



LONDON SOUTH BANK STUDENTS' UNION

ADVICE SERVICE

GUIDE TO COMPLAINTS

Making a Complaint

The University accepts that, inevitably, occasions arise when students will complain and that it is essential that all complaints are dealt with fairly, proportionately and in a timely way.

If you are unhappy with an aspect of your course or have had a bad experience with another part of the University, you may want to consider making a complaint. The University has a Complaints Procedure that sets out the stages of a complaint, as well as the rights and responsibilities of both staff and students during the process.

If you have an issue that you think you want to complain about, please seek advice as early as possible. The Students' Union Advice Service is here to help!

What is a Complaint?

The University define a complaint as *"the expression of dissatisfaction about the University's action, inaction or standards of service which have been provided by or on behalf of the University, on or off campus, which the student(s) have not been able to resolve through informal processes"*. This can include things like:

- Failing to provide the service promised in the course handbook, student handbook or student charter.
- Misleading or incorrect information in prospectuses, promotional material or other University information.
- Concerns about the delivery of a programme, teaching or administration of a course.
- Poor quality facilities, resources or services provided by the University.
- Issues with contractors providing a service to students on the University campuses.

There are also situations that the University will not consider under the complaints procedure. These are:

- Disagreement with an admissions decision (see the Applicant Complaint and Appeals of Admission Decision Procedure)
- Concerns about decisions made by an academic body regarding student progression, academic assessments and awards (see the University's Appeals Procedure)
- When a student is unhappy with the outcome of an Academic Misconduct process
- Issues such as bullying or harassment by a student or staff member that should be dealt with under the Student Disciplinary Procedure (for students) or the Equality Diversity and Inclusion Policy (for staff)
- Complaints about the role of representatives of the Students' Union
- Matters relating to the Student Loans Company, which has its own complaint procedures
- Concerns about decisions made under other regulations, such as the Fitness to Practice Procedure or Student Disciplinary Procedure
- Confidential whistleblowing issues that should be dealt with via the Speak Up Policy

- Employment matters for any student who is also a member of staff at the University, which would be dealt with by the appropriate HR policy

If a complaint involves multiple issues that do not all fit within the definition of a complaint, the matters may be considered together with the written agreement of those involved. Depending on the individual circumstances, the University may suspend 1 procedure while it resolves another, or may elect not to pursue a procedure in favour of another resolution.

Who can make a Complaint?

The Complaints Procedure can be used by anyone who is or was an enrolled and registered student at LSBU. This also includes people who have been accepted to study at the University and those who are on interruption. Whether you are a current or former student, you must submit your complaint as soon as possible and, in any event, you must make it no later than three months after the event occurs.

If an issue affects a number of students, you can make a 'group complaint'. In this situation, the University will ask for 1 student to be nominated as a group representative who they would liaise with. Each member of the group must provide written consent for the representative to deal with the issue on their behalf and evidence of how they were affected by the matter.

You can also bring a complaint through a third party, such as a Students' Union representative. Again, you would need to give the representative written authority to act on your behalf.

Normally anonymous complaints will not be considered. However, if the University accept that there is a compelling case supported by evidence, they may investigate a matter reported anonymously.

The Complaint's Process

The University's Complaints Procedure is made up of 3 stages:

Stage 1: Informal Resolution

The University encourages students to try to resolve issues informally and as early as possible. They suggest talking to a member of staff, your personal tutor or your Course Director as a first step.

If you do not wish to approach staff directly, you can access the University's conciliation services through the Student Advisors at the Student Life Centre. Conciliators are members of academic staff with time designated to meet with students and go through their concerns. They will liaise with the relevant departments on your behalf, so you do not necessarily need to meet with a conciliator from your School to resolve your issue.

The University will normally provide a response to you within 10 working days. If you are unhappy at the end of Stage 1, or it is clear to the University that the matter needs to be considered formally, you will be directed to the Complaint Form and will progress to Stage 2.

Stage 2: Formal Complaint

Stage 2 is for issues that have not been resolved at Stage 1 or are complex and need detailed investigation.

To have your complaint considered at Stage 2, you must submit a Student Complaint Form with copies of all information or evidence you want the University to consider. The University recommend you try to be as clear and succinct as possible in your account. The complaint form must be submitted within 1 month of Stage 1 concluding. It should be sent to student.complaints@lsbu.ac.uk and you should include your full name and student number in the subject line of your email.

This stage is managed by the University's Student Complaints Officer, although they may collaborate with staff from your department or school who were not involved in Stage 1. It may also include mediation or conciliation if it is appropriate.

