Student Complaints Policy and Procedures (BNU Registered Students)

Version 9.0

Approved by the Board of Governors

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This document sets out the School's policy and procedures for responding to students' concerns and complaints about the standard of service provided by the School.
It has been reviewed and developed in line with *England's Regulatory Framework for Higher Education* and takes on board the Code's accompanying guidance with regard to Complaints, Concerns and Appeals; due regard is also given to:

i. *The Competition and Market Authority's UK higher education providers – advice on consumer protection law;*

ii. *The Office of the Independent Adjudicator (OIA)'s Good Practice Framework*

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1. INTRODUCTION

1.1. A student may decide to make a complaint if they feel dissatisfied with a service they have received and they wish for the issue to be investigated.

1.2. Where complaints concern processes or services are directly associated with the awarding body, Buckinghamshire New University, services, processes and resources, students should raise a complaint with them directly using the BNU Student Complaints procedure. Should a student submit a complaint to LSST, which should be directly handled by BNU, LSST Registry department may refer the complaint to BNU on behalf of the student for management and investigation. If this is the case the student will be notified that this action has been taken.

1.3. Complaints relating to the London School of Science and Technology services, resources or processes should be raised directly with LSST and will be handled in accordance with this policy. Should a student remain dissatisfied with the outcome of their complaint by LSST, the student can request a review of the complaint outcome with the awarding body BNU.

1.4. If a student is unsure under which procedure and institution to raise a complaint, or need further guidance regarding the LSST complaints process and procedure, they can contact the LSST Registry Department (registry@lsst.ac) for guidance.

1.5. Former students, including students who have withdrawn or completed their studies, and current students who have interrupted or deferred their studies may submit a complaint under this policy. Normally, a complaint should be received within three months of the date on which the student became aware, or reasonably ought to have become aware, of the matter giving rise to the complaint. For former students, the date of last engagement recorded on the student management system may be relevant when determining the applicable timeframe.

1.6. Where a complaint is submitted outside the normal timeframe, LSST may consider accepting it where the student provides a reasonable explanation for the delay and it remains possible to investigate the matter fairly. In deciding whether to accept a late complaint, LSST will consider the circumstances of the delay, the nature and seriousness of the issues raised, the availability of relevant evidence, and whether the delay would materially affect the fairness of the investigation. Decisions will be made on a case-by-case basis, and the student will be informed of the decision and the reasons for it.

1.7. LSST, may, at any stage, consider a complaint under another procedure if another process is considered more appropriate. Therefore, any evidence or information submitted as part of the complaint, will be considered as available for consideration under this new procedure. If this is the case, the student will be informed as to why this has been decided and guided to relevant information and support on the new process being adopted to manage their case.

1.8. Malicious Complaints

1.8.1. All complaints will be considered on their individual merits. A complaint will not be treated as malicious merely because it is not upheld, is unsupported by sufficient evidence, or raises concerns that cannot be substantiated.

1.8.2. Where there is evidence that a complaint has been made dishonestly or with the deliberate intention of causing harm, LSST may consider whether the complaint, or the relevant conduct associated with it, should be addressed under an appropriate procedure. Examples may include knowingly providing false information, deliberately falsifying evidence, or knowingly making a materially false allegation with the intention of causing harm.

1.8.3. Any decision to reject or discontinue a complaint on the basis of alleged malicious conduct must be supported by evidence, with written reasons provided to the student. Where appropriate, potential misconduct may be referred for consideration under the School's Student Code of Conduct and Disciplinary Procedures for BNU Registered Students. Any such referral will be handled separately and in accordance with the relevant procedure. Making a complaint in good faith will not, in itself, result in disciplinary action.

1.9. Third-Party Complaints

1.9.1. In most cases students should submit a complaint themselves, however, on occasions where a complaint is to be pursued by a third party, for example, a parent or guardian the student must provide written confirmation either by email or letter, confirming their student ID number, and stating their permission for a third party to act on their behalf before the complaint will be considered. The student may withdraw permission for a third party to act on their behalf at any time. Where permission is withdrawn, LSST will normally communicate directly with the student and allow them to continue the complaint themselves or nominate another representative. The complaint will not automatically be rejected solely because permission for the original representative has been withdrawn.

1.9.2. LSST will not take any responsibility for the actions of the third party.

1.10. Groups/Collective Complaints

1.10.1. In some cases, a group of students may wish to raise a collective complaint regarding the same issue or concern. LSST are able to accept a group or collective complaint provided it meets the following criteria:

- One main contact for the group/collective complaint has been assigned in agreement with all other complainants in the group. This complainant lead must represent the group as a whole and be the main contact for all communication relating to the complaint.

- All complaint group members must submit their consent in writing to agree to abide by the regulations set out in this policy and to be represented by the chosen complaint representative/lead. In this consent, students must state in full their agreement, providing their ID number, name, and the name and ID number, for the representative chosen. LSST will presume, that on receipt of this consent, all complaint members have chosen this representative in agreement and fair discussion between all members of the complaint has taken place to decide the main contact. LSST will proceed on the assumption that any agreements,

discussions, and subsequent resolutions or outcomes which take place during the complaint handling between the main contact and LSST are accepted by the rest of the group if accepted by the main contact.

- The nominated representative will act as the main point of contact for the collective complaint and may communicate with LSST on behalf of the participating students in accordance with the written consents provided. LSST will explain how any proposed resolution or outcome will be communicated to the group and how the representative is authorised to respond.

