

## STUDENT COMPLAINTS AND GRIEVANCES POLICY (STUDENTS)

Version	1.0
Effective date	February 2019
Date for review	February 2020
Policy owner	Managing Director
Reference Points	RSL Awards Complaints Policy
Audience/Handling notes	Public
Implementation and dissemination plan	<p>This Student Complaints and Grievances policy will be disseminated to all NHAM students through publication on the NHAM student area.</p> <p>The Education Administrator will be responsible for the dissemination of the policy and procedures to academic staff.</p> <p>This policy will be reviewed on an annual basis by the Managing Director and will be considered as part of the annual review of all NHAM policies.</p>

Initial Equalities Impact Assessment (EIA) Questions for NHAM Policies:

Equality Impact Assessment (EIA) are a legal requirement of public bodies and form part of the specific duties on colleges to help them meet their general equality duties. For more information on EIA, please refer to the NHAM Equality and Diversity Policy.

An EIA involves gathering and using evidence to make a judgement about how a particular policy or practice affects, or is likely to affect protected equality groups of people when it is implemented. Protected groups are identified in the Equality Act 2010 as sharing a particular characteristic against which it is illegal to discriminate. The nine protected groups are defined in the NHAM Equality and Diversity Policy. They are: age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. The assessment should identify whether the policy and its related procedures affect people from different equality strands in different ways and if they do, then it should establish whether the differential impact is positive, negative or neutral.

This form is intended to provide a quick assessment of whether a policy requires a full EIA. It is also intended to be used to EIA all new policies.

a) Is there any aspect of the policy, procedure or practice that is likely to have a differential impact (negative or positive) on any of the protected characteristics?

No

Yes

If yes, identify how the impact would affect the specific equality strand

b) Is there a possibility of unlawful discrimination, directly or indirectly, on any of the protected characteristics?

No

Yes

c) Could there be an effect on relations between certain groups?

No

Yes

d) Can the above differences be justified?

No

Yes

N/A

e) What mechanisms are in place to monitor the application of the policy, procedure or practice across people from all protected equality groups? Please explain:

Education Administration will record the number and type of complaints received in an academic year in order to identify trends, evaluate the effectiveness of and make enhancements to the Student Complaints and Grievances Policy and Procedures.

## **STUDENT COMPLAINTS AND GRIEVANCES POLICY AND PROCEDURE**

### **1. Policy Statement**

- 1.1. This policy describes how the Notting Hill Academy of Music (NHAM) looks upon the issue of Student Complaints and Grievances.
- 1.2. This policy applies to all students and is designed to ensure that students are treated in a fair and equitable manner.
- 1.3. The Education Administrator is responsible for managing and reviewing this policy and for the effective operation of the Student Complaints and Grievances Policy and Procedures outlined below.
- 1.4. The content of this policy aligns with government legislation, the regulations of NHAM's awarding organisation, RSL Awards, and other external stakeholders to whom NHAM must make reference.
- 1.5. The Student Complaints and Grievances Policy has a link with the following policies and procedures:
  - Academic Appeals
  - Academic Misconduct
  - Admissions
  - Bullying and Harassment
  - Equality and Diversity

### **2. Objectives**

- 2.1. To explain in an open, transparent and accessible way how NHAM deals with student complaints and grievances.
- 2.2. To describe the processes undertaken as part of the Student Complaints and Grievances Procedure.

### **3. Student Complaints and Grievances**

- 3.1. Complaints against NHAM made by students are treated seriously and, if found to be valid, are acted upon to ensure that the students' interests are protected as far as it is possible for NHAM to do so.
- 3.2. Specific procedures exist already for dealing with the following matters:
  - Academic Appeals against the decisions of Student Progression and Assessment Board or Final Exam Board decisions;
  - Alleged bullying and/or harassment;
  - Alleged inequality of opportunity;
  - Matters which fall within the remit of the student disciplinary procedures (e.g. plagiarism/Academic Misconduct).
- 3.2. The procedures detailed below are designed for all other forms of student complaints which do not fall within one of the above procedures.

3.3. It should be noted that these complaints procedures are not designed to deal with problems such as:

- missing coursework;
- unexplained absence of a lecturer;
- late return of work;
- issues with room booking/tutorial credits; or
- teaching room deficiencies etc.

except in so far that such concerns are not resolved through simpler procedures or are persistent.

3.4. These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on NHAM or its awarding bodies to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. These procedures are intended to facilitate NHAM to resolve grievances.

3.5. Anonymous complaints will not normally be considered.

#### **4. Principles which underpin the general student complaints procedures**

4.1. The guiding principles of these procedures are that complaints shall be:

- treated seriously and with fairness;
- dealt with quickly, simply and at the appropriate level of NHAM;
- treated consistently across NHAM subject to the principles of natural justice
- progressed through two stages: an informal stage and, if necessary, a formal stage;
- dealt with and resolved wherever possible at the informal stage and shall be without prejudice to a student's group or a group of students' right to pursue legal remedies outside NHAM and the awarding body, having exhausted NHAM and/or the awarding body's complaints procedures
- In order to be considered, any student complaint must be submitted no more than six calendar months after the event or problem relating to the complaint.

#### **5. Procedures (Student complaints and grievances)**

In all situations where students have a minor query or issue, they should talk to their Tutor, Mentor or the Education Administrator, who may be able to resolve the issue without needing to make use of these Student Complaints and Grievances procedures.

## 6. Hierarchy of Escalation of Complaints

Nature of Complaint/ Grievance	Informal Stage 1 Responsibility	Informal Stage 2 Responsibility	Formal Stage: Escalate to
Academic	Academic Tutor	Education Administrator	Managing Director
Facilities	Academic Tutor	Education Administrator	Managing Director
Administrative	Academic Tutor	Education Administrator	Managing Director
IT	Academic Tutor	Education Administrator	Managing Director
Financial	Academic Tutor	Education Administrator	Managing Director

### Informal Stage

#### 1. Informal Stage 1

1.1 In the first instance students who wish to make a complaint should discuss it with a member of NHAM staff who will advise whether or not the complaint is best progressed through:

- An NHAM Board of Studies;
- Reference to specific persons who can resolve the problem, e.g. Tutor, Education Administrator, Managing Director
- One of the alternative procedures set out in paragraph 3.2 above;
- These general complaints procedures; or
- Exceptionally, the student complaints and grievances procedures of NHAM's awarding organisation.

1.2 The member of staff consulted shall discuss the complaint fully with the student and, with the student's consent, anyone else involved, to see if it can be resolved informally. Where appropriate, a member of Education Administration will support the process.

1.3 The outcome of complaints dealt with informally at Stage 1 should be briefly documented and passed to Education Administration for recording against the student's record and in order to send a copy of the outcome to the student. Students are permitted to complain without risk of disadvantage. Normally, complaints handled through Informal Stage 1 shall be dealt with within, at most, 10 working days.

#### 2. Informal Stage 2

2.1 If the student is dissatisfied with the result of Informal Stage 1, the complaint shall be sent in writing (either in hard copy, email or via the Student Complaints Form) to Education Administration within 10 working days of the completion of Informal Stage 1.

2.2 Education Administration will direct the complaint to the relevant member of NHAM staff (see hierarchy grid above), who will investigate the complaint fully and shall seek to achieve an informal resolution of the problem(s), either by correspondence or through discussion with the complainant as soon as possible.

2.3 Progression to the Formal Stage should only be necessary in exceptional circumstances since most complaints, other than ones related to persistent problems, should be resolved at the informal stage.

2.4 If the complaint directly involves a manager of a service, it shall proceed directly to the formal stage.

### **3. Groups of Complainants**

3.1 NHAM recognises that students may wish to lodge complaints collectively. In such instances students are asked to nominate one spokesperson with whom NHAM staff will liaise to address the complaint. This spokesperson should endeavour to gather the views of all of the students who wish to lodge the complaint. If Informal Stage 1 does not satisfactorily address the complaint, the spokesperson should complete a written explanation of the complaint (either a report or via the Student Complaints Form), which should be agreed by the entire group before submission.

### **4. Formal Stage**

4.1 If a student is dissatisfied with the result of the two informal stages, they shall proceed to the formal stage. They shall put the complaint and the reason why they are dissatisfied with the outcome of the two informal stages in writing to Education Administration within 10 working days of the completion of Informal Stage 2.

4.2 Education Administration shall:

- acknowledge receipt of the written complaint within three working days;
- advise, in writing and within three working days, any member(s) of staff or students involved that a formal complaint has been received; and
- escalate the complaint to a member of Senior Management.

4.3 The Managing Director shall consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons they deem appropriate in order to fully investigate the complaint.

4.4 The Managing Director, having fully investigated the complaint over a period not normally exceeding 10 working days from its receipt, shall decide whether:

- the complaint should be progressed through other procedures (e.g. procedures indicated in paragraph 3.2) in which case the complaint shall be terminated at this stage; or whether
- there is no reasonable justification for the complaint, in which case the complaint shall be terminated at this stage; or whether
- there is reasonable justification for the complaint  
there is no reasonable justification for the complaint, in which case the complaint shall be terminated at this stage; or whether

#### 4.5 The Managing Director shall:

- make their decision known in writing;
- recommend resolutions to any justifiable complaint which all parties involved in the complaint shall be invited to accept; and
- if the recommendations are agreed, shall take steps to ensure that they are implemented in full within the agreed time period.

#### 4.6 Education Administration will then:

- Inform the student and to the members of staff or other students involved of the decision.
- Monitor the agreed resolutions to the complaint.
- Record the number and type of complaints received in an academic year in order to identify trends, evaluate the effectiveness of and make enhancements to the Student Complaints and Grievances Policy and Procedures.

## 7. Monitoring

7.1 The complainant will be contacted via email after 1 month to ask them to comment on the success of the formal stage of the complaints process. If the formal stage has not resolved the issue, the complainant may be asked whether they wish to repeat the formal stage process or they will be advised on how to progress their complaint to NHAM's awarding organisation.

## 8. Appeal

8.1 If the student is not satisfied with the decision at the conclusion of NHAM's Formal stage or if the recommendations made at this stage are not implemented, they may appeal to NHAM's awarding organisation, RSL Awards, which will follow their own process, which can be found at: <https://www.rslawards.com/about-us/policies-and-regulations>

8.2 If the student is enrolled on NHAM's own Internal Qualification, NHAM's decision is final.