Before investigating the complaint, the Student Complaints Officer will first assess if the complaint is eligible for consideration under this procedure. If it is not, you will be notified in writing. If it is, the Student Complaints Officer will investigate your issue, which can include interviewing you or any witnesses as well as reviewing the evidence you provide.

If your complaint is complex, the Student Complaints Officer may refer it to be considered by a Panel. The staff on the Panel should have had no previous dealings with your complaint. You would be given notice of the hearing and would be invited to attend. You are also entitled to submit further evidence and call witnesses to the hearing (as long as this information is submitted no later than 3 working days before the hearing). You can take a companion to the Panel hearing, who can be an advisor from the Students' Union or a fellow student.

This stage should be completed within 1 month of the University receiving your complaint form, when you would be issued with a decision letter or complaint report. If you are unhappy at the end of Stage 2, you can progress to Stage 3.

Stage 3: Complaint Review

Stage 3 is when a student can take their complaint to a higher body within LSBU for a review of the process of the formal complaint. If you want to continue to Stage 3, you must make the request to do so within 1 month of Stage 2 concluding by submitting a request to student.complaints@lsbu.ac.uk under the heading 'Stage 3 Review Request'. You will need to include your full name and student number in the subject line of your email.

Requests for review are granted on the following grounds:

- There was a **procedural irregularity** at the formal stage (for example, the University failed to follow the complaints procedure at Stage 2, clear reasons were not provided for the decision at Stage 2 or there is evidence of bias);
- The Stage 2 outcome was not **reasonable** in all the circumstances
- There is **new material evidence** which you were unable, for valid reasons, to provide earlier in the process;
- Your complaint is about a **partner institution** in relation to quality of learning opportunities provided and you have completed the procedures there;
- Your complaint is about **student accommodation** and you have exhausted the University's Halls of Residence complaints procedure.

Again, you are encouraged to set out your concerns as succinctly as possible, clearly explaining how your Stage 2 outcome falls within the grounds for review. A member of the complaints team (who has not previously dealt with your case) will consider this.

If they are not satisfied that you meet the grounds for review, you will receive a Completion of Procedures letter within 28 days of that decision. If your matter does meet the grounds for review, it will be allocated to a Reviewer (a senior member of staff with no previous knowledge of your case). They will review all of the evidence in your case and decide whether the Stage 2 outcome stands or they will make a different finding that overturns the previous decision. If the decision is in your favour, you will receive an outcome letter within 28 days of the decision. If it is not favourable to you, you will receive a Completion of Procedures letter within 28 days of the decision.

If you are unhappy with the outcome, you could take the matter to the OIA (Office of the Independent Adjudicator) for further review within 12 months of the date of your Completion of Procedures letter.

FAQs

I am a bit worried about making a complaint in case it affects the rest of my studies, can this happen?

No, the University promises that no student will be disadvantaged in any way because they have used the complaints procedure. It is your right to make a complaint and you should not experience different treatment by anyone in the University because of it.

My complaint isn't about a member of staff, it's about my course. Is this covered by the complaints procedure?

Yes, the complaints procedure includes concerns about the delivery of a programme, as well as poor quality facilities and learning resources.

My complaint is about a partner institution not LSBU specifically; can I still use the complaints procedure?

In situations where the University is working with a partner (for example a placement provider or another education institution such as a College) information given to both staff and students at the start of the course should make clear whether the partner's complaints procedures apply and how students can access those procedures. You should check your course guide for details of how to make a complaint.

Are there any circumstances when the University will not investigate a complaint?

There are certain circumstances that will not be considered under this procedure because the University has other policies that will better address the problem. The University can terminate consideration of a complaint if it considers it to be frivolous or vexatious. In such instances the University will write to the student to explain why it is terminating consideration of the matter. Where it is found that a student has raised a frivolous or vexatious complaint or used false information, the University will consider referring you for disciplinary action if necessary.

What is expected of me when I make a complaint?

The University expect any student to act professionally, reasonably and fairly throughout the process. They do not expect students to be abusive or aggressive – if this does happen action may be taken against you under the Disciplinary Procedure. You are also expected to maintain confidentiality and avoid publishing any correspondence about the complaint (including on social media).

What sort of things should I include in my Stage 1 complaint?

The University suggest you should include information answering the following key questions:

- What specifically is the concern about, and which area(s) of the University is/are involved?
- What outcome is hoped for and can it be achieved?
- Is the concern straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology/explanation/alternative solution?
- Can someone else assist in seeking informal resolution, for example where an informal administrative resolution is required?
- What assistance or support is needed in taking this forward?

How long does a complaint take?

The University aim to complete all internal processes within 90 calendar days of the complaint being submitted at Stage 2. However, this does require you to engage with the process, meet any deadlines for submission of information and attend any meetings scheduled.