

# Student Complaints Procedure

## Policy 1. Introduction

1.1 The academy is committed to providing a high quality service to all its students. The Student Complaints Procedure sets out how you can make a complaint about the Academy's service.

1.2 The Academy Student Charter is the framework for the learning experience of students, stating what students can expect from the Academy (and what the Academy expects from them). Student complaints should be based on the undertakings of the Charter or the Academy's associated policy statements on equality and harassment and bullying. The Charter is provided to enrolled students in the Student Handbook. It is also available from the Library and Learning Centre, the Reception Desk and on the Academy's website.

1.3 The Academy expects students to use the procedure in a positive spirit, as it will itself. The Academy reserves the right not to proceed with a complaint where the complaint does not directly concern the student as the person making the complaint or where initial investigation shows that there is insufficient evidence to justify further action.

1.4 It is expected that the majority of complaints will be resolved as part of normal, informal communication.

## 2. Principles

2.1 The Student Complaints Procedure is for the use of students on official Academy courses and activities.

2.2 Complaints will be handled sensitively and with full confidentiality for both students and staff. Anyone named in a complaint will be informed of the substance of the complaint and will have the right to reply to the complaint. Information contained within the complaint will be made available to those members of staff involved in the investigation. The relevant line managers will also be informed. Beyond this, complaints are confidential.

2.3 It is expected that, except in exceptional circumstances, a student who wishes to make a complaint will do so within 1 week of the incident which is the cause for complaint.

2.4 No student bringing any complaint, whether successfully or otherwise, will be treated less favourably as a result of complaining. The exceptions to this are complaints that are found to be malicious or vexatious.

2.5 There are separate procedures which exist for the following:

- Appeals regarding assessment outcomes are covered by the Academy's Assessment Policy and Procedure
- Disciplinary issues are covered by the Student Disciplinary Code and the Staff Disciplinary Policy.

## 3. Definition

3.1 A complaint is defined as an oral or written expression of dissatisfaction with an aspect of the Academy service or of the staff, fellow students or the communications received or sent.

## 4. Different Types of Complaint and How They Are Handled

4.1 Individual complaints made by the individual students are dealt with according to the guidance set out in this document.

### 4.2 Group Complaints

Where a complaint is brought by a group of students, one person should be prepared to identify him/herself as a spokesperson and correspondent for the purposes of the Formal Procedure. All members of the group must express their permission to the member of staff investigating that the spokesperson may discuss their case. Each member of the group must be able to demonstrate that he/she has been personally affected by the matter which is the subject of the complaint.

### 4.3 Anonymous Complaints

Complaints require investigation to enable resolution; where a complaint is made anonymously, it will not be possible to undertake such an investigation. For practical reasons, therefore, no action will normally be taken in the event of complaints made anonymously. There may, however, be exceptional circumstances where the Academy judges it appropriate to investigate a complaint received from an anonymous complaint, but this is at the discretion of the Academy.

### 4.4 Third Party Complaints

No investigation of a complaint made on behalf of a student will be undertaken without the student's written agreement to the concerns raised and written consent for an investigation to be carried out. This includes complaints made by a carer or relative of the student concerned.

### 4.5 Vexatious or Malicious Complaints

The Academy may consider invoking the disciplinary procedures under the Student Disciplinary Procedure in cases where complaints are found to be vexatious or malicious. A vexatious complaint is defined as a complaint which is clearly unsustainable. A malicious complaint is defined as an attempt to defame the name or character of someone connected with the Academy or the Academy as a whole. Please refer to Annex 1 for further information on vexatious complaints.

### 4.5 Complaints to the Awarding Body

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Should a complaint be received by the Governing Body it will be acknowledged and referred to the Quality Manager who will ensure that it enters the procedure at the appropriate point.

## 4.7 Access to Information

Students pursuing a complaint through the Student Complaints Procedure will be entitled to apply for access to personal data in accordance with the policies and procedures of the Academy under the provisions of the Data Protection Act 1998 and other legislation. Applications should be made in writing to the Academy Director. The Academy will not normally charge the complainant for providing this information.

## 5. Informal Procedure

5.1 Informal complaints should be made to the member of the Academy's staff who is directly responsible for the problem. This may be the tutor, or the Head of the Academy. It is the responsibility of the person to whom the complaint has been made to deal with the situation promptly and, if the complaint is justified, to try to put things right as soon as is reasonably practicable.

5.2 It is hoped that most complaints will be resolved informally.

5.3 If a complaint concerns discriminatory behaviour, harassment, or matters of a sensitive nature which you feel cannot be raised with the member of the Academy's staff concerned, the matter should be treated as a formal complaint.

