

# Student Academic Complaints Policy & Procedures

## 1. Policy Framework:

- a. This policy is informed by the Quality Assurance Agency for Higher Education Code of practice for the assurance of academic quality and standards in higher education Section 5: Academic appeals and student complaints on academic matters - October 2007.
- b. The policy also conforms to the 2012/2013 Middlesex University Regulations, 'Student complaints and grievance procedures' Page 60-63 and Middlesex University Research Degree Regulations, Section F 'Complaints and Grievance Procedures' - Feb 2011

## 2. Definitions

- a. Reference to a student is taken to mean an individual student or groups of students; it includes post graduate and research students registered on London School of Theology programmes.
- b. In the absence (eg vacation, sabbatical or illness) of the person holding a named post in the procedures the person deputising for them during the time of their absence shall substitute. In cases when the complaint involves the nominated deputy, the Academic Vice Principal or member of the Senior Leadership Team shall be consulted and shall determine who shall be responsible for handling the complaint.
- c. The London School of Theology will hear and consider a complaint only if lodged by a student or group of students themselves and will not deal with third parties, even with the permission of the student(s), unless in exceptional circumstances which prevent a student representing themselves.
- d. The student(s) is(are) entitled, however, to be supported in any complaint hearing by another individual.
- e. Legal representation is not allowed at hearing other than in exceptional circumstances and with the express permission of the Chair of the Panel not less than 24 hours prior to the meeting.

## 3. Introduction

- a. These procedures seek to ensure that complaints against the London School of Theology made by students are treated seriously and, if found to be valid, are acted upon to ensure that the students' interests are protected as far as it is possible for the London School of Theology to do so.
- b. Specific procedures exist already for dealing with the following matters. These are:
  - i. Student Academic Appeals: where a student requests a review of a formal decision by the London School of Theology relating to formal academic matters such as; progression, assessment, award, accreditation of prior learning, credit transfer or academic misconduct.

- ii. Non-academic Complaints
- iii. matters which fall within the remit of the London School of Theology's student disciplinary procedures.
- c. The procedures detailed below are designed for all other forms of student academic complaints, which do not fall within one of the above procedures.
- d. It should be noted that these complaints procedures are not designed to deal with problems such as: missing course work; unexplained absence of a lecturer; late return of work; accommodation deficiencies etc, except in so far that such concerns are not resolved through simpler procedures or are persistent.
- e. These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on the London School of Theology to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. These procedures are intended to facilitate the resolution of grievances by the London School of Theology.
- f. Anonymous complaints will not normally be considered.

#### **4. Principles which underpin the Student Academic Complaints Policy and procedures**

- a. As a Confessional Academic Learning community founded on Christian principles, we believe that in the light of the teaching of Jesus in Matthew 18.15-17 the student should first try to resolve the matter face-to-face with the person responsible and only subsequently move through the successive stages of the complaints procedure if the matter is not resolved to his or her satisfaction.
- b. The guiding principles of this policy and procedures are that complaints shall be:
  - i. treated seriously and with fairness;
  - ii. dealt with quickly, simply and at the appropriate level within the London School of Theology as far as is possible;
  - iii. treated consistently across the London School of Theology;
  - iv. subject to the principles of natural justice;
  - v. progressed through two stages – an informal stage and, if necessary, a formal stage;
  - vi. dealt with and resolved wherever possible, at the informal stage; and shall be
  - vii. without prejudice to a student's or group of students' right to pursue further remedies outside the London School of Theology having exhausted the London School of Theology's complaints procedure.

- viii. In order to be considered, any student complaint should normally be submitted within 28 days of the cause of the complaint and must be submitted no more than six calendar months after the event or problem relating to the complaint.

## 5. Informal Stage 1:

- a. Initially
  - i. Students who have a concern or complaint should first consult the individual lecturer, supervisor, personal or group tutor concerned, or if appropriate the Registrar.
  - ii. If this conversation does not produce an acceptable resolution the student should consult their Study Group Academic Representatives or the Student Academic Representative.
  - iii. If this does not produce satisfaction the Student should refer the matter to their Programme Leader, or, in the case of research students, the Director of Research.
- b. Reference to these Academic Complaints Policy & Procedures should only be necessary in exceptional circumstances since most complaints, other than ones related to persistent problems, should be resolved informally.
- c. Assuming it is agreed that the complaint shall be progressed through these general procedures, the member of staff consulted shall discuss the complaint fully with the student and – with the student's consent – anyone else involved, to see if it can be resolved informally. This may involve referral of the complaint to a third party. The outcome of complaints dealt with informally should be briefly documented. Normally, complaints handled through Informal Stage 1 shall be dealt with within, at most, 10 working days, briefly documented, and a copy of the outcome sent to the student and to the Academic Secretary.

## 6. Informal Stage 2:

- a. If the student is dissatisfied with the result of Informal Stage 1, the complaint shall be sent in writing or email to the Academic Secretary.
- b. The Academic Secretary will then pass the complaint to the Academic Vice Principle who will investigate the complaint fully and shall seek to achieve an informal resolution of the problem(s), either by correspondence or through discussion with the complainant as soon as possible.
- c. If the complaint directly involves the Vice Principle Academic it shall proceed directly to the formal stage.
- d. The Vice Principal Academic will briefly document the resolution of the complaint and a copy of the outcome sent to the Academic Secretary, who will communicate the outcome to the student(s) concerned.

- e. If the complaint involves the Academic Secretary then the complaint shall be sent in writing or email to the Academic Vice Principal.

## 7. Formal Stage:

- a. If a student is dissatisfied with the result of the two informal stages, they shall proceed to the formal stage. They shall put the complaint and the reason why they are dissatisfied with the outcome of the two informal stages in writing to the Academic Secretary within 10 working days of the completion of Informal Stage 2.
- b. The Academic Secretary will
  - i. acknowledge receipt of the written complaint within three working days;
  - ii. advise, in writing and within three working days, any member(s) of staff or students involved that a formal complaint has been received;
  - iii. convene an Academic Complaint Panel of three members of the Academic Board, who will consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons they deem appropriate in order to fully investigate the complaint.
  - iv. The Panel will elect from amongst themselves a Chair.
  - v. No member of the Academic Board who is subject to the complaint is eligible to be a member of the panel.
- c. The Academic Complaint Panel, having fully investigated the complaint over a period not normally exceeding 10 working days from its receipt, shall decide whether:
  - i. the complaint should be progressed through other procedures (eg disciplinary procedures or other procedures indicated in section 1.b) in which case the complaint shall be terminated at this stage; or whether
  - ii. there is reasonable justification for the complaint; or whether
  - iii. there is no reasonable justification for the complaint.
- d. The Academic Complaint Panel shall:
  - i. seek to resolve any justifiable complaint through specific and time related recommendations which all parties involved in the complaint shall be invited to accept.
- e. The Academic Secretary will;
  - i. make the decision of the Panel known in writing to the student and to members of staff or other students involved;

- ii. if the recommendations of the panel are agreed, take appropriate steps, in consultation with the Academic Board and the Senior Leadership Team (if appropriate) to ensure that they are implemented in full within the agreed time period.

## 8. Academic Complaint Panels

- a. Academic Complaint Panel shall take place at the London School of Theology at dates and times notified in writing by the Academic Secretary to the student, members of staff and other students concerned at least five working days before the hearing. In the case of a distance education student Skype or other appropriate means of communication may be used at the discretion of the Chair.
- b. The Academic Secretary shall, at the same time as they notify the date of the meeting, indicate the names of any persons that the Panel intends to call to give evidence together with a copy of any statement obtained from those persons which are to be referred to at the hearing.
- c. Students and staff members involved directly in the complaint may be accompanied by an individual of their choosing, If the student or staff member involved intends to be accompanied, the name and address of the accompanying person shall be notified to the Academic Secretary not less than 24 hours prior to the meeting of the Panel. Legal representation is not allowed at a hearing other than in exceptional circumstances at the discretion of the Chair of the Panel.
- d. Student and staff members involved directly in the complaint, and persons accompanying them shall be permitted to question any persons giving evidence to the meeting and to directly address the Student Complaint Panel.
- e. If a student or member of staff wishes to introduce documents to the Panel they shall supply copies of all such documents to the Academic Secretary at least three working days before the date of the hearing. The Academic Secretary shall ensure these papers are circulated as soon as possible to the other party and to all members of the Panel. The Chair of the Panel may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five working days.
- f. The Academic Student Complaint Panel shall meet in private. The Academic Secretary will attend as the secretary to the panel, but does not have a vote.
- g. The Panel shall initially decide and then inform all parties concerned how it will conduct the hearing subject to the procedures being consistent with the principles of these general complaints procedures and of these procedural rules.
- h. The Panel shall establish the exact nature of the complaint, establish the facts as far as it is possible to do so, consider the facts, determine its decision and confirm its decision in writing within five working days to the Academic Secretary who will then communicate to all parties involved in hearing the complaint.

## 9. Appeal

- a. If the student is not satisfied with the decision at the conclusion of the Formal stage or if the recommendations made at this stage are not implemented, they may appeal to the Academic Complaints Appeal Panel.
  - i. In such cases the decision of the Academic Complaints Appeal Panel is final. Should the appellant wish to take the matter further, they must make a formal appeal to Middlesex University within 28 days. [See Section 10 'Middlesex University' below]
  - i. The student shall submit their appeal in writing to the Academic Secretary within 10 working days of receiving the outcome of the Formal Stage.
- b. The Academic Complaint Appeal Panel shall normally involve a Programme Leader as a representative of the Academic Board, a member of the Senior Leadership Team, and a student, all of whom should have no involvement in the complaint. The complainant does not have the right to meet with the Academic Complaint Appeal Panel, however the panel may request the complainant to attend the panel meeting, if the Academic Complaint Appeal Panel decide that this would facilitate the hearing of the appeal.
- c. The Academic Complaint Appeal Panel shall hear the complaint within ten working days.
- d. The decision of the Panel shall be final. If necessary the Chair shall have a casting vote
- e. The Chair of the Panel, who is elected by the Academic Complaint Appeal Panel, shall submit within five working days of the Academic Complaint Appeal Panel meeting a written report to the Academic Secretary.
- f. The Academic Secretary will;
  - i. make the decision of the Academic Complaint Appeal Panel known in writing to the student and to members of staff or other students involved;
  - ii. will ensure that any actions arising from the decision of the Academic Complaint Appeal Panel, are, in consultation with the Academic Board and the Senior Leadership Team (if appropriate) implemented in full within the agreed time period.
  - iii. will report any failure to complete actions to the Academic Vice Principal and the Chief Executive Officer.

## 10. Middlesex University

This section of the London School of Theology's Academic Student Complaints Policy relates to the involvement of Middlesex University within the student academic complaint process, and is taken from the Middlesex University Regulations 2011-2012 'Complaints in relation to collaborative partner institutions' page 63. The London School of Theology is a collaborative partner of Middlesex University.

- a. This procedure relates to complaints received by the University relating in whole or in part to collaborative partner institutions of the University. By collaborative partner institutions is meant Associate Colleges and institutions offering programmes jointly with the University, or franchised or validated by the University. Where complaints relate to partner institutions based in the UK, they shall be referred to the Deputy Vice- Chancellor, Academic.
- b. Such complaints must always be referred to the Deputy Vice-Chancellor, who shall at once inform the collaborative partner institution of the nature and substance of the complaint. The Deputy Vice- Chancellor shall decide whether a complaint has substance, prima facie. In so deciding, they shall have regard to the following considerations:
- c. Where the University receives a complaint or complaints against a collaborative partner institution, it shall at the outset determine which complaints, if any, are within its jurisdiction.
- d. The University shall decline absolutely to deal with any complaint against a collaborative partner institution unless the internal procedures of that institution have been fully exhausted and the procedures of any professional accrediting body have likewise been fully exhausted.
- e. The University shall decline absolutely to deal with any complaint against a collaborative partner institution if legal proceedings have been commenced in relation to that complaint, and shall continue to so decline until legal proceedings have been fully ended.
- f. Anonymous complaints or grievances will not normally be considered.
- g. Where a complaint is deemed by the Deputy Vice-Chancellor to have substance prima facie, the complaint shall be referred to a panel chaired by the Director of the Centre for Learning and Teaching Enhancement and whose other members shall be an internal expert (preferably of professorial status) and an external expert, the panel aided by a secretary and, if deemed necessary by the chair, a legal assessor.
- h. The panel shall report its findings as quickly as practicable to the Deputy Vice-Chancellor, copies of its report being sent simultaneously to the complainant and the collaborative partner institution.
- i. The Deputy Vice-Chancellor shall consider the report, and any representations made to him/ her by either the complainant or the collaborative partner institution, and shall forward his/her conclusions to the Vice- Chancellor, together with a summary of the complaints in respect of which the panel was established.

- j. The Vice-Chancellor shall reach a determination in relation to the matters, which formed the substance of the complaint, and shall inform either the Board of Governors or the Academic Board, as they deem appropriate; the Vice-Chancellor shall at the same time inform the complainant and the partner institution of the outcome.
- k. There shall be no grounds of appeal against the determination of the Vice-Chancellor.
- l. The Deputy Vice-Chancellor and the Director of the Centre for Learning and Teaching Enhancement shall have the joint discretion to require a complainant to lodge with the University a sum of money which is liable to forfeit in whole or in part should the complaint, once investigated, be deemed to be frivolous, vexatious, malicious and/or without substance.
- m. Where the internal procedures of the partner institution and the University have been completed, and where the complaint relates to provision which is under the control of the University, or where the partner institution is a UK Higher Education establishment, the student may refer the complaint to the Office of the Independent Adjudicator, within 3 months of the date of the "completion of procedures letter" issued to the student by the University. The student should write to the OIA, Third floor, Kings Reach, 38-50 Kings Road, Reading, RG1 3AA, United Kingdom. They should enclose a copy of the final decision of the University and state the reasons for seeking redress from the Higher Education Independent Adjudicator. Email enquiries may be sent to [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk).