

Complaints Policy

Policy Category:	Academic
Subject:	Student Complaints
Approving Authority:	Academic Board
Responsible Officer:	Executive Director of Students & Education
Responsible Office:	Students & Education
Related Procedures:	Student Conduct & Appeals Committee Procedures
Related College Policies:	G27 Misconduct Regulation G29 Fitness for Registration and Fitness to Practise Regulation G28 Academic Progress T44 Taught Programme Academic Appeals R17 Research Degree Programme Academic Appeals Information Disclosure (Whistleblowing) Policy
Effective Date:	1 September 2020
Supersedes:	G31
Next Review:	1 September 2022

I. Purpose & Scope

King's College London is committed to considering and investigating genuine complaints from students. The College defines a complaint as an expression of dissatisfaction that warrants a response and this policy provides a clear mechanism for that to happen. The College 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 College.

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

The College may pause or stop the consideration of any complaint submitted where the student is suspected to be in breach of the [G27 Misconduct Regulation](#) or the [G29 Fitness for Registration and Fitness to Practise Regulation](#), and action should be taken under those regulations.

There are areas which fall out the scope and are detailed in the policy.

II. Definitions

Collaborative Partner	Another institution where the College 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 College procedure, wanting the same outcome.
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.

- 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;
 - d) decisions, actions or perceived lack of action taken by a member of College staff;
 - e) decisions, actions or perceived lack of action taken by a central College service; or a member of staff acting on its behalf;
 - f) complaints relating to discrimination, harassment or bullying.
- 1.4. The Student Complaints policy **does not** cover the following areas:
- a) complaints arising from action taken under the [G27 Misconduct Regulation](#);
 - b) complaints arising from matters related to fitness to practise, academic progression, assessment or examination. Students are referred to the appeals procedures of the respective regulations: [G28 Academic Progress](#); [G29 Fitness to Practise](#); [T44 Taught Programme Academic Appeals](#); and [R17 Research Degree Programme Academic Appeals](#). Students cannot use the Student complaints procedure following an unsuccessful appeal under the regulations 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 College in the case of issues which impact on a student's programme of study. 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 College for a review of their complaint at Stage Three of the Student Complaints policy;
 - 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. In the first instance, students are referred to the King's Admissions Office's Procedure for contesting fee status decisions for enrolled students.
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- 1.5. Complaints relating to the activities of another student (including, but not limited to, bullying, harassment and discrimination by another student) will be investigated as allegations of misconduct under the [G27 Misconduct Regulation](#). Any further action under this policy will be paused pending the outcome under that regulation.
 - 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 be initially investigated under this policy. However, if there is evidence of behaviour which warrants investigation under the Human Resources Disciplinary procedure, then any 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 College 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 any further action under this policy shall normally be paused, pending the outcome of the other procedure.
 - 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 College on behalf of the group. 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 College, provided that any time limitations are observed.

1.10. At any point during Stage One or Stage Two of this policy, a student may request mediation, run by the [King's Legal Clinic](#). It will be for the Clinic to ascertain whether the complaint is suitable for mediation, and their decision in this regard is final. If mediation is deemed appropriate, and the other party/ies 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.

2. Rejection of a complaint

2.1. A complaint may be rejected by the HoSCA 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 the delay has not been provided;
- g) complaints which are considered to be without foundation or in bad faith.

2.2. If the complaint is rejected at this stage, the College 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 five working days of the date of notification of the decision. The HoSCA will consider whether the decision to reject 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.

2.4. Where it is found that a student has raised a complaint in bad faith or used false information, the College will consider taking disciplinary action under the [G27 Misconduct Regulation](#).

2.5. The College will not consider anonymous complaints.

3. Confidentiality and record keeping

3.1. The College will do all in its power to limit the disclosure of information as is consistent with conducting an investigation and in accordance with the College'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. If a student makes a formal complaint, a record will not be held on their student file 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 College 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 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 only be accepted at the discretion of the HoSCA.

5.3. The HoSCA will appoint an appropriate member of staff from within the College to investigate the alleged issues in the Faculty/Department. In exceptional circumstances, the HoSCA may appoint an external investigator where it is deemed appropriate to do so.

5.4. The investigator will investigate the circumstances of the complaint as well as the College'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.

5.5. 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.

5.6. 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.

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-Principal (Education) 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 consideration;
- b) that evidence can be produced of significant procedural error on the part of the College in investigating the complaint, and that sufficient evidence remains that the complaint warrants further consideration.

6.2. The Vice-Principal (Education), 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-Principal (Education).

6.4. The Vice-Principal (Education) 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-Principal (Education)'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 to the student and other College Officers 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 College undertakes that any student seeking to use this policy and the Student Conduct & Appeals Committee procedure will not be treated less favourably for the remainder of their studies with the College as a result of action taken to pursue a complaint.

7.2. If a Student wishes to make a complaint about Student Conduct & Appeals (SCA) it will be investigated under this policy. However, SCA will not deal with the complaint at Stages Two and Three. Students should refer to the policy on Complaints made against the Student Conduct & Appeals Service for further details.