## 6. Formal Procedure - Complaint to Academy Manager or Student Liason

6.1 If a student is not satisfied with the steps taken to resolve the problem informally, or if 5.3 applies, or if they feel the matter of the complaint is too grave to be dealt with informally, a formal complaint should be made.

6.2 A formal complaint must be written down, preferably by the student themselves, but if not, with the assistance of a member of Academy staff. Formal complaints can be made by email directly to the Academy Manager ([rebecca.p@groomarts.com](mailto:rebecca.p@groomarts.com)) or to the Student Liason ([education@groomarts.academy](mailto:education@groomarts.academy)).

6.3 The complaint should explain the details of the problem and set out what outcome the student would like from the academy.

6.4 The complaint should be sent to the Head of the Academy

6.5 Complaints will normally be acknowledged within 24-48 hours depending on the time to conduct an investigation. A response from the Head of the Academy will usually be delivered within one week. This timescale may be extended during the Academy holidays. When resolution is not possible within the expected time, you will be kept informed of progress.

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6.6 Responsibility for the investigation of complaints lies with the department which has been complained about. The Academy Manager will inform the department of the complaint and the Head of the Academy, who should assist in a thorough investigation of the complaint so that all facts can be established and an appropriate response drawn up. The Head of the Academy will check that the reply is fair and consistent with the Academy policy. The Managing Director will be copied into the reply as appropriate.

6.7 If the complaint is upheld, the reply will contain a formal apology and indicate the actions the Academy intends to take to prevent a recurrence, together with an appropriate timescale for such action.

## 7. Appeals

7.1 If the student finds the reply to the complaint unsatisfactory, they may appeal in writing to the Managing Director. The appeal must be made within ten working days of receiving the Academy's original reply. The MD will acknowledge the complaint within 48 hours of receipt of the appeal.

7.2 In order for an appeal to be considered, a student must either:

- Provide new evidence which was not available for consideration in the original investigation
- Be able to demonstrate that the investigation was not carried out in accordance with this procedure or the commitments of the Student Charter.

7.3 In the event of the complaint being against the MD, all the procedures outlined shall apply. The MD's role shall be taken by an independent arbitrator.

7.4 If grounds for appeal are accepted the MD may hear the complaint or convene a Complaint Hearing to investigate the matter further. The Chair of the Complaint Hearing will be a senior member of staff not involved with the complaint. The other member of the Hearing panel will be a member of the Academy staff, similarly from a department not involved in the complaint but also from a different department from the Chair.

7.5 The Complaint Hearing will normally take place within 5 working days (excluding Academy holidays) of receipt of the appeal.

7.6 Students may be accompanied at the Complaint Hearing by a friend for the purposes of support. The friend may not put forward the case except in exceptional circumstances. If the student is unable to attend, the Complaint Hearing will be rescheduled. If they cannot attend on the second scheduled date the hearing will be held in the student's absence.

7.7 The Chair of the Hearing panel will report the findings of the panel to the MD. The MD will then decide upon a resolution of the complaint. The resolution will be communicated in writing to the student and the Head of School or Head of Service concerned within 5 working days of the hearing (excluding Academy holidays). The MD's letter will set out the reasons for the resolution. If the complaint is upheld, the MD's letter will contain a formal apology and indicate how the Academy intends to prevent a recurrence.

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7.8 A report will be prepared by the Academy Manager for the Senior Management Team, to assist in monitoring the effectiveness of the Student Complaints Procedure and to identify relevant quality issues.

7.9 The MD's resolution will be final. There are no further rights of appeal under this Procedure within the Academy Procedures. If still dissatisfied the student may appeal to the Skills Funding Agency (SFA). The SFA will check that the Academy's procedures have been fully used before taking any appeal forward.

## 8. Monitoring and Evaluation

8.1 The Academy monitors and tracks complaints made in order to improve the quality of its offer. The Academy Manger will ensure that records show the nature of the complaint, how it was dealt with, the time taken for a resolution to be reached and the outcome.

8.2 The Student Complaints Procedure is one aspect of the Academy's quality assurance system and complaints are considered an important source of feedback on the quality of the Academy's service. Where appropriate, complaints will be used to improve services and facilities. Termly complaints reports will be made to the Quality and Curriculum Group and the Governors' Panel.

## 9. Escalation and Awarding Body interaction

9.1 If the centre wishes to escalate the issue or seek advice from the Awarding Body, an allocated centre member will contact the EQA and Awarding Body to notify them of the complaint and to receive advice that aligns with their policy. This correspondence will then be relayed to the individual or individuals in question and all following correspondence will inform the Awarding Body.

9.2 The student also has the right to escalate the issue to the Awarding Body if they do not feel the matter has been sufficiently resolved by the centre. The student should be made aware of their entitlements in accordance with the Awarding Body.

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## Students Complaints Procedure - Flow Chart

