



## Complaints and Grievances Procedures

## Procedure 2.2 Complaints and Grievances Procedures

### Introduction

The Caspian School of Academics (CSA) strives for excellence in the services it offers and we therefore encourage our students to give us feedback. We believe that it is important for our students and staff along with all stakeholders are to be able to express their concerns and ideas for improvement, complaints and compliments and voice their opinions as this enables us to improve the quality of our services and academics. Students may do this via a variety of means, including via our Complaints Procedure. The Procedure is aligned with the Expectations of the UK Quality Code for Higher Education area covering Concerns, Complaints and Appeals and the associated principles of fairness and transparency.

### Aims and objectives.

The aim of the Complaints Procedure is to:

- a. ensure students or staff can raise any concerns, on academic and/or non-academic matter(s), excluding review of assessment decisions, and that those raising complaints or grievances are treated with dignity and respect (*Quality Code guiding principle 4*)
- b. improve the service the School provides to students, employers, staff and the broader local community (*Quality Code guiding principle 2*)
- c. clarify for staff and students the procedures for handling complaints (*Quality Code guiding principle 3*)
- d. ensure that the procedures are sensitive to issues of confidentiality (*Quality Code guiding principle 7*)
- e. encourage students and staff to seek means of resolving problems without further or more formal procedures (*Quality Code guiding principle 5*)
- f. provide where appropriate means of recording both the nature of complaints and the effectiveness of their resolutions through complaints register
- g. encourage a regular process of monitoring and reviewing records within the quality assurance framework to inform improvements to delivery and management of provision (*Quality Code guiding principle 1*)
- h. ensure any concerns are dealt with promptly and effectively by a senior member of staff, as appropriate (*Quality Code guiding principle 8*).

Feedback from complaints is an important source which is used in the enhancement of the quality of learning opportunities. The complaints are considered as opportunities for engaging with students and staff and obtaining individual and/or collective feedback on academic and non-academic matters.

CSA is committed to managing complaints in a way that:

- Is **timely** and efficient, to facilitate a speedy resolution;
- Is **fair and transparent** to all parties;
- **Promotes informal conciliation** such as mediation, where appropriate;

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- **Promotes feedback and best practice** to inform academic and administrative teams and enhance the student experience.

The Complaints and Grievance Procedure applies to:

1. Students who are registered with CSA at the time of making the complaint.
2. Complaints made within 30 working days of ceasing to be a registered student.
3. A number of students who have a common complaint. Students may make a collective complaint provided that one student identifies him/herself to act as a spoke person
4. Where a third party makes a complaint on behalf of a student, the student's consent will be required in writing. All correspondence will be sent to the student as well as their representative unless otherwise agreed.
5. Anonymous complaints may not be considered unless there are evidence-based reasons to do so, other than in the case where harassment or sexual misconduct incidents are being reported.. Raising a concern anonymously could delay investigation and communication of the outcome.
6. Staff employed by CSA and other stakeholders including employers.

This procedure covers all aspects of a student's experience at CSA except for the following, for which separate procedures exist:

- All academic matters relating to examination and assessment performance and outcomes are managed via an Academic Appeals process (the exact procedure students must follow may vary depending on the programme's official awarding body. Students should therefore consult their programme handbooks or administration teams for further information).
- Disciplinary issues are covered by the Disciplinary Procedures for Students.
- Racial, sexual and other forms of harassment are covered by the Procedure Equal Opportunities
- The approval and payment of refunds, which is handled by Procedure Fee, Refunds and Compensation.

We aim to resolve all formal complaints within 10 working days whenever possible and without prejudice to the complainant. Where this is not possible, the complainant will receive an acknowledgement and will be kept up to date.

## Definition

For the purposes of this procedure, a complaint is defined as an oral and a written expression of concern about the provision of a course or programme of study or a related aspect of service or a facility, which is provided to students enrolled on, or recently graduated from, programmes studied at CSA.

