

# Higher Education Complaints Process September 2024

APPROVED BY SELT ON (June 2024)

<b>Applies to:</b>	
Harrogate College	
Keighley College	
Leeds City College	
Leeds Conservatoire	X
Leeds Sixth Form College / Pudsey Sixth Form College	
Luminate Group Services	
University Centre Leeds	X

## CHANGE CONTROL

<b>Version:</b>	3	
<b>Approval route</b>		
<b>Approval committee (ELT, SELT, Board)</b>	<b>Date approved</b>	<b>Version</b>
HoDs University Centre Leeds	June 2024	3
HoDs Leeds Conservatoire	June 2024	3
HE Academic Board University Centre Leeds	May 2024	3
HE Academic Board Leeds Conservatoire	June 2024	3
SELT	June 2024	3
<b>Name of author:</b>	HE Quality	
<b>Name of responsible committee:</b>	HE Quality	
<b>Related policies: (list)</b>	Complaints Policy	
<b>Equality impact assessment completed</b>	<b>Date:</b>	
	<b>Assessment type</b>	
	<input type="checkbox"/> Full	
	<input type="checkbox"/> Part	
	<input checked="" type="checkbox"/> Not required	
<b>Environmental Impact Assessment Completed</b>	<b>Date:</b>	
	<input type="checkbox"/> Yes	
	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Not required	
<b>Policy will be communicated via:</b>		
<b>Next review date:</b>	August 2025	

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## 1. POLICY STATEMENT

For the purposes of this Complaints Procedure, University Centre Leeds and Leeds Conservatoire will be known as the 'Provider'.

The purpose of this process is to ensure that the Provider is providing the highest quality services and facilities to its Higher Education learners and stakeholders. If there are areas of our provision which are of concern this document will outline the process that needs to be followed to raise this concern or complaint. The following principles apply to this process:

- The active promotion of equality of opportunity throughout the Providers activities and the learning experience;
- The provision of an open and transparent process;
- The timely resolution of complaints in a fair and equitable manner;
- The assurance that students will not be disadvantaged once a complaint has been reported;
- Continuous service improvement as part of the Provider's HE Quality processes.

## 2. COMPLIANCE WITH REGULATIONS

Relevant complaints shall be conducted in accordance with this process and the expectations set out in the Revised UK Quality Code for Higher Education: Concerns, Complaints and Appeals (Nov 2018)<sup>1</sup> and the guidance set out in the OIA Good Practice Framework for Handling Complaints and Academic Appeals (2014)<sup>2</sup> as in the regulations approved by the Provider's Governing Bodies, and shall seek to uphold the principles of fairness, consistency, equity and equal opportunities.

The handling of all complaints will be completed within **90** days of the start of the formal stage, in accordance with the OIA guidelines.

## 3. IMPARTIALITY OF DECISION MAKERS

To ensure impartiality in the dealing of complaints, no person shall be permitted to take part in the making of a decision regarding a complaint where they have an interest through being a member of the same academic department in which the complainant is registered.

## 4. COMPLAINTS

This process relates to concerns and complaints by guardians, employers and members of the public. The Provider welcomes comments and suggestions for the improvement of its services. In particular, the provider has established a variety of mechanisms to ensure that students and employers (where appropriate) can take part in the decision-making processes at course/programme level or via their students' union. It is hoped and expected that students' and employers will take full advantage of these and consider addressing comments and suggestions to an appropriate member of staff.

Anonymous complaints are also covered within this process and will follow the same timelines. In such instances the Provider welcomes and encourages approaches designed to bring about an informal resolution.

This process can be applied by the complainant themselves, or by a nominated representative.

Whilst the Provider will endeavour to investigate and address any issues raised anonymously as far as it is possible to do so, such issues are not covered by the provisions of these processes.

This process does not apply to Academic Appeals, Academic Appeals are defined as:

- A request that is made to review a decision that has been made in relation to the progress of the student on their programme of study, including the award of any qualification as a result of that progress.

If a student submits an Academic Appeal Application concurrently with an application under the Complaints Procedure, the complaint will not be investigated until the completion of the Academic Appeal.

## **5. PRIVACY, CONFIDENTIALITY AND DATA PROTECTION**

All evidence submitted by a complainant in support of a complaint should be treated with respect for the privacy of the complainant and should be confidential to those members of staff concerned with the matters raised in the complaint. Unless relevant parties have consented to have their information shared beyond.

Any member of staff involved with an appeal in any capacity will ensure that the General Data Protection Regulation 2018 (GDPR) is always complied with.

## **6. FAIR TREATMENT**

No individual raising a complaint under this process, whether successfully or otherwise, will be treated less favourably by any member of staff than if the complaint had not been brought. All staff involved in handling any stages of a complaint have a duty to ensure that any decision they make regarding assessment of evidence, or the way a student is treated, must not be influenced by the raising of a complaint. If evidence to the contrary is found, the member of staff may be subject to action under the Staff Disciplinary Procedure.

Where an individual believes that consideration of a complaint is likely to affect the relationship between a student and a member of staff, all parties will be expected to continue that relationship in a professional manner. Only in exceptional circumstances will the Provider consider agreeing to a request for alternative working arrangements whilst the complaint is being investigated.

## **7. ADVICE AND GUIDANCE**

Individuals can obtain advice on this process from several sources. Learning Support Officers or representative from the relevant students' union can provide advice independent of the Provider, including assistance in submitting a complaint. Staff can seek advice and support on understanding the process from the Higher Education Registry Office.

The Higher Education Registry Office can only provide advice to students and staff on the operation of this process.

Academic staff will not be able to provide advice to students on individual complaints.

## **8. COMPLAINTS PROCEDURE**

For current and ex-students and parents/carers/guardians and members of the public. To enable swift investigation and resolution, complaints should be raised as soon as is practically possible, and **no later than 30 days** of the occurrence.

## 9. STAGE 1 – EARLY RESOLUTION STAGE

Where an individual considers they have grounds for complaint, we encourage them to first raise their concerns through the relevant complaint's inbox: University Centre Leeds: [hequality@ucleeds.ac.uk](mailto:hequality@ucleeds.ac.uk) or Leeds Conservatoire: [complaints@leedsconservatoire.ac.uk](mailto:complaints@leedsconservatoire.ac.uk).

All staff should take appropriate and reasonable action, every effort should be made to establish the facts and resolve the problem. The complainant should be contacted within 10 working days.

If the complaint is against a member of staff whose behaviour suggests discrimination based on race, gender, age, disability, sexual orientation, religion or belief, gender identity or any other protected characteristic covered by the Equality Act 2010, then the complaint should progress straight to Stage 2 and the Provider must notify the HR department immediately.

**Important** - Both staff and the complainant should keep a record of the complaint/concern, which may well be requested and used as evidence in any subsequent complaint's investigation, should there be any further escalation by the complainant. A copy of this record must be forwarded to HE Registry.

## 10. STAGE 2 – FORMAL STAGE

If the concern/complaint is not resolved at Stage 1, the complainant can progress the issue(s) to the next stage of the procedure. resolution should be reached within 20 working days of the outcome of Stage 1.

The complainant should contact the Quality Team, by email on [hequality@ucleeds.ac.uk](mailto:hequality@ucleeds.ac.uk) / [complaints@leedsconservatoire.ac.uk](mailto:complaints@leedsconservatoire.ac.uk) identifying the nature of the complaint and the steps taken to try and resolve this issue.

Any concerns/complaints received against an individual will be treated confidentially. The complainant will receive a response within **10 working days**, detailing how the complaint will be investigated and by whom, and an anticipated date for the outcome of the investigation. If there has been no attempt to resolve the matter informally, the complaint will be referred to the relevant department for investigation and to attempt to resolve the issue.

**Important** - Both staff and the complainant should keep a record of the complaint/concern, which may well be requested and used as evidence in any subsequent complaint's investigation, should there be any further escalation by the complainant.

On completion of the investigation the HE Quality Team (or nominated representative) will write to the complainant via email detailing the decision/outcome and the reasoning behind that decision. This should be completed within **20 working days** of the start of the investigation.

## 11. STAGE 3 - FORMAL APPEAL

This stage of the process should only be used when the complaint is not resolved at either Stage 1 or 2 and should be progressed by the complainant within **10 working days** of the outcome of a Stage 2 investigation. The detail of complaint must be formally submitted in writing via email and must include what steps have already been taken to try to secure resolution at Stages 1 and 2 and the required resolution sought.

Appeals should be sent to:

[hequality@ucleeds.ac.uk](mailto:hequality@ucleeds.ac.uk)  
[complaints@leedsconservatoire.ac.uk](mailto:complaints@leedsconservatoire.ac.uk)

A written response will be sent within **10 working days** detailing how the complaint will be investigated, and when the complainant should expect an outcome. On completion of the investigation by the Provider, the investigating officer will write to the complainant, detailing their decision and the reasoning behind that decision. This will be within **30 working days** of the start of the Stage 3 investigation.

In the unlikely event of the complainant remaining dissatisfied after Stage 3 they have the right to refer the matter to the validating body if the provision is not validated by Luminare. Details can be found here

[OU Validated Awards Regulations](#) or the [University of Hull Quality and Standards](#)

If following the above, the complainant still remains dissatisfied they have the right to request a review of the outcome with the Office of the Independent Adjudicator (OIA) within 12 months of the receipt of a Completion of procedures letter from the validating body.

## 12. EMPLOYERS

This procedure should be followed for complaints made by employers.

If an employer has any concerns/complaints with the service provided by the Provider, they should raise their concerns (within no later than six months of the occurrence) directly with:

- The relevant Programme Manager or Head of Department for the area; or
- Director of School

Change Summary		
Version	Date	Summary of Changes