- A collective complaint should not prevent a student from raising a separate concern relating to their individual circumstances or impact. LSST may decline to consider a separate complaint where it substantially duplicates matters already being considered or resolved through the collective complaint, but will consider whether the individual has a distinct issue or a legitimate reason for pursuing it separately.

- Where a student withdraws from a collective complaint, does not provide the required consent, or cannot be contacted, LSST will clarify whether that student is to be excluded from the collective complaint or whether an individual route remains available. The student's position will be recorded, and they will not be treated as having accepted a proposed resolution merely because another member of the group or the representative has done so, unless the student has expressly authorised that arrangement.

1.11. Should any student, whether as part of a collective complaint, or as an individual complainant feel coerced, forced, bullied or pressured into making a complaint or accepting a representative for a complaint by any fellow student they should contact registry@lsst.ac for guidance and support.

1.12. In general complaints raised will be considered as being against LSST and not against an individual member of staff. Any resolution achieved, including written apology, will be offered by the School, opposed to being from the individual member of staff involved. If a complaint is the direct result of the inappropriate conduct of a member of staff, the complaint will be raised to stage 2, Formal stage, upon receipt for investigation. Should staff's conduct be in breach of the LSST Employee Code of Conduct, the matter will be escalated to the LSST Human Resources (HR) Department who will decide the further actions to be taken. HR investigations will remain private and confidential in accordance with HR policies and the complainant should receive clear information on the level of information they will or will not receive, if any, on conclusion of the HR investigation.

1.13. Anonymous complaints are typically not accepted. However, we may make exceptions when there is sufficient evidence or compelling reasons to warrant further investigation.

1.14. Where the term Registrar is referenced in this policy, this includes the authorised nominee from the Registry department. In most cases, this will be the Assistant Registrar or designated registry officer.

2. PRINCIPLES FOR HANDLING STUDENT'S COMPLAINTS

2.1. The London School of Science and Technology (LSST) strives to provide a high-quality academic experience and encourages students to raise concerns with the School where they feel the standard of any aspect of their learning experience is below their expectations.

2.2. The School will consider students' concerns and complaints at three stages:

- Stage 1: Early (Informal) Resolution
- Stage 2: Formal Complaint Procedure
- Stage 3: Review of Formal Complaint Procedures

The full complaints procedure is given in Section 5.

2.3. The School will seek to resolve concerns promptly through informal dialogue wherever this is appropriate. Where informal resolution is unsuccessful, or where the nature of the complaint makes informal resolution inappropriate, the student may submit a formal complaint under Stage 2.

2.4. The Registrar or nominee may ask the student to provide a brief summary of any steps taken to resolve the concern informally. Where no attempt at informal resolution has been made and it is appropriate to do so, LSST may refer the matter to Stage 1. The student will be informed of the reasons for this decision and the next steps.

2.5. A complaint may proceed directly to Stage 2 where its seriousness, complexity or circumstances make informal resolution inappropriate. This may include, for example, complaints involving alleged serious staff misconduct, discrimination, harassment, victimisation, safeguarding concerns, or circumstances in which informal resolution could compromise a fair or effective investigation. This list is not exhaustive.

2.6. Where a complaint is referred back to Stage 1, the student will be given clear information about the action required and the expected timescale. Any subsequent Stage 2 submission deadline will be applied reasonably, taking account of the circumstances and the time spent attempting early resolution.

2.7. The School will ensure that procedures for dealing with formal complaints are fair and transparent to all parties, and that complaints are resolved in a timely fashion; where possible the School will seek to resolve all formal complaints fully (including any review under Stage 3) within 90 calendar days of the receipt of a formal complaint.

2.8. Students will be kept informed of the progress and outcome of the School's investigation of their formal complaints. Where a complaint takes longer than 90 calendar days to resolve, the complainant will receive an explanation for this and be given an indication of how long the issue is likely to take to fully resolve.

2.9. Complaints which possess multiple concerns relating to multiple departments, or different areas of the School may require additional time to investigate, as each area

may require their own separate investigation. While LSST will make every effort to avoid delays in the complaint outcome being achieved, should there be a delay or requirement for different timescales for different areas of the School subject to their resources and availability, the student will be notified.

2.10. Where new evidence becomes available during a complaint investigation, the Investigating Officer will determine whether it is relevant to the issues being investigated and whether it can reasonably be considered within the existing investigation. Evidence that raises an entirely new concern will not normally be considered as part of the original complaint, although LSST may advise the student to raise that concern through the appropriate procedure.

2.11. Where relevant new evidence is received after an investigation has commenced, LSST may need to extend the investigation timeframe to consider it fairly. The student and any other affected party will be given a reasonable opportunity to comment on material evidence where this is necessary for a fair investigation, subject to appropriate confidentiality and data protection requirements.

2.12. The investigation report will record material evidence considered, including relevant evidence received after the initial submission, and explain the reasons for the findings reached. Where relevant evidence cannot be obtained or considered, the report should explain this where appropriate.

2.13. All complaints will be taken seriously and investigated in the spirit of natural justice; no student will be at a disadvantage for having made a genuine complaint, even where thecomplaint is found to be without merit, provided it has been made in good faith. Any person about whom a complaint is made shall be supplied with a copy of the complaint and given the opportunity to make their representations.

2.14. The School will ensure that advice and guidance on making a formal complaint is clearlyaccessible to all students and prospective students. Where requested, Student Support staff will guide students through the process of making a formal complaint.

2.15. Anonymised information about the quantity and substance of students' complaints will beused by the School to reflect on its performance in the delivery of learning opportunities and to drive continuous enhancement of the services it provides.

