

Complaints Policy

Policy Category:	Academic - Student
Subject:	Student Complaints
Approving Authority:	Academic Board
Responsible Officer:	Vice President (Education & Student Success) and Executive Director, Education and Students
Responsible Office:	Student Conduct & Appeals (Student and Education Directorate)
Related Procedures:	Student Conduct & Appeals Committee Procedures
Related College Policies:	Non-Academic Misconduct Policy & Procedure Academic Misconduct Policy & Procedure Fitness to Practise Policy Information Disclosure (Whistleblowing) Policy Academic Regulations
Effective Date:	1 September 2024
Supersedes:	G31 Academic Regulation
Next Review:	September 2027

I. Purpose & Scope

King's College London is committed to considering and investigating genuine complaints from students. The University defines a complaint as an expression of dissatisfaction that warrants a response and this policy provides a clear mechanism for that to happen. The University will review what led to the complaint and where appropriate seek an early resolution. Outcomes can also be used to improve services to all members of the University.

In accordance with the Equality Act 2010 the University will consider any reasonable adjustments to this policy to take into account the needs of individual students.

The University may pause or stop the consideration of any complaint submitted where the student is suspected to be in breach of the [Academic Misconduct Policy](#), the [Non-Academic Misconduct Policy](#) or the [Fitness to Practise Policy](#), and action should be taken under those regulations. The University may also pause or stop the consideration of any complaint submitted if there are criminal or civil legal proceedings relating to the same facts.

There are areas which fall out the scope and are detailed in clause 1.4 of the policy below.

II. Definitions

Collaborative Partner	Another institution/organisation where the University has an agreement in place for offering a learning opportunity to students.
Collaborative Provision	Any type of educational opportunity where the achievement of the relevant learning outcomes for a King's module or programme of study is dependent on the arrangement made with

	a Partner. Also known as collaborative activity, collaborative partnership, collaborative arrangement, managing higher education provision with others.
Group Complaint	A complaint by a group of students raising the same matter of concern, at the same stage of the same University procedure, wanting the same outcome.
Report + Support	An online tool that students and staff can use to report incidences of inappropriate behaviour. Further information can be found here .
Student Conduct & Appeals	The service that provides procedural advice on matters concerning student conduct, complaints and appeals regulations led by the Head of Student Conduct & Appeals (HoSCA).

III. Policy

1. Introduction

- 1.1 The majority of cases are resolved through informal (Stage One) discussions at the earliest opportunity without the need for a formal complaint to be made. Where a complaint relates to the provision or delivery of a programme or part of a programme students should normally use their programme representative system in the first instance.
- 1.2 All parties involved in a complaint are expected to act reasonably and fairly and treat the process in a respectful manner. If inappropriate behaviour is displayed, action may be taken under the [Non-Academic Misconduct Policy](#).
- 1.3 The Student Complaints Policy and [Committees procedure](#) covers the following areas:
 - a) provision or delivery of programmes or parts of programmes.
 - b) inadequate supervision on a research degree programme.
 - c) inadequate services or facilities of the Faculty and/or the University.
 - d) decisions, actions or perceived lack of action taken by a member of University staff.
 - e) decisions, actions or perceived lack of action taken by a central University service; or a member of staff acting on its behalf.
 - f) complaints relating to sexual misconduct, violence, discrimination, harassment or bullying.
- 1.4 The Student Complaints policy does not cover the following areas:
 - a) complaints arising from action taken under the [Academic Misconduct Policy](#) and/or the [Non-Academic Misconduct Policy](#) (subject to 1.13 below).
 - b) complaints arising from matters related to fitness to practise, academic progression, assessment or examination, Support for Study and

Personalised Assessment Arrangements. Students are referred to the appeals procedures of the respective regulations and policies: [Academic Regulations Chapter 7: Academic Support and Appeals](#), [Academic Regulations Chapter 6: Framework for Postgraduate Research Awards](#), [Academic Regulations Chapter 8: Concerns, Conduct & Complaints](#), the [Fitness to Practise Policy](#), the [Support for Study Policy & Procedure](#) and the [Personalised Assessment Arrangement Process](#).

Students cannot use the Student Complaints procedure following an unsuccessful appeal under the regulations and policies listed above.

- c) complaints relating to services provided by collaborative partners or other organisations involved in the delivery of the student's programme. In such instances, students are referred to the complaint's procedure of the partner organisation but have the ultimate right of appeal to the University in the case of issues which impact the quality and standards of the King's College London award, or where decisions taken by the partner organisation directly relate to how a student attains a King's College London award. Therefore, if students are dissatisfied with the outcome once they have exhausted all stages of the complaints procedure at the partner organisation, they have a right to appeal to the University for a review of their complaint at Stage Three of the Students Complaints policy. Exceptions may apply if the partner organisation is an awarding body of dual/double/joint degrees.
- d) complaints against King's College London Students' Union. Students are referred to [KCLSU Student Complaints \(non-election\) Procedure](#).
- e) complaints relating to a student's fee status. Students are referred to the King's Admissions [Fee Status Policy](#) for contesting fee status decisions for enrolled students. Complaints relating to the service provided during the fee status review (under the Fee Status Policy) will be considered under this Complaints Policy. However, the fee status decision itself will not be reconsidered under this Complaints Policy.
- f) complaints from applicants to the University regarding the admissions process and/or admissions service. Applicants are referred to the [Applicant Complaints Policy](#).

1.5 Complaints relating to the activities of another student (including, but not limited to, bullying, harassment and discrimination by another student) where they meet a threshold of providing sufficient information to make a meaningful investigation, (see 2.1h of this policy) will be investigated as allegations of misconduct under the Non-Academic Misconduct Policy. Any further action under this policy will be paused pending the outcome under that policy.

1.6 Complaints relating to the activities of a member of staff (including, but not limited to, bullying, harassment and discrimination by a member of staff) will normally be initially investigated under this policy. However, if there is evidence of behaviour

which warrants investigation under the Human Resources Disciplinary procedure, then any action or further action under this policy may be paused, pending the outcome of that procedure.

- 1.7 In certain circumstances complaints may be investigated in conjunction with other departments or with due regard to other University regulations and procedures. If the investigator determines that this would be appropriate, the student shall be informed. If a complaint is referred for consideration under another procedure, the procedure that is ongoing would usually take precedence and any further action under this policy shall normally be paused, pending the outcome of the other procedure. In some cases, it may be appropriate to pause an ongoing investigation under another University procedure in order to investigate a complaint. This will be judged on a case-by-case basis by Student Conduct & Appeals.
- 1.8 Group complaints are permitted. In the first instance, a group should raise any issues with the programme lead via their student representative or a nominated member of the group. If the matter is not resolved, the nominated student will submit the complaint and communicate with the University on behalf of the group and should provide the names and contact details for all members of the group. Student Conduct & Appeals will ensure all members of the group have given their consent to be part of the complaint. The outcome of the complaint will apply to all members of the group.
- 1.9 The scope of the Student Complaints Policy extends to former students of the University, provided that any time limitations are observed (normally within three months of the incident complained about or the last event in a series of incidents).
- 1.10 At any point during Stage One or Stage Two of this policy, a student may request mediation or Student Conduct & Appeals may also recommend it. If mediation is deemed appropriate, and all parties agree to participate, consideration of the complaint under this policy will be paused whilst mediation takes place. If mediation is unable to resolve the complaint, consideration of the complaint under this policy will be resumed.
- 1.11 The University will not normally investigate anonymous complaints. Exceptionally, HoSCA (or their nominee) may decide to consider a confidential complaint (where the reporting party does not wish the reported party to know who they are), or an anonymous complaint where it is supported by corroborating evidence that can be disclosed and will enable the reported party to understand and challenge the allegation(s) against them. The HoSCA will make this decision if it is in the interests of the University to pursue the complaint.
- 1.12 The University may look into patterns and trends arising from anonymous complaints as part of ongoing service delivery and proactive prevention.
- 1.13 Whilst complaints arising from action taken under the Academic Misconduct Policy and/or the Non-Academic Misconduct Policy are prohibited by 1.4(a) above, a student may raise a Complaint about the operation of either of those Policies following the completion of Misconduct Proceedings if it is alleged that either

Policy was incorrectly applied. In such cases, a complaint may be made under section 7.2 of this Policy.

2. Termination of a complaint

- 2.1 The HoSCA (or their nominee) may close a complaint in the following circumstances:
- a) complaints which are obsessive, harassing, prolific or repetitive.
 - b) insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes.
 - c) insistence on pursuing what may be meritorious complaints in an unreasonable manner.
 - d) complaints which are designed to cause disruption or annoyance.
 - e) demands for redress which lack any serious purpose or value.
 - f) complaints which are submitted outside of the normal timeframe, where an adequate reason for delay has not been provided.
 - g) complaints which are considered to be without foundation or in bad faith.
 - h) where there is insufficient information to carry out a meaningful investigation.
- 2.2 If the complaint is closed at this stage, the University will write to the student to explain why it is terminating consideration of the matter. The student can challenge this decision but is not able to submit additional evidence.
- 2.3 Any challenge must be submitted to HoSCA within ten working days of the date of notification of the decision. The HoSCA (or nominee) will consider whether the decision to terminate the complaint was made in accordance with this policy. If the challenge is accepted the complaint will be considered in the usual way under this policy. The HoSCA (or nominee) will communicate their decision within ten working days of the date of notification of the challenge.
- 2.4 Where it is found that a student has raised a complaint in bad faith or used false information, the University will consider taking disciplinary action under the [Non-Academic Misconduct Policy](#).
- ## **3. Confidentiality and record keeping**
- 3.1 The University will do all in its power to limit the disclosure of information as is consistent with conducting an investigation and in accordance with the University's [Information Disclosure \(Whistleblowing\) Policy](#), the provisions of the Human Rights Act, the General Data Protection Regulation, the Freedom of Information Act and any other relevant legislation.
- 3.2 All complaints will be considered in a sensitive way and information will only be shared appropriately as is necessary to investigate the complaint. In submitting a complaint, a student should understand that their complaint will be shared with relevant staff who are responsible for conducting the investigation into the

matter/s raised. Necessary information will also be shared with the individual, service or department against whom a complaint has been made, so that complaints are investigated fairly.

If a complaint, or elements of a complaint, are particularly sensitive and a student has concerns about confidentiality, advice should be sought from Student Conduct & Appeals who will consider how the disclosure can be managed.

- 3.3 If a student makes a formal complaint, a record of the complaint will not be held on their student record but kept securely by Student Conduct & Appeals.

4. Stage One: local informal resolution

- 4.1 Complaints should, in the first instance, be raised informally with the relevant person, at the earliest opportunity. Often, this will be the student's Personal Tutor, Graduate Tutor, Senior Tutor, Supervisor or Programme Tutor. If the complaint is concerned with the delivery of a service by a central University Department, the student should raise the matter informally with the relevant manager or Head of Department. If the complaint is concerned with a staff member who would ordinarily be the first point of contact, the student should complain to the member of staff's line manager, or seek advice from the persons listed on [the Student Conduct & Appeals webpages](#).
- 4.2 The relevant person, as defined above, will listen to and discuss the nature of the complaint. Although they will not carry out a formal investigation, they can advise on how the matter could be resolved and will normally keep informal notes.
- 4.3 If the complaint requires a more thorough investigation or is particularly complex, the relevant person may refer the student to Stage Two of this policy.
- 4.4 The HoSCA (or an appropriate nominee) has the discretion to consider reasonable requests for a complaint to be escalated directly to Stage Two.

5. Stage Two: formal investigation

- 5.1 Students who are dissatisfied with the outcome of informal resolution may submit a Stage Two Complaint, for a formal investigation by the Faculty/Department to be undertaken.
- 5.2 Students should submit a [Stage Two Complaint Form](#) to the HoSCA within three months of the incident complained about or the last event in a series of incidents. Complaints received after this deadline will be accepted at the discretion of the HoSCA (or their nominee) where there are circumstances which warrant an extension of the usual time limitations.
- 5.3 If the complaint, or elements of the complaint, relates to bullying and harassment, students may submit their complaint through [Report + Support](#) rather than a Stage Two Complaint Form.

- 5.4 A student is normally expected to submit one version of their complaint. Numerous, repetitive complaints about the same or a similar topic from the same complainant will not be considered (see 2.1(a) above). The HoSCA (or their nominee) will consider any requests to add amendments to a complaint, but this will depend on the circumstances and the reasons for the amendment(s) and is not guaranteed.
- 5.5 The HoSCA (or nominee) will appoint an appropriate member of staff from within the University to investigate the alleged issues in the Faculty/Department. In exceptional circumstances, the HoSCA (or nominee) may appoint an external investigator where it is deemed appropriate to do so.
- 5.6 The investigator will investigate the circumstances of the complaint as well as the University's procedures. The investigation may involve interviewing the student making the complaint and others directly involved, as well as seeking opinion and information from anyone with an interest in, or knowledge of, the matter being complained about.
- The investigator may also consider any relevant previous findings of Misconduct that have been upheld against any student involved in the investigation when assessing their honesty and credibility and, in relation to the subject of the complaint, whether this might be part of a pattern of behaviour.
- 5.7 The investigator will consider the merits of the complaint and if upheld, in part or in full, will make proposals for the resolution of the complaint and may recommend further appropriate action.
- 5.8 The decision of the investigator shall normally be communicated in writing to the student and the HoSCA within 25 working days of receipt of the Stage Two complaint.
- 5.9 HoSCA (or their nominee) will share the outcome of an investigation with the complainant and, where appropriate, with relevant stakeholders with appropriate redaction to remove sensitive personal data. Where relevant, it is good practice for departments to act on any recommendations arising from complaints investigations.

6. Stage Three: appeal

- 6.1 Students who are dissatisfied with the outcome of a Stage Two complaint may submit an appeal to the Vice President (Education & Student Success) on either or both of the following grounds:
- a) that there is new evidence that could not have been, or for good reason was not, made available at the time of the investigation by the HoSCA and that sufficient evidence remains that the complaint warrants further investigation.
 - b) that evidence can be produced of significant procedural error on the part of the University investigating the complaint, and that sufficient evidence

remains that the complaint warrants further consideration.

- 6.2 The Vice President (Education & Student Success) (or nominee), has discretion to take into account grounds (including grounds of compassion) other than those stated above in deciding whether to allow an appeal to be heard.
- 6.3 Students should submit a [Stage Three Complaints Form](#) to the HoSCA within ten working days of the Stage Two Complaint outcome. Appeals received after this deadline will only be accepted at the discretion of the Vice President (Education & Student Success) (or nominee).
- 6.4 The Vice President (Education & Student Success) (or nominee) will normally advise the student in writing of their decision on the appeal within 20 working days of receipt.
- 6.5 There are three possible outcomes from the Vice President (Education & Student Success)'s review:
- a) that the appeal should be dismissed.
 - b) that an offer to resolve the complaint is made.
 - c) that the appeal should be heard by an Appeal Committee in accordance with the Appeal Committee structure.
- 6.6 If an Appeal Committee is convened, they will determine whether there is sufficient reason to challenge the Stage Two Complaint outcome. If there is sufficient reason, the Appeal Committee will consider the merits of the complaint and if upheld in part or in full, will determine proposals for the resolution of the complaint, and may recommend further appropriate action. If there is insufficient reason, the Stage Two Complaint outcome will stand.
- 6.7 New evidence that has not already been submitted as part of the appeal will not normally be considered by the Appeal Committee. Should either party wish to submit new evidence this must be done at least five working days before the Committee date. The Chair of the Appeal Committee may accept or reject new evidence, and their decision will be final.
- 6.8 The decision of the Appeal Committee shall normally be communicated in writing by the HoSCA (or nominee) to the student and other relevant stakeholders as appropriate, within five working days of the decision of the Appeal Committee.
- 6.9 The decision of the Appeal Committee is final. There is no further right of appeal.
- 7. Victimisation: declaration of intent**
- 7.1 Subject to the above, the University undertakes that any student seeking to make valid use of this policy and the Student Conduct & Appeals Committee procedure will not be treated less favourably for the remainder of their studies with the University as a result of action taken to pursue a complaint.

- 7.2 If a student wishes to make a complaint about Student Conduct & Appeals it will be investigated under this policy by the Associate Director (Student Conduct & Appeals). Where the Associate Director (Student Conduct & Appeals) is unable to investigate the complaint independently due to prior involvement, the matter will be referred to a person of an equivalent seniority outside of Student Conduct & Appeals for investigation.