

LIPA

The Liverpool Institute for Performing Arts

STUDENT COMPLAINTS PROCEDURE

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1. Introduction

1.1 This procedure is administered by the Director of Higher Education, Phil Christopher (p.christopher@lipa.ac.uk). The Director of HE is based in The Registry on the 2nd Floor of the Mount Street Building.

1.2 This procedure applies to currently registered students and recent former students. Where we use the term 'student(s)' in this procedure it will also include recent former students. This procedure covers all areas of our activity with the following exceptions for which there are separate policies and procedures (available internally on SharePoint or upon request):

- Harassment and Bullying
- Academic Appeals
- [Admissions](#)
- Complaints relating to **outside agencies or service providers**

2. General Principles

2.1 We are committed to managing complaints in a way that:

- Is timely and efficient, to facilitate a speedy resolution
- Is fair and transparent to all parties
- Promotes informal conciliation such as mediation, where appropriate
- Promotes feedback and best practice to enhance the student experience

2.2 The complaints procedure operates on the principles of natural justice;

- There are two sides to every dispute
- All parties are given the opportunity to provide evidence to substantiate their version of the issue / incident
- Full disclosure of any allegations or evidence will be made to those parties involved in the complaint
- All parties involved in a complaint have the right to be accompanied by a friend, relative or Union representative at each stage of the procedure.

2.3 Students are expected to have met their obligations and responsibilities as outlined in our Student Charter, Green Book and Programme Guide – all which are published on LIPA My Day SharePoint pages.

2.4 All complaints are taken seriously, and students are not penalised for making a complaint.

2.5 We expect that students will not engage in frivolous or vexatious complaints. We expect students to provide evidence to support their complaint. Where any complaint is unsubstantiated, frivolous or vexatious, we reserve the right to end consideration at its earliest point. The decision to end consideration of a complaint will be taken by the Director of Higher Education or Director of Administration and Personnel (or nominee).

2.6 All information provided regarding a complaint will remain confidential for use within the complaints process and is subject to the requirements of the General Data Protection Regulation (GDPR). Only those staff directly involved with the complaint will be given

time limited access to confidential information. In exceptional circumstances it may be necessary for us to provide information to a third party with or without a student's consent. In such cases there will be full engagement with the student, before unauthorised disclosure occurs.

- 2.7 Student complaints provide us with an important source of information; the Institute Quality Committee will collate statistical information and produce annual reports to ensure that relevant issues are identified and reviewed for continued enhancement.
- 2.8 The Student Complaints Procedure has been designed to conform to the Quality Assurance Agency (QAA) Quality Code and the Office of the Independent Adjudicator's (OIA) Good Practice Framework for Handling Complaints and Academic Appeals.
- 2.9 The procedure is co-ordinated and supported by the Registry, who are independent from our Teaching Disciplines.
- 2.10 We recognise complaints can be very stressful for students, and the process and outcomes can have consequences for their studies and/or wellbeing. If anxious at any point, students are advised to contact Student Support services (Student.Support@lipa.ac.uk).
- 2.11 Independent advice and guidance may be available from Liverpool Students' Union on 0151 231 4900. Email: lsuadvice@ljamu.ac.uk
- 2.12 If students need specific assistance or reasonable adjustments made in order to access the Student Complaints Procedure, they should contact the Registry (registry@lipa.ac.uk).
- 2.13 Where a concern or issue of complaint has affected a number of students, those students can submit a complaint as group complaint. In such circumstances, all complainants are required to put their name, signature and student number on the statement of complaint to confirm that they agree to the details of the complaint. Normally, all complainants will be invited to attend a meeting. However, in order to manage the progression of the complaint, we will usually request that one student is nominated as a group representative.
- 2.14 Anonymous or third-party complaints will not be accepted.
- 2.15 Where a former student wishes to make a complaint, they must do so within the same timescales as current students, as detailed at each of the stages of the procedure.

3. What is a Complaint?

- 3.1 We recognise that from time to time you may wish to raise issues regarding the learning and teaching, administrative, support or other services we provide.
- 3.2 The Office of the Independent Adjudicator defines a complaint as *'an expression of dissatisfaction by one or more student about a university's action or lack of action, or about the standard of service provided by or on behalf of the university'*.
- 3.3 Examples of complaints might include:

- Our failure to meet our obligations to you.
- Misleading or incorrect information in documentation provided by us.
- Concerns about the delivery of a programme, associated teaching or administration
- Poor quality of facilities, learning resources or services provided us
- The behaviour of a member of staff.
- The behaviour of another student.

3.4 Some issues may be more appropriately considered under processes other than the Student Complaints Procedure. Where this is the case, the Registry will provide further advice and guidance.

4 Time Limits

4.1 There are strict time limits for submitting Student Complaints at each stage of the process. This is to ensure that matters can be investigated when the circumstances are still fresh in people's minds and evidence is available to support a timely and appropriate resolution.

4.2 The deadlines at each stage of the process are clearly identified below. The deadlines are expressed 'working days' which means Monday to Friday and excludes bank holidays and the Christmas Closed period.

4.3 Discretion will only be given where there are exceptional reasons supported by evidence for late submission.

4.4 We reserve the right not to progress complaints if they are submitted outside of the specified time limits.

5. Early Resolution/Informal Complaint Stage

5.1 The majority of concerns are resolved satisfactorily on an informal basis and close to their point of origin. Students are expected to try and resolve issues locally with the relevant area, in the first instance.

5.2 Informal complaints should be raised via email, letter, telephone or in person as soon as possible, **or within a maximum of 20 working days of the alleged incident**, with the person directly responsible for the service or behaviour which may have caused concern. This may be a Programme Leader or Technical Manager, for example. It is helpful if the complainant has considered what a reasonable satisfactory resolution to the informal complaint would be. The complainant should state that they are raising the concern or informal complaint under the Early Resolution/Informal Complaint Stage of the Student Complaints Procedure.

5.3 In exceptional circumstances, where the nature of the informal complaint (e.g. sensitivity, confidentiality or its personal nature) makes raising the issue, as described under point 5.2, difficult the Director of HE may be approached. This approach must be done within 20 working days of the alleged incident. In circumstances where early resolution is not possible or suitable due to the character, complexity or seriousness of the case then students should submit a formal complaint under the Formal Stage of the procedure.

- 5.4 All Early Resolution/Informal Complaints should be made within 20 working days of the alleged incident, matter or concern. Staff should respond to the complaint/concern **within 20 working days**. Where this isn't possible students will be advised of the anticipated timescale.
- 5.5 Students raising a concern/informal complaint should keep a record of any action they take to resolve the complaint and keep copies of any relevant correspondence.
- 5.6 The member of staff who has received to the concern/informal complaint should lodge the complaint by email to the Registry (registry@lipa.ac.uk) so a record can be kept. The email must contain the nature of the complaint and outcome – resolved or unresolved.
- 5.7 If it isn't possible to resolve the complaint locally then students can submit a Formal Complaint under the Formal Stage of the Student Complaints procedure (see section 6).

6. The Formal Stage

- 6.1 Where the complaint has not been resolved or satisfactorily dealt with locally, or where early resolution is not possible or suitable due to the character, complexity or seriousness of the case, then a student can submit a formal complaint. Students will be expected to provide details of their attempt to resolve the matter under the Early Resolution/Informal Complaint Stage (see section 5) and attach any relevant correspondence.
- 6.2 All formal complaints should be submitted by email to the Registry (registry@lipa.ac.uk) for the attention of the Director of HE **within 60 working days of the alleged incident, matter or concern**. If preferred, a hard copy can be submitted to Registry, room 2.26. The student will be provided with an acknowledging receipt, normally **within 5 working days**.
- 6.3 Students should complete all sections of the complaint form (appendix 1, attached), clearly and concisely describing their concerns and summarising the key events with relevant dates. Failure to complete all sections of the form clearly and legibly may lead to a delay in responding to your complaint, or your complaint not being progressed.
- 6.4 Students need to provide appropriate evidence to support any allegations they make (evidence may include signed witness statements, letters, emails and any other relevant information) and provide details of their attempt to resolve the matter informally, where appropriate. Where a student fails to provide reasonable evidence to substantiate their allegations, we reserve the right not to progress the complaint further.
- 6.5 Students are also required to specify the desired outcome to their complaint.
- 6.6 On receipt of a formal Student Complaint, an initial assessment will be undertaken by the Director of HE to determine whether the complaint meets the criteria i.e. whether the complaint is submitted within the specified time limits and whether there is reasonable evidence to substantiate the issues of complaint.
- 6.7 At this point the student may be contacted for the following reason(s):
 - A request for further information or clarification.

- A meeting to clarify matters of procedure and issues of complaint.
- 6.8 If the complaint is formally progressed, an investigating officer will be appointed. Normally this will be the Director of Higher Education, if not an alternative senior member of staff will be nominated.
- 6.9 The Investigating Officer will investigate the evidence presented and produce a written report detailing the outcome, which in the situation of more complex cases, may involve the convening of a panel to hear the case and to determine the final outcome. The Investigating Officer may wish to refer his or her findings to another member of senior staff for a second opinion or agreement. He or she will share his/her report with all parties involved. During the investigation the Investigating Officer may engage in the following to assist making a decision on the case:
- Meet with the complainant and the respondent individually
 - Meet with witnesses
 - Convene a complaint panel to hear the case on both sides (See appendix 2 for details on the process to be followed).
- 6.10 Advance notice of the issues to be discussed at any meeting will be provided to enable any party to arrange for representation, to be accompanied or for appropriate adaptations to be made. It is advised that both complainant and respondent make their own notes of any meetings or communications outlining what was discussed and any outcomes.
- 6.11 We aim to provide a response **within 20 working days** of submission of the formal complaint. Should this not be the case, then students will be kept informed of any likely delay and the reasons for the delay, at the earliest opportunity.
- 6.12 Students will receive written notification of the outcome of their complaint from the Director of HE (or nominee). This will include whether the complaint is upheld, upheld in part, or not upheld and any further action to be taken.

Notes:

Where the Director of HE is the respondent in a formal student complaint, another senior LIPA manager will be appointed to oversee the complaint procedure by the Chief Executive Officer/Founding Principal. This senior manager will be from outside the area of complaint and will have had no previous involvement in the issue or concern.

Where the Chief Executive Officer/Founding Principal is the respondent in a formal student complaint a letter should be written by the complainant to the secretary of LIPA's Council, who will determine together with the Council Chair how to progress the complaint. Email and telephone contact details are available from the Registry/LIPA Website.

7. Appeal Stage

- 7.1 Students have the right to appeal to the CEO/Founding Principal on the grounds that the formal Student Complaint procedure stage has not been followed correctly or fairly.

- 7.2 The grounds for the appeal should be clearly stated in writing and sent with full supporting evidence, **within 10 working days** of the date of the Formal Stage outcome letter. The appeal should be sent to Registry (registry@lipa.ac.uk) preferably by email. If not, a hard copy can be submitted to the Registry, room 2.26.
- 7.3 The evidence will be considered by the CEO/Founding Principal (or nominee) and an acknowledgement letter will be sent to the student **within 5 working days**.
- 7.4 The CEO/Founding Principal (or nominee) will consider the appeal in light of the grounds for appeal as stated above.
- 7.5 The Appeal Stage is not a re-opening of the complaint and will not consider the issues afresh or involve a further investigation.
- 7.6 New evidence will not be considered, unless the student can demonstrate valid reasons why they were unable to provide this evidence earlier in the process. If this is the case the CEO/Founding Principal will determine if the new evidence provided warrants the case to be moved back to the formal stage.
- 7.7 If necessary, the CEO/Founding Principle (or nominee) may contact the student and/or relevant staff in the Institute to clarify issues of appeal and matters of procedure.
- 7.8 The decision of the CEO/Founding Principal (or nominee) is final and this represents the completion of our Complaints procedure.
- 7.9 The student will be formally notified in writing of the decision, normally **within 20 working days** of submitting their appeal.
- 7.10 Student, who are dissatisfied with the outcome of the appeal have a right to refer their complaint to the relevant stage of the LJMU Student Complaints Procedure, but only once all our procedures have been completed.
- 7.11 Details of the LJMU Student Complaints Procedure can be found at: <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/appeals-and-complaints>. If you have any queries about the LJMU Student Complaints procedure, then please email the Student Governance Office at: StudentGovernance@ljmu.ac.uk.
- 7.12 Students, who are dissatisfied with the outcome the LJMU Student Complaints Procedure may take their case to the Office of the Independent Adjudicator for Higher Education <http://www.oiahe.org.uk>.

8. Additional Notes

- Where complainants or respondents indicate that they have a disability, reasonable adjustments will be made to enable their full participation in this procedure.
- Except in exceptional circumstances, where sharing information could place persons at substantial risk or could breach someone's right to privacy or confidentiality, allegations and evidence (invited from all relevant parties) will be shared between relevant parties only on a need-to-know basis as determined by the Director of HE,

CEO/Founding Principal or Chair of Council as appropriate. There is an expectation that all parties will respect and maintain the confidentiality of this information. Where the complainant or respondent's disability, sexual orientation, race, national origin, gender identification or carer status is/are material to a complaint this will only be disclosed where written permission has been granted by the complainant.

- Where disability or any other equality issue is material to a complaint (e.g. a complaint of discrimination), the panel may take advice from additional representatives independent of the complaint (e.g. LIPA's Student Support Manager or a specialist disability organisations).

Appendix 1: Stage 2 Formal Complaint Form

FORMAL COMPLAINT	
Name(s)*	
Programme(s)*	
Year of Study*	
Contact Address	
Mobile/Phone	
Email	
Nature of complaint (Continue on additional sheet if required)	
Outcome of Informal Resolution	
Reasonable Outcome Sought	
Supporting/other information (Continue on additional sheets if required)	
Reasonable adjustments required (disability) or any other specific needs	
Number of additional sheets (please staple and number)	
Signature	
Date	

Office Use Only

Receipt Stamp <div data-bbox="193 342 740 488" style="border: 1px solid black; height: 65px; width: 343px;"></div>	Received by	
	Received on	

*Where the complaint is from more than one student then a list of the complainants, programmes, year(s) of studies, with signatures should be attached.

Appendix 2 – Complaint panel process

Where convening a complaint panel is deemed necessary to consider a formal complaint, a panel will be constituted. The Complaints Panel will be chaired by the Director of Higher Education (or nominee), who will consider the case in conjunction with an independent staff member, the Investigating Officer (all of whom will have no direct involvement with the department which is the subject of the complaint). The Quality Manager will facilitate the Complaints Panel and advise the Panel on matters of procedure.

General Principles:

- The complainant should attend the panel meeting in person;
- The complainant will be given 5 working days' notice of a complaint panel meeting;
- The complainant can bring a friend to the meeting for support;
- Both parties can bring a representative to the meeting;
- All attendees will receive in advance, the composition of the panel, copy of evidence to be considered.

Panel Protocol

1. The Chair will open the hearing and summarise the roles of all parties present.
2. The Quality Manager will be present to advise the Panel on matters of procedure.
3. The Chair shall confirm to the parties the substance of the complaint.
4. The Chair will inform the student [the complainant] of their right to be accompanied by a friend should they arrive unaccompanied.
5. The Chair will ask the complainant to present his/her case in support of their complaint and to introduce any witnesses in support of the complaint.
6. The Panel may ask questions of the complainant and witnesses at any time.
7. Through the Chair, the Respondents may ask questions of the complainant and witnesses.
8. The Chair will ask the respondents to reply to the complaint and to introduce any witnesses in support of the response.
9. Through the Chair, the Complainant may ask questions of the Respondent and witnesses.
10. The Panel may ask questions of the Respondent and witnesses at any time.
11. After hearing both parties and following no further questions from the Panel, the Chair will ask the complainant to summarise their case.
12. The Chair will ask the Respondent to summarise their case.
13. The Chair will then adjourn the hearing to consider the evidence that the Panel have heard. They may at this stage choose to seek additional evidence or information from

other parties. Should this be the case, all parties will be informed as to the nature of the enquiry.

14. Panel members will advise the Chair of their opinion of the case. Following this discussion, the Chair will act as final arbiter in the matter.
15. The Chair will announce their decision, either by calling the parties together or in writing. The outcome of the hearing will be confirmed in writing within five (5) working days of the decision.

Appendix 3: Glossary

Concerns – In this procedure "concern" is used to denote an issue, query or request for clarification that is raised locally by a student or students.

Council – LIPA's governing body

General Data Protection Regulation (GDPR) – A legal framework that sets guidelines for the collection and processing of personal information of individuals within the European Union (EU).

Office of the Independent Adjudicator (OIA) – A Company Limited by Guarantee and a registered charity which has been designated under the Higher Education Act 2004 to run the higher education student complaints scheme within England and Wales.

Quality Assurance Agency (QAA) – The HE Regulator's designated Quality Body is an independent body that checks on standards and quality in UK higher education. It conducts quality assessment reviews, develops reference points and guidance for providers, and conducts or commissions research on relevant issues.

Student's representative – A individual who is authorised by a student to act on the student's behalf in pursuit of a complaint.