



# **Student Complaints Procedure**

Version 2.0 (2021) (Updated 2021)

**KENSLEY**  
GRADUATE SCHOOL

## **Section 1 1: Principles**

The Kensley Graduate School (KGS) is committed to providing education and services of the highest quality. It aims to provide a conducive environment for all learners and to be responsive to all concerns or complaints.

KGS recognises that, in a complex organisation, issues may arise of a teaching- related or service-related nature. These issues need to be addressed promptly in order to ensure that high standards are developed and maintained. We regard feedback, both negative and positive, as a valuable resource of input to help us improve the quality of our provision of services.

The Complaints Procedure is designed to enable those interacting with KGS to bring the issues of concern about their experiences of services provided by the college to the attention of the authorities to enable investigation of those concerns to achieve a satisfactory resolution. This process provides the College with feedback to help improving performance in general and enables to resolve any particular issues or problems experienced by an individual complainant.

The procedure aims to be simple, clear and fair to all parties involved. It is based on the perception that complaints should be taken seriously, investigated promptly and dealt with as closely as possible to their origins. All complainants are therefore expected to be resolved informally as possible in the first instance within the relevant department or service area. The formal complaints procedure should be initiated when the informal means fail to resolve the issue.

KGS perceive that the Complaints Procedures is a positive, non-threatening mean for change to the benefit of all. Where a complaint is upheld, KGS will take all reasonable steps to ensure the non-recurrence of similar situations in the future.

## **Section 2 2: Who Can Initiate the Complaints Procedure?**

The Procedure is intended for currently enrolled students at KGS. However, it can be used by former students within three months of leaving the College, provided that the events or issues complained about took place while they were enrolled students.

The Procedure can be used for both individual and collective complaints.

## **Section 3 3: What is covered by the Complaints Procedure?**

The Complaints Procedure covers any expression of dissatisfaction about:

- a. Standards of courses or service provided by the College;
- b. Actions or lack of actions by the College or its staff;
- c. Provisions of the College affecting students.

## **Section 4 What is not covered by the Complaints Procedure?**

The following areas are excluded from the scope of the Complaint Procedure:

- a. Judgement (including appeals against academic assessment and progress decisions);
- b. Appeals against disciplinary or other penalties;
- c. Claims in respect of personal injury or damage to property;
- d. Complaints concerning any third party involved with KGS but not owned or controlled by KGS (see below);
- e. Review of admissions decisions;
- f. Requests for new or different services, facilities or provision.

## **Section 5 Staffing matters**

Where a complaint concerns the professional conduct of a member of KGS's staff, this should be passed to the HR Manager (or the Executive Dean in the absence of HR Manager) for separate consideration. The HR Manager may decide to refer the matter back to the Programme Leaders or the Executive Dean for investigation depending of the circumstances.

## **Section 6 Guidelines for Making and Handling Complaints**

All complaints will be taken seriously and, as far as is reasonable, be treated in a consistent manner throughout the KGS. In line with our equal opportunities policy, all complainants will be treated equally and students who make complaints will not suffer any disadvantage or recrimination as a result of making a complaint. Only where complaints are proven to be malicious or vexatious might there be recourse to disciplinary investigation and possible sanction against the complainant. As a general rule, complaints which are made more than three months after the incident or action which is the subject of the complaint will not be investigated.

## **Section 7 Confidentiality**

All information received as a result of a complaint investigation will remain confidential to those involved in the process. However, it should be noted that, in the interests of natural justice, any person named in a complaint will be informed of the complaint and will have a right of reply as part of the investigative process.

## **Section 8 Anonymous Complaints**

Anonymous complaints will be logged and monitored, but will not normally be investigated.

## **Section 9 Third Party Complaints**

Complaints must normally be made by complainants themselves and not by others acting on their behalf. Correspondence will not be entertained

with third parties, except in exceptional circumstances, and only with the written submission of a signed authority of the complainant(s).

## **Section 10 Accompaniment at a Complaint Hearing**

In the event that a hearing is arranged to consider a complaint, any student or other individual asked to attend such a hearing has the right to be accompanied by a friend of his/her choosing. The role of the friend is to support the student, and not normally to explain the nature of the complaint.

## **Section 11 Timing**

Every effort will be made to adhere to the time limits set out in this Procedure. There may be occasions, however, when this is not possible. In this event the complainant will be kept informed of progress by the Student Counselling Coordinator.

For the purposes of this Procedure, 'working days' refers to College working days i.e. Monday to Friday, excluding Public Holidays and occasional days when the KGS may be closed.

## **Section 12 Documentation**

Papers relating to formal complaints will be held on file for three years from the date of resolution of the complaint and will then be destroyed. The period may be extended at the discretion of the College.

## **Section 13 Advice and Guidance**

Advice and guidance on procedures and representation is available from the Student Counselling Officer.

## **Section 14 Summary**

The emphasis is on finding an informal resolution, with the object of resolving problems quickly and simply. It is therefore intended that problems be resolved at Stage 1 of the procedure whenever possible (see below). This policy therefore seeks to embody the following values:

- a. Transparency - it spells out who is responsible for dealing with your complaint at each stage of the process, and indicates what action you should take if you feel dissatisfied with the outcome;
- b. Speed - there are timescales set for each stage of the process. If for any reason it is not possible to meet the timescale, you will be informed of the reason for the delay;
- c. Natural justice - the Policy follows the principles of natural justice, in that no person who has any direct interest in a complaint will be

- involved in deciding the outcome, and you will be guaranteed a fair hearing;
- d. Confidentiality - your complaint will be dealt with confidentially, and only the person(s) responsible for dealing with the complaint, and those who are parties to it, will be informed;
  - e. Non-detriment - you will not be disadvantaged if you make a complaint in good faith;
  - f. Group action - if several of you have a problem, you can make a joint complaint;
  - g. Accompaniment - you have the right to be accompanied by a friend when you make a complaint, or at any subsequent meeting to deal with the complaint.

## Level 1 THE KENSLEY GRADUATE SCHOOL PROCEDURE

### Section 15 The 3 Stages

The three (3) stage complaints procedure is as follows:

#### a. Complaints Stage 1 - Informal Complaints

You should first of all raise the matter by email or face to face with the person responsible for the issue giving rise to your complaint. Dealing with small problems or areas of concern as they arise will often prevent them transforming into larger problems which are harder to resolve. Many apparent concerns result from misunderstandings can often be resolved instantly and easily by talking to the relevant parties on the matter of concern.

If you do not feel able to approach the person concerned, or if you do not know who is responsible, speak to the Student Counselling Officer, your lecturer, or another trusted member of staff who will guide you on how to proceed. If the problem affects several of you, you may find it helpful to raise it with your Student Council representatives and/or make a group complaint.

Informal complaints should normally be made within 20 working days of the incident giving rise to the complaint. You should expect a resolution to be agreed normally within 10 working days of the complaint being received. Records of such complaints will not normally be retained or recorded centrally, unless the complainant and staff member involved dealing wish it to be kept.

If necessary, complainants may raise the matter with the programme leader of the relevant academic department; that person will make enquiries and report the outcome back to the complainant, normally within 10 working days. She/ he may also convene a meeting between both parties to the complaint to help resolve the problem.

## **b. Complain Stage 2 - Formal Complaints**

Every effort should be made by complainants to use the informal procedure before making a formal complaint. However, Kensley Graduate School recognises that there may be problems that either have not been resolved, or are too serious to be dealt with informally. KGS is also aware that there may be occasions in which, for whatever reason, a complainant feels that it is impossible to raise an issue directly with the member of staff concerned. In any of these circumstances, the College's formal complaints procedure may be used.