2.16. The School shall maintain a record of all complaints made by students relating to the course and the outcome of each complaint.

2.17. Completion of Procedures (CoP) letters will be issued in accordance with the applicable arrangements agreed with the relevant awarding body and the requirements of the Office of the Independent Adjudicator (OIA). For BNU-registered students, the responsibility for issuing the CoP letter will depend on whether the matter has proceeded to BNU Stage 3 or has been referred back to LSST under the agreed arrangements.

2.18. Where BNU has undertaken the Stage 3 review, BNU will normally be responsible for issuing the CoP letter in accordance with its procedure. Where BNU refers a matter back to LSST and LSST is required or authorised to complete a further review or reconsideration, LSST will hold responsibility for issuing the CoP.

2.19. Students will be informed of the relevant next steps and applicable time limits. The CoP letter should explain whether the relevant internal procedures have been completed, identify the final decision and explain how to refer the complaint to the OIA where eligible.

3. SCOPE OF LSST'S COMPLAINTS POLICY

3.1. Important

3.1.1. LSST delivers learning opportunities under validation and franchise agreements with external awarding bodies, with whom it works to resolve students' formal complaints. Theprocedures for submitting formal complaints vary depending on the course a student is enrolled on.

3.1.2. Prospective students who are undertaking the application stage with admissions, cannot use these procedures and should refer to the LSST Admissions Policy for guidance and procedures on raising a complaint or concern.

3.1.3. Students on courses leading to awards from **Buckinghamshire New University (BNU)** should use this policy and its procedures, only in the first instance, except in the instance where the complaint relates to the awarding-body's services. In the case of any misconduct, other than academic misconduct that requires disciplinary action, shall be investigated, only in the first instance through the School's Disciplinary procedures.

3.1.4. Complaints regarding LSST processes, resources, staff, and services, will be handled under the first and second stages of this process; Informal/Early Resolution and Formal Complaint Procedure. Should the student be dissatisfied with the outcome following conclusion of both stages, the student may wish to raise Stage 3; Request for Review with the awarding body, BNU. Student interested in raising a review of their complaint with the awarding body they should refer to the BNU Website "Resolving problems" page and complete the "Request for Review Form". Students must complete the form in full and submit to resolution@bucks.ac.uk within 10 working days of the outcome of the Formal Complaint received from LSST. All evidence to support the complaint should be included with the form. Students who submit this request are agreeing to any information and evidence they submit being shared as is necessary to process the Request for Review.

3.1.5. In some cases, Request for Review (RfR) (Stage 3) will not be accepted by BNU. This may be in the case where complaints are solely based upon staff breach of LSST conduct and/or HR have been involved at formal stages. In these cases, BNU will refer the Request for Review back to LSST and LSST will complete Stage 3. Should this be the case, BNU and LSST will notify the student on this update and the next steps.

3.1.6. LSST will work with its awarding body partners to ensure that all complaints are dealt within accordance with standards as set out in the *Office of the Independent Adjudicator (OIA)'s Good Practice Framework.*

3.1.7. Where a student is in doubt about how to submit a formal complaint, they should consult a member of the Student Support team, who will guide them through the correct process.

4. DEFINITION OF A COMPLAINT

4.1. For the purpose of this policy, a complaint is defined as:

'An expression of dissatisfaction by one or more students about a provider's action or lackof action, or about the standard of service provided by the School'.

4.2. This procedure is designed to deal with complaints arising from, but not limited to:

- Provision of academic services described in the School's publications includingteaching, content of courses and support for learning.
- Incorrect or misleading information about services provided by the School.
- Provision of other services described in literature published by the School.
- Problems with the provision, condition or accessibility of School facilities or learningresources.
- The conduct of our staff or of any contractors we employ.
- Any perceived inequitable treatment of individuals or unlawful discrimination*.

  **Serious instances of discrimination, bullying, harassment or victimisation may warrant a separate investigation under LSST's Anti-bullying and Harassment procedures.*

4.3. The student complaints procedure does not cover the following:

- Complaints about admissions procedures prior to enrolment as a student of theSchool, which are dealt with separately under the School's *Admissions Policy*.
- Any matters relating to examination and assessment procedures or academicappeals, which are dealt with through the *Appeals Policy*.

4.4. Complaints received about the behaviour of other students will normally be considered under the School's **Code of Conduct and Disciplinary Procedures**. However, where such complaints indicate a potential failure by the School to provide a safe, inclusive, and respectful study environment in accordance with its own policies (for example, Equality, Diversity and Inclusion; Safeguarding; or Health and Safety), they may instead be considered under the relevant institutional complaints procedure. The Registrar (or nominee) shall exercise discretion in determining the most appropriate procedure under which such complaints will be addressed.

4.5. Where a complaint relates to a separate request, such as a change of class or an adjustment to a student's learning arrangements, LSST will consider whether the request can be processed while the complaint is ongoing. A complaint will not

automatically prevent the request from being considered. Where necessary, LSST may put appropriate interim arrangements in place while the complaint is investigated, particularly where this is required to protect the student's safety, wellbeing or access to learning. Any decision to defer a related request will be based on the circumstances of the case and communicated to the student with reasons.

5. THE COMPLAINTS PROCEDURE

5.1. Stage 1: Early (Informal) Resolution

5.1.1. Where a student wishes to discuss a concern before making a formal complaint, they should consult their Personal Academic Tutor (PAT), a Student Union Representative or a member of the Student Support or Registry Team.

5.1.2. A concern may be raised verbally, in writing or by email. Students are encouraged to raise concerns as soon as reasonably possible, ideally within 10 working days of the incident or action giving rise to the concern. This is an indicative timeframe intended to support prompt resolution and is not an absolute deadline for raising a concern.

5.1.3. LSST may consider concerns raised later, taking account of the explanation for the delay, the nature of the issue and whether an effective resolution remains possible. Where a concern is more appropriately addressed through Stage 2 or another institutional procedure, the student will be advised accordingly.

5.1.4. The member of staff receiving an informal complaint will attempt to resolve the matter there and then or refer the matter on to someone who can assist. The staff member in receipt of a students' complaint raised informally at stage 1, must address informal complaints within 10 working days, providing a summary of the decision and the rationale for that decision. In cases where the investigation is expected to extend over a longer duration, it is essential for staff to maintain communication with students regarding the progress and anticipated timelines for a resolution.

5.1.5. School staff will work with the complainant to resolve concerns promptly and decisively without resorting to the formal complaints process. Where a formal complaint is received and it is unclear whether informal resolution has been attempted, LSST will consider whether referral to Stage 1 is appropriate. The student will not normally be referred back to Stage 1 where the nature, seriousness or circumstances of the complaint make informal resolution inappropriate, or where doing so would cause unreasonable delay or prejudice a fair investigation.

5.1.6. The member of staff receiving an informal complaint will attempt to resolve the matter there and then or refer the matter on to someone who can help.

5.1.7. If resolution of a concern cannot for any reason be reached informally between the affected parties, the student should then submit a formal complaint.

5.2. Stage 2: Formal Complaints Procedure

5.2.1. The School will ensure that when handling complaints, decision-makers will come to the matter afresh and will have no prior involvement in the complaint or issues raised. This ensures fairness, maintains objectivity and avoids bias in the process. In most cases the Registrar will act as Complaints Manager, however, where this is not possible a suitable substitute Complaints Manager will be assigned.

5.2.2. Formal complaints should be submitted in writing to the LSST Registry Department, normally within three months of the date on which the student became aware, or reasonably ought to have become aware, of the matter giving rise to the complaint.

5.2.3. Students are encouraged to submit complaints as soon as reasonably possible so that the matter can be investigated effectively. Where a student has attempted Stage 1, they should submit their formal complaint promptly following the conclusion of early resolution, within 10 working days of the Stage 1 outcome.

5.2.4. Complaints submitted outside the normal three-month timeframe may be accepted at the discretion of the Registrar or nominee. In deciding whether to accept a late complaint, LSST will consider the reasons for the delay, the seriousness and nature of the issues raised, the availability of evidence, and whether a fair investigation remains possible. The student will be informed in writing of any decision not to accept a late complaint and the reasons for that decision.

5.2.5. The normal submission timeframe does not prevent a complaint from proceeding directly to Stage 2 where informal resolution is inappropriate. Where a complaint is not accepted for formal investigation, LSST will explain the reasons and advise the student of any appropriate alternative process or available next steps.

5.2.6. It is preferred that students use the LSST Complaint Form available on the VLE or fromStudent Support. If providing the School with a physical copy of the complaint, the following address should be used:

F.A.O. Head of Registry
The London School of Science and
Technology,First Floor, Memo House,
Kendal Avenue, Park Royal, W3 0XA

Or the complaint can be submitted electronically to: registry@lsst.ac or using e-forms on the student portal.

5.2.7. The following details must be provided by the complainant when making a formal complaint:

- The complainant ’s name and student ID number (if a Student).
- A full statement of the substance and circumstances of the complaint and all personsinvolved (if known).
- Brief details of the steps already taken to resolve the complaint (early resolution); including those involved (if known) and the date stage 1 completed.
- Reasons for the complainant’s dissatisfaction with the attempts to resolve the complaint informally.
- The desired outcome of the complaint (i.e., what resolution does the complainant seek).

- Copies of any documentary evidence the complainant wishes to submit (original copiesshould not be provided).

- A preferred means of contacting the complainant on the issue; this will be on their LSST email account for Students unless otherwise stated. If alternative details are provided by the complaint, these must be those of the complainant and not details for another person.

5.2.8. The initial review of the complaint by the Registrar/Complaint Manager will consider the following:

- Does this complaint or concern, need to be managed under another procedure/process?

- Has early resolution been attempted already, or can this complaint be referred back for early resolution?

- Has the complainant provided clear explanation of the reason for complaint, and the area/department of the School involved?

- Has the complainant provided relevant, clear supporting evidence to accompany their complaint?

- Has the complainant stated the resolution they wish to achieved and is this manageable/reasonable?

- Does this complaint involve any concerning content which may need to be addressed following another process either instead of/or in conjunction with this procedure e.g., safeguarding?

- Is the complainant aware of, or have they accessed any additional support services available to them while their complaint is under investigation e.g., Student Union Centre?

5.2.9. The Registrar/Complaints Manager will determine whether all the necessary information has been provided and may contact the student requesting additional details and evidence where required. In all cases the Registrar/Complaints Manager will acknowledge receipt of the complaint by letter/email.

5.2.10. If early resolution has not been attempted, the Registrar/Complaints Manager will forward the complaint to the appropriate person or department within the School, to carry out early resolution stage.

5.2.11. Complaints submitted to the Registry, where evidence of early resolution has been provided and all other criteria has been met, will be accepted for formal stage 2 procedure. Complaints accepted for formal stage will be assigned an appropriate investigatory officer by the Registrar/Complaints Manager, who will investigate the matter using the information provided by the complainant in their written submission. The assigned investigatory officer will have had no previous involvement in the complaint or related incident or action from which the complaint arises.

5.2.12. After the Registrar/Complaints Manager has conducted initial review of the complaint, and assigned an investigatory officer, the Registrar/ Complaints Manager will notify the complainant of complaint receipt and the name and contact details of the investigatory officer assigned.

5.2.13. The complainant will have three working days from notification of the appointed Investigating Officer to raise any concerns regarding the officer's independence, impartiality or potential conflict of interest. Any concern should explain the reasons for the objection. The Registrar or nominee, or another suitably independent decision-maker where necessary, will consider the concern and decide whether an alternative Investigating Officer should be appointed.

5.2.14. The complainant is not entitled to select their preferred Investigating Officer, and a request for a change will not automatically result in reassignment. Where a concern about impartiality arises later in the process, the student may raise it as soon as reasonably practicable, and LSST will consider it in light of the circumstances.

5.2.15. If no concern is raised within the initial three-working-day period, the investigation will normally proceed with the appointed officer. This does not prevent LSST from addressing a subsequently identified conflict of interest or other substantive concern about the fairness of the investigation. Any reassignment may affect the investigation timescale, and the student will be informed of any resulting delay.

5.2.16. LSST will normally aim to issue the formal Stage 2 outcome within 20 working days of accepting the formal complaint for investigation. This target includes the investigation and preparation of the outcome, subject to the circumstances of the case. Where the target cannot be met, the student will be notified of the reason for the delay, the revised expected date and any further progress updates that will be provided.

5.2.17. Where it is felt that the complaint is unfounded, the complainant will receive an explanation as to why this is the case. In certain circumstances where a complaint is partially upheld, the Registry may take a discretionary approach in making a conciliatory σrgoodwill gestures.

5.2.18. If the substance of the complaint is concerning, then the Registrar/Complaint Manager may discuss the formal complaint with other relevant departments or staff members to seek guidance and to determine the most appropriate person to handle the complaint. For example, complaints which contain evidence, or statement of safeguarding or prevent concern.

5.2.19. The formal outcome letter will be issued by the Registry Department following the required review and approval of the investigation findings. The outcome letter and investigation report should be issued together wherever practicable. Any additional time required for approval or issue of the outcome will be communicated to the student.

5.2.20. Where appropriate, the outcome will identify remedial actions, the person or department responsible for carrying them out, and the expected completion date. Outstanding remedial actions will not prevent the student from exercising their right to request a Stage 3 review within the applicable deadline.

5.3. The Investigation Procedure

5.3.1. The investigation will be carried out by the appointed investigating officer who will review the complaint documents, and determine the best method to proceed with investigation based on the information available.

5.3.2. The Investigating Officer will seek to contact the complainant within 5-working days of their appointment to confirm the main issues outlined in the complaint and to provide an expected outcome date.

5.3.3. The Investigating Officer is required to provide regular updates to the complainant on the progress of the investigation, particularly if there are any delays.

5.3.4. In certain cases, to assist with the investigation, the Investigating Officer may choose to hold meetings with relevant parties, including, the complainant and/or any employee or student involved in the case.

5.3.5. The Investigating Officer will normally aim to complete the investigation within 20 working days of receiving the complaint and the information required to commence the investigation. The timescale may need to be extended where the complaint is complex, involves multiple departments or parties, requires additional evidence, or is affected by the availability of relevant individuals.

5.3.6. Where an extension is necessary, the student will be informed of the reason for the delay, the action being taken to progress the investigation and the revised expected date for the outcome. The Investigating Officer will provide further updates where there is a material change to the expected timeframe.

5.3.7. LSST will aim to resolve the complaint promptly and, where possible, complete the overall complaints process within 90 calendar days of the formal complaint being accepted. This is an overall target rather than a guarantee that every case will be concluded within that period. Any delay will be explained to the student, and the student's right to request a Stage 3 review will not be made conditional on the completion of unrelated or outstanding remedial actions.

5.4. The Investigation Meeting

5.4.1. The purpose of holding a meeting is to allow all parties to express their perspectives and clarify the key issues the complainant wishes to address. Both the complainant and respondent are encouraged to present their cases in person. At the meeting the complainant/respondent will be provided the opportunity to outline and further detail the main issues stated in the complaint and provide additional evidence or information relevant to the case. It should be noted that if either the complainant or respondent decides not to attend the meeting, it will not affect the fairness of the investigation; however, the outcome will be based solely on the evidence available.

5.4.2. The investigating officer may also have questions prepared they wish to address. This meeting will be conducted formally and comprise of the complainant/respondent, investigating officer, note-taker (if not the investigating officer), and a friend, colleague or Student Union representative that the complainant/respondent may choose to accompany them. The meeting minutes will summarise the key points discussed, not a verbatim account of the meeting, and will be shared with the meeting attendees to ensure there are no discrepancies in understanding between parties.

5.4.3. No legal representation can be present at this stage for either party.

5.4.4. Recording of in-person meetings are only allowed where all attendees have given consent. Virtual/online meetings will be recorded automatically, and all attendees must be notified of this at the point of invitation. All attendees should be permitted the opportunity to request and review any notes or recordings made during this meeting. All recordings will be stored in accordance with the Schools Student Data Protection Policy and, where applicable, the Schools Employee Data Protection and Records Management Policy.

5.5. The Investigation Report

5.5.1. The official investigation reporting documents will be issued to the investigatory officer on appointment of the role. The reporting documents must be filled out comprehensively and clearly by the investigatory officer, and provided to the registry department on completion of the investigation. The Registry department will be responsible for issuing the complainant with these reports with the accompanying the outcome letter.

5.5.2. An investigation into the issues mentioned in the complaint will be carried out by the investigating offer who will produce a comprehensive written report on the findings. This report will be given a general timescale of 20 working days for completion; however, this may not be possible to achieve due to availability of resources or staff and/or nature of the complaint. In this case, additional time may be granted to the investigating officer and the complainant will be notified of this update.

5.5.3. The Investigating Officer will prepare a clear and reasoned report addressing each material issue raised in the formal complaint. The report will identify the issues investigated, summarise the relevant evidence and representations considered, explain the findings reached on each issue, and set out the reasons for those findings. Where appropriate, the report will identify any limitations in the evidence or aspects that could not be fully investigated.

5.5.4. Each issue will be recorded as upheld, partly upheld or not upheld, with reasons supporting the decision. Where the complaint is upheld or partly upheld, the report should identify appropriate remedies, corrective actions or recommendations, including the responsible person or department and a proposed completion date where practicable.

5.5.5. The report and accompanying outcome letter must provide sufficient information for the student to understand the decision and, where they remain dissatisfied, to explain the basis on which they may request a Stage 3 review from BNU. Relevant information and evidence will be provided subject to appropriate redaction and confidentiality requirements. The report should not disclose confidential employment or disciplinary information beyond what can appropriately be shared with the student.

5.5.6. Upon conclusion of the investigation, the investigation officer will submit the full report, support documentation/evidence and meeting minutes to the LSST Registry department. The outcome will be stated in the report which will provide clear and detailed reasons for the decision made. The investigation report will address each concern raised by the complainant and address them individually providing a detailed response to each within the report and linking to any evidence considered. The report must confirm whether the complaint is Upheld (fully or partially), or is Not Upheld, with detailed reasons supporting this decision.

5.5.7. Where appropriate the report should also include details of remedial actions to be taken/offered and recommendations to improve current practice or regulations

highlighted by the findings of the investigation. Where a complaint is upheld or partially upheld, LSST will consider what action is appropriate to put things right and address any disadvantage experienced by the student. The remedy will be proportionate to the circumstances and will take account of the impact of the matter on the student. The remedies will be communicated in the outcome letter. Where a remedy requires action by another organisation, including Buckinghamshire New University LSST will liaise with the relevant organisation to determine how the remedy can appropriately be implemented.

5.5.8. The completed investigation report, along with all accompanying documentation must be provided the Registry Department for the Registrar/Complaint Managers final review and approval.

5.5.9. If the investigation report concludes that there has been inappropriate conduct by a member of staff, the complainant will be informed that the matter will be referred to the LSST Human Resources Department for further investigation.

5.5.10. The Registry department will be responsible for issuing the formal response to the complainant. The Registry will issue the complaint outcome, investigation report and outcome letter to the complainant by email and post where a postal address is available. This formal response will be issued to the complainant within 5-working days of receipt of Registrar/Complaint Manager confirmation of decision and outcome. In this response, where appropriate, details of the actions or recommendations for resolution will be outlined. If there are follow up actions required to close the case, the Registry will be responsible in issuing a deadline for the completion of any actions and track the progress of action completion.

5.5.11. The complainant will be permitted 10 working days to respond to the given outcome, stating whether they wish to decline or accept the outcome, and proposed recommendations and/or or actions for resolution. Should the complainant wish to pursue the matter further, they should communicate their wish for Request for Review to the Registry. The formal outcome issued must contain clear information on the next steps in the complaints process with signposting to relevant sources for further guidance and information where applicable. This may include direct contacts and forms for requesting review with the awarding body where available.

5.5.12. Once the 10-working-day response window has elapsed, and where the complainant has not responded, the Registry will conclude the case as closed and issue written confirmation of this outcome to the complainant. A Completion of Procedures (CoP) letter will be issued only upon request following the expiry of the 10-working-day response period. The CoP will confirm that the case has been closed and that the School's internal procedures have not been completed in full by the complainant.

5.6. Stage 3: Review of Formal Complaints Outcomes

5.6.1. **Requesting a Review**

5.6.1.1. Following completion of the formal complaints procedure at Stage 2, a complainant who remains dissatisfied with the outcome may request a Stage 3 review. The institution responsible for conducting the review will depend on the nature of the complaint and the applicable arrangements agreed between LSST and Buckinghamshire New University (BNU).

5.6.1.2. For students registered on a BNU course delivered by LSST, Stage 3 reviews may be conducted either by LSST under its own review procedure or by BNU under its

Student Complaints Procedure. The appropriate route will be determined by reference to the nature of the complaint and the applicable arrangements between LSST and BNU.

5.6.1.3. Where the complaint is to be reviewed by LSST, the complainant must submit a written request for a Stage 3 review to the LSST Registry Department within 10 working days of receiving notification of the Stage 2 outcome. The request must clearly explain the grounds for seeking a review and include the relevant supporting information. LSST will acknowledge the request and explain the next steps.

5.6.1.4. Where the complaint is to be reviewed by BNU, the complainant must follow BNU's Student Complaints Procedure and submit the completed Request for Review form to resolution@bnu.ac.uk within 10 working days of receiving notification of the Stage 2 outcome, subject to the requirements of the current BNU procedure. Students should refer to the BNU website for the applicable guidance and forms. The complainant should provide the original complaint, LSST's Stage 2 outcome letter and investigation report, and relevant supporting evidence in accordance with BNU's requirements.

5.6.1.5. LSST will inform the complainant of the applicable review route and provide guidance on how to submit a request. Where BNU is conducting the review, LSST will provide relevant complaint records and supporting documentation and engage with the review process as required.

5.6.2. **Grounds for Review**

5.6.2.1. Where a Stage 3 review is conducted by LSST, the complainant must demonstrate one or more of the following grounds:

- The procedures followed during the formal stage were not followed properly.
- The outcome was unreasonable in the circumstances of the complaint.
- New evidence has become available which, for valid reasons, could not have been provided or considered earlier and which could have a significant or material effect on the decision.

5.6.2.2. The complainant must clearly identify the grounds on which the review is requested and provide supporting information where appropriate. Dissatisfaction with the outcome alone will not ordinarily be sufficient grounds for a review.

5.6.2.3. A Stage 3 review will not normally involve a complete reinvestigation of the complaint or consider entirely new issues that were not part of the original complaint. The review will focus on the grounds raised and the scope of the applicable procedure.

5.6.2.4. Where a Stage 3 review is conducted by BNU, the complainant should refer to BNU's Student Complaints Procedure for details of the applicable grounds for review and the requirements for submitting a request.

5.6.3. **Stage 3 Reviews Conducted by BNU**

5.6.3.1. Where BNU is responsible for conducting the Stage 3 review, it will consider the request in accordance with its Student Complaints Procedure and communicate the

outcome to the complainant in accordance with its applicable timescales and requirements.

5.6.3.2. BNU's review is not normally a fresh investigation of the complaint. Where BNU identifies concerns with the Stage 2 process or outcome, it may take the action available under its procedure, including referring the matter back to LSST for reconsideration or recommending amendments to the findings, outcome or remedy where appropriate.

5.6.3.3. Where BNU requests further information or action from LSST, the School will consider and respond to the request within a reasonable timeframe, taking into account the nature and complexity of the matter, the information or resources required, and any other relevant circumstances. Where LSST is unable to meet a requested timeframe, it will inform BNU of the reasons and, where appropriate, agree a revised timeframe. LSST will communicate relevant next steps and anticipated timescales to the complainant, as appropriate.

5.6.4. **Stage 3 Reviews Conducted by LSST**

5.6.4.1. Where the nature of the complaint means that Stage 3 is to be conducted by LSST under its own procedure, the Registry Department will appoint an appropriately independent review officer who has not previously been involved in the complaint, its investigation or the original decision.

5.6.4.2. The review officer will consider the Stage 2 outcome, investigation report, relevant supporting evidence and the grounds raised by the complainant. The review will assess whether the procedure was followed properly, whether the outcome was reasonable in the circumstances, and whether relevant new evidence could materially affect the decision.

5.6.4.3. The review officer will prepare a written report setting out the review findings, reasons and any recommendations or proposed actions. The report will normally be completed within 10 working days of acceptance of the review request, where practicable. Where a delay is unavoidable, the complainant will be informed of the reason and the revised expected completion date.

5.6.4.4. Where required under the applicable LSST procedure or agreed arrangements with BNU, a Complaints Panel may be convened to consider the review findings. Panel membership will ensure that individuals involved in the original decision do not influence the review outcome.

5.6.4.5. The review may be upheld, partly upheld or not upheld, as appropriate. Where a material procedural failure or other issue requiring further consideration is identified, the case may be referred back for reconsideration by an appropriately independent decision-maker. The complainant will be notified in writing of the review decision, the reasons for it, any remedial actions and the expected timeframe for completion.

5.6.4.6. Where BNU has expressly referred a matter back to LSST following its own Stage 3 review, LSST will undertake the further consideration or reconsideration required by BNU. The nature and extent of that work, including whether a further LSST review or Complaints Panel is required, will be determined by the terms of the referral and the applicable arrangements between LSST and BNU.

5.6.5. **Completion of Procedures Letters and Further Recourse**

5.6.5.1. Where BNU conducts the Stage 3 review, BNU will be responsible for issuing any Completion of Procedures (CoP) letter in accordance with its Student Complaints Procedure and applicable Office of the Independent Adjudicator (OIA) guidance.

5.6.5.2. Where LSST conducts the Stage 3 review under its own procedure, LSST will issue a CoP letter where authorised and required under the applicable arrangements agreed with BNU, and in accordance with relevant OIA guidance on issuing Completion of Procedures letters.

5.6.5.3. Where BNU refers a matter back to LSST following its Stage 3 review, responsibility for issuing a CoP letter will be determined in accordance with BNU's referral instructions and the arrangements agreed between BNU and LSST. LSST will not assume responsibility for issuing a CoP unless authorised or required to do so under those arrangements.

5.6.5.4. The CoP letter will explain the final decision and the reasons for it, and provide information about the complainant's right to refer the complaint to the Office of the Independent Adjudicator for Higher Education (OIA), where applicable. It will include the relevant deadline and signposting to further guidance.

5.6.5.5. The institution responsible for issuing the CoP letter must ensure that it is issued in accordance with the applicable procedure and that the complainant is informed of the correct timescales for any further action.

6. REFERRALS TO THE OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

6.1. The School subscribes to the scheme for the independent review of complaints and appeals by Office of the Independent Adjudicator (OIA). Students who believe their complaint has not been properly or fairly handled by the School or the awarding body can request for an independent review to be conducted by the OIA; where such requests are eligible for review, the OIA will investigate in accordance with its rules.