Grounds for a complaint might include the following:

- Dissatisfaction with standards of academic provision, for example, insufficient or ill-maintained resources and facilities, arrangements for assessment, academic feedback, or information provided, or not provided, about a course;

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- Dissatisfaction with the quality or frequency of supervision or tuition, compared with previously advertised levels;
- Deficiencies in standards of service, for example, support facilities such as administrative services;
- Misinformation about an academic programme;
- Dissatisfaction with the level and availability of pastoral support;
- Behaviour of any students or members of staff which are seen as harassment or sexual misconduct;
- Other deficiencies in the quality of your learning experience;
- The inappropriate behaviour of a member of staff.

The procedure does not allow for a complaint to be raised about an academic assessment decision, for example an examination or assessment result. All academic appeals are subject to Procedure 2.1 Academic Appeals information on which is contained in the student handbook.

Students who require assistance submitting a formal complaint may seek help from their tutor or from the student welfare officer.

### **Issues excluded from Complaints procedures**

There are three issues excluded from the complaints procedures:

- services outside the School's control, e.g., funding criteria,
- issues involving criminal offences.
- matters dealt with under other procedures such as the Disciplinary Procedures

If the complaint is found to be malicious, action may be taken against the Complainant

### **General Principles**

It is important that students, prior to engaging with the Complaints Procedure, have a clear understanding of what the procedure is, what it entails and possible (as well as impossible) outcomes.

All complaints are taken seriously and students will not be penalised for making a genuine complaint. CSA expects that students will not engage in frivolous or vexatious complaints. However, where clear evidence exists that students do submit complaints which are clearly baseless, frivolous or vexatious, action may be taken under the Student Disciplinary Procedure.

CSA aims to ensure that the procedure i.e. simple, clear and fair to all parties involved, with mediation and informal resolution an option at any point. Complaints will be handled sensitively, courteously and confidentially. All complaints will be dealt with as quickly as possible to avoid issues becoming protracted. However, patience and understanding is urged from all parties when complex issues or complaints involving multiple parties may require longer investigating and resolving.

The complaints procedure operates on the principles of natural justice, such that:

- There are (at least) two sides to every dispute.

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- All parties are given the opportunity to provide evidence to substantiate their version of the issue / incident;
- Full disclosure of any allegations or evidence will be made to those parties involved in the complaint;
- All parties involved in a complaint have the right to be accompanied by a friend or advocate, or non-legal representative at each stage of the procedure;
- It is assumed that all parties operate in good faith and provide information which is true, complete and not misleading; this includes a duty to disclose all information which is relevant to the issue at stake, including information which may not support their position.

All information provided regarding a complaint will remain confidential for use within the complaints process and is subject to the requirements of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. Only staff directly involved with the complaint will be given access to confidential information.

Anonymous or third party complaints will not be accepted. 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 their written consent for an investigation to be carried out. This includes complaints made by the parent or spouse of the student concerned.

No student or member of staff bringing a complaint under this procedure, whether successfully or otherwise will be treated less favourably by any member of staff than if the complaint had not been brought.

CSA will endeavour to address and resolve all complaints within 10 working days. Certain complex cases may however take a longer time to resolve than other cases. In such instances students will be kept informed of the progression of their case and CSA will attempt to give an indication of when the matter will be resolved.

Possible outcomes of complaints include:

- an apology and/or appropriate redress.
- a correction of any error
- an improvement in services

### **CSA's Three-Stage Complaints Procedure**

The School has a three-stage internal student complaints procedure with additional recourse to external review by the Office of the Independent Adjudicator for Higher Education

Any complaints that are escalated before the earlier stages of the complaints procedure have been used will be reverted back to the appropriate stage unless there is a strong reason for the escalation.

#### **Stage 1 – Informal**

Anyone who has an issue with any persons or procedures relating to the School should seek to discuss their concerns with the appropriate person, trying to resolve the issue or concern informally. At this stage the complaint could be resolved by discussion, or clarification, or other possible means

applicable to the complaint. At this stage the complaint needs to be resolved very quickly (within a maximum of 5 working days)

The School expects that all complaints are made in writing (for record purposes) via the Complaints form.

All complaints should normally be made within 21 days of the alleged incident, matter or concern but must be within 30 days.

When a student raises an informal complaint with an administrator or member of the student services team, these staff may need to refer the complaint to a more senior member of the team or to the Student Welfare Officer. The complainant will be informed that the staff member is raising the issue with Management and made aware that the staff member will get back to them within a given time frame.

Students/staff should keep a record of their action taken to resolve the complaint and keep copies of any relevant correspondence.

A student should normally expect to receive a written or email acknowledgement of their complaint within 2 working days and a full response, via email or in writing, within 5 working days. This timescale may need to be extended during vacations or when the complaint is complex or involves multiple parties.

If it is not possible to resolve a complaint informally, then the student will be advised that they can submit a complaint under Stage 2 of the Complaints procedure.

#### Stage 2 – Formal Mediation

- If the complaint cannot be resolved at stage 1, the Student Welfare Officer should be notified within 5 days and a formal meeting will be arranged. Following the meeting the School will write to the complainant with the outcome and the proposed action to be taken
- At this stage the School requires the complaint, with any supporting evidence, to be recorded in writing
- The School would hope to produce a response within 5 working days of the meeting. However, this might on occasion take up to a maximum of 10 days.

#### Submitting a Formal Complaint:

Formal complaints should be sent via email to the **Student Welfare Officer** (d.batra@caspianschool.co.uk).

Where necessary students/staff should provide appropriate evidence to support any allegations they make (evidence may include signed witness statements, letters, emails and any other relevant information). Where a student or member of staff fails to provide reasonable evidence to substantiate their allegations, CSA reserves the right not to progress the complaint further if it is reasonably believed that a prima facie case was not established.

If a formal complaint is submitted outside the advertised deadlines, without good cause or reason, then the complaint will be deemed out of time and CSA reserves the right not to progress the complaint, unless it would be inequitable to do so.

A student or member of staff should normally expect to receive a written or email acknowledgement from the School within 2 working days and a full response, via email or in writing, within 10 working days. This timescale may need to be extended during vacations or when the complaint is complex or involves multiple parties.

### **Resolution of Formal Complaints**

In addition to informing continuous quality enhancement, the aim of this process is to provide resolutions. Accordingly, while general expressions of concern are welcome, students/staff are encouraged to specify the remedy they seek and/or the desired outcome to their complaint.

There are a number of ways in which the complaint may be progressed at this stage, depending upon the nature of the complaint. Complainants will be notified of this in writing. Such actions may include:

- A meeting with a designated senior officer (often the Principal) to clarify matters of procedure;
- Forwarding the complaint to a named person in the relevant department who will investigate the matter locally and provide a written response to the complaint;
- Mediation facilitated by a non-involved member of staff.

Where the complaint is complex and / or contains serious allegations against staff, the designated senior officer will either:

- Appoint an independent Investigating Officer to investigate the circumstances of the complaint; or
- Arrange a Formal Hearing of the complaint.

Notwithstanding the above, the student/staff may formally request that the case be taken to mediation at any point in the proceedings up to the convening of a Complaints Committee (Stage 3, below).

Wherever possible CSA will seek to facilitate an early resolution of the complaint. CSA aims to provide a resolution within 10 working days of submission of the formal complaint. Should this not be possible (due to complexity or requests for information from other parties), then students will be kept informed of any likely delay and the reasons for the delay, at the earliest opportunity.

Students/staff will receive written notification of the outcome of their complaint. This will include whether the complaint is upheld or not and any further action to be taken.

The complaint will be logged in the complaints register with a brief summary of the issue and a summary of actions taken. The complaints register will be submitted for consideration to Academic Board.

### **Stage 3 – Formal Stage**

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- If the complainant is not happy about the response to their complaint at stage 2, they may appeal the decision to a final adjudicating committee, which will include an independent person. All parties are expected to abide by the independent adjudication process.
- The complainant may be accompanied by someone at this stage and evidence from stage 2 will be reconsidered
- The complainant will be notified of the outcome in writing within 15 working days. The decision at this stage will be final. At the end of the complaint process, all records of complaints will be securely retained to ensure confidentiality and a clear audit trail.

The grounds for requesting a review of a formal complaint outcome should be clearly stated in writing and sent with full supporting evidence to the Student Welfare, who will refer the case to the next Complaints Committee meeting if:

- a. There remains, at the time, a complaint which comes within the scope of this procedure;
- b. The request for review has been lodged within the set time limit;
- c. The complaint is not of a petty or harassing nature.

The review will not consider new evidence unless there are good reasons as to why such evidence was not produced at Stage 1 or 2 of the Complaints Procedure.

In the event of a decision not to uphold a complaint, the Complaints Committee will advise the student or member of staff of the range of support services that are available such as the Counselling Service, if appropriate.

The student or member of staff will be formally notified in writing of the decision normally within 2 working days of the Complaints Committee meeting. If a complaint is not upheld, the complainant will be informed of the reasons for its rejection. The letter will be copied to the Director of Operations or other designated senior academic.

The decision of the Complaints Committee is final and concludes the CSA Complaints Procedure.

The notification of outcome will advise the student or member of staff of the opportunity for external review of the case, if available. In the case of accredited programmes, students, who are dissatisfied with the outcome of the review and believe that CSA has failed to follow this procedure correctly, may take their case to the Awarding Body or to the Office of the independent Adjudicator,

### External Review

- Where the complainant continues to feel that they do not have an acceptable resolution, the complaint may appeal to the Office of the Independent Adjudicator (OIA)

### Completion of Procedures



Complaints procedures are considered to be 'exhausted' only when all internal review stages AND external review by the awarding body (if applicable) have taken place, and any required actions have been implemented.

Once procedures have been exhausted, CSA will inform the student that a Completion of Procedures (COP) letter can be requested. The COP letter will be provided within 2 working days of a request. Such requests should be directed by the student to the Student Welfare Officer within 1 month of the notification of outcome.

If a complaint is not upheld or there are found to be insufficient grounds to investigate a complaint or conduct a review, a COP letter will be issued to the student automatically by the Student Welfare Officer.

### **Contacting the Office of the Independent Adjudicator for Higher Education (OIA)**

CSA will subscribe to the independent scheme for the review of student complaints and appeals. If a student remains unsatisfied with the outcome of the complaint or appeal following the completion of procedures, then they may be eligible to request a review by the Office of the Independent Adjudicator for Higher Education (OIA), for which a COP letter will be required. Details of how to contact the OIA will be provided on the COP letter.

A COP letter cannot normally be issued before exhausting all procedures as stated above. However, in the interest of timely progression, where a student wishes to approach the OIA without first consulting the awarding body (if applicable), they may request a COP for the purpose of doing so. In such instances the OIA will make a decision in accordance with its rules as to whether or not the appellant's request is eligible for review.

Should a student decide take their case to the OIA, their Scheme Application form must be received by the OIA within 12 months of the date of the COP letter.

The OIA will communicate its findings to the student and to CSA, who will act on them accordingly and within the specified timescale. Provocative

### **Monitoring and review**

The School will maintain confidential records of all complaints that are dealt with. Data on numbers of complaints and issues involved will be held but not the names of the individuals or specific courses involved.

### **Training and support**

The School will ensure that all persons involved in the implementation of this procedure will have access to appropriate training and support.

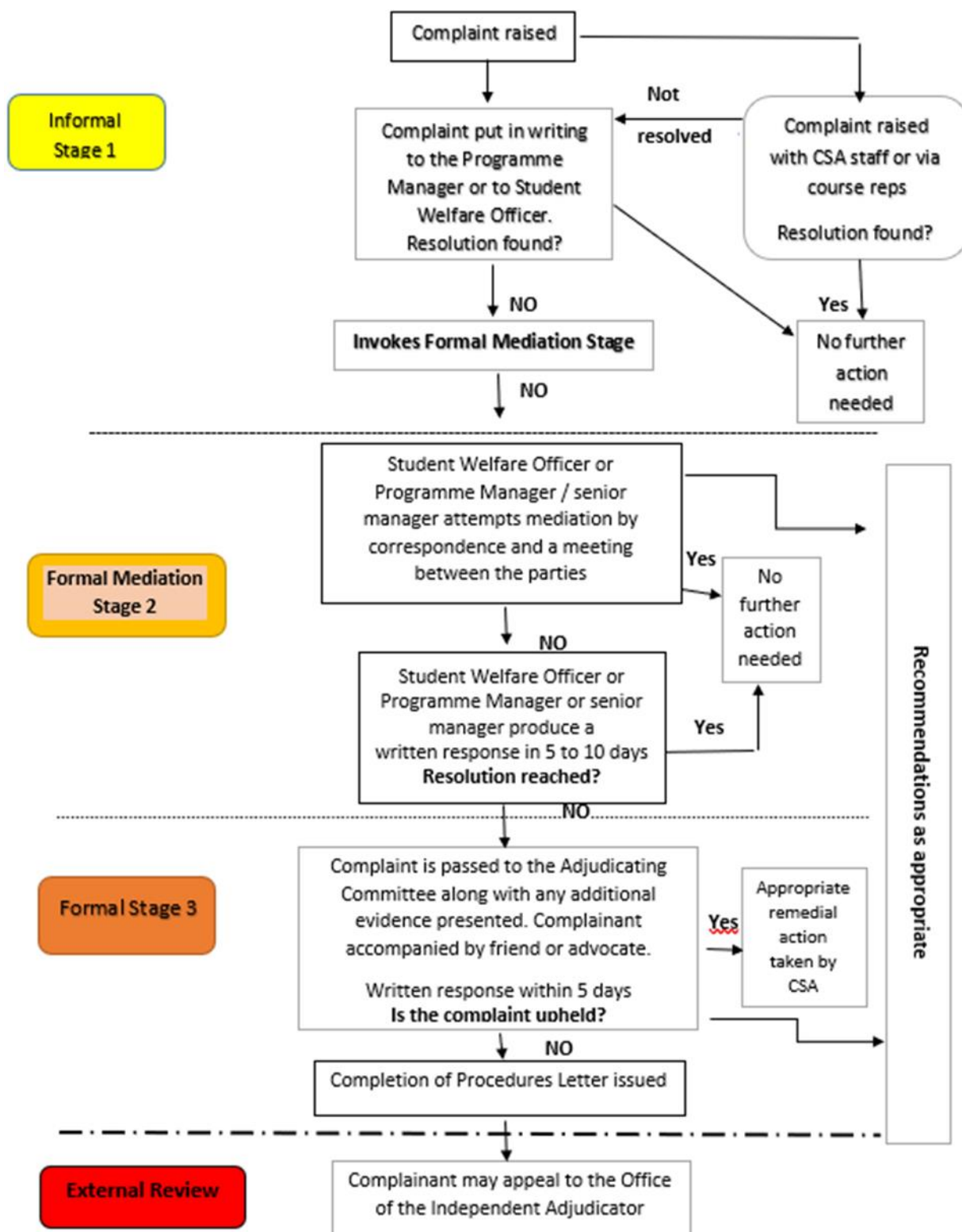
As it is recognised that staff who are the subject of a complaint can find it a very stressful experience, support will be provided as and when appropriate.

If members of staff are affiliated to a recognised Trade Union they may find it helpful to discuss the matter with their representative. They are entitled to union representation during the investigation of any complain

**Complaint Contact Detail:**

- ❖ Student Welfare officer
- ❖ Ms. Lucia Mihaela
- ❖ l.miheala@caspianschool.co.uk
- ❖ Ph: 0 20 3566 0827

## CSA COMPLAINTS PROCEDURE



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