



Leeds Trinity  
University

# Complaints Procedure

## August 2017

## Complaints Procedure

### 1. Scope

1.1 These procedures deal with complaints from registered students, apprentices and their employers regarding one of the following:

- (i) a fellow student or apprentice;
- (ii) a member of Leeds Trinity staff or member of external training provider;
- (iii) the standard of academic provision, including Library and Learning Resources and training provided by external institutions contracted by Leeds Trinity;
- (iv) a Leeds Trinity service;
- (v) the fabric of Leeds Trinity, including matters covered by the Residential Accommodation Agreement.

1.2 Other procedures deal with complaints regarding the following:

- (i) applications (please see *Applicant Feedback and Complaints Procedure*);
- (ii) results of Leeds Trinity examinations or assessments (these complaints are known as appeals and have procedures defined within *Academic Regulations*);
- (iii) equal opportunities (see *Policy for the Protection of Dignity at Work and Study*);
- (iv) sexual and racial harassment (see *Policy for the Protection of Dignity at Work and Study*);
- (v) Students' Union officers, procedures or events (see *Code of Practice between the Governors of Leeds Trinity and the Students' Union*);

1.3 For legal reasons the University cannot deal with complaints made on behalf of registered students or apprentices by relatives or others.

1.4 If a complaint arises in the course of a student's employment by the University, the student should contact the Human Resources department.

1.5 The University cannot investigate complaints about an apprentice's employer or other employees as employees, except in relation to the learning contract.

### 2. Principles and Guidance

2.1 Students, apprentices and their employers have a right to complain if they feel that the quality of a Leeds Trinity University service or resource is inadequate, or the conduct of a fellow student, apprentice or member of staff is unsatisfactory.

#### 2.2 Complaints Principles

The procedures below are based on the following conditions or principles:

- (i) complaints will not be made for frivolous or mischievous reasons;
- (ii) complaints will not be made so long after the event that reasonable investigation and remediation cannot be effectively conducted;

- (iii) complaints will not be made in an offensive or abusive manner;
- (iv) complainants will be registered students of Leeds Trinity University or apprentices or their employers;
- (v) complainants will follow the procedures outlined below;
- (vi) Leeds Trinity will deal with every complaint individually, fairly, expeditiously, discreetly and without recrimination; Leeds Trinity will seek to reduce procedural duplication when it is in the best interest of the student or apprentice;
- (vii) the complainant will be entitled to be accompanied to meetings at all stages of the complaint process by a person of his/her choosing.

## 2.3 Guidance

- 2.3.1 Guidance may be sought on the applicability and operation of the procedures set out below from the Director of Student Services or Student Support Adviser or Administrator.
- 2.3.2 Complaints by apprenticeship employers should proceed directly to the formal stage.

## 3. **Complaint Procedure**

### 3.1 Stage One: Informal Complaint

- 3.1.1 It is generally more effective to make a complaint at the time when the problem arises and with the person(s) involved, including an immediate manager or externally contracted staff, such as school-based training mentors. A request for a conversation away from other people may be followed by a discreet, courteous but frank discussion of the complaint and possible consequences.
- 3.1.2 If contacted for guidance, Student Support staff will encourage this approach in the first instance or might suggest another appropriate avenue for complaint such as the departmental Student Staff Academic Committee (**SSAC**).
- 3.1.3 However, the Director of Student Services might still be involved in attempting to resolve matters expeditiously and directly (please email: [studentsupport@leedstrinity.ac.uk](mailto:studentsupport@leedstrinity.ac.uk). For similar resolution of apprenticeship issues, please contact the Director of Knowledge Exchange at: [apprenticeships@leedstrinity.ac.uk](mailto:apprenticeships@leedstrinity.ac.uk)).
- 3.1.4 If, after pursuing the matter directly, the complainant still feels s/he has cause for complaint then s/he should follow the appropriate procedure below.

### 3.2 Stage 2: Formal Complaint

- 3.2.1 This stage should normally only be used after an unsuccessful attempt has been made to resolve the problem informally.
- 3.2.2 In all cases, complainants will need to set out their complaint in writing, either by email or by letter, to the Chief Operating Officer. Emails should be sent to [complaints@leedstrinity.ac.uk](mailto:complaints@leedstrinity.ac.uk).
- 3.2.3 In order to expedite investigation and resolution, the written complaint should include:
  - The issue and subject of complaint (see paragraph 1.1).

- Relevant dates and identification of persons.
- References to dated emails, correspondence, oral statements, published information.
- Summary of attempt(s) at direct address and meetings.
- Clear indication of outcome sought, such as apology, restitution of fault or omission, change of situation or decision, refund, etc.

3.2.4 Complaints about external training provision are necessarily more difficult to investigate, particularly where school holidays render members of staff out of contact and unable to attend meetings. All formal complaints about such provision shall be handled within reasonable timescales as determined and monitored by the Chief Operating Officer and shall not be subject to the deadlines as set out below for internal complaints.

#### 3.2.5 Timescales

- (i) The Chief Operating Officer shall normally acknowledge the written complaint within five working days of receipt by email.
- (ii) The Chief Operating Officer shall decide the appropriate person to take responsibility for investigation of the complaint (**Investigating Officer**) and who has had no previously involvement in the matter. The Investigating Officer shall be charged with interviewing the complainant(s) within ten days of receipt (subject to availability of complainant(s)).
- (iii) The Investigating Officer shall interview others and gather any further evidence as necessary and, if appropriate, arrange a meeting with the complainant(s) and the subject to attempt reconciliation.
- (iv) The Investigating Officer shall ensure that interview notes taken with the complainant(s) and others are confirmed in writing as being a true record and reflect the substance of any conversation(s).
- (v) The Investigating Officer shall report to the Chief Operating Officer who shall decide whether the complaint is to be upheld and inform relevant parties in writing, normally within twenty-five working days of receipt of the written complaint, of:
  - (a) any action to be taken.
  - (b) a date on which progress will be reviewed.
  - (c) right of petition (see section 4).
- (vi) On the review date, or as soon thereafter as possible, the Chief Operating Officer shall ascertain from the complainant and the subject of the complaint whether the required action has been taken.
- (vii) If the required action has been taken then the matter shall be formally closed and taken no further and the Chief Operating Officer shall write to both parties to confirm this.
- (viii) If the required action has not been taken the Chief Operating Officer shall invoke relevant procedures as necessary.

#### **4. Petition against the Outcome / Handling of Complaints**

4.1. If a complainant is dissatisfied with either the outcome of their complaint or the way in which the complaint was handled, s/he may petition in writing within ten working days of the letter informing the complainant of the outcome of the complaint.

4.2. Petitions will only be allowed on the following grounds:

- Faulty or irregular procedure in the initial complaint handling.
- Emergence of relevant information not available previously.
- Evidence that the initial decision was inequitable, unreasonable or perverse.

4.3. The petition should be sent to the Vice-Chancellor who may delegate an appropriate senior manager to investigate the case.

4.4. The Vice-Chancellor or delegate will investigate the case fully and will respond in writing to the complainant, normally within 28 working days, stating the outcome of the petition, copied to the Chief Operating Officer for information.

#### **5. Case Closure**

If a petition has been submitted by the deadline in 4 above, Leeds Trinity will issue a "Completion of Procedures" letter at the same time as it informs the complainant of the outcome of the petition.

#### **6. Independent External Review**

6.1. If, on exhaustion of Leeds Trinity procedures detailed above, a complainant wishes to seek an independent external review, then they should apply to the Office of the Independent Adjudicator (OIA) within twelve months of the date of the "Completion of Procedures" letter. The "Completion of Procedures" letter will contain information on the services provided by the OIA and how to submit an application. The OIA website is [www.oiahe.org.uk](http://www.oiahe.org.uk).

6.2. A complainant is also entitled to seek an independent external review from the Financial Ombudsman Service (FOS) where the complaint involves an area of the University's activities which is regulated by the Financial Conduct Authority (providing credit by allowing payments in instalments and providing money and debt advice services). The 'Completion of Procedures' letter will contain information on the services provided by the FOS and how to submit an application. The FOS website is [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk).