

# TRINITY LABAN

## ACADEMIC QUALITY HANDBOOK

### CHAPTER H.1 - STUDENT COMPLAINTS PROCEDURES

#### 1. Introduction

Trinity Laban (the “Institution”) exists to transform individuals and enrich society through world-class music and dance by delivering an outstanding training and education that cultivates individual and original artistic voices. The Institution recognises that on occasion, you may have cause, or feel that you have cause, to express concerns or dissatisfaction about aspects of your learning experience or environment.

This procedure is designed to provide you with confidence that your concerns will be addressed promptly, fully and fairly, and that you will not be disadvantaged in any way as a result of raising complaints in good faith.

This procedure is aligned to the QAA’s [UK Quality Code – Advice and Guidance: Concerns, Complaints and Appeals](#) and to the Office of the Independent Adjudicator for Higher Education’s [Good Practice Framework: Handling Student Complaints and Academic Appeals](#).

We value our good relationships with you and aim to deal with any concerns or complaints sensitively. Please, in the first instance:

- talk to us informally about concerns or levels of service; and/or
- use our feedback mechanisms - through programme committees, student-staff liaison groups, the Students' Union and Student Representation System, students' committees, your teaching staff and the Students Services team.

#### 2. Making complaints

In case you have to make a complaint, we aim to:

- resolve issues informally wherever possible;

- address issues thoroughly and as speedily as possible, and tell you when you can expect a reply at all stages of the process;
- make sure you are aware of your rights in relation to the complaint;
- carry out a full, fair and proportionate investigation and give you a reasonable response;
- feedback issues into our system to contribute to improvements in services; and
- ensure students are not disadvantaged as a result of raising complaints in good faith.

### **3. Advice, help and guidance on complaints**

Advice on how to use the complaints procedure is available from various sources, including the Assistant Registrar (Quality & Governance). The Student Services team and the Students' Union are sources of confidential, independent support. Members of staff are also entitled to seek guidance on the application of these procedures from the Quality & Governance Team.

### **4. Eligibility: who may make a complaint?**

This procedure applies to all students. The term 'student' refers to students who have registered or enrolled onto a foundation, undergraduate, postgraduate or research degree programme at the Institution. It also includes those who have recently graduated or withdrawn from a programme. Complaints should be made as soon as possible following the incident and no more than forty calendar days following the alleged incident for complaints that do not relate to harassment, bullying or sexual misconduct. In relation to student complaints regarding harassment, bullying or sexual misconduct by a member of staff, these should be raised within 90 calendar days following the alleged incident. Issues should, however, be raised as soon as possible and, where feasible, during the period of your enrolment in order to enable resolution. Students who have recently graduated or withdrawn from a programme must raise any complaint within forty calendar days of both the alleged incident and of their graduating or withdrawing.

When a complaint is brought by a group of students, one person should be prepared to act as spokesperson and correspondent for the formal process, with written agreement of the other members. Each member of the group must be able to demonstrate that they have been personally affected by the matter that is the subject for the complaint.

Where a complaint is submitted by a group of students, the Institution will consider whether the issues raised have affected each student similarly or whether individual impacts should be taken into account. In cases where the complaint has affected students differently - such as those on different modules or programmes -the

institution reserves the right to divide the complaint into sub-groups or handle certain elements on an individual basis.

In some cases, it may also be appropriate to determine the group aspects of the complaint first, before addressing any remaining individual elements.

Participants in Learning and Participation activities, including vacation courses, adult dance classes, taster days, schools workshops, Junior Trinity and the Centre for Advanced Training should use the Customer Complaints Procedure available [here](#).

Applicants for higher education programmes who do not enrol or register may raise complaints through a separate complaints system, please contact our admissions team at [admissions@trinitylaban.ac.uk](mailto:admissions@trinitylaban.ac.uk) for further details.

## 5. Eligibility: what is a complaint?

A student complaint is defined as:

*“an expression of dissatisfaction by one or more students about an action, or lack of action, or about the standard of service provided by or on behalf of the Institution.”*

Examples of complaints under this procedure could include any expression of dissatisfaction about:

- delivery of service and academic provision (e.g. programme design, content and structure, resources and facilities, accommodation, assessment process and information)
- quality of supervision or tuition
- failure to meet obligations (e.g. those set out in the prospectus and programme handbooks)
- harassment and/or sexual misconduct of a student by a member of staff

## 6. Matters not covered by the complaints procedure

Item	Correct Procedure
Academic matters relating to the decision/s of the Assessment Board regarding assessment, progression, or award	<a href="#">Academic Appeals Procedure</a>
Complaints about another student's behaviour including harassment and/or sexual misconduct by another student	<a href="#">Student Disciplinary Procedure</a>
Complaints about McMillan Halls	Please contact Trinity Laban Student Services for information on how to

	submit a complaint regarding McMillan Halls
Complaints about the Students' Union	Trinity Laban Students' Union <a href="#">Constitution</a>
Whistleblowing (public interest disclosure)	<a href="#">Whistleblowing Procedure</a>
Requests for more or for different services	Raise issues through programme committees/Student-Staff Liaison Groups/SU Executive/Student Representation System

Where a complaint is received but the subject matter does not fall under the remit of this procedure or falls under the remit of two or more procedures, the officer nominated by the Registrar to consider complaints (the "Nominated Officer") may at their own discretion either direct you to the relevant procedure(s) or invoke that/those procedure(s) directly where there is sufficient cause and evidence to do so. In such circumstances, the Nominated Officer will inform you:

- which specific issues will be determined under which policies and by whom;
- the order in which those issues will be determined; and
- the implications, if any, of following more than one procedure at any time.

## 7. Freedom of Speech

Trinity Laban is bound by a duty to promote freedom of speech and maintains a separate Freedom of Speech Code of Practice. Trinity Laban will have particular regard to and place significant weight on the importance of freedom of speech within the law, academic freedom and tolerance for controversial views in an educational context.

In relation to complaints about harassment, there is a rebuttable presumption that:

- A. students being exposed to the content of higher education course materials, including but not limited to books, videos, sound recordings, and pictures is unlikely to amount to harassment.
- B. students being exposed to statements made and views expressed by a person as part of teaching, research or discussions about any subject matter which is connected with the content of a higher education course is unlikely to amount to harassment.

Trinity Laban reserves the right to decline to investigate a complaint or a part of a complaint where it believes to do so would infringe on the freedom of speech of another student or member of staff. Where Trinity Laban exercises this right to decline to investigate, it will set out the reasons for its decision and provide information on any next steps available.

## **8. Confidentiality and anonymity**

We shall handle all cases with appropriate levels of confidentiality, releasing information only to those who need it to investigate or respond to the complaint. Personal and sensitive information gathered in relation to investigations under these procedures will be held securely, whether held physically or electronically and in a separate location to your main file.

We will retain personal and sensitive information gathered in relation to investigations under these procedures for two years following any Completion of Procedures Letter. Where we received notice that the OIA has been asked to investigate, we will retain the information for a year following any outcome provided by the OIA.

Trinity Laban may, on occasion, employ an external contractor to fulfil investigatory functions. In such circumstances, both Reporting and Responding Parties will be informed of the decision and Trinity Laban will ensure that appropriate confidentiality agreements are entered into with the external contractor.

We cannot ordinarily investigate complaints made anonymously, since complaints require detailed investigation. In exceptional circumstances, and if there is a compelling case supported by evidence, the Nominated Officer at their sole discretion may investigate an anonymous complaint. Any such investigation, however, may be seriously impeded as may the communication of any outcome reached.

The Institution may refer to the police any matters involving suspected criminal offences where appropriate .

## **9. Stage one: Early Resolution (informal concern or complaint)**

You can usually most easily resolve complaints by raising them when the problem occurs and with those directly involved; please talk directly to staff, your Programme Leader, to the Student Services team, with the Students' Union, and with your Student Representative. There may be opportunities for mediation to assist with the resolution of issues.

Staff members receiving stage one complaints must report the subject matter of the complaint and any resolution offered or agreed to the Nominated Officer by emailing [complaints@trinitylaban.ac.uk](mailto:complaints@trinitylaban.ac.uk).

### **10. Stage one: Early Resolution (written complaint)**

If you cannot, or feel unable to, resolve your concerns in this way, you can put your complaint in writing to the relevant senior staff member. Who this is will depend upon the subject matter of the complaint. A list of relevant senior staff members for the purposes of this procedure are below:

- Undergraduate Programmes – Head of Undergraduate Programmes
- Postgraduate Programmes – Head of Postgraduate Programmes
- Learning & teaching and student experience (all taught programmes) – Deputy Director (Teaching, Learning & Experience)
- Research - Head of Research and Knowledge Exchange
- Library – Head Librarian of the respective libraries
- Registry – Registrar
- Student Services – Head of Student Services & Accessibility
- Finance – Head of Finance
- IT – Head of IT
- Estates and Facilities – Head of Estates & Facilities
- Brand and Communications – Head of Brand & Communications
- Head of Customer Services & Events
- Programme Leaders
- Heads of Department (Music)

If your complaint relates to a department not listed above, please contact the Assistant Registrar (Quality & Governance) for guidance as to whom the complaint should be addressed.

The senior staff member will seek to provide a written response to your complaint within twenty calendar days, keeping you fully informed in case this deadline cannot be met and the reasons why. You must make any complaint within forty calendar days of the alleged incident/cause for complaint where this complaint does not relate to harassment, bullying or sexual misconduct. In relation to student complaints regarding harassment, bullying or sexual misconduct by a member of staff, these should be raised within 90 calendar days following the alleged incident/cause for complaint.

Staff members receiving stage one complaints must report the subject matter of the complaint and any resolution offered or agreed to the Nominated Officer by emailing [complaints@trinitylaban.ac.uk](mailto:complaints@trinitylaban.ac.uk).

### **11. Stage Two - Formal complaint**

If you cannot resolve your complaint directly with the relevant academic area or service, you can put your concerns in writing to the designated Nominated Officer who - liaising with colleagues as necessary, will investigate the complaint, overseen by the Registrar. You should make your complaint using the Student Complaint Form

(available from the Registry or the Students' Union or [here](#)) and send it to [complaints@trinitylaban.ac.uk](mailto:complaints@trinitylaban.ac.uk). The form will help you:

- set out your detailed complaint
- explain what you have done to try to resolve the complaint informally
- explain why action taken following your complaint is not satisfactory
- outline what outcome you would like from your complaint
- advise the address to which correspondence relating to the complaint should be sent (we shall assume that you have received correspondence sent to that address)

Where applicable, you should attach any evidence which you would like to be reviewed when considering your complaint. This could include emails, statements from witnesses, medical evidence for example. Student Services or the Students' Union may be able to assist you to complete the form.

Where no attempts to seek resolution were made prior to a formal complaint being submitted, the Nominated Officer may direct you to the relevant senior staff member to attempt resolution, unless there is a valid reason why the complaint could not or should not have been considered at stage one. In deciding whether to accept a complaint received at Stage 2 or refer it back for consideration at Stage 1, the Nominated Officer will take into consideration, amongst other matters, the type and seriousness of the complaint i.e. service level or harassment and/or sexual misconduct; and the individual circumstances of the student. The Nominated Officer's decision is final.

You must make any complaint under this stage of the procedure within 15 calendar days of the date of the senior staff member or nominee's response to your initial complaint or, if you have been for a valid reason unable to raise a complaint at stage one, within 40 calendar days of the alleged incident/cause for complaint where this relates to complaints that are not made in relation to harassment, bullying, or sexual misconduct. In relation to student complaints regarding harassment, bullying or sexual misconduct by a member of staff, these should be raised within 90 calendar days following the alleged incident.

Where a complaint is submitted outside of the time limits set out in these procedures it will ordinarily be rejected and a Completion of Procedures letter issued. In accordance with guidance set out in the OIA guidance, when deciding whether to accept a late complaint, the Nominated Officer will consider the student's individual circumstances, the nature and seriousness of the issues they are raising, and whether it is still reasonably possible to investigate the events. The Nominated Officer's decision will be final. The reason for accepting or rejecting a complaint received late will be recorded.

The Nominated Officer will acknowledge your complaint within five calendar days and, in liaison with the Registrar, will aim to provide a response within 50 calendar days of

receiving a complaint although we aim to resolve complaints sooner. *In exceptional circumstances, complicated cases may take longer to investigate with appropriate care and thoroughness; the timescale may also have to be extended during vacation periods. You will be informed of any extension to the deadline and the reasons for such an extension, as early as possible, but we shall take all reasonable steps to resolve cases with the minimum delay and in line with the overall timescales set out in the OIA's Good Practice Framework*

The Nominated Officer - overseen by the Registrar - will co-ordinate a full, fair and proportionate investigation of the issues raised in your complaint, paying attention to the scale and seriousness of the complaint. The Nominated Officer and the Registrar may determine who - if anyone - will be interviewed during the course of the investigation and from whom any written submissions will be sought. Decisions will be made on the basis of a reasonable judgment on the balance of probabilities.

Copies of correspondence and the accompanying documents will be available to the investigator of the complaint and possibly also to staff assisting or providing information for the investigation. We shall, however, maintain confidentiality as far as consistent with a proper investigation of a complaint. We shall bear in mind the need to protect the interests of any staff who are the subject matter of a complaint. Staff involved, have the following rights:

- to be informed and read the complaint against them;
- to be accompanied to interviews by a friend or a union representative (not acting in a legal capacity and not a witness); and
- to respond before conclusions are reached.

The Nominated Officer will reply to your complaint, setting out the decision and the reasons for the decision. The Nominated Officer has a wide discretion in determining outcomes of any complaint received.

The Institution may decline to consider complaints that it considers vexatious or malicious. The Institution may consider using the disciplinary procedures where a complaint is found to be vexatious or malicious. This could include, for example, complaints that are patently unsustainable or complaints made in an attempt to damage the name of another person or a department.

Where a complaint has not been upheld at stage two of these procedures and no request for reviews has been received within ten calendar days of the letter confirming the outcome of stage two, a Completion of Procedures letter will be issued.

## **12. Stage Three: request for a review of the outcome of a formal complaint**

If you are not satisfied by the response to your complaint, you can ask for a review of the decision: We can help you contact the appropriate person.



You can ask for a review of the decision as long as your request is based on one or more of the following grounds:

- a challenge to findings of fact
- a claim that the procedure has been implemented improperly
- there is significant new evidence or information, which was unavailable at the previous stage

If you do not have grounds to make a request for a review, you may request that the Institution provide you with a Completion of Procedures Letter. You must request a Completion of Procedures Letter within 31 calendar days of the outcome of stage two. You should make your request for a review in writing using the standard form (available from the Registry or the Students' Union or [here](#)) within 10 calendar days from the date of the letter telling you the outcome of your complaint. You should return your completed appeal form to the Director of Strategy & Business Operations. The Director of Strategy & Business Operations or a nominee will then review the case, ensuring that the matter meets the criteria for an appeal and, if so, that it is referred to a board hearing. Where the matter does not meet the criteria for a review, the Director of Strategy & Business Operations will reject your request in writing, setting out the reasons why it does not meet the criteria and provide you with a Completion of Procedures Letter. This decision will be relayed to you within 10 calendar days of receipt of the request for review. Where the Director of Strategy & Business Operations is absent, the Nominated Officer will make alternative arrangements.

### **Review Panel**

For cases that are confirmed to meet the criteria, the Director of Strategy & Business Operations or a nominee will arrange a panel to hear the complaint, including:

- a senior member of staff not previously involved in the complaint as chair
- two members of staff from a subject area or professional service department unrelated to the complaint
- one representative of the Students' Union

The panel will meet within 20 working days of the date of the review decision. *Please note that it may take longer than anticipated to organise a panel. The timescale may also have to be extended during holiday periods. You will be informed of any extension to the deadline and the reasons for such an extension, as early as possible, but we shall take all reasonable steps to resolve cases with the minimum delay and in line with the timescales set out in the OIA's Good Practice Framework.* The panel will make a decision on the basis of a reasonable judgment on the balance of probabilities. The panel will communicate its conclusions to the student and the department within five calendar days of the meeting, through the Director of Strategy & Business Operations or a nominee. The Director of Strategy & Business Operations or a nominee will keep all parties informed of progress and will explain reasons for any necessary extension of the timescale. Details of the procedure for reviewing complaints are available at appendix H.1.2.

### **Issues relating to provision validated by City, University of London (Research Degrees only)**

City, University of London will consider complaints relating to the academic quality of the programmes that it validates, once Trinity Laban's own procedures have been completed. You can view the relevant procedures [here](#).

### **13. Further, independent review**

The office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Trinity Laban is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your complaint. 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 [here](#).

You normally need to have completed our Student Complaints Procedure (or those of City, University of London for Research Degree Programmes) before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your complaint is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your complaint is upheld or partly upheld you can ask for a Completion of Procedures letter if you want one. You can find more information about Completion of procedures Letter and when you should expect to receive one [here](#).

Complaints must be sent to the OIA within 12 months of the date of the Completion of Procedures letter.

### **14. Recording and monitoring of complaints**

We are committed to learning from feedback received through all routes, including the complaints procedure. The Academic Standards and Quality Board has oversight of the management of systems for feedback from complaints and reports to the Academic Board.

Members of staff are responsible for advising the Nominated Officer of any stage one complaints received and/or resolved by sending an email to:

[complaints@trinitylaban.ac.uk](mailto:complaints@trinitylaban.ac.uk).

The Assistant Registrar (Quality & Governance) – overseen by the Registrar – will:

- maintain an accurate record of all complaints received and actions taken at stages one to three
- alert relevant departments to any managerial or quality assurance issues raised as a result of the investigation of any complaint

- where complaints are made against members of staff, inform the People & Organisational Development department
- prepare an annual summary report for the Academic Standards and Quality Board – reporting to the Academic Board

The Director of Strategy & Business Operations will prepare a report on each case heard by the Review Panel, to help the Registrar and the Principal to identify managerial or quality assurance issues.

The Academic Standards and Quality Board will oversee the periodic review of the complaints procedure - at least once every four years, ensuring that the procedure is in line with external good practice, including that set out in the Quality Assurance Agency's Code and the OIA Good Practice Framework.

### **15. Conflict of Interest**

The Institution will ensure that decisions are taken by people without conflicts of interest at all stages of the process. In addition, we will take steps to ensure that investigations are conducted in a manner that maintains independence and avoids any reasonable perception of bias. No person involved in deciding upon the outcome of an individual complaint at any stage of these procedures shall be involved in the determination of the outcome at a later stage.

Formal complaints about or involving Registry departments other than Quality & Governance will be investigated by the Quality & Governance team. The Registrar will not be involved in oversight of any such complaint. The Quality & Governance team will not investigate their own practice or personnel.

Complaints concerning the work or conduct of the Quality & Governance team, the Registrar, or the Director of Strategy & Business Operations must be submitted directly to the Principal. The Principal will nominate an appropriate member of the Executive Team or senior staff - drawn from Directors, the Deputy Director, Associate Directors, or Heads of Departments - to conduct the investigation. The Principal's nominee must not have had any prior involvement with the complaint, or the matters raised in the complaint.

Trinity Laban may, on occasion, employ an external contractor to fulfil investigatory functions. In such circumstances, all Parties will be informed of the decision and Trinity Laban will ensure that appropriate confidentiality agreements are entered into with the external contractor.

Any appeal relating to complaints involving the Director of Strategy & Business Operations or the Registrar will be investigated by the Principal.