6.2. Referral to the OIA must be made within 12 months of the date of the Completion of Procedures Letter, and should be submitted using the OIA's complaints form, which can be found here: http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx

6.3. Further information on the OIA' procedures and eligibility for review of a complaint can befound on the OIA's website; www.oiahe.org.uk, or alternatively students can contact the OIA directly on:

- Tel: 0118 959 9813
- Email: enquiries@oiahe.org
- Office of the Independent Adjudicator
  Second Floor
  Abbey Gate
  57-75 Kings Road
  Reading RG1 3AB

7. COMPLAINANTS' CONDUCT

7.1. Whilst it is understood that a complainant may be experiencing anxiety as the result of thecircumstances surrounding their complaint, they are expected nonetheless to conduct themselves in a reasonable manner and in accordance with the School's *Student Code of Conduct*.

7.2. Students are expected to refrain from making complaints which are of a frivolous, vexatious, petty, or harassing nature, or make unreasonable demands of the persons dealing with their complaint. Examples of unreasonable demands on the part of the complainant may include: requesting responses within an unreasonable timeframe; insisting on seeing or speaking to a specific member of staff; continual phone calls, emails or letters; repeatedly changing the substance of the complaint, or raising unrelated concerns.

7.3. Where the complainant is considered to be acting unreasonably, they will be told why this is unacceptable and given the opportunity to modify their behaviour. If the unreasonable behaviour continues, the School will take the appropriate measures, including referring students to the disciplinary procedures and terminating consideration of the complaint.

8. FORMAL INVESTIGATIONS

8.1. During Stages 2 and 3 of the complaints procedures, the School may open a formal investigation into the issue.

8.2. The member of staff handling the investigation of a complaint may request the complainant to attend an interview as part of the investigative procedure. The member of staff will agree to a date, time and location with the complainant and confirm this in writing. The complainant has the right to be accompanied by a friend or student representative as an observer.

8.3. Any person about whom a complaint is made (the 'respondent') shall be provided with a copy of the complaint with sufficient time for them to prepare their representations ahead of any formal meeting concerning the complaint; the respondent shall have the same right of representation as the complainant.

8.4. Where either the complainant or respondent are accompanied in a formal meeting, detailsof their companion must be provided to the investigating officer in advance of the meeting; the School does not permit representation by an external organisation or professional legal representation during such investigations.

9. COMPLAINTS ABOUT STAFF MEMBERS OR OTHER STUDENTS

9.1. Should a student raise a complaint which appears to show that staff or students have acted in breach of School regulations, the matter will be investigated through the appropriate investigatory procedure, which may be the School's:

- Student or Staff Disciplinary Procedures
- Assessments Regulations and Procedures
- Academic Misconduct Regulations

9.2. This includes, but is not limited to, abusive or threatening behaviour, victimisation, bullying or harassing behaviour, actions likely to cause injury or threaten safety and unauthorised disclosure of confidential information.

Note: Where the issue is referred to be dealt with under a different School policy, then the90-day timeframe given for resolving complaints may no longer apply.

9.3. If a complaint results in a hearing under another procedure or policy, the complainant may be asked to give evidence at a hearing. In instances where the complainant is not willing to give evidence, the School may not be able to proceed with the case.

9.4. Where the complaint results in a hearing under another procedure or policy, the School will comply with the provisions of the *Data Protection Act*. This means that the School may not be able to disclose full details of this procedure and any outcomes to the complainant. Legally, there is a recognised expectation that internal disciplinary matters of an individual will be private. If the School is unable to disclose the details of the outcome to the student, the student will be informed of the reasons for any such non-disclosure.

10. RECORD KEEPING AND CONFIDENTIALITY

10.1. A record of complaints received from students and the means of resolution will be kept bythe Registrar and reported to the Academic Board as part of the School's monitoring and quality assurance processes.

10.2. School staff dealing with complaints matters may at times be in receipt of potentially sensitive information regarding students' personal circumstances; all such information disclosed by the student when making a complaint will be held securely within the Registry Office and shared only with those who need to be aware of it in order to carry outthese procedures.

10.3. It is expected that those in receipt of concerns and complaints will respect confidentialityand retain anonymity for students raising concerns where this is appropriate. However, complainants should never be promised confidentiality as there may be instances whereinformation disclosed must be passed on to fulfil a public function (such as reporting a crime).

10.4. Anyone dealing with a concern or complaint who is unsure whether information is confidential should clarify with the source of the information and speak to the School's Data Protection Officer:

it@lsst.ac

11. TRAINING AND AWARENESS OF THE COMPLAINTS POLICY AND PROCEDURES

11.1. The School will periodically organise activities to raise awareness of the Complaints Procedure, and how it is to be used; students will have access to information about this policy and the correct process of making a complaint in their Student Handbooks and during Induction.

11.2. The School will additionally provide ongoing support and guidance for LSST Staff in handling complaints on how to best resolve them informally and how to respond to formal complaints.

12. REVIEW AND UPDATE

12.1. This policy and procedure will be reviewed and updated annually by the Head of Registryand the School's Quality Office; changes to it will be reviewed by the Executive Committee and ratified by the School's Board of Governors.

VERSION HISTORY

Version	**1.0 – 4.1**	
Original author(s):	Head of RegistryPrincipal	
Reviewed by:	Executive Committee	September 2015 September 2016 September 2017 September 2018 September 2019
Version	**5.0 – 5.5**	
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Revised by:	Quality Manager Head of Registry	
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Version	**5.7**	
Revised by:	Quality Manager Head of Registry	
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Revised by:	Head of Registry	
Revision summary:	*Data Protection Officer details changed.*	

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Revised by:	Quality Office Assistant Registrar	
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