



Student Complaints Procedure

1. Introduction – What is a complaint?

A complaint is an expression of dissatisfaction by one or more students about the Institute's action, inaction or standards of service which have been provided by or on behalf of the Institute, which the student(s) have not been able to resolve through informal processes.

The following are not normally dealt with as complaints under this procedure:

- a) A concern about a decision made by an academic body regarding student progression, academic assessment and awards;
- b) Dissatisfaction about the outcome of an academic misconduct process;
- c) A concern about bullying or harassment by a staff member or student, which would fall within the Equality Diversity and Inclusion Policy (for staff) or the Student Disciplinary Procedure (for students);
- d) Matters relating to the Student Loans Company, which has its own complaint procedures;
- e) A confidential, whistleblowing issue which would fall within the Speak Up Policy; and
- f) Employment matters for any student who is also a member of staff at the Institute which would fall within the appropriate HR policy.

Where a complaint involves multiple issues, which do not fall neatly into the category of complaint (e.g. because it also covers issues that fall within the remit of academic appeals or other procedures), with written agreement of all parties, the matters may be considered together. Depending on the individual circumstances of each incident, the Institute reserves the right to either suspend one procedure pending the outcome of the other, or decide not to pursue a procedure in favour of the other.

2. Scope – who can use this procedure?

This procedure applies to you if you are:

- a) A current student or member registered and/or enrolled at the Institute of Clinical Science and Technology and its awarding body;
- b) A student on interruption; or
- c) A past student and were enrolled at the Institute at the time of the events giving rise to the complaint (subject to the time limits set out below)

3. Who is responsible for this procedure?

The Director of Student Services has overall responsibility for the procedure but may delegate day-to-day responsibility for overseeing its implementation to the Student Complaints Officer. All relevant members of staff have been made aware of the procedure and have received appropriate training.

4. When can you make a complaint?

- a) You may make a complaint about an issue or event(s) which occur(s) while you are enrolled as a student or member at the Institute and/or its awarding body. You do not need to be still enrolled when you make your complaint provided the issue or event about which you wish to complain occurred while you were an enrolled student. 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.
- b) If your complaint consists of a series of connected events, the time limit will start running from the most recent event. However, you should raise any concerns as soon as possible to enable us to investigate them effectively.
- c) Complaints submitted outside of the prescribed time limits are difficult to investigate, given the passage of time. Complaints submitted outside of those time limits therefore will not be considered unless you can show good cause i.e. that that you have been prevented from submitting your complaint because of exceptional circumstances and provide relevant evidence in support.
- d) An example of such circumstances may be: a serious illness, a disability (provided the disability affected your ability to submit a complaint) undergoing a gender reassignment procedure at the relevant time, bereavement or childbirth. A busy lifestyle will not, however, be considered as an exceptional circumstance.



- e) You must state reasons for the delay in submitting the complaint and provide supporting evidence to extend the time limit to bring a complaint out of time. The Institute will accept doctor's, birth and death certificates as good evidence. Where you can show good cause for late submission of your complaint, supported by evidence, the Institute is not under an obligation to investigate that complaint where some or all the relevant records are no longer readily accessible to the Institute given the lapse of time since the matter complained of took place.
- f) The Institute will send you a Completion of Procedures letter if your complaint is not accepted for being out of time. That letter will explain why your complaint has been submitted late by reference to the time limits prescribed in this procedure.

5. Group Complaint

- a) Where the issues raised in a complaint affect several students, those students can submit a complaint as a 'group complaint'. In such circumstances, to manage the progression of the complaint, the members of the group should nominate one student to act on their behalf as group representative. The Institute will normally deal with this representative only, and expects the representative to liaise with the other students in the group complaint.
- b) Each member of the group must provide to the Institute:
- Express written consent for the representative to deal with the complaint on their behalf; and
 - Evidence to demonstrate how s/he has been affected by the matter that is the subject of the complaint.
- c) All evidence submitted to support the complaint must be agreed between the group representative and the members of the group and submitted with the complaint form. The complaint form must be signed by the nominated representative and a sheet attached to the complaint form containing names and signatures of the complainants comprising the group.
- d) The Institute reserves the right to refuse to accept or to progress group complaints where it concludes that there is insufficient common ground between the members of the group because for example the facts do not apply to all members of the group and the complaint cannot reasonably be investigated collectively or the remedy sought is not appropriate for all members of the group. Separate complaints may, in those circumstances, be submitted and considered in respect of the relevant individuals.

