence.
- 3.3.10 All participants will be expected to behave in an orderly and non-confrontational manner. If the Chair deems it necessary, the Chair may adjourn proceedings if, in the Chair's opinion, progress of the meeting is being impeded.
- 3.3.11 The Complaint Panel, after considering the submissions made by each party will, in private, endeavour to reach a conclusion and to make decision.
- 3.3.12 Written notification of the decision of the Principal or nominee will be sent to each party within 10 working days of the meeting of the Complaint Panel.

- 3.3.13 The Principal or nominee shall indicate which elements of the complaint are fully resolved, which are partly resolved and which are remain unresolved. If any part of the complaint remains unresolved, the Principal or nominee shall recommend specific action by way of remedy.
- 3.3.14 Once the College's internal procedures have been concluded a Completion of Procedures (CoP) letter will be issued. At this point, a student who is dissatisfied with the final decision concerning his/her case may be able to apply to the Awarding Organisation for further consideration (if programme or assessment related) and ultimately to the Office of the Independent Adjudicator for Higher Education (OIA) for a review of the case.
- 3.3.15 Information and eligibility rules are available at: www.oiahe.org.uk



7. RELATED DOCUMENTS

- I. Quality Manual
- II. Student Handbook
- III. Office of Adjudicators Policy
- IV. Academic Appeals Policy and Procedure (Wlcb001)
- V. Student Complaint Form
- VI. Completion of Procedures Form (CoP)
- VII. Terms of Reference – Complaints Committee
- VIII. Terms of Reference – Awarding Body

8. APPENDICES

- I. Website: www.wlcb.co.uk
- II. Website (www.oiahe.org.uk)
- III. Website (www.gov.uk/government/organisations/competition-and-markets-authority)