



APPLICANT COMPLAINTS PROCEDURE

Definition of an Applicant Complaint

A complaint is a means of registering dissatisfaction with the College about the delivery of any of its various services. Examples of the types of complaint covered by this policy include the following:

- a failing in a College service
- misinformation about the application process
- insufficient facilities
- the behaviour of a member or members of staff

A complaint should be distinguished from an appeal about the outcome of an application. Appeals against the decision of an application based on the academic assessment or the applicant's audition performance cannot be considered. A complaint should also be distinguished from feedback. The College seeks and welcomes the views of its applicants. An applicant may provide feedback which will be useful to the department, school or service when reviewing its policies and operations, without invoking the complaints procedure. Applicants are encouraged to provide feedback to the appropriate department, school or service in a prompt and constructive manner.

A complaint may be made by a single applicant or collectively by a group of applicants. For the purpose of this policy an 'applicant' is defined as a person who has applied to or is considering applying to study at the College. In the case of collective complaints one applicant is required to identify his/herself as the main contact for the purposes of communications.

Applicants who have applied or are considering applying for a programme delivered by a partner organisation (e.g. a collaborative programme) should follow the complaints procedure of the partner organisation.

General Principles

The College is committed to the continuing review and enhancement of its provision and welcomes regular feedback from its applicants. The College also is committed to providing an environment within which applicants 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.

Applicants are encouraged to raise a concern or complaint as soon as possible, and in any case within four weeks of the events or actions (or lack of actions) which have prompted the complaint to enable the matter to be addressed in a timely manner.

All information received as a result of a complaint investigation will remain confidential to those involved in the process. However, it should be noted that, in the interests of natural justice,

parties to a complaint have the right to know the full details of the complaint.

Due to the need to be able to fully investigate a complaint, the College expects to be able to collect appropriate information from all parties involved. Anonymous complaints will therefore not be accepted.

Those investigating or considering a complaint will do so impartially. Anyone with a material personal interest in the complaint will not be involved in the consideration of the complaint.

At any meeting held as part of the complaints procedure, the applicant will have the right to be accompanied by a person of their choice, who may participate with the permission of the applicant, as will any other parties to the complaint.

If it is suspected that the matter of the complaint is a criminal offence, the applicant is strongly advised to report the matter to the police. Where criminal proceedings are under way, the College may delay the progression of the complaint until the outcome of such proceedings is known.

Dealing with Complaints

The College would 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 one month to resolve. The person dealing with an applicant's complaint should give the applicant an indication of the likely timescale. Where the complaint is being addressed through the formal complaints procedure, the Head of Registry will indicate the timescale s/he expects to be followed in relation to the complaint and will keep the applicant informed of any changes to that timescale. If the applicant objects to the timescale set by the Head of Registry s/he should indicate the reasons in writing to the Head of Registry, who will in turn notify the applicant as soon as possible of the decision in relation to the objection.

The College aims 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. Overall, the College aims 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 the applicant accepts any response and/or redress offered by the College in respect of the complaint and decides not to pursue the complaint further.

Applicants who make legitimate complaints under this procedure will suffer no disadvantage.

If, however, a complaint is shown to be frivolous, vexatious or motivated by malice, it will not be considered.

NOTE: Complaints from applicants on collaborative programmes (ie BA Hons PMP/ PGDip PAL) should be handled by the appropriate channels of the Partner Institution.

Procedure

The College has a three stage complaints process as follows:

Stage 1 - Informal Resolution of a Complaint

Wherever possible, complaints should be dealt with and settled at an early stage by discussing

the matter informally at the earliest opportunity. An applicant should therefore bring the matter to the attention of an appropriate member of staff, for example, if the complaint concerns the arrangements of an audition, an applicant might wish to take this up with the Assistant Head of Registry (Admissions). If the complaint is about a College service, then the applicant should talk to an appropriate member of staff from the service or the Head of Registry. If there is any doubt regarding who to contact the applicant should contact the Assistant Head of Registry (Admissions) for advice.

Recipients of informal complaints are responsible for addressing them promptly and fairly. The recipient will normally let the applicant 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 them to whom they should submit a formal complaint if they are not satisfied with this outcome.

Only when an attempt at informal resolution has failed should the Stage 2 procedure outlined below be followed. A formal complaint will not normally be considered until the informal procedure has been used, unless the matter is particularly serious.

Stage 2 - Formal Complaints Procedure

Where a complaint is not resolved to the applicant's satisfaction through the informal process, the applicant should invoke the formal complaints procedure by submitting a written complaint by email or post to the Head of Registry within 10 working days of receiving the outcome of their informal complaint. At any stage after the formal process has commenced the applicant may choose to return to the informal procedure to resolve the matter.

The Head of Registry should acknowledge receipt of the complaint within five working days.

The applicant must make clear in their written submission the relevant facts and matters which it is considered give cause for complaint, together with any relevant documentation, and should state the resolution they are seeking (although the latter information will not restrict the resolution which may be granted under the procedure, it will be helpful to those dealing with the complaint). The applicant should keep a copy of their complaint and any other documents submitted for their records.

If it appears to the Head of Registry that a complaint is vexatious and/or frivolous, he/she will discuss it with the Deputy Principal and together they 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 the applicant to explain why the complaint has been rejected.

The complaint will be investigated by the Head of Registry who may arrange to meet with the applicant to discuss their complaint in detail. Prior to this meeting, the Head of Registry will seek further information as required from those involved in the complaint. Where the complaint involves a member of academic staff, the Head of Registry may meet with the Head of School, Director of Studies, Director of Performance or Dean of Research and Enterprise as appropriate.

At the meeting between the Head of Registry and applicant, the applicant may be accompanied by a person of their choice, who may participate with the permission of the applicant. Other parties to the complaint may also be invited to attend the meeting at the discretion of the person investigating the complaint. A member of Registry staff will be in attendance to minute the meeting.

The meeting will follow the format below:

- The applicant will be asked to explain their complaint and present any supporting evidence, following which they may be asked questions by the Head of Registry and by any other parties to the complaint present;
- If present, other parties to the complaint will then respond to the complaint, following which they may be asked questions by the Head of Registry and the applicant (complainant).

If the applicant is at a distance and a face-to-face meeting is not possible, alternative arrangements such as a virtual meeting may be made.

The applicant will receive a full written response to their complaint, which should detail the nature of the complaint, the findings of any investigation and the points covered in the meeting. The Head of Registry will write to the applicant within 20 working days of initiation of the formal complaints procedure with the outcome of the process, setting out what, if any, redress is offered to the applicant in respect of the complaint, and explaining either why any redress offered is considered to be appropriate, or why no redress has been offered. If this is not possible, the applicant will be informed in writing of the progress being made towards the consideration of their complaint and given a timescale for completion.

The College shall not normally reimburse expenses incurred by applicants in the event of a complaint being upheld.

Stage 3 - Review by Deputy Principal

If the Head of Registry's proposal is not accepted by the applicant under Stage 2, he/she may apply to the Deputy Principal to request a review of the outcome of the complaint and/or propose an alternative redress to any offered by the Head of Registry. Such a request must be in writing within 10 working days. The request should state the grounds for review, which should meet one of the following criteria:

- that there were procedural irregularities in the investigation of the complaint; or
- that fresh evidence can be presented which was not or could not reasonably have been made available at the time of the investigation; or
- that the finding of the investigation was inappropriate in light of the evidence.

If the Deputy Principal is satisfied that a review is justified he/she will receive for review copies of all documentation relating to the complaint held by the Head of Registry, including the applicant's original written submission of the complaint and minutes of the meeting with the applicant. The Deputy Principal may, in addition, request meetings with the applicant and/or other parties involved in the matters giving rise to the complaint, and request further documentation from the College or the applicant.

The applicant will be given at least five working days' notice of a meeting, and may be accompanied by a person of their choice. The Deputy Principal will make a decision regarding the outcome of the Stage 3 review, which may confirm any redress previously offered by the Head of Registry or offer alternative resolution. The decision of the Deputy Principal is the final internal stage in the College's complaints procedure, and the outcome will be considered as bringing the procedure to a conclusion.:-

Monitoring of Complaints

The Head of Registry will keep a record of all formal applicant complaints received.

The Head of Registry will prepare an annual report on the formal complaints raised, for consideration by the Academic Quality Committee, Academic Board and Strategic Planning and Resources Committee, so that experiences can be shared and where appropriate changes to procedures / practice made. The report will include demographic data on applicants 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.

Jingling Hu Marriott
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