

1 Introduction

- 1.1 This procedure provides a mechanism for addressing concerns and complaints raised by students promptly, fairly and effectively in order to help Pearson College London (“PCL”) achieve the highest quality in its education provision.
- 1.2 PCL aims to provide a high-quality student experience and views complaints as valuable feedback to enhance the quality of service. The College will seek to work in partnership with students in continuously improving its provision.
- 1.3 This procedure has been drafted with reference to the “The good practice framework for handling complaints and academic appeals” published by the Office of the Independent Adjudicator (“OIA”, 2016) and the UK Quality Code for Higher Education (2018; Chapter B9).

2 Definitions

- 2.1 PCL adopts the OIA’s definition of a complaint as “an expression of dissatisfaction by one or more students about a university’s action or lack of action, or about the standard of service provided by or on behalf of the university.”
- 2.2 Our definition of ‘concerns’ draws on the UK Quality Code for Higher Education (2018) and describes informal comments, made verbally or in writing, to College representatives regarding the College’s services. Concerns raised on social media will be logged and referred to the responsible School Dean or head of service for resolution.
- 2.3 PCL adopts OIA’s description of ‘frivolous’ or ‘vexatious’ complaints as having the following characteristics:
 - obsessive, harassing, or repetitive;
 - pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
 - pursuing meritorious complaints in an unreasonable manner;
 - designed to cause disruption or annoyance;
 - demands for redress which lack any serious purpose or value (OIA, 2014).

3 Guiding principles

- 3.1 PCL seeks to minimise student complaints by ensuring that students have opportunities to participate in formal decision-making processes at all levels and by encouraging regular feedback through Student/Staff Liaison Committees.
- 3.2 In the event that you are dissatisfied with a PCL service, PCL commits to:
 - a) resolve the matter at the earliest possible opportunity;
 - b) investigate fairly and thoroughly;
 - c) ensure the process is unbiased;

- d) ensure that students will not experience disadvantage for raising genuine complaints;
 - e) maintain confidentiality and protect individual privacy throughout the complaints process.
- 3.3 To assist prompt resolution, PCL asks that students raise problems as soon as they arise.
- 3.4 Remedies in response to complaints would, normally, aim to restore students to the position in which they would have been had the deficiency signalled in the complaint had not occurred.
- 3.5 In the interest of natural justice, all parties to a complaint will be entitled to put their case and to see all evidence to be considered.
- 3.6 If there is to be a hearing, everyone involved will have the right to attend and to be heard.
- 3.7 If you need additional support and guidance in making a complaint, or wish to access counselling due to the adverse effect that the issues of the complaint have had on your wellbeing, please inform Student Services without delay.
- 3.8 Anonymous complaints or evidence will not be considered.
- 3.9 If there are allegations of a criminal offence, PCL is obliged to refer the matter to the police and may suspend its own proceedings until the outcome of any criminal proceedings are known.
- 3.10 If there are serious allegations made about the conduct of a member of staff, PCL may refer the matter to Human Resources to investigate under its staff disciplinary procedure and suspend its own proceedings until the outcome of that investigation is known.
- 3.11 Complaints that the College deems to be 'frivolous' or 'vexatious' may be subject to disciplinary procedures.

4 Application and Scope

- 4.1 You may only use this procedure if you are a currently registered student at PCL or if you are within one month of ceasing your registration. There is a separate procedure for applicants to PCL.
- 4.2 A complaint in relation to the following is within the scope of this policy:
- a) College service or facilities (e.g. standard of teaching; resources available);
 - b) action or inaction by the College and its staff;
 - c) the conduct of a member of staff or another student (e.g. discrimination or harassment);
 - d) misleading information in handbooks, prospectuses or other promotional material;
 - e) services provided by College partners or contractors;
 - f) any other matter which adversely affects the student and which is within the control of the College.
- 4.3 This procedure does not cover academic appeals which are dealt with under the relevant Appeals procedure which can be found within the Policies and Regulations section on the PCL website. If you are unsure about whether you have a complaint or an academic appeal, you can refer to the document entitled "Do I have a complaint or an academic appeal" which is also available on the website.
- 4.4 Where several students share a concern and wish to raise the matter as a group, they should do so, in the first instance, by raising it with their Programme Leader/Head of Programme or

at the relevant Student/Staff Liaison Committee. This qualifies as the first informal stage. Where this fails to resolve the problem, the complaint may proceed to the formal process at Stage 2).

