

London School of Theology (LST)

Student Academic Complaint Policy and Procedure Undergraduate, Postgraduate Taught and Research Programmes

Group Responsible for policy and process review:	Academic Board
Executive Team member responsible:	Academic Secretary / Director of Academic Support
Date last approved:	January 2021
Date of this approval:	September 2022
Ongoing review:	Every 36 months
Review consultation:	Executive Team and Academic Board
Date of next review:	September 2025

Policy Framework

1. This policy is informed by the UK Quality Code for Higher Education, Advice and Guidance, Concerns, Complaints and Appeals.¹
2. The policy and procedure is informed by Middlesex University Regulations:
 - a. Student Complaints and Grievance Procedures, 2021/22, including Appendix A – ‘Handling of complaints for courses delivered by a Collaborative Partner’.²

Definitions

3. Reference to a student is taken to mean an individual student or groups of students; it includes post-graduate and research students registered on LST programmes.
4. In the absence (e.g. vacation, sabbatical or illness) of the person holding a named post in this policy and procedure the person deputising for them during the time of their absence shall substitute. In cases when the complaint involves the nominated deputy, a member of the Executive Team shall be consulted and shall determine who shall be responsible for handling the complaint. A person holding a named post herein may delegate a nominee to act in their stead.
5. LST 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 (selves).
6. The student(s) is(are) entitled, however, to be supported in any complaint hearing by another individual.
7. Legal representation is not allowed at a 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.
8. A frivolous or vexatious complaint is one regarded by LST as having no serious purpose or is intended to cause disruption or annoyance.

Introduction

9. LST is committed to providing a high-quality experience for each student and encourages students to inform it where there is any cause for concern. Therefore, LST’s Student Academic Complaint Policy and Procedure exists to enable students to make complaints about such matters.
10. This policy and procedure seeks to ensure that complaints against LST made by students are treated seriously and, if found to be valid, are acted upon to ensure that students’ interests are protected as far as it is possible for LST to do so.

¹ https://www.qaa.ac.uk/docs/qaa/quality-code/qc-a-g-concerns-complaint-appeals.pdf?sfvrsn=7929c181_4, [accessed 01.04.2022].

² https://www.mdx.ac.uk/_data/assets/pdf_file/0016/623410/Student-Complaints-and-Grievance-Procedure.pdf. [accessed 22.08.2022].

11. Specific procedures exist already for dealing with the following matters. These are:
 - a. Student Academic Appeals: where a student requests a review of a formal decision by LST relating to formal academic matters such as progression, assessment, award, accreditation of prior learning, credit transfer or academic misconduct.
 - b. Non-academic Complaints.
 - c. Matters which fall within the remit of LST's student disciplinary procedures.
 - d. Complaints relating to a case of alleged academic misconduct by the complainant.
 - e. Matters relating to Fitness for Practice where there is an existing relevant fitness for practice procedure.
 - f. Complaints against LST Student Committee.
 - g. Complaints made by potential students who have gone through the admissions process but are not enrolled students as yet.
12. The procedures detailed below are designed for all other forms of student academic complaints, which do not fall within one of the above procedures.
13. It should be noted that this complaint policy and procedure is 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.
14. LST reserves the right to reclassify a complaint as an academic appeal or vice versa, if the submission is deemed to have been made to the incorrect procedure, or the submission falls properly within the remit of one procedure rather than the other. The outcome of a Student Academic Appeal cannot be made the subject of a complaint except where there is possible material error in arriving at the decision.
15. This complaint policy and procedure and any decisions made under it are not intended to give rise to legal rights, or obligations on LST to pay compensation either in respect of a decision made pursuant to the procedure or for a breach of this policy and procedure. This policy and procedure is intended to facilitate the resolution of grievances by LST.
16. Anonymous or vexatious complaints will not normally be considered and the final decision regarding a matter raised under this policy and procedure, or any of the associated procedures, shall be considered to be the final decision of LST. There is no right to further consideration of the same matter under a different associated policy.
17. A student will not be treated less favourably by LST or suffer any detrimental or disadvantage if a complaint is made in good faith, regardless of whether the complainant is successful. Likewise, any employee of LST will not be treated less favourably by LST than if the complaint had not been brought. If, however, the complaint against an employee is upheld, that employee may be subject to disciplinary proceedings.

Principles which underpin this policy and procedure

18. 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 this policy and procedure if the matter is not resolved to their satisfaction.
19. The guiding principles of this policy and procedure are that complaints shall be:
 - a. Treated seriously and with fairness.
 - b. Dealt with quickly, simply and at the appropriate level within LST as far as is possible.
 - c. Treated consistently across LST.
 - d. Subject to the principles of natural justice.
 - e. Progressed through two stages – an informal stage and, if necessary, a formal stage.
 - f. Dealt with and resolved wherever possible, at the informal stage.
 - g. Without prejudice to a student's or group of students' right to pursue further remedies outside LST having exhausted LST's complaints procedure.
 - h. A student who is, or was recently a registered student, or a group of students wishing to complain should normally do so within 3 months of the event which has given rise to the complaint or, if a series of events has given rise to a complaint, within three months of the final event in the series.
 - i. A member of the Executive Team has the discretion to extend any timescales stated in this policy and procedure taking into consideration any circumstances that justifies an extension.
 - j. This procedure refers to working days throughout the document; these are defined as Monday to Friday

all year round, excluding public holidays and closure days.

Informal Stage 1

20. Initially:
 - a. Students who have a concern or complaint should first consult the individual lecturer, supervisor, personal or group tutor concerned, or if appropriate the Registrar.
 - b. If this conversation does not produce an acceptable resolution the student should consult their Study Group Academic Representatives or the Student Academic Representative.
 - c. 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.
21. Reference to the Student Academic Complaint Policy and Procedure should only be necessary in exceptional circumstances since most complaints, other than ones related to persistent problems, should be resolved informally.
22. 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, Director of Academic Support (ASDAS).

Informal Stage 2

23. If the student is dissatisfied with the result of Informal Stage 1, the complaint shall be sent in writing or email to the ASDAS. If the complaint is against the ASDAS then the complaint shall be sent in writing to the Principal.
24. Within 10 working days, the ASDAS, or the Principal if the complaint is against the ASDAS, will pass the complaint to the Academic Dean 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. The Academic Dean will seek to complete the investigation within 10 working days of receipt of the complaint from the ASDAS. If the complaint directly involves the Academic Dean it shall proceed directly to the formal stage.
25. The Academic Dean will briefly document the resolution of the complaint and a copy of the outcome will be sent to the ASDAS, or the Principal if the complaint is against the ASDAS, who will communicate the outcome to the student(s) concerned.

Formal Stage

26. 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 ASDAS within 10 working days of the completion of Informal Stage 2.
27. The ASDAS will:
 - a. Acknowledge receipt of the written complaint within 3 working days.
 - b. Advise, in writing and within 3 further working days, any member(s) of staff or students involved that a formal complaint has been received.
 - c. Convene an Student Academic Complaint Panel of 3 members of the Academic Board (including the ASDAS), 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. The Student Academic Complaint Panel will elect from amongst themselves a Chair. No member of the Academic Board who is subject to the complaint is eligible to be a member of the Student Academic Complaint Panel.
28. The Student Academic Complaint Panel, having fully investigated the complaint over a period not normally exceeding 10 working days from its inception, shall decide whether:
 - a. The complaint should be progressed through other procedures (e.g. disciplinary procedures or other procedures indicated in section 1.b) in which case the complaint shall be terminated at this stage; or whether
 - b. There is reasonable justification for the complaint; or whether
 - c. There is no reasonable justification for the complaint.

29. The Student Academic Complaint Panel shall seek to resolve any justifiable complaint through specific and time related recommendations which all parties involved in the complaint shall be invited to accept.
30. The ASDAS will:
 - a. Make the decision of the Student Academic Complaint Panel known in writing to the student and to members of staff or other students involved.
 - b. If the recommendations of the Student Academic Complaint Panel are agreed, take appropriate steps, in consultation with the Academic Board and the Executive Team (if appropriate) to ensure that they are implemented in full within the agreed time period.

Academic Complaint Panels

31. The Student Academic Complaint Panel shall take place at LST at dates and times notified in writing by the ASDAS to the student, members of staff and other students concerned at least 5 working days before the hearing. In all cases, at the discretion of the Chair, the Student Academic Complaint Panel may take place on Skype, Zoom or other appropriate means of communication.
32. The ASDAS shall, at the same time as they notify the date of the meeting, indicate the names of any persons that the Academic Complaint 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.
33. 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 ASDAS not less than 24 hours prior to the meeting of the Academic Complaint Panel. Legal representation is not allowed at a hearing other than in exceptional circumstances at the discretion of the Chair of the Panel.
34. 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 Academic Complaint Panel.
35. If a student or member of staff wishes to introduce documents to the Academic Complaint Panel they shall supply copies of all such documents to the ASDAS at least three working days before the date of the hearing. The ASDAS shall ensure these papers are circulated as soon as possible to the other party and to all members of the Academic Complaint Panel. The Chair of the Academic Complaint Panel may decide to give time to examine the documents by adjourning or delaying the meeting of the Academic Complaint Panel for a period of up to 5 working days.
36. The Student Academic Complaint Panel shall meet in private.
37. The Student Academic Complaint 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 this policy and procedure.
38. The Student Academic Complaint 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 5 working days to the ASDAS who will then communicate to all parties involved in hearing the complaint.

Appeal

39. 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 Student Academic Complaint Appeal Panel.
40. The student shall submit their appeal in writing to the ASDAS within 10 working days of receiving the outcome of the Formal Stage. The Student Academic Complaint Appeal Panel shall normally involve a Programme Leader as a representative of the Academic Board, a member of the Executive 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 Student Academic Complaint Appeal Panel, however the panel may request the complainant to attend the meeting, if the Student Academic Complaint Appeal Panel decide that this would facilitate the hearing of the appeal. The student member of the Student Academic Complaint Appeal Panel is permitted to ask questions and contribute to discussions but is not permitted to vote.

41. The Student Academic Complaint Appeal Panel shall hear the complaint within 10 working days. The decision of the Student Academic Complaint Appeal Panel shall be final. If necessary, the Chair shall have a casting vote. The Chair of the Student Academic Complaint Appeal Panel, who is elected by the Student Academic Complaint Appeal Panel, shall submit within 5 working days of the Student Academic Complaint Appeal Panel meeting a written report to the ASDAS.
42. The ASDAS will:
 - a. Make the decision of the Student Academic Complaint Appeal Panel known in writing to the student and to members of staff or other students involved.
 - b. Ensure that any actions arising from the decision of the Student Academic Complaint Appeal Panel, are, in consultation with the Academic Board and the Executive Team (if appropriate) implemented in full within the agreed time period.
 - c. Report any failure to complete actions to the Academic Dean and Principal.

Middlesex University

43. LST is a Collaborative Partner of Middlesex University. Therefore, should a student be dissatisfied with the manner in which a Student Academic Complaint has been handled or is dissatisfied with the outcome of a Student Academic Complaint Appeal Panel then, in the case of academic matters that have a detrimental impact on academic matters, the student may be able to pursue a University Level Review in respect of the outcome of the Student Academic Complaint Appeal Panel. Middlesex University will only accept a University Level Review if the complaint relates to or impacts on academic matters and if the student's complaint demonstrates that:
 - a. There has been a procedural irregularity in the investigation of a complaint regarding a matter related to their academic performance carried out by LST.
 - b. New information has come to light, which the student was unable to disclose previously and which would have had a material impact upon the investigation previously undertaken.
 - c. The decision reached was unreasonable based on the information that had been available to Middlesex University when the case was considered.
44. To request a University Level Review, the student is required to submit the following to the Director of Student Affairs within 20 working days of receiving written confirmation of the final outcome of LST's Student Academic Complaint Appeal Panel:
 - a. The CPULR (Collaborative Partner University Review) Form (available on the Middlesex University website).
 - b. The final stage outcome of the investigation from LST.
 - c. Any other supporting documentation.
45. The receipt of the CPULR form will normally be acknowledged within five working days, and LST informed of the nature and substance of the complaint.
46. The CPULR form will be reviewed by the Director of Student Affairs or nominee. The University Level Review will consider whether (a) there has been a procedural irregularity in the investigation of the complaint by LST or (b) any new evidence has come to light which would have had a material impact on the investigation (see 74 above). Discussions may be held with the student and / or subject of the complaint, and with members of staff involved in LST's investigation process.
47. Where possible, reviews should normally take no more than 20 working days from the date that a student is notified that a designated Senior Manager is in place to handle the review. The Senior Manager undertaking the review will establish appropriate timescales based on the nature and complexity of the case. These timescales should be communicated, and the student kept informed of any changes.
48. The designated Senior Manager will inform the collaborative partner of the proposed outcome of their investigation and give the collaborative partner the opportunity to comment. The Completion of Procedure Letter will then be communicated to the student and the collaborative partner normally within 20 working days. Following this, any student who is dissatisfied with the final decision may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at www.oiahe.org.uk.

49. A student should understand that a University Level Review is not a reopening of the original complaint. Dissatisfaction with the outcome of the Student Academic Complaint Appeal Panel is not alone a valid reason for requesting a review.