

Complaints Procedure September 2019

1. Scope

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

- i. a fellow student or apprentice;
- ii. a member of LDT staff or a member of Leeds Trinity University (LTU);
- iii. the standard of academic provision, including library and learning resources and training provided LDT;
- iv. LDT service;
- v. the buildings and equipment of LDT, including matters covered by the residential accommodation agreement.

1.2 Recently withdrawn or recently graduated students of LDT may also make a complaint provided the complaint is initiated within three months of withdrawal or graduation.

1.3 The procedures which deal with complaints regarding other matters are:

- 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 the 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 LDT and the Students' Union);

1.4 To comply with the current data protection legislation, LDT nor LTU cannot deal with complaints made on behalf of registered students or apprentices by relatives or others.

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

1.6 LDT nor LTU 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 an LDT 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 principles:

- i. complaints will not be made for frivolous or mischievous reasons;
- ii. complaints will not be made in an offensive or abusive manner;
- iii. complainants will be registered students of Leeds Trinity University, recently graduated or recently withdrawn students (please see paragraph 1.2 above);
- iv. complainants will follow the procedures outlined below;
- v. LDT will deal with every complaint individually, fairly, expeditiously, discreetly and without recrimination; LDT will seek to reduce procedural duplication when it is in the best interest of the student
- vi. the complainant will be entitled to be accompanied to meetings at all stages of the complaint process by a person of her/his choosing.

2.3 Guidance

- a. Guidance may be sought on the applicability and operation of the procedures set out below from the Head of Business Quality and Compliance or Head of Student Support or Student Support Adviser or Administrator.

3. Complaint Procedure

3.1 Personal Resolution: Stage One

- a. It is generally more effective to try and achieve a personal resolution at the time when the problem arises and with the person(s) involved. This may include a tutor, or a manager of a University service, or externally contracted staff. A request for a conversation away from other people should be followed by a discreet, courteous but frank discussion of the complaint and possible consequences, and a proposed outcome to resolve the matter.
- b. If contacted for guidance, Student Support staff will encourage personal resolution to a complaint in the first instance.
- c. The Head of business Quality and Compliance or a nominated member of his/her staff can also provide support in resolving matters within 5 working days. Please email: sara@ldtraining.org.uk.

- d. If, after trying to achieve a Personal Resolution, the complainant still feels she/he has not received a satisfactory outcome then she/he should follow the Formal Complaint procedure below.
- e. A Formal Complaint must be raised no later than one calendar month from the conclusion of the Personal Resolution discussions relating to it.

3.2 Formal Complaint: Stage Two

- a. The Formal Complaint procedure should normally only be used after the Personal Resolution procedure has resulted in an unsatisfactory outcome.
- b. The Formal Complaint Form must be used to set out the complaint and be submitted to: complaints@ldtraining.org.uk. The formal complaint must be submitted within one calendar month of the conclusion of the Personal Resolution discussions relating to it. The Formal Complaint Form is available online.
- c. To help with the investigation and resolution, all parts of the Formal Complaint Form must be completed and should include:
 - The issue and subject of the complaint (see paragraph 1.1).
 - Relevant dates and identification of persons.
 - References to dated emails, correspondence, oral statements, published information.
 - A summary of the outcome of the Personal Resolution.
 - A clear indication of the outcome sought, such as apology, restitution of fault or omission, change of situation or decision, refund, etc.
- d. 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 Head of Business Quality and Compliance and shall not be subject to the deadlines as set out below for internal complaints.
- e. Timescales
 - i. The Head of Business Quality and Compliance shall normally acknowledge receipt of the formal complaint by email, within five working days of receipt.
 - ii. The Head of Business Quality and Compliance shall decide the appropriate person to take responsibility for investigation of the complaint (Investigating Officer) and who has had no previous 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 Head of Business Quality and Compliance 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:
 - any action to be taken.
 - a date on which progress will be reviewed.
 - right of appeal (see section 4).
- vi. On the review date, or as soon thereafter as possible, the Head of Business Quality and Compliance 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 Head of Business Quality and Compliance shall write to both parties to confirm this.
- viii. If the required action has not been taken the Head of Business Quality and Compliance shall invoke relevant procedures as necessary.

4. Appeal Against the Outcome / Handling of Complaints (Stage 3)

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 ask for a Review of A Formal Complaint Outcome by completing the Complaint Review Form and emailing it to the Vice-Chancellor's PA at vc@leedstrinity.ac.uk within ten working days of the letter informing the complainant of the outcome of the Formal Complaint. A form is provided for this purpose by the University and is available online.

4.2 The Vice-Chancellor may delegate an appropriate senior manager to investigate the case.

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

4.4 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.

5. Case Closure

If a Review of a Formal Complaint Outcome has been submitted by the deadline in 4.1 above, LTU will issue a “Completion of Procedures” letter at the same time as it informs the complainant(s) of the outcome of the review.

6. Independent External Review

6.1 If, on exhaustion of 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.

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.