6. Third Party complaints

The Institute will only accept a complaint on behalf of a student from a Students' Union representative, parent or other third party if the student's written authority for them to act on the student's behalf is provided with the complaint.

7. Anonymous complaints

Normally, anonymous complaints will not be considered. Exceptionally, however, an anonymous complaint may be considered when the Institute concludes that there is a compelling case – supported by evidence – for the matter to be investigated and an investigation is not prejudiced by the anonymity of the complainant.

8. Complaints about partner institutions

Where the Institute is working with a partner institution (for example, a medical society, a university, a professional body), information provided to both staff and students will make clear whether the partner's own complaints procedures applies and how students can access that procedure.

9. Complaints about contractors

You may use this procedure to complain about any service which the Institute contracts out, such as maintenance, cleaning, security and catering.

10. Complaints relating to matters subject to a police investigation

If the issue(s) or event(s) triggering the complaint are the subject of, or related to, a police investigation, the Institute may suspend its complaint process pending the completion of that investigation and where appropriate any criminal proceedings, or may continue in parallel. This will be decided on a case by case basis and, where appropriate, in dialogue with the police.



11. Evidence

Students using this procedure must support their complaint with robust evidence. For example, relevant email correspondence, as well as meeting and telephone attendance notes can help us investigate your complaint more effectively.

12. Good conduct

Students using this procedure are expected to act professionally, reasonably and fairly towards Institute staff, and to refrain from conduct which is abusive, aggressive or otherwise requires action under the Student Disciplinary Procedure.

13. Protocol on confidentiality

- a) Institute staff will handle complaints with an appropriate level of confidentiality, and release information only to those who need it for the purposes of investigating or responding to it.
- b) Details of any complaint about another student or member of staff will be shared with them, so that they can respond to any allegations made against them.
- c) Anyone making a complaint is expected to maintain confidentiality and avoid publishing to third parties, either on social media or by other means, any correspondence about the complaint between the complainant and the Institute or any other Institute correspondence which is part of the complaint.
- d) The Institute will share details of the complaint outcome with the relevant department/parties.

14. Use of data from complaints

The Institute will collect data on complaint outcomes at each stage of this procedure and any complaints submitted by you to any regulators [including the Office of the Independent Adjudicator (OIA)] and use the data:

- a) Internally for reporting, evaluation, learning and training; and
- b) Externally for discussion with regulators in the higher education sector.

The Institute will use the data without identifying complainants where possible but there will be instances where personal data will be disclosed to members of staff and regulators to deal with the complaint and implement any recommendations.

15. Frivolous or vexatious complaints

If the Institute believes that your complaint is frivolous or vexatious, we reserve the right to terminate our investigation of your complaint. A complaint will be deemed vexatious or frivolous if it is:

- a) Obsessive, harassing, or repetitive;
- b) Insistent on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
- c) Insistent on pursuing what may be meritorious complaints in an unreasonable manner;
- d) Designed to cause disruption or annoyance; and/or
- e) Demanding for redress which lacks any serious purpose or value.

In such cases, the Institute will write to you explaining why we are terminating consideration of your complaint. If you want to challenge this decision, you must set out your reasons and submit them together with any supporting evidence in writing to the Director of Student Services within ten working days of the date of the Institute's letter. The Director of Student Services (or his/her nominee) will inform you of the outcome of your challenge within ten working days of receiving it.

While you will not be disadvantaged as a result of making a complaint, the Institute may consider referring you for disciplinary action where your complaint is vexatious.

16. How to use this procedure

This procedure consists of three stages described below. The purpose of the procedure is to resolve complaints at the earliest possible stage, and, where appropriate, to implement remedies promptly.

Our aim is to complete the Institute's internal complaints processes within 90 calendar days of the complaint being submitted at Stage 2. The 90-calendar-day timeframe requires you to engage with the Student Complaints process, meet all the Institute's deadlines for submission of materials, and/or attend meetings (where required) at each stage of the Student Complaints Procedure.



