Student Complaints & Appeals Policy

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1. Background and Scope

The Academy provides access for students, prospective students (i.e., those at the application stage) and staff to a system for making and handling student or prospective student complaints efficiently and effectively. Implementation of this policy and procedures by the Academy, should ensure that students and those applying to become students feel able to make a complaint or appeal a decision about a complaint, knowing that it will be fairly investigated.

2. Aims and Objectives

The policy aims to ensure that students and prospective student complaints at the Academy are dealt with appropriately. The Academy has the following objectives in relation to student complaints:

- To provide clear information on complaint procedures
- To ensure complaints are dealt with fairly and honestly.
- To ensure that the complaint handling process helps to improve the student and prospective student experience.

The Academy aims and objectives are further informed by the Good Practice principles set out by the Office of the Independent Adjudicator (OIA):

- Accessible and clear
- Fair, independent and confidential.
- Inclusive
- Flexible, proportionate and timely
- Improve the student experience.

Good Practice Framework - Principles (oiahe.org.uk)

3. Application

3.1. What is a complaint?

At LCK Academy we understand that occasionally, a student or prospective student may find the service they have received or experience they have had to be unsatisfactory, prompting them to make a complaint. LCKA is committed to addressing such matters fairly and promptly. Throughout the investigation, the complainant will be informed of progress, and the Academy will strive to provide a satisfactory outcome. No complainant will be disadvantaged for making a complaint. Complainants have the right to raise concerns about various aspects of the student experience, including but not limited to:

- Failure of the Academy to fulfil obligations outlined in student handbooks.
- Misleading or inaccurate information in course publicity, promotional materials, or other

information provided by the Academy.
- Issues regarding programme delivery, teaching methods, or administrative processes.
- Substandard facilities, learning resources, or services offered by the Academy.
- Instances of alleged bullying, harassment, or discrimination.

3.2. Exclusions from Complaints

While the Academy strives to address all concerns raised by students or prospective students, there are certain matters that cannot be handled through these procedures. These include:

- Disputes related to the assessment process or outcomes of academic work, which fall under the purview of the Academic Appeals Policy.
- Dissatisfaction with decisions made under separate policies such as Academic Malpractice, and Fitness to Study & Practice.
- Allegations of non-academic misconduct against another student, which are addressed through the Fitness to Study & Practice Policy.

4. Complaints Protocols

These guidelines aim to assist students and prospective students in understanding the complaints process at LCKA. All complaints will be treated confidentially and handled with sensitivity by LCKA staff involved at every stage of the process.

4.1. Who may complain?

All applicants and enrolled students at LCKA have the right to make a complaint, and their complaints will be taken seriously. If other procedures at LCKA are in progress during an ongoing complaint, the investigation will continue unless there are compelling reasons for one of the procedures to be put on hold pending the outcome of the other matter.

A student who has recently interrupted their studies, withdrawn, or completed their studies, may still submit a complaint within three months of their last date of engagement. Evidence submitted as part of one complaint will be available for use in other complaints if appropriate.

Prospective students (i.e., those at the application stage) can follow these procedures but should also refer to the Admissions Policy for details regarding complaints about admissions. Students considering making a complaint may seek advice and guidance from student representatives and student support staff. A group of students can make a collective complaint under certain criteria, with one member identified as the main contact for communication purposes.

While students are encouraged to make their own complaints themselves, complaints can be made by a third party on their behalf.

4.2. Ineligible Complaints

Vexatious or frivolous complaints will be rejected, and students found to have submitted such a complaint may face disciplinary action if a complaint is deemed malicious in nature.

4.3. Investigation

Raising a complaint gives LCKA permission to investigate the matter and discuss it with relevant parties. Information submitted will remain confidential to the extent where it is possible, considering the right of others to know the details of any allegations made against them. Named staff members in a complaint will be entitled to see the written complaint.

Anonymous complaints will not be investigated. Written records of all meetings, emails, texts and telephone calls will be kept confidential. Efforts will be made to work within published timescales, with regular updates provided to all parties. The Academy will strive to be transparent in responding to complaints, considering requests for access to documents within legal limitation of GDPR legislations.

New evidence relevant to the original complaint may be submitted as it becomes available, but this may prolong the investigation process. Investigations into complaints will be conducted in a timely, objective, and thorough manner, by a member of the Senior Leadership Team (SLT) referred to as the **Investigating Officer (IO)**. Wherever possible, the IO should not have had knowledge of the complaint previously. If legal action is pending, internal investigations may be suspended until legal matters are resolved.

Students may seek initial independent advice from any staff member before proceeding with their complaint. Complaints will not be rejected due to minor procedural errors on the part of the complainant.

5. Advice and Guidance

For independent, non-judgmental guidance students may find it helpful to ask their class student representative, student president or student support staff on how to proceed with their intended complaint. If students have any questions about how the complaints process works, they can contact a member of the student support team. Prospective students may contact the admissions team for support in making a complaint.

6. Procedures for Submitting a Complaint

6.1. Stage 1: Informal Immediate Local Resolution

At the point a concern arises, complainants should first raise concerns informally with staff, such as their Admissions Officer, Personal Tutor, the Course or Module/Unit Leader, or members of the

Academy Student Services team.

This approach is generally more effective as it offers a quick solution and avoids delays incurred in submitting and processing a formal complaint. The student should raise any concerns as soon as possible, and in any case within three months of the issue arising.

It is expected that at this stage the matter would be resolved quickly in in-person discussion, or perhaps through an online or email conversation.

6.2. Stage 2: Formal Complaint Resolution

If there is no early resolution, or the student remains dissatisfied with the outcome of the early resolution stage, or if the matters raised are particularly complex, the student should submit their formal complaint in writing using the complaints link on the Academy website or by sending a notification of formal complaint form (Appendix 1) to: complaints@lckacademy.org.uk. Complaints must be submitted within three months of the issue arising, regardless of whether or not it is first considered under the Early Resolution stage.

6.2.1. Direct Submission

If a complaint is sent directly to the Chief Executive Officer (CEO) or another member of the Senior Leadership Team, they will refer it to the Head of Quality or nominee in the first instance.

6.2.2. Required Information

When submitting a formal complaint, it is crucial to provide as much relevant information as possible to ensure a thorough investigation may be conducted. This includes detailing the nature of the complaint, relevant dates, names of individuals involved, and any specific incidents or actions. Additionally, attaching supporting documentary evidence, such as emails, correspondence, or records of events, can significantly strengthen the case and assist in understanding the context of the complaint. Please see the following guidance:

- Ensure all relevant information pertaining to the complaint is included in the submission.
- Attach supporting documentary evidence to substantiate the claims made in the complaint.
- Clearly articulate the details of the complaint, including specific incidents, dates, and individuals involved.
- Organise the information logically to facilitate understanding and assessment by the Academy.
- Present the complaint in a clear, concise, and objective manner, avoiding any unnecessary or irrelevant details.
- Provide accurate contact information for follow-up communication regarding the complaint.
- Seek guidance from Student Council or student support staff if assistance is needed in preparing the complaint or gathering supporting evidence.

6.2.3. Initial Response

The Head of Quality or nominee will respond to the complaint within **two working days** informing the complainant that they will assess the complaint to confirm whether it will be recommended for further investigation. If the complaint is dismissed at this stage, the student will be informed, with full reasons given, and advice on further action the complainant may take.

6.2.4. Key Questions

The key questions considered in the initial review will be:

- Is this an eligible complaint?
- Was early resolution attempted? If not, can it be referred back to that stage?
- Is it clear what the complaint is about, and which functions of the Academy are involved?
- Has appropriate evidence been provided?
- What outcome is the student hoping for? Can that outcome be achieved?
- Is the complaint suitable for mediation?
- Should any additional assistance or support be provided to the student in taking this forward?

6.2.5. Appointment of an Investigating Officer (IO)

If the complaint is accepted, the Head of Quality or nominee will refer the complaint to the Senior Leadership Team (SLT) within **five working days** of receiving the complaint and the complainant will be informed that their complaint has been escalated. The SLT will appoint one of its members as an Investigating Officer (IO). The appointed IO must be someone who has had no previous involvement in the matter.

6.2.6. Investigation Process

Upon appointment, the Investigating Officer will contact the complainant within **two working days** to confirm the main issues raised and provide an expected outcome date.

A comprehensive investigation into the matters raised in the complaint will be conducted by the Investigating Officer, who subsequently will compile a report outlining findings and recommendations.

The investigation aims to conclude within **20 working days** of receiving the complaint, subject to factors such as the complexity of the complaint, resource availability, and the need to interview relevant individuals.

Regular progress updates are provided to the complainant by the Investigating Officer, especially in cases of any delays.

In specific circumstances, the Investigating Officer may convene a meeting with relevant parties, including the complainant and any involved employees or students.

6.2.7. Investigation Meeting (Accompanied)

The investigation meeting provides an opportunity for all parties to express their views and clarify key points of the complaint. The complainant may be accompanied by another person to support them.

Prepared questions may be posed by the Investigating Officer during the meeting, allowing the complainant to provide additional relevant information or evidence.

Brief notes are taken during the meeting and shared with the complainant to ensure accuracy. These notes are retained for inclusion in the investigation report.

Recordings may be made during meetings with prior permission from all attendees.

6.2.8. Outcome of the Investigation

Upon completion, a report detailing the investigation findings, including whether the complaint is upheld, partially upheld, or not upheld, is generated, along with supporting reasons and any proposed redress or recommendations.

The report may suggest redress and/or remedial action and offer recommendations.
Each complaint is addressed individually within the report, along with an overview of the investigation process and evidence considered.

The report will be passed to at least one other member of the Senior Leadership Team for their approval. If the other member sees any irregularity or reason for concern, they may refer the matter back to the IO for further investigation. Once the report has been approved by a second member of the Senior Leadership Team, it is passed to all relevant parties.

All parties involved have the right to access evidence, with any necessary redactions made to comply with GDPR regulations.

Cases involving proven evidence of staff misconduct will be dealt with under the Staff Disciplinary Procedure.

A formal response, including recommendations for resolution, is provided to the complainant by the Investigating Officer at the end of the investigation (within **five working days of completion of the investigation**).

This outcome letter outlines the next steps in the complaints process and requests confirmation of acceptance or rejection of the proposed resolution within **ten days of the issuing of the letter**.

This letter will be sent by email and 1st class post to the student's home address.

If no response to the outcomes letter is received from the complainant within the specified time, acceptance of the outcome is assumed, and the matter is considered closed.

Complaints deemed frivolous, or vexatious may result in disciplinary action under the Fitness to Study & Practice Policy.

6.2.9. Redress

If the complaint is upheld, and the investigation determines that action is necessary to address any raised concerns, then redress will be offered to the complainant. Redress options are tailored to the specific circumstances of the case and may include:

- An official apology from the Academy.
- An opportunity to repeat the experience under improved conditions (excluding academic assessment processes or results, which are subject to academic judgment).
- Implementation of changes to the Academy's services, facilities, or policies if deemed responsible.
- Any other suitable action deemed appropriate.

The Decision Letter detailing the redress offered is stored in the student's personal file, treated in compliance with GDPR regulations and the Academy's Data Retention Policy. If the complainant fails to request a review within **ten days** of the decision letter, the matter will be considered closed, and no further action may be taken.

6.2.10. Other Outcomes

Complaints involving a specific staff member prompt a thorough investigation, including interviews with all parties involved. If the investigation uncovers evidence of misconduct, the matter is handled through the Staff Discipline Policy as detailed in the Staff Handbook. It is essential to note that any investigation of a complaint does not assume or imply there is any fault on the part of an employee unless and until the evidence leads to that conclusion.

Stage 3 If You Remain Dissatisfied with the Outcome
If you remain dissatisfied with the outcome and you course is validated by an external partnership you can take the matter to your validating partner but **only** once the procedure has been completed with LCK Academy and you remain unhappy with the outcome.

University College Somerset (UCS): Complaints must be submitted in writing, to the UCS this can be via email to complaints@ucscollegegroup.ac.uk, via UCS's online complaints form https://www.somerset.ac.uk/about/complaints/

The UCS complaints policy can be located at: https://www.somerset.ac.uk/about/policies-

regulations/university-centre-somerset/

University of Portsmouth: Complaints from Partner Students follows the University of Portsmouth process from section 4 (page 16) of the University of Portsmouth Student Complaints Procedure (https://policies.docstore.port.ac.uk/policy-047.pdf)

For more information on the University of Portsmouth Complaints procedure. Please go to https://myport.port.ac.uk/my-course/appeals-complaints-and-conduct/student-complaints

Contact information to submit a complaint to the University of Portsmouth:
Tel: 023 92 84 3110
Email: studentcaseworker@port.ac.uk

Completion of Procedure Letter
You may apply to the Office of the Independent Adjudicator for Higher education (OIA), if you remain unhappy with the outcome you may be able to ask the OIA to review your complaint. The validating partner will issue you a completion of Procedures letter. The partner will provide the letter once their procedures have been completed or for other reasons such as you are out of time.

You will need to complete an OIA complaint form and send it to the OIA within 12 months of the date of the Completion of procedures letter.

The OIA runs an independent scheme to review student complaints. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong here: **https://www.oiahe.org.uk/students**.

You can find more information about Completion of Procedures Letters and when you should expect to receive one here: **https://www.oiahe.org.uk/providers/completion-of-procedures-letters**.

Office of the Independent Adjudicator Second Floor
Abbey Gate
57-75 Kings Road Reading
RG1 3AB
Tel: 0118 959 9813

7. Complaining to our Partners and Awarding Organisations

If a complainant is still dissatisfied with the outcome after exhausting all internal procedures at the Academy, they retain the right to escalate the complaint to:

- Our academic partners (University Centre Somerset or University of Portsmouth, depending on the programme studied)
- The awarding organisation (Pearson) following review by UCS https://qualifications.pearson.com/en/contact- us/feedback-and-complaints/learners-and-parents.html
- The Office for Students (OfS) for all students on Higher Education courses following review by the validating partner https://www.officeforstudents.org.uk/for-students/ofs-and-students/complaints/complaints- about-a-university-or-college/
- The Office of the Independent Adjudicator for Higher Education (OIA). (as above)

8. Additional Information

8.1. Rights of Complainant and Respondent

Both the student and respondent reserve the right to be accompanied at any meetings by a representative. For students, this is usually a fellow student or student representative. Legal representatives are not permitted. Throughout all stages of the procedure, disabled students are entitled to reasonable adjustments under the Equality Act 2010. Other students may receive appropriate support based on available resources.

The respondent in a complaint has the right to representation, the opportunity to present their perspective to the Investigating Officer, and access all evidence associated with the case. Similar to the student lodging the complaint, the respondent also holds the right to request a review.

The Academy will provide training to relevant staff on the appropriate handling of complaints according to these procedures.

8.2. Mental Health or Disturbed Behaviour

Cases involving mental health difficulties or disturbed behaviour are typically not addressed under these procedures but rather under the Academy's Fitness to Study & Practice Policy.

8.3. Monitoring and Reporting

The Head of Quality or nominee monitors these procedures, to ensure consistency and compliance

with relevant legislation.

An annual summary report of complaints received is presented to the Academy's Academic and Quality Board, omitting personal complainant details.

The Academy offers mediation services for students, available at any stage of the complaint procedure upon request to the Registry Officer.

Appendix 1: Student Complaints Form

Complaint Form Personal Details
Name:
Student ID (if relevant):
Course (if relevant):
Details of the Complaint
Please provide a detailed description of your complaint.
Supporting Evidence
Please attach any supporting evidence you have with this form.
Action Taken So Far
If you have already taken steps to resolve your complaint informally, please outline this below.

Desired Outcome
What resolution are you hoping for?
Confidentiality Declaration
I declare that all information provided is true, accurate, and complete to the best of my knowledge.
Student Signature (email address can be used):
Date:
Print Name:

Appendix 2: Complaint Investigation Form

Allegation/Issue	
Type of Investigation e.g. Disciplinary/Grievance etc	
Name(s) of persons subject to investigation	
Name of complainant (if appropriate)	
Investigator(s)	
Background	
This may cover: • How did the issue come to light? • Have any other actions been taken prior to the investigation?	
Remit of The Investigation	
This may cover: • What specific allegations/concerns (by bullet points) were investigated?	
Investigation Process	
This may cover: • A brief description of method(s) used to gather information. • A record of what interviews/statements were undertaken, and documents reviewed	
Witnesses	
• List of witnesses interviewed	

Findings	
This should cover: • A summary of findings and observations for each specific allegation/issue of concern investigated, cross-referencing any documentation where needed	
Conclusions	
This may cover: • For each concern/allegation investigated an overall opinion based 'on the balance of probabilities' on whether there is evidence to support allegations made. • Recommendations on whether further actions under the relevant complaint's procedure should be taken	
Appendices	
• These should be attached and may include witness statements, investigatory interview notes, chronology of events etc.	
Signed by the Investigating Officer	
Date	