

Royal Northern College of Music

Student Complaints Policy

Policy & Procedure

Department: Academic

**Document owner: Head of
Registry**

**Approval Committee: Academic
Board / Board of Governors**

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RNCM
ROYAL NORTHERN
COLLEGE of MUSIC

1. **Overview**

This policy corresponds to the Office of the Independent Adjudicator's 'Good Practice Framework for Handling Complaints and Academic Appeals' which defines a complaint as an 'expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider'.

The Student Complaints Policy is for students to use if they are dissatisfied about an aspect of their programme, facilities or the delivery of any of the College's services or if they have a complaint in relation to the behaviour of a student, group of students or member of College staff including bullying, harassment, sexual harassment or sexual misconduct.

We strive to resolve complaints through an informal resolution process but if the case is serious enough (including **any** complaint made in relation to bullying, harassment, sexual harassment or sexual misconduct by a student or member of staff) or cannot be resolved through the informal processes described in this Policy you may go directly to Level 2 to make a formal complaint.. Depending on the nature and outcome of an investigation into a formal complaint, the matter may be referred to the Student Conduct Policy and Disciplinary Procedures. If the complaint is in relation to a member of College staff, the matter may be referred to the Staff Disciplinary Policy.

2. **Introduction**

The College is committed to ensuring that we provide for you, our students, the highest quality learning experience, supported by appropriate academic, administrative and student support services and facilities. We offer an environment where academic, personal and professional standards are strictly upheld and where the rights, wellbeing, dignity and merits of every individual student is respected. We recognise, however, that there may be occasions when you will feel that you have cause for complaint.

Our [Student Charter](#) sets out our responsibilities to you and yours to us. If you believe you have a legitimate issue of concern, you should refer in the first instance to the Student Charter to clarify what it is reasonable for you to expect from the College in the relevant area and whether we have discharged our corresponding obligations and responsibilities. If, having consulted the Student Charter, you still wish to raise your concern you should follow the procedures set out in this Policy.

3. **Purpose of the Policy**

The purpose of this Policy is to:

- a) Describe the procedures you should use to raise a concern about:
 - i. Dissatisfaction with any aspect of your programme, the facilities and/or services provided by the College.
 - ii. Actions, lack of actions or omissions by the College.
 - iii. The behaviour of a student or group of students or a member of staff including teaching staff including bullying, harassment, sexual harassment and sexual misconduct.
- b) Provide you with a formal procedure to follow where it has not been possible to resolve a concern to your satisfaction through informal discussions or it has not been appropriate to do so due to the seriousness or sensitivity of the complaint.

4. **Definition of a Student Complaint**

A complaint is a means of registering dissatisfaction about any aspect of your programme, the College facilities, the delivery of any of our various services or about the conduct or behaviour of a student or member staff. Examples of the types of complaint covered by this Policy include the following:

- a failing in a College service, academic or non-academic;
- misinformation about academic programmes;
- poor teaching or supervision;
- insufficient facilities;
- the behaviour of a member or members of staff;
- the behaviour of another student or a group of students.

The following matters are not covered by this Policy:

- Appeals against formal assessments undertaken as part of your programme. Such appeals should be pursued under the separate academic appeals procedure described in the Academic Appeals Policy.
- Appeals against decisions taken by the Board of Examiners that your programme should be terminated due to unsatisfactory progress – please refer to the [Academic Appeals Policy](#).

A complaint should also be distinguished from negative feedback. We welcome your views, both positive and negative at any time – your feedback is useful to the department, school or service when reviewing its policies and operations and can be given without invoking the complaints procedure.

5. **Scope of Policy**

You may make a complaint individually or collectively as a group of students. For the purpose of this Policy a 'student' is defined as a person who has been accepted to study at the College, a student registered for an award of the College, or a former student who has left the institution within the last three calendar months (who has completed their studies, whose programme has been terminated, has chosen to withdraw from their programme or is deemed to have withdrawn from the programme). In the case of collective complaints, one student is required to identify themselves as the main contact for the purposes of communications.

Students who are registered on an award conferred by the College but who are studying on a programme delivered by a partner organisation (e.g. a collaborative programme) should follow the complaints procedure of the partner organisation.

6. **General Principles in Dealing with Student Complaints**

We are committed to providing a high quality learning environment in which all members of the College community are respected and valued. We continually review and enhance our provision and welcome regular feedback from you. We are committed to providing an open and inclusive environment within which you are encouraged and feel able to raise any matters of concern in an informal manner as soon as they arise. This often removes the need for formal complaints.

You are encouraged to raise a concern or complaint as soon as possible, and in

any case within eight weeks of the event(s) or action(s) (or lack of action(s)) which have prompted the complaint to enable the matter to be addressed in a timely manner. We will not normally consider complaints made after this period, unless there is good reason for the delay.

7. Rights, entitlements and responsibilities under this Policy

In line with our Student Charter, we acknowledge your rights with respect to raising a complaint.

- a) You will be treated fairly and consistently under this Policy.
- b) You will not suffer any disadvantage or recrimination as a result of making a complaint in good faith.
- c) We recognise that making complaint can be stressful for all those involved. You will therefore be advised to seek advice and guidance for making a complaint from, for example, the Students' Union or the Assistant Head of Registry (Wellbeing).
- d) We encourage you not to submit an anonymous complaint. We will not be able to conduct a formal investigation if a complaint is submitted anonymously.
- e) You are expected not to make any complaint frivolously, vexatiously or with malice. Where a complaint is considered to be named frivolous, vexatious or with malice, disciplinary action may be taken against you in accordance with our Student Conduct Policy and Disciplinary Procedures.
- f) You are expected to submit complaints under this procedure within the timescales indicated. However, we may exercise discretion to extend the timescale where there is good reason and supported by evidence.
- g) You can expect to receive responses to complaints within the timescale indicated within the procedure. If we cannot meet a timescale we will inform you in writing, giving you a revised timescale.
- h) You are expected to provide, at the time of submission of your complaint, all relevant documentation or any other evidence and details of all the issues you wish to be taken into consideration.
- i) You can expect complaints to be dealt with confidentially and your privacy being respected. However it may be necessary to disclose information to others in order to effectively deal with the complaint.
- j) If it is suspected that the matter of the complaint is a criminal offence you are strongly advised to report the matter to the Police. Where criminal proceedings are underway we may delay the progression of the complaint until the outcome of these Police proceedings are known.
- k) Where a complaint is found to be justified, we will take necessary action or provide a remedy as is appropriate and do so promptly.
- l) Where a complaint is found not to be justified, you may expect to be informed in writing of the reasons for that decision and be informed of any further rights to request a review the decision.

In line with the Student Charter and this Policy, the College will:

- a) Treat complaints with the seriousness they deserve.
- b) Treat you fairly and consistently under this Policy.

- c) Ensure that complainants will not be taken disadvantaged of or recriminated as a result of making a complaint in good faith.
- d) Recognise that making complaint can be stressful for all those involved. You will therefore be advised to seek advice and guidance for making a complaint from, for example, the Students' Union or the Assistant Head of Registry (Wellbeing).
- e) Encourage you not to submit a complaint anonymously. The College will not be able to formally investigate any complaint that is submitted anonymously.
- f) Expect you not to make any complaint frivolously, vexatiously or with malice. Where a complaint is considered to be named frivolous, vexatious or with malice, disciplinary action may be taken against you in accordance with our Student Conduct Policy and Disciplinary Procedures.
- g) Expect you to submit complaints under this procedure within the timescales indicated. However, we may exercise discretion to extend the timescale where there is good reason and supported by evidence.
- h) expect you to receive responses to complaints within the timescale indicated within the procedure. If we cannot meet a timescale we will inform you in writing, giving you a revised timescale.
- i) expect you to provide, at the time of submission of your complaint, all relevant documentation or any other evidence and details of all the issues you wish to be taken into consideration.
- j) deal with complaints confidentially and your privacy will be respected. However it may be necessary to disclose information to others in order to effectively investigate and resolve the complaint properly.
- k) strongly advise you to report the matter to the Police where the matter of the complaint is a criminal offence. Where criminal proceedings are underway we may delay the progression of the complaint until the outcome of these proceedings are known.
- l) take necessary action or provided a remedy as appropriate, and do so promptly, where a complaint is found to be justified
- m) inform you in writing of the decision and reasons for that decision, where a complaint is found not to be justified. The College will also inform you of any further rights to request a review the decision.
- n) answer all aspects of the complaint with a clear response.

Any enquiries concerning the procedure under this Policy should be addressed to the Head of the Registry (or nominee) in the first instance. If the Head of the Registry is the subject of the complaint any enquiries should be addressed to the Clerk to the Board of Governors and Director of Academic Governance (or nominee).

8. Dealing with Complaints

We expect to resolve all complaints (informal and formal) as swiftly as is feasible. However, complaints are likely to take longer to resolve if they involve complex issues or a number of people, but will not normally take longer than four months to resolve. The person dealing with your complaint should give you an indication of the likely timescale within which a resolution will be achieved. Where the complaint is being dealt with through the formal complaints procedure, the Head of Registry (or nominee) will indicate the timescale they expect to be followed in relation to the complaint and will keep you informed of any changes to that

timescale. If you object to the timescale you should indicate the reasons in writing to the person dealing with your complaint, who will in turn notify you as soon as possible of the decision in relation to the objection.

We aim to resolve complaints by following the procedures outlined below, although these may be adapted if necessary to enable the fair and efficient resolution of a particular complaint. If a complaint falls under the definition of an academic appeal you will be advised to follow our Academic Appeals Policy. We aim to resolve complaints with a minimum of formality but in a way which is reasonable and transparent in all circumstances. A complaint will be considered to have been resolved when you accept any response and/or redress offered by us in respect of the complaint and decide not to pursue the complaint further.

9. Procedure

The two stage complaints process is as follows. If the Head of Registry is the subject of the complaint, the complaint will be dealt with by the Clerk to the Board of Governors and Director of Academic Governance (or nominee).

Level 1 – Local Intervention / Informal Resolution of a Complaint

The majority of issues relating to facilities, a service, department or school can be resolved satisfactorily within the area in which you have a concern. Wherever possible, complaints should be dealt with and settled at an early stage by discussing the matter informally at the earliest opportunity. You should therefore bring the matter to the attention of an appropriate member of staff, for example, if the complaint concerns academic matters, you might wish to take this up with your Programme Leader, the Head of Undergraduate Programmes, Head of the Graduate School or with another member of academic staff or if the matter relates to your principal study – your Head of School. If the complaint is about a College service or department, then you should talk to an appropriate member of staff from that service, department or the Head of Registry. If there is any doubt regarding who to contact you should contact the Head of Registry for advice.

If you make an informal complaint to a member of staff they are responsible for addressing this promptly and fairly. The member of staff you have spoken to will normally let you know within five working days of receiving the initial complaint what steps (if any) will be taken to address the complaint and the expected timescale, and advise you to whom you should submit a formal complaint if you are not satisfied with this outcome.

If the member of staff with whom you have raised the issue does not consider any action is required, they must state their reasons for doing so.

A formal complaint will not normally be considered until the informal procedure has been used, unless the matter is particularly serious, sensitive or complex including the circumstances detailed below.

If the complaint is in relation to bullying, harassment, sexual harassment or sexual misconduct by a student, group of students or a member of staff, the Level 2 procedure outlined below will be followed from the outset. Informal resolution is not deemed appropriate for these matters.

Level 2 - Formal Complaints Procedure

Where informal resolution is not appropriate (for example because of the

seriousness and/or nature of the allegations), or is not requested, or where the outcome has been unsatisfactory, you may bring a formal complaint.

An Investigating Officer who is fully trained in investigating student complaints will be nominated by the Head of Registry (or nominee) to investigate the complaint. Where possible this will remain confidential, although you must understand that we may need to share information with relevant parties in line with Data Protection regulations.

You should seek advice from the Head of Registry or Students' Union before submitting a formal written complaint to the Head of Registry, making clear in writing the relevant facts and matters which have given you cause for complaint, together with any relevant documentation, and should clearly state the resolution you are seeking. You should also outline the actions you have taken to address the matter informally, if this has been possible or appropriate.

If it appears to the Head of Registry that a complaint is vexatious and/or frivolous, they will discuss it with the Deputy Principal (Operations) and together will determine whether it should be rejected on the basis that it is vexatious and/or frivolous. Should a complaint be rejected on this basis no further action will be taken in respect of the complaint, and the Head of Registry will write to you to explain why the complaint has been rejected, also indicating whether any disciplinary action against you is being contemplated.

The Investigating Officer will meet with you and hear your complaint. This meeting will normally be held within 20 working days of the receipt of the case by the Head of Registry. At the meeting between the Investigating Officer and yourself, you may be accompanied by a person of your choice (fellow student, member of the College's Students' Union or member of staff not involved in the matter), who may participate with your permission. The Investigating Officer will interview any other relevant parties involved in the complaint and gather relevant evidence (e.g. emails, social media postings etc).

In the meeting you will be asked to explain your complaint and present any supporting evidence, following which you may be asked questions by the Investigating Officer. If your complaint is in relation to sexual harassment or sexual misconduct, we will handle the matter as sensitively as possible and ensure that the meeting is held in an environment that allows you to feel able to discuss it with the Investigating Officer.

If a face-to-face meeting is not possible, alternative arrangements will be made, which may include a virtual meeting.

A member of Registry staff will attend all meetings to advise on procedural matters and to take notes.

The Investigating Officer will submit a report to the Head of Registry within 10 working days of the conclusion of the investigation, who based on the evidence provided will attempt to resolve the issue and agree a way forward, examples of which are:

- the issue is resolved to the satisfaction of all concerned;
- training or development needs are identified;
- a recommendation is made to refer the matter to the College's formal disciplinary procedures for students (Student Conduct Policy and Disciplinary

Procedures or staff (Staff Disciplinary Policy);

- other appropriate recommendations, depending upon circumstances.

Once the complaint has been fully investigated and necessary meetings held, you will be informed of the outcome in writing by the Head of Registry normally within five working days. The person or persons the complaint has been made against will also be informed of the outcome. If disciplinary action is required, any sanction taken will normally remain confidential for legal reasons.

10. Right of Appeal

If you are dissatisfied with the outcome of any of the College's formal processes, you have the right of appeal. You must submit your appeal in writing, stating the grounds for the appeal, no later than ten days after you receive the outcome of the disciplinary meeting with the Head of Registry.

You may consider an appeal because, for example:

- you believe the finding is unfair;
- new evidence has come to light;
- you believe the process was incorrectly followed.

The Deputy Principal (Performance and Programmes) (or nominee) will impartially consider the appeal. Their role is to review the original decision taking into account the grounds of appeal, and to review the process that led to the original outcome, establishing whether the procedure was correctly followed, whether the action taken was reasonable and to consider any new evidence that has been brought forward.

When the appeal documentation (the report of the Investigating Officer and relevant transcripts of meetings and other evidence) has been received by the Head of Registry, the information will be passed to the Deputy Principal (Performance and Programmes) (or their nominee) to either reject or uphold the appeal. You will be notified by the Head of Registry of the decision within 10 working days. The decision of the Deputy Principal (or nominee) is final and a decision letter and a 'Completion of Procedures' letter will be issued.

The outcome of the appeal may be that:

- It is upheld in full or in part.
- It is not upheld.

11. Office of the Independent Adjudicator for Higher Education (OIA)

The RNCM subscribes to the independent scheme for the review of student complaints.

Once you have completed our internal 'Student Complaints' procedure we will issue you with a 'Completion of Procedures' letter.

If you are dissatisfied with the outcome you may be able to apply for a review of your complaint to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules. #

The OIA's Complaint application form is available from the OIA's website www.oiahe.org.uk.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of the Completion of Procedure letter provided by the College.

You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures, which is evidenced by the Completion of Procedures letter.

The OIA *will* consider complaints connected with welfare issues, contractual issues, a breach of procedure, discrimination or poor practice.

The OIA *will not* consider complaints connected with academic judgement, admission to the College, matters which are the subject of court or tribunal proceedings or employment matters.

We will comply with any recommendations of the OIA.

12. Recording and monitoring of complaints

The Head of Registry will keep a record of all formal student complaints received, the outcomes of these complaints and a record of the action(s) taken when a complaint has been upheld.

The Head of Registry will prepare an annual report on the formal complaints raised, for consideration by the Academic Board, or the Executive Committee in the case on non-academic related complaints, so that experiences can be shared and where appropriate changes to procedures / practice made. The report will include demographic data on students raising complaints to enable equalities monitoring to take place.

The effectiveness of these procedures will be reviewed and if necessary updated on a regular basis.

Student complaints procedure

