

## Student Complaints Policy and Procedure

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- 1 Introduction**
- 1.1 The College of Legal Practice (the College) seeks to enhance the careers of legal professionals through the delivery of innovative, practice-focused legal education and training. It recognises however that there may be occasions where the level of service provided falls short of the standard that might reasonably be expected and that this in turn may lead to a student or group of students being dissatisfied.
- 1.2 In circumstances where the level of service falls below the standard that might reasonably be expected, students are entitled to make their concerns known and, if this does not resolve the matter, pursue a formal complaint. Students are entitled to express concerns and bring complaints without fear of reprisal or victimisation and the College will deal with complaints fairly, seriously and, where appropriate, in confidence. The College will not normally accept anonymous complaints because this will impact on its ability to conduct a fair and thorough investigation.
- 1.3 No student will be prejudiced as a result of submitting a genuine complaint. Where there is evidence that a complaint is frivolous or vexatious in nature the College reserves the right to refuse to hear the complaint.
- 1.4 This procedure sets out the responsibilities of both students and the College where a student or group of students wishes to pursue a complaint. Students are reminded that advice on this policy can be sought from the Student Services Team (email: [studentsupport@collegalpractice.com](mailto:studentsupport@collegalpractice.com)) who will also be able to support and guide students through this process.
- 1.5 The College reserves the right to vary the complaints procedure in the interests of fairness, where it is necessary to do so on the grounds of health and safety or where it needs to make reasonable adjustments under relevant equality legislation.

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**2 Definitions  
and Scope**

- 2.1 For the purpose of this policy, the College has adopted the definition of a complaint as provided by the Office of the Independent Adjudicator in *The good practice framework*:
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*handling student complaints and academic appeals* (Office of the Independent Adjudicator, 2022), specifically:

“an expression of dissatisfaction by one or more students about something a provider has done or not done, or about the standard of service provided by or on behalf of the provider”

- 2.2 As such, examples of complaints which would fall within the parameters of this policy include, among others:
- 2.2.1 Failure by the College to meet obligations including those outlined in programme documentation;
  - 2.2.2 Misleading or incorrect information in prospectuses or promotional material or other information provided by the College;
  - 2.2.3 Concerns about the delivery of a programme, including teaching, administration or supervision;
  - 2.2.4 Poor quality of facilities, learning resources or services provided by the College;
  - 2.2.5 Events causing significant disruption to the normal delivery of a programme, service or other aspect of the student experience, such as industrial action or a public health emergency;
  - 2.2.6 Concerns about policies or procedures relating to financial or welfare support;
- 2.3 Matters relating to the decision of an Assessment or Progression and Awards Panel, dissatisfaction with the outcome of an academic misconduct or disciplinary process, a decision made under other specific regulations are examples of matters where the Student Complaints Procedure is not normally the correct route.
- 2.4 A student complaint will usually be about something that has a direct impact on the person making the complaint. Where a student has a more general concern about the policies or actions of the College, this should be directed to a Student Representative who will bring this for discussion at the Staff Student Liaison Committee.
- 2.5 Students are reminded there is no ground for complaint or appeal on a matter of ‘academic judgment’. The Office of the Independent Adjudicator states that academic judgment is not any judgment made by an academic, but is a judgment that is made about a matter where only the

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opinion of an academic expert will suffice. Examples of matters of academic judgment include judgments about assessment, professional suitability, research methodology and the learning outcomes of a particular course and how to teach these.

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### **3 Informal Stage**

- 3.1 Students are encouraged to make use of the local channels that exist for raising concerns, including through your supervisor, student representatives and administrative staff. The Student Services Team are well-placed to advise on the relevant person to speak with if you are unsure.
  - 3.2 Where the local channels of seeking to resolve a concern informally do not sufficiently respond to the concern, students should first complain informally to the member of staff most closely aligned to the root of the concern to seek an early resolution. This may be a Module or Programme Leader or a Supervisor. It is expected that most concerns can be resolved relatively easily and informally at an early stage and the College encourages all parties to seek to reach a mutually agreeable outcome at this informal stage.
  - 3.3 Concerns should be raised as soon as possible after the incident being complained about arises. Informal complaints which are raised three months or more after the incident occurred will normally be deemed to be out of time and will not be considered unless the student provides a good reason, supported by evidence, for the delay. The College will determine what constitutes a good reason for the purposes of this paragraph.
  - 3.4 It is recognised that on occasions exceptional circumstances may exist meaning that a student feels unable to contact the most relevant member of staff about their concern. In these circumstances, students are encouraged to speak with the Student Services Team whose role is to assist the student in seeking a resolution to their complaint.
  - 3.5 If the concern is not satisfactorily resolved through these discussions, and to continue with this Procedure, students should submit a Formal Complaint to the Student Services Team.
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## 4 Formal Stage

- 4.1 A student who wishes to proceed to a Formal Complaint will need to email the Student Services Team with details of their complaint and how they have sought to resolve the complaint through the Informal Stage. The formal notification should be received within three months of the incident occurring in order for the matter to be considered. The Student Services Manager will be a student's point of contact throughout this process.
- 4.2 On receipt of the formal complaint, the Student Services Manager will advise whether the complaint will be considered. Acknowledgement of receipt of the complaint will be sent to the student within five working days.
- 4.3 The Student Services Manager may refuse to consider the formal complaint:
  - 4.3.1 Where the Formal Stage Complaint is brought later than three months after the incident in question and the student(s) has not provided a compelling reason, supported by evidence, as to why the claim should be exceptionally heard outside this timeframe;
  - 4.3.2 Where the student(s) has not exhausted informal routes of resolution outlined in Informal Stage;
  - 4.3.3 Where there is evidence that the claim is overly spurious, frivolous or vexatious in nature.
- 4.4 Where the Student Services Manager is satisfied that the Formal Complaint can be considered they will gather such evidence as they deems appropriate (including reviewing documentation, correspondence and relevant policies and procedures and, where necessary, interviewing individuals who, in the opinion of the Student Services Manager, will be able to facilitate the finding of fact) and come to a view as to whether the complaint should be upheld or rejected.
- 4.5 In exceptional circumstances, it may be necessary to appoint an alternative person to consider the complaint. This person will normally be an individual within the institution with sufficient seniority and impartiality to investigate the matter in a fair and transparent manner.
- 4.6 Complaints will not normally be accepted from third parties (such as relatives or solicitors).

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- 4.7 Where the decision is to refuse for the complaint to be heard under Paragraph 4.3, the student will be given details of the Review Process.
- 4.8 Where a complaint is upheld following completion of the investigation under Paragraph 4.4, the Student Services Manager will determine whether a remedy is appropriate and, if so, the nature of such a remedy. The formal written outcome letter along with details of any remedy (if applicable) needs to be provided to the student(s) by the Registrar within 60 days of the date of the letter of acknowledgement. If the investigation cannot be concluded within 60 days, the student will be informed of the progress of the investigation along with a revised date for formal written response. The formal letter should outline the reasons for the decision reached along with guidance on how a student can appeal against the decision and the grounds on which they can do so.
- 4.9 A Formal Stage complaint is concluded when the formal written outcome letter is sent to the student.
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## **5 Review Process**

- 5.1 Students who are dissatisfied with the outcome of the Formal Stage Complaint Procedure may request a review of the outcome on one or more of the following grounds:
- 5.1.1 There has been a material procedural irregularity or clear breach of due process which has demonstrably affected the outcome of the Formal Complaint;
- 5.1.2 The outcome at Formal Complaint is unreasonable given the facts of the case;
- 5.1.3 There is material new evidence which the student was unable – for valid and evidenced reasons – to provide when the Formal Complaint was made and which would have materially affected the outcome of the complaint.
- 5.2 This review stage will not normally consider issues afresh or involve a new investigation. A complaint must have been considered and concluded at the formal stage before it can be escalated to this review stage.
- 5.3 A student who wishes trigger the Review Process must do so within 14 days of the date of the formal written outcome letter by emailing the Registrar (Email:dstyran-furness@collegalpractice.com). The request for a Review
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- must identify the ground(s) for review and provide a clear explanation of why the ground for review applies and the evidence in support.
- 5.4 An application under the Review Process will normally be dismissed and not considered if it is not submitted within 14 days of the date of the formal written outcome letter. An application for a review submitted outside this timeframe will only be considered where the student provides a good reason, supported by evidence, for the delay. The College will determine what constitutes a good reason for the purposes of this paragraph.
- 5.5 On receipt of a valid request for review under this Stage, the Registrar will acknowledge receipt of the review within 5 days and forward the relevant documentation to the College's Chief Operations Director (or nominee) who will consider the Review.
- 5.6 The review and notification of the outcome of the review to the student(s) will normally be completed within 14 days of submission of the review request.
- 5.7 The review process will determine whether the ground(s) for review have been established and whether any action needs to be taken by the College. The action that could be taken includes:
- 5.7.1 Upholding the earlier decision and maintaining any remedy offered.
- 5.7.2 Upholding the earlier decision and varying any remedy offered.
- 5.7.3 Overturning the earlier decision and substituting a new decision and/or remedy.
- 5.7.4 Overturning the earlier decision and referring the complaint back to the Student Services Manager for further investigation, following which a new decision and/or remedy may be substituted.
- 5.8 The notification of outcome to the student(s) concludes the Review Process and is the final stage of the complaints procedure available within the College. As such, a Completion of Procedures Letter will be issued at this point. The Completion of Procedures Letter will confirm that the College's internal complaints procedure has been exhausted.
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## 6 External Review – Office of the Independent Adjudicator for Higher Education

- 6.1 The College subscribes to the independent scheme for the review of student complaints. If a student is dissatisfied with the outcome of their complaint they may be able to apply for a review of the complaint to the Office of the Independent Adjudicator for Higher Education (OIA) providing the complaint is eligible under its rules. Details about the OIA can be found on their website: <https://www.oiahe.org.uk/> and the Student Services Manager is able to provide advice if required.
- 6.2 To apply to the OIA, a student will require a Completion of Procedures Letter to show that internal complaint procedures have been exhausted. This letter will be automatically provided to students at the conclusion of the Review Process.
- 6.3 Further guidance about submitting a complaint to the OIA is available at their website: <https://www.oiahe.org.uk/students/how-to-complain-to-us/>.

## 7 Reporting

- 7.1 The UK Quality Code for Higher Education has listed as a core practice that all institutions should have fair and transparent procedures for handling complaints and appeals which are accessible to all students. In addition, institutions should be in a position to learn from the outcomes of concerns, complaints and appeals to improve the overall student experience. In pursuit of this objective, the Programme Committee and Board of the College will receive an annual report concerning the operation of this policy and any recommendations for future enhancements.

## 8 References

Office of the Independent Adjudicator, 2022. *Good Practice Framework: Handling Complaints and Academic Appeals*. [Online]  
Available at: <https://www.oiahe.org.uk/media/2757/good-practice-framework-handling-complaints-and-academic-appeals.pdf>  
[Accessed 05 June 2023].