



KENSINGTON COLLEGE OF BUSINESS

Complaints and Appeals Policy

Version – Jan19

External Reference Points

- New UK Quality Code: UK Quality Code-Advice and guidance Concerns, complaints and Appeals
- Good Practice Guidelines from the Office of the Independent Adjudicator

Related Policies and Documents

- 7.2. Academic appeals procedure
- 2.2.4. Policy and Procedure for Applicants to make admissions Complaints
- 8.1.1. Complaints procedure
- 8.1.2. Appeals procedures
- 8.1.3. Complaints form
- 8.1.4. Appeals Form

Policy Review

Next Review Date: July 2020

Reviewed By: Academic Board

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Scope

1. This policy and procedure apply to all students and apprentices at Kensington College of Business (KCB), current and those who have also completed their course. As far as possible, this policy references and reflects the Good Practice Guidelines from the Office of the Independent Adjudicator, and the UK Quality Code Advice and Guidance: Concerns, Complaints and Appeals theme.

Aim

2. This Policy aims to ensure that the College has fair and transparent procedures for handling complaints and appeals which are accessible to all students which in practice, means that there are formal mechanisms for handling complaints and appeals.

Objectives

3. This policy is designed to ensure that:
 - a. all students have a clear procedure to follow when submitting a genuine complaint
 - b. concerns, complaints and appeals enable the College to address and enhance its provision, learning opportunities, public information and management of the information it holds
 - c. all concerns, complaints and appeals are investigated impartially by having investigating officers with an appropriate level of separation from day-to-day operational managers and decision-makers

Introduction

4. KCB treats all complaints from students seriously and ensures that they are dealt with promptly, in a transparent and fair manner consistently and efficiently. This policy is made simple and easy to follow so as to be accessible to and inclusive of all students:
 - i. Information is clear and transparent: This policy is summarised into a simple procedure. Both the policy and procedure are explained to students during the Induction process.
 - ii. Each student is required to sign off the Induction checklist to confirm that they have been given the set of important documents which include the Complaints Policy.
 - iii. The Complaints Policy should be available on the College Student Moodle.
 - iv. The Policy covers all complaints made by students, including formal and informal and as far as possible concerns students on all programmes. It covers complaints made by a group as well as individuals. However, in some situations the awarding partner dictates that its procedures be followed. Nevertheless, in most cases, awarding partners require that internal processes be exhausted before recourse can be sought from their processes.

- v. Each Complaint including the Appeal against the Complaint Decision should be internally dealt with within 90 days of the initial report.
- vi. Complaints with a major effect on the student will be given the highest priority with regards to processing times and access to staff, processes and stages at a higher level.
- vii. Wherever possible, KCB aims to address student concerns about their course and its services informally through discussion. It is important that students raise their concerns locally, at an early stage, with their lecturer or any other member of staff.
- viii. Students and staff have rights and responsibilities under this procedure. Consequently, students must make complaints in good faith and without malice. Students who make complaints that are frivolous, malicious, obscene or abusive may be subject to disciplinary action.
- ix. People raising concerns or making complaints or appeals are treated with dignity and respect, and their well-being is properly considered
- x. Confidentiality and anonymity are appropriately assured: only disclosed to individuals involved in the investigation.
- xi. Timeliness: all complaints should be made as soon as possible after the event about which the complaint is being made.
- xii. This Policy respects complete independency: No person with any potential conflict of interest will be included in any complaint or appeals process or stage of such process where any such conflict or potential of such conflict exists.
- xiii. All concerns, complaints and appeals are used to improve the student experience procedures: the review of concerns, complaints and appeals should capture any learning gained concerning the general welfare of the students or for the enhancement of the student's experience.
- xiv. The Registration Coordinator collects the complaints/suggestions from the box every week and will assess and monitor those complaints/suggestions. Feedback from these complaints is discussed at appropriate board/committee meetings and communicated to the Student or Students concerned.
- xv. At any meeting which is part of this Procedure, a student who is involved is entitled to be accompanied by a supporter. This person can only be a qualified legal representative with the prior permission of the College.

Review Process

- a. All complaints will be reviewed as follows:
 - i. The Registration Coordinator maintains a register of all complaints/suggestions.
 - ii. The complaints/suggestions register is normally presented to the next Academic Board for analysis, further action and review.
 - iii. Records of such reviews are presented to the Board of Governors for further discussion and advice.
 - iv. Feedback from these reviews is disseminated back to the students through the student representatives and some cases as notifications via the VLE/Student Moodle.
- b. The Academic Board also assesses, monitors and reviews the number, level, type and frequency of complaints and academic appeals made over the course of each academic year, during the Annual Monitoring Review. This information is used to decide changes processes and procedures wherever possible. The Review report is discussed and signed-off by the Board of Governors.

Grounds of complaints considered under this Policy / Procedure:

- c. Examples of grounds for complaint include:
 - i. A failing in KCB academic or support services
 - ii. Inaccurate information about a programme
 - iii. Inadequate provision of a programme and/or related resources
 - iv. Inadequate facilities
 - v. The conduct of a member of staff
- d. Students must be registered on a programme in order to lodge a formal complaint. The only exception to this is where students have completed their programme and have a complaint about any aspect of certification of their programme (e.g. delays in receiving qualification certificates).

Exclusions from this Policy / Procedure

- e. The following matters are excluded from this policy/procedure:
 - i. Complaints against final grades or progress
 - ii. Complaints against the admission procedures (These are dealt with in the Complaints Against Admissions Decisions)

Complaints procedure

- f. There are three parts to the complaints procedure:
 - i. Informal stage (conciliation)
 - ii. Formal stage
 - iii. Appeal stage

Informal stage (conciliation):

- g. Local resolution of the complaint: complaints are generally best dealt with by the people most closely involved with the issue(s). Therefore, students should first discuss the matter either directly with the source of the complaint or with a responsible person as follows:
 - i. Student Representative
 - ii. Programme Leader
 - iii. Registrar
 - iv. Lecturer

- v. Student Welfare Officer
- vi. Principal, where the complaint is serious

Formal stage:

- h. If a student is dissatisfied with informal attempts at resolving the complaint, they should make a written complaint using the form at Appendix 1 and e-mail it to complaints@kcb.ac.uk. The Registration Coordinator compiles details of the complaints and hand these to the Principal, who commissions a Complaints Panel to investigate.
- i. Acknowledgement of the receipt of the complaint will be sent within 5 working days. Where a complaint is made against a member of staff, the Registration Coordinator sends a copy of the complaint to them for their response. If the student has been granted anonymity the name will be redacted. When the Complaints Panel has completed its consideration, it will determine one of the following:
 - i. that there is substance in the complaint and what action(s) should be taken in response;
 - ii. that there is no substance to the complaint and that no further action need be taken;
 - iii. that there is no substance to the complaint and that the complaint has been shown to be malicious, obscene or abusive. In this case, disciplinary action in line with the College misconduct policy may be taken against the complainant.
- j. The Complainant will be informed in writing of the action as result of the complaint in 15 working days.
- k. The findings are reported to the Academic Board.

Appeal stage:

- l. Students may appeal against KCB's decision by completing the form and e-mail it to appeals@kcb.ac.uk within 15 working days of receiving the written notification of the outcome of the complaint on the following grounds:
 - i. there was a procedural irregularity which has materially disadvantaged the student in making their complaint;
 - ii. there is new and relevant material/evidence that was not available at the time the complaint was first submitted;
 - iii. there is evidence that the complaint decision was unreasonable.

- m. The Registration Coordinator compiles details of the appeal and submit it the Chair of the Board of Governors for further consideration. The Chair of the Board of Governors, appoints an Appeals Panel which will decide either to:
 - i. confirm that the complaint has been resolved satisfactorily;
 - ii. resolve the complaint;
 - iii. hear the complaint afresh.
- n. The Appeals Panel should not include the Principal or any other member of staff who may have been involved with the case as a member of the Complaints Panel. The outcome of the appeal is final.
- o. The Appeals Panel will normally be expected to complete its processes within twenty working days.
- p. If the student is still not satisfied with the outcome of the appeal, students other than the ICSA (CCSP and CSQS) can correspond with the appropriate external body or Office of the Independent Adjudicator (OIA). Full details for external recourse will be included in the Completion Letter.