17. Stage 1: informal resolution

If you wish to make a complaint, in the first instance, you should always try to resolve issues early and informally. This could be by either speaking to the member of staff involved or your personal tutor or Course Director first. If that does not resolve the complaint, or you would rather not speak directly to the staff involved, the Institute has Conciliation services, provided to resolve and remedy complaints as far as possible.

The Institute conciliators are members of staff who have allocated time to speak to, and if necessary meet with, students to go through their concerns. They provide a one-stop-shop for complaint resolution for students by liaising with the relevant departments on behalf of the student.

You can make an appointment with a conciliator by contacting the Director of Student Services and should do so as soon as possible and not later than the time limits described in para 4 above.

If you cannot attend either a telephone or in person appointment (either with the conciliator, you need to give advanced notice to rearrange your appointment. Students are expected to engage with the Student Complaints process to facilitate the resolution of complaints effectively. If you do not attend two scheduled appointments, we reserve the right not to schedule any further appointments for you and your complaint will not be dealt with due to your failure to engage with the Student Complaints process.

You will normally be provided with a response to Stage 1 within 10 working days from receipt of the complaint. We reserve the right to extend the period we need for response during vacation periods.

Key questions for you to address in your Stage 1 complaint include:

- What specifically is the concern about, and which area(s) of the Institute are involved?
- What outcome is hoped for and how it can be achieved?
- Can the complaint be resolved on the spot by providing an apology/explanation/alternative solution?
- What assistance or support is needed in taking this forward?
- Where a concern will need to be considered at the formal stage rather than the informal stage, you will be promptly directed to complete the Student Complaint Form, to give full details of the complaint and provide any relevant documents.

18. Closing the matter at Stage 1

Depending on the nature of your complaint, the outcome of Stage 1 will be communicated to you either verbally or in writing. All actions taken in investigating the complaint (such as meeting with you), the decision, and details of what is communicated to you, will be recorded in a way that can be referred to by staff dealing with the complaint at a later stage. Stage 1 will therefore come to an end when a proposed remedy is accepted by you, you have rejected the proposed remedy, you have not been successful in meeting with the relevant member of Institute staff, after making reasonable attempts to do so, or you have been directed to submit your complaint at Stage 2.

19. Stage 2: formal complaint

a) You have one month from the date of the Stage 1 outcome in which to escalate matters to a Stage 2 formal complaint.

b) If you want to submit a complaint at Stage 2, you need to complete the ICST Student Complaint Form and send it to the Director of Student Services stating "Stage 2, together with your full name and student/membership number" in the subject section of your email. We will normally acknowledge receipt of your complaint within five working days of receipt.

c) We will move a complaint to formal Stage 2 for investigation when:

- Informal resolution was attempted, but you remain dissatisfied; or
- The issues raised are complex or a more detailed investigation is required.

d) Prior to making a Stage 2 complaint, you must have made an attempt to resolve the issue informally, and will be required to enter the details of this attempt on the Student Complaint Form, including any use of conciliation services. If you fail to make an attempt to resolve a complaint informally, we reserve the right to ask you to engage with conciliation services in the first instance.



- e) When completing the Student Complaint Form, you are encouraged to state your complaint in a clear, succinct and chronological order of events, using numbered paragraphs where possible to identify each issue. All relevant evidence must be provided together with the Student Complaint Form.
- f) On receipt of a signed Stage 2 Student Complaint Form, the Student Complaints Officer, will determine whether the complaint has been submitted under the right procedure and within the correct deadlines. We will notify you in writing by issuing a Completion of Procedures letter if your complaint is not accepted for any reason.
- g) In some cases the Student Complaints Officer might consider the complaint to be more appropriate for another procedure and will refer the matter for consideration under that procedure or refer you to other sources of support.
- h) If a complaint is eligible, the Student Complaints Officer, who will not have had any previous material involvement in the case, will investigate your complaint, as s/he considers appropriate to establish all the facts relevant to the points made in your complaint and provide a full, objective and proportionate response that represents the Institute's clear position. This may involve interviewing you and any witnesses, and inspecting any evidence provided by you and/or the Institute. Alternatively, your complaint may be allocated to a senior staff member who has had no previous involvement in the matter.
- i) In most cases, the decision in relation to your complaint will be made by either the Student Complaints Officer, the senior member of staff who was allocated your complaint, the Principal or another senior member of staff or faculty who has the authority to make decisions in relation to your complaint.
- j) Having considered the complaint, the evidence presented in support of it, together with any findings of investigation, the Student Complaints Officer will produce a decision letter, which will inform you of the process followed, the information gathered, the decision-maker, the conclusions drawn and any recommendations made.
- k) This decision letter, known as the Investigation Report, will be issued within one month of receipt of the Stage 2 Student Complaint Form. If this deadline is not practicable, in particular given the nature of the complaint, we will contact you to explain the delay and set a new deadline for our Stage 2 response. We reserve the right to extend the period we need for response during vacation periods.
- l) At all times during Stage 2, the Student Complaints Officer (or other person authorised to consider your complaint at Stage 2) will consider whether the complaint is amenable to mediation or conciliation in order to reach a timely and satisfactory resolution for the complaint. If we believe that it is suitable for such resolution, we will arrange it with your consent.
- m) The Student Complaints Officer (or other person authorised to consider your complaint at Stage 2) may forward his/her investigation report to another senior member of staff at the Institute for any recommendation to be agreed before it is issued to you.

20. Complaint hearing at stage 2

- a) If the nature of your complaint is complex, the Student Complaints Officer may refer it to be considered at a complaint hearing by a panel consisting of two senior members of staff or faculty who have had no previous involvement with your complaint. The Student Complaints Officer or another member of staff may also be present to take notes of the meeting. We will aim to arrange a complaint hearing as soon as possible and will do so within two weeks of receiving your complaint. We reserve the right to extend this time during vacation periods.
- b) You will be given notice of the hearing and invited to attend it. You are entitled to submit further evidence and call witnesses provided that all information and documents are received by us by no later than 3 working days before the complaints hearing.
- c) Student Complaints Officer will circulate all documents relevant to a complaint hearing to all attending at least 7 days prior to the hearing.

21. Companion at meetings

- a) This complaints process is not a legal procedure but is instead a formal mechanism by which consideration can be given to the matters raised by you as set out in paragraph 1.1 above. The purpose of a complaint hearing is to enable you to explain your complaint and how you think it should be resolved, and to assist us in reaching a decision based on the available evidence and the representations you have made. Legal representation is not therefore permitted at meetings taking place at any stage under this procedure.



- b) You may bring with you to the complaint hearing, a companion who may be either a Students' Union representative or a fellow student. You must tell the Student Complaints Officer who your chosen companion is, in good time before the hearing and, in any event, no later than 3 working days before the hearing.
- c) If you have a companion, they may take notes on your behalf, make representations on your behalf and ask questions, but are not entitled to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.
- d) If you or your companion cannot attend at the time specified for a meeting, you should inform us immediately and we will make reasonable efforts to agree an alternative time. However, we may also ask you to choose someone else or conduct the hearing without your companion if s/he is unavailable to attend the hearing on two or more dates for the hearing suggested by us and no alternative companion can be found for those dates.
- e) We may ask you to choose a different companion if, for example we think that your chosen companion may cause a conflict of interest or if their presence may prejudice the meeting.
- f) **At the hearing, the members of the panel will:**
- Go through the complaints process with you;
 - Give you the opportunity to explain your complaint;
 - Review those parts of the evidence which support your complaint or adversely affect it; and
 - Afford you an opportunity to challenge any evidence.
- g) After an initial complaint hearing we may carry out further investigations and hold further complaint hearings as we consider appropriate. Such hearings will be arranged without unreasonable delay.
- h) We will take notes of the hearing (but not word for word), setting out who attended, a brief outline of the proceedings, and the reasons for the decisions taken.

22. Closing the complaint at Stage 2

- a) The outcome of Stage 2 will be communicated to you in writing, outlining the reasons for each decision and where relevant, the right to a review at Stage 3, within one month of receiving your complaint. We reserve the right to extend the time for response during vacation period, if more time is required to investigate your matter, and/or if circumstances beyond our control prevent/delay us from concluding your matter, e.g. if either you, or your companion are not available to attend the hearing on the dates proposed by or agreed with us.
- b) Where you have grounds to escalate the matter to Stage 3, you should do so within one month of communication of the outcome of Stage 2. The grounds on which you may refer the matter to Stage 3 are set out in paragraph 23.
- c) If you do not take the complaint to Stage 3 within the time limit for doing so, the Student Complaints Officer will close the matter without further notice to you. In these circumstances, because you have not exhausted the complaints procedure, you will not be eligible to receive a Completion of Procedures letter at this stage, and if requested to provide one, it will confirm that you have not completed the Institute's internal complaint processes (i.e. have not progressed to Stage 3 review).

23. Stage 3: Complaint review

- a) If you are dissatisfied with the outcome of Stage 2 on the grounds stated below, you have one month to request a Stage 3 Review by submitting a request to the Director of Student Services and stating "Stage 3 Review Request, together with your full name and student/membership number" in the subject section of your email. We will normally acknowledge your request within five working days of receiving it.
- b) **Requests for a complaint Review will be granted on limited grounds namely:**
- i. There was a procedural irregularity at the formal stage (e.g. there was a material failure by the Institute 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);
 - ii. The Stage 2 outcome was not reasonable in all the circumstances (i.e. no reasonable decision-maker, properly directing him/her/itself and taking into account the relevant facts, could have reached that decision);
 - iii. New material evidence which the student was unable, for valid reasons, to provide earlier in the process;



You should set out your concerns clearly and succinctly and provide evidence in support (where possible). You must explain how the response received at Stage 2 falls within one or more of the grounds for stage 3 complaint set out above and outline what we should do to resolve the complaint.

- c) A member of the complaints team with no prior involvement in the matter will make a decision as to whether your request for a review at Stage 3 is based on the permitted and hence eligible to be considered at Stage 3 and notify you within 5 working days of receiving the request.
- d) If it is believed that the grounds are not satisfied, you will be informed of the decision and we will send you a Completion of Procedures letter (COP letter) confirming the closure of your matter and Institute processes within 28 days of the decision not to progress your matter to Stage 3.
- e) If we believe that one or more of the grounds for review apply to your case, we will allocate the Review to a senior member of staff or faculty not previously involved in Stages 1 or 2 of the complaint (the "Reviewer"). The Reviewer will review all information collated for the complaint, together with any new evidence presented, on paper but may contact you and anyone previously involved in the complaint as well as any new witnesses.
- f) The purpose of conducting a complaint Review is to consider whether the ground(s) relied on by you have merit. Stage 3 will not usually involve a fresh, full investigation. A complaint must have been considered at formal Stage 2 before it can be escalated to Stage 3 review.
- g) The outcome of Review will be that the Reviewer either upholds the outcome made at the formal stage, or makes a different finding which overturns the outcome. The decision taken by the Reviewer at the Review stage is final. If the outcome of Review is favourable to you, it will be communicated to you by letter within 28 days of the Review outcome being made. You can, however, request the Institute to provide a COP letter within 30 days of the date of the outcome letter if you still remain dissatisfied. The COP letter signifies that all internal Institute student complaint procedures have been exhausted and will explain how to take things further should you wish to do so and, if applicable, how and when we will implement the remedy. Where such a request is made, a COP will be provided within 14 days of the request. If the outcome of the complaint process is unfavourable to you, the outcome will be communicated by a COP automatically within 28 days of a Review outcome being made. If the deadlines are not deliverable, we will contact you to explain the delay and set a new deadline for our response. We reserve the right to extend the time we need for response during vacation periods.

24. Settlements

A settlement of a complaint can be reached at any stage of the procedure. If your complaint is settled, you may not escalate your complaint to any later stage of the procedure.

25. Independent external review

Office of the Independent Adjudicator (OIA)

Once Stage 3 has been completed, any student who is studying on an ICST validated higher education award, and within twelve months of the date of your COP letter, is entitled to ask the Office of the Independent Adjudicator to review the Institute's handling of your complaint under this procedure.

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