A formal complaint should be made in writing using the **Complaint Stage 2 form** (available at the Student Counselling Officer and the Registrar's Office) and submitted to the:

Human Resource Manager for staffing matters (or the Executive Dean in the HR Manager's absence);  
Student Services Coordinator for administrative matters;  
Programme Leader for academic matters.

Details of the complaint should be as complete as possible and include any supporting documentation (copies of any correspondence, for example). Formal complaints should normally be made within 10 working days of the Stage 1 decision or 20 working days of the incident giving rise to the complaint. The College will make sure the complaint will be handled by an officer who not the subject of the complaint. The relevant officer will acknowledge receipt of the formal complaint in writing normally within 05 working days.

The relevant staff member will carry out an investigation and may convene a hearing where both parties to the complaint will be invited to present evidence and be questioned on the evidence provided. If, after reasonable attempts to arrange the hearing, the student is unwilling or unable to attend, the relevant staff member may proceed with their investigation in the absence of the student. Full records will be kept and the decision will be reported back to the complainant in writing, normally within 20 working days of the acknowledgement of receipt. A copy of the decision will also be sent to the Executive Dean.

If the complaint is upheld, possible responses may include:

Letter of explanation and/or apology;  
Recommendations for further actions within the College;  
Recommendations for changes in College procedures/policies etc.

It is expected that the majority of complaints will have been resolved satisfactorily by this stage at the latest, with no further action being necessary. However, if the complainant is not satisfied with the response received as a result of Stage 2, the complaint may be taken to Stage 3 of the procedure.



### c. Complaints Stage 3 - Appeals

If a complaint has still not been satisfactorily resolved after Stage 2, you may appeal in writing by completing the **Complaint Stage 3 form** (which can be obtained from the Executive Dean's Office) and submitting to the Executive Dean setting out the reasons for your disagreement with the Stage 2 decision, normally within 10 working days. The Executive Dean will acknowledge receipt of the formal complaint in writing normally within 05 working days.

The Executive Dean may seek to resolve the complaint on the basis of the documentation provided alone. However, if the Executive Dean deems it necessary, both parties to the complaint and the staff member responsible for Stage 2 will be invited to a Hearing to present evidence and be questioned on the evidence provided.

However, whereas each of the previous stages of the Policy involve a full investigation of the matter, the Executive Dean will only be concerned with two issues:

Was Stage 2 conducted in accordance with this Procedure?

Was the final decision reasonable and in accordance with the facts of the case?

Therefore, the Executive Dean will only take action if she or he believes that the correct procedures have not been followed, or if the outcome does not appear reasonable in the light of the facts of the case. The decision will then be reported back to the complainant in writing by the Executive Dean, normally within 20 working days of the acknowledgement of receipt.

The Executive Director's decision is final, thereby concluding Kensley Graduate School's internal complaints procedure.

Any new evidence or issues raised by the complainant. The Complaints Manager may contact the complainant to discuss the complaint. S/he may (or may not) seek further information from the complainant and/or those members of staff involved in the earlier investigation of the complaint. S/he may also consult a senior colleague responsible for the area under investigation.

The Complaints Manager may decide:

That the investigation was properly carried out and the response given was appropriate and consistent with other responses, and no further action is required.

That there were shortcomings in the investigation carried out and/or the response given and/or that new evidence had been provided which warranted further investigation. In such cases the Complaints Manager

may make a decision regarding resolution of the complaint, or may refer the complaint back to the Executive Dean, KGS, for further action.

The Complaints Manager will ensure that a response is sent to the complainant in writing, copied to all other relevant parties. Depending on the nature of the complaint, the Complaints Manager may respond directly or ensure that a response is sent directly by an appropriate colleague.

The response will indicate the outcome and reasons for the outcome, and will confirm that internal procedures are complete; it will outline the right of the complainant to pursue the complaint further through the Office of the Independent Adjudicator (in the case of complaints from current and former students) if s/he is not satisfied with the response.