- 4.5 With formal group complaints (Stage 2), it is, normally, expected that one person will act as a group representative and liaison with the College. All students wishing to be party to the group complaint will need to submit their name, student number and signature in support of the complaint.

5 Complaints Procedure

5.1 Stage 1: The Informal Stage

- 5.1.1 This stage is intended to be a largely oral process. It is expected that you will make every reasonable attempt to raise the complaint with the responsible individual or your Programme Leader as soon as possible after the event which is the subject of the complaint. The person with whom you have raised your complaint will aim to resolve the complaint and will supply you with written confirmation that you raised a complaint informally should the matter not be resolved and you wish to proceed to Stage 2. This may be in the form of an email. It is recognised that there may be exceptional circumstances in which you may consider you cannot approach the individual concerned. In such cases, you may seek help from someone else such as your Programme Leader, your Personal Tutor or the Student Experience Associate.

5.2 Stage 2: The First Formal Stage

- 5.2.1 In order for the complaint to be considered formally, you must, first, have raised it informally. The formal complaint must be in writing using the form available on the PCL website (Forms and Documents section) and sent it to the head of the relevant programme or service (a list of responsible officers is provided in Appendix 1). In circumstances where you cannot approach the head of the relevant programme, you should send the formal complaint to the relevant Dean. Your details, the details of the complaint, the remedy sought and any supporting evidence should be included. You should also explain how the matter has been raised informally and why you remain dissatisfied. If no attempt at informal resolution has been made you will be asked to attempt this before the matter is considered formally. You should attach an email or other written confirmation that the matter has been raised informally to the form.
- 5.2.2 You should expect to receive an acknowledgment within one week of your formal complaint being received.
- 5.2.3 We aim to resolve a formal complaint, which has previously been raised informally, within one calendar month of receipt. If there is likely to be a delay you will be informed of this and the reasons for it.
- 5.2.4 The head of the relevant programme or service or nominee may undertake whatever investigation is considered appropriate in order to establish the facts of the case. They may offer you a meeting to enable you to explain your complaint and why you remain dissatisfied. You are also entitled to request a meeting with the head of programme or service. At that meeting, an administrator will be present to take notes. You will be given a copy of these notes for your records. You may be accompanied to this meeting by another student, or a member of PCL staff, but you should inform PCL that you wish to be accompanied and give them the name of your supporter. A legal representative would not, normally, be permitted to accompany you.

5.2.5 You will receive a written decision which addresses the points you have made and gives reasons for the conclusion reached. The letter will also advise you of your right to refer the matter to Stage 3.

5.2.6 Where recommendations are made as a consequence of your complaint, you will be entitled to know what these may be and when they will be implemented.

5.3 **Stage 3: The Second (and final) Formal Stage**

5.3.1 If your complaint is not resolved under Stage 2, you may invoke Stage 3 by referring the matter centrally via Student Services to the Deputy Vice-Principal (Academic Affairs), or their nominee.

5.3.2 The deadline for starting Stage 3 is two weeks from the date of the final response letter from the head of programme or service (or nominee) (Stage 2 outcome). PCL aims to complete Stage 3 within two calendar months of the receipt of the complaint at Stage 3. If there is likely to be a delay we will inform you of the reasons.

5.3.3 Please explain why you feel dissatisfied with the outcome at Stage 2 and what remedy you seek. You should send copies of all relevant documentation with the completed form. No new ground of complaint may be raised at Stage 3 but you may submit further evidence in support of your case or suggest a new remedy.

5.3.4 The Deputy Vice-Principal (Academic Affairs), or nominee, will review the complaint and decide whether the complaint:

- a) should be rejected; or,
- b) referred to a Complaints Committee.

5.3.5 If the complaint is rejected at this stage you will be sent a letter explaining the reasons for the decision. This will complete PCL's internal procedures and the letter will be a formal Completion of Procedures letter which will set out your right to refer the matter for independent review.

5.3.6 If the Deputy Vice-Principal (Academic Affairs), or nominee, determines that the complaint merits further consideration, they will convene a Complaints Committee.

5.3.7 The Complaints Committee will comprise:

- a) a senior member of PCL who has not previously been involved in the case (Chair);
- b) an internal member of the Governing Body;
- c) a student representative.

5.3.8 No member of staff involved in the committee will have been associated with the complaint or the person or service against whom the complaint has been lodged.

5.3.9 A nominee member of the Quality Assurance Office will act as Secretary to the Complaints Committee and will prepare the documentation for the Committee meeting which will consist of all paperwork relevant to the case. You may submit further documents for consideration only if there are good reasons, authoritatively and objectively evidenced (e.g. a letter from a doctor, solicitor, the Police), as to why they were not submitted earlier.

5.3.10 The case documents will be made available to you and all members of the Complaints Committee at least one week before the Committee is due to meet.

5.3.11 You will be informed of the composition of the Committee ahead of the meeting and may raise objections against the impartiality of individual members to the Committee Secretary, who will then refer objections to the Committee Chair for decision.

- 5.3.12 Either party, or the Committee, may call witnesses. If witnesses are to attend they will be asked to submit a written statement at least two weeks prior to the hearing. These statements will be circulated by the Committee Secretary to all parties as part of the case file.
- 5.3.13 The Committee Chair may, for good reason, refuse to allow a particular witness to be called. The Chair may also make a determination on whether to allow late evidence.

6 Complaints Committee Protocol

- 6.1 The committee will give fresh consideration to all matters which form the substance of the complaint as well as the way in which the complaint has been handled. However, it may not act as a disciplinary body.
- 6.2 You may be accompanied to the meeting by a friend or other supporter who would usually be a student of PCL or your Personal Tutor. Your supporter may, at the discretion of the Chair, address the meeting or ask questions on your behalf. A legal representative would not be permitted.
- 6.3 At the meeting, you will be asked to present your case and you may call witnesses whose testimony you have previously submitted. You, and your witnesses, may be questioned by the Committee and the person or the representative of the person or service which is the subject of the complaint. Where the complaint involves the conduct of a member of staff, the Committee Chair will consider whether it is appropriate for you to be questioned directly by the person who is the subject of the complaint. For the avoidance of doubt, where there is an allegation of sexual misconduct, you will not be questioned by the person who is the subject of the complaint.
- 6.4 The representative of the service or person, which is the subject of the complaint, will then be allowed to present their case, respond to your points and may call witnesses whose testimony has previously been submitted. The representative and witnesses for the person or service concerned may be questioned by the Committee or yourself.
- 6.5 Both sides will then be given the opportunity to sum up their case.
- 6.6 The burden of proof will be on the complainant.
- 6.7 The standard of proof will be on the balance of probability.
- 6.8 The Committee will then retire to consider its decision. The outcomes from a Complaints Committee may include the following:
- a) upholding the complaint in full with a statement as to remedy; or,
 - b) upholding the complaint in part with a statement as to remedy, and reasoning for the aspects dismissed; or,
 - c) dismissed with an explanation.
- 6.9 The Secretary to the Committee will aim to inform you of the outcome of the hearing within one week. A formal report of the Committee, with a Completion of Procedures letter will be sent to you as soon as possible but no later than three weeks after you have been notified of the outcome.
- 6.10 This letter will confirm that the College's internal procedures have been exhausted. If you remain unhappy with the outcome you may refer the complaint to the relevant validating body or other external body (see section 10 below). Alternatively, you may refer your complaint for review by the Office of the Independent Adjudicator (see section 11 below).

- 6.11 If you are unable to attend the Committee meeting or comply with the timescales this will not automatically invalidate the proceedings and the meeting may be held in your absence.

7 Exceptional Circumstances

- 7.1 The College recognises that making a complaint may cause undue anxiety and stress to students.
- 7.2 The College undertakes to resolve complaints as expeditiously as possible, and within the timescales outlined in this policy. If the matter requires urgent attention, you are encouraged to signal so on the Complaints Form, with the reasons for urgency, evidenced as appropriate. Where possible, the College will seek to accommodate requests for expediting the complaints procedure.
- 7.3 The College reserves the right to expedite resolution, or to defer, and even suspend the process if there is a health, wellbeing or safeguarding concern regarding the student making the complaint. Such action will seek to be in the interest of the student.

8 Equality and Diversity

- 8.1 If a complainant requires reasonable adjustments due to disability to attend a hearing or otherwise engage with the complaint process, they should notify the College in advance via the Complaints Form. All practical steps will be taken to accommodate such requests.
- 8.2 In accordance with the PCL Equality and Diversity Policy, the College is committed to developing and maintaining a working and learning environment that is free from unfair and unlawful discrimination and harassment. We will not tolerate any individual being subject to abuse, harassment or bullying. If such behaviour is displayed by either party at any point during the Complaints Procedure, the College reserves the right to suspend the complaints process and invoke disciplinary proceedings instead.

9 Service improvement

- 9.1 Where recommendations are made by a Stage 3 Complaