



Complaints Policy and Procedures

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Reference Points:

LAMDA's Complaints and Appeals Policy and its procedures are underpinned by:

- Office of the Independent Adjudicator's Good Practice Framework for Handling Complaints and Academic Appeals: <https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/handling-complaints-and-academic-appeals/>

Contents

1.	Introduction	3
2.	Advice and guidance for students	4
3.	Scope of this procedure.....	4
4.	Resolution of complaints.....	5
5.	Confidentiality and record keeping	6
6.	Timescales.....	6
7.	Stage One: Informal Resolution	7
8.	Stage Two: Formal Procedure.....	8
9.	Stage Three: Appeal.....	8

1. Introduction

- 1.1 LAMDA is committed to providing high-quality training to all our students. However, we recognise that there may be times when you feel that you have not received the high quality of education, training or level of service that you are reasonably entitled to expect.
- 1.2 We aim to provide a supportive environment for you and to be responsive to your concerns when they are raised.
- 1.3 The Academy defines a complaint as being an expression of dissatisfaction by one or more students about an action or lack of action by LAMDA, or about the standard of service provided by or on behalf of LAMDA, which warrants a response. LAMDA will seek to learn from the experience of complaints and improve services for all members of LAMDA.
- 1.4 The basis of this procedure is that it is fair, efficient, and transparent, with one informal and two formal elements:
- **Stage One:** informal resolution, dealt with at the most local relevant level.
 - **Stage Two:** formal resolution, investigation by Head of Student and Academic Services, or nominee within the Student and Academic Services Team.
 - **Stage Three:** appeal.
- 1.5 For the avoidance of doubt, in the event of the procedure being updated or amended, the version of this policy that will apply will be determined by the date (usually the academic year) in which the complaint is logged with LAMDA.
- 1.6 The majority of cases are satisfactorily resolved through informal discussions without the need for a formal complaint to be made and LAMDA emphasises the importance of seeking informal and early resolution wherever possible. Students should be signposted to any specialist support needed at every stage by staff handling the complaint.
- 1.7 Where it is appropriate to make a complaint, the student should raise the matter themselves: this procedure is not intended to be used by a third party making a complaint on behalf of a student. Where the issues raised in a complaint affect a number of students, those students can submit a complaint as a 'group complaint'. In such circumstances, in order to manage the progression of the complaint, LAMDA will usually ask the group to nominate one student to act as group representative. In such cases, LAMDA will normally communicate through the nominated student representative only.
- 1.8 The Head of Student and Academic Services may delegate to another senior administrative officer any or all of the responsibilities ascribed to the Head of Student and Academic Services, providing that person will be in a position to act and be seen to act impartially, either generally or in respect of a particular case.
- 1.7 The Head of Student and Academic Services may delegate powers under these regulations and procedures to the Admissions and Student Services Manager, the Quality Manager or another senior academic officer within LAMDA, providing that

person will be in a position to act and be seen to act impartially, either generally or in respect of a particular case.

2. Advice and guidance for students

2.1 You are encouraged to seek guidance both before and during use of this procedure from any of the following:

- Your personal tutor (normally your Lead Practitioner)
- The Head of Acting or Executive Dean of the Drama School / Head of Technical Training as appropriate
- The Admissions and Student Services Manager
- Other members of the Student and Academic Services team

2.2 As LAMDA is a small institution, if there is any possibility of a conflict of interest between the person from whom you seek guidance and individuals involved in investigating the complaint, you will be informed. Where appropriate, LAMDA may provide an external contact from a similar school, whom the student may wish to contact for advice and guidance and who will be fully independent from the review process.

3. Scope of this procedure

3.1 This procedure covers complaints in the following areas, the consequences of which should normally have had an alleged adverse impact on the student wishing to make the complaint (this is referred to as the 'complainant'):

- a. the provision of academic programmes (how your training is provided);
- b. how your training is provided when on placement;
- c. inadequate services or facilities at LAMDA (for example student welfare, catering or accommodation provided by LAMDA);
- d. decisions, actions or perceived lack of action taken by a member of LAMDA staff (this might include in relation to other policies and procedures such as disciplinary);
- e. staff misconduct;
- f. student misconduct (see LAMDA's misconduct policy);
- g. complaints relating to discrimination, harassment or bullying (please see further guidance about complaints within this area).

3.2 The Student Complaints Procedure **does not** cover the following areas:

- a. Complaints arising from the admissions process prior to enrolment as a student;

- b. Complaints arising from action taken under the Disciplinary or Fitness to Train policies which should be directed towards the respective appeals procedure;
 - c. Complaints arising from assessments, or matters relating to academic progression; these are covered by academic appeals (detailed in the Credit Framework).
- 3.3 The scope of the Student Complaints Procedure extends to former students of LAMDA, provided that any Stage Two complaint is made within three months of the date of the incident which gave rise to the complaint.
- 3.4 LAMDA may suspend, hold in abeyance or terminate proceedings in complaint cases that are being investigated by the police or are subject to judicial proceedings.
- 3.5 LAMDA may terminate consideration of a complaint if it considers it to be made without foundation (frivolous) or in bad faith (vexatious). Examples of frivolous or vexatious complaints include:
- a. complaints which are harassing or repetitive;
 - b. insistence on pursuing non-meritorious complaints and/or unrealistic 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.
- 3.6 The Head of Student and Academic Services or nominee may consider possible action under the relevant provision(s) of disciplinary regulations in the case of a student held, at any stage in the process, to have brought forward an alleged complaint under this procedure without foundation, knowing the alleged complaint to be in bad faith.
- 3.7 Neither the student nor LAMDA shall normally be represented by a legal practitioner at meetings or hearings held under this policy.
- 3.8 LAMDA will not ordinarily consider anonymous complaints unless exceptional evidence can be provided to support an investigation. Only in exceptional circumstances and at the discretion of the Head of Student and Academic Services would anonymous complaints be considered.
- 3.9 Subject to the above, LAMDA undertakes that any student seeking to use this procedure will not be treated less favourably in her/his subsequent academic career, or Academy life, as a result of action taken to pursue an alleged complaint.

4. Resolution of complaints

- 4.1 Where a complaint is upheld in whole or in part, possible outcomes may include an apology, a clear explanation of the events or context that led to the incident in question, a change in procedures to ensure that the circumstances do not recur, referral of the complaint for consideration under another procedure (for example disciplinary procedures) or a combination of these or other outcomes.

- 4.2 At each stage of the procedure, the complainant will receive the reasons for the outcome of the complaint in writing. They will also be signposted to appropriate sources of support as needed.
- 4.3 If at any stage in the investigation of a complaint, the person charged with investigation determines that the complaint should more appropriately be considered under another LAMDA regulation or procedure, the investigator shall refer the complaint for consideration under that procedure. The student making the complaint will be informed about the change in approach, and the reason (where this information can be provided without prejudice to the rights of other parties). At this point, any further action under the student complaints procedure shall normally be halted, pending the outcome of the investigation under the other procedure.

5. Confidentiality and record keeping

- 5.1 LAMDA will seek to do all within its power to limit the disclosure of information as is consistent with conducting a fair investigation and the implementation of any recommendations following investigation into the complaint. However, if a student names another LAMDA student or member of staff, then the person(s) named will normally have the right to know the complaint made against them in order to be able to reply to the complaint. This is consistent with the duties owed to LAMDA's staff and students. If a student refuses to name a person who is relevant to their complaint, LAMDA will not be able to consider or investigate the case.
- 5.2 Once a student has made a formal complaint, records will not be held on the student's main file, but separately, in a confidential area. Records will be retained as required for a reasonable period as a way of monitoring and enhancing LAMDA's services, and in accordance with LAMDA's duties under Data Protection legislation. LAMDA will, if necessary, share information with the external institution regarding your complaint, which may include personal and sensitive data as part of the fair and proper investigation of the complaint, and to maintain and enhance standards and good practice. All such information will be treated confidentially. In submitting a formal complaint/appeal under this procedure, you are consenting to your data being shared appropriately. If you have any questions or concerns regarding this aspect of the procedure you should contact the Head of Student and Academic Services.

6. Timescales

- 6.1 This procedure outlines timescales within which LAMDA and the student aim to work. Only in exceptional circumstances and at the discretion of the Head of Student and Academic Services will LAMDA accept complaints from students outside these timescales. LAMDA endeavours to respond within the timescales that are outlined, but unfortunately this may not always be possible. In some cases, an investigation might need to take longer than usual to ensure that all of the issues raised have been appropriately addressed. In addition, there may be circumstances beyond LAMDA's control, such as staff absence, where it may not be possible to adhere to the timescales it has set for itself and still carry out a proper investigation. Where LAMDA is unable to meet the prescribed timescales, the reasons for any delay and a revised timescale will be communicated to all parties in writing.

- 6.2 The complainant should raise the complaint at the earliest opportunity and in any case in respect of Stage Two no later than three months from the complainant being aware of the incident/sequence of events giving rise to the complaint. Only exceptionally and at the discretion of the Head of Student & Academic Services will LAMDA consider a complaint raised after this deadline.

7. Stage One: Informal Resolution

- 7.1 LAMDA is committed to a swift resolution of complaints, and most complaints can be resolved informally. Wherever possible they are usually best resolved directly and should initially be raised as near as possible to the time at which the problem occurred.
- 7.2 Initially you should attempt to talk to a relevant member of staff to try to resolve the problem before taking it further. This might include the following:
- a. For a complaint relating to your course, the relevant Course Leader or relevant Tutor/s responsible for your course;
 - b. For a complaint relating to your enrolment, your tuition fees or student loan, the Admissions and Student Services Manager or the Head of Finance;
 - c. For a complaint concerning discrimination, bullying or harassment, the Quality Manager or HR Manager (Equality, Diversity and Inclusion) can provide support.
- 7.3 If the complaint concerns any of the people listed above, then you are advised to speak either to:
- a. The Head of Acting/Executive Dean of the Drama School or Head of Technical Training, as appropriate for your course;
 - b. The Head of Student and Academic Services.
- 7.4 If the complaint concerns a member of the Senior Management Team, then you are advised to contact the Principal.
- If the complaint concerns the Principal, you are advised to contact the Clerk to the Board of Trustees.
- 7.5 The person nominated as the first point of contact, as defined above, will listen to and discuss informally the nature of the complaint. Although the nominated person(s) will not carry out a formal investigation, they can advise you on how the matter could be resolved swiftly and will normally keep informal notes for their own purposes. They may, if they deem it appropriate, provide a written 'outcome record' where agreement is reached or where it may be considered helpful to aid understanding for any party. In line with the informal nature of this stage, this may be articulated via e-mail. In this event, however, such a 'record' would still be deemed an informal complaint resolution by LAMDA.
- 7.6 If the outcome of the discussion is that no resolution can be agreed to the satisfaction of the complainant, they will be made aware of the opportunity to submit a formal complaint. Although not obligatory, a complainant would normally be expected to wait for the outcome of the informal stage before making a formal complaint under Stage Two of this procedure. The nominated member of staff may themselves wish to refer

the complainant to Stage Two of this procedure should they feel that the matter requires a more thorough investigation, or the complaint appears to be particularly complex. If the complainant does not agree to submitting a formal complaint, this is the end of the matter as far as LAMDA and this procedure is concerned.

8. Stage Two: Formal Procedure

8.1 When a complaint cannot be dealt with informally to the satisfaction of the complainant, they may initiate a formal complaint. Stage Two of the complaint procedure involves an investigation by the Quality Manager or nominee. If the complaint relates to conduct, the complaint shall be referred to another member of the Senior Management Team, who will decide on an appropriate mechanism for investigation.

8.2 To initiate a Stage Two complaint, the complainant must submit a completed the form on [Addressing complaints \(sharepoint.com\)](#). This will be emailed to the relevant person for review.

The Quality Manager or their nominee will normally have 28 days from the date of receipt of the completed Complaint Form to investigate and respond in writing to the complainant.

8.3 If the investigator deems it necessary, the investigation may involve interviewing the complainant and other persons directly involved. The person charged with investigating the complaint may seek opinion and information from any person with an interest in or knowledge of the matter being complained about.

8.5 At the conclusion of the investigation, the Quality Manager or their nominee will form a judgment on the merits of the complaint and the complainant will be informed in writing of their findings. The findings will include the judgment regarding the merits of the complaint and, if applicable, proposals for a resolution of the complaint and/or recommendations for further action arising from the complaint. The letter will also inform the complainant of the right to move to Stage Three of this procedure if she/he remains dissatisfied with the findings.

9. Stage Three: Appeal

9.1 An appeal against the findings of the Quality Manager may be allowed, subject to the discretion of the Head of Student and Academic Services or nominee, if they are satisfied that either or both of the following criteria apply:

- 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 Quality Manager or nominee, 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 LAMDA in investigating the complaint, including allegations of prejudice or bias, and that sufficient evidence remains that the complaint warrants further consideration.

9.2 An appeal must be requested in writing, together with a copy of the original complaint and the investigation outcome letter and submitted to the Head of Student and

Academic Services within 14 working days from the date of written notification of the decision which is to be the subject of the appeal. The grounds for the appeal must be clearly stated as part of the request and appropriate documentation supplied.

- 9.3. The appeal will be reviewed by the Principal, who will judge the merits of the complaint and, if applicable, consider proposals for the resolution of the complaint, recommendations for a review of procedures or practices that may have contributed to the complaint, or any further action arising from the complaint.

9.4 Appeal: Outcomes

The Principal will determine whether the appeal has met the grounds and make one of the following finding(s):

a) **the appeal is upheld:** the Principal is satisfied that there is sufficient evidence to demonstrate, on the balance of probabilities, that one or more of the grounds of appeal have been met.

b) **the appeal is not upheld:** there is no evidence, insufficient evidence, and/or the Principal is not satisfied, on the balance of probabilities, that one or more of the grounds of appeal have been met.

9.5 Appeal Outcome: Notification to Student

You will be sent a Completion of Procedures Letter, normally within twenty-one working days of receipt of the appeal submission. This letter will set out the decision(s) of the Principal and the reasons for the decision(s). You will be advised of their right to take a complaint, if applicable, to the Office of the Independent Adjudicator.

A copy of the Completion of Procedures Letter will be placed on the student's file. This record of the outcome of an appeal will be retained for six years after conclusion of the student's course of study at LAMDA.

For the benefit of clarity, the table below articulates the circumstances of responsibility for issuing a Completion of Procedures letter:

Type of Process	End of Process	Completion of Procedures letter issuer
Academic complaint	Stage 3 of this procedure Either: Appeal Panel decision, or the finding of no grounds to appoint an Appeal Panel	Principal of LAMDA
Non-academic complaint	Stage 3 of this procedure Either: Appeal Panel decision, or the finding of no grounds to appoint an Appeal Panel	Principal of LAMDA

Student members of LAMDA are entitled to ask the OIA to consider any unresolved complaint against LAMDA: [Students - OIAHE](#).

Version Control: Document History and Next Review

Academic Board has responsibility for approval of any amendments to this policy and for keeping all such academic policies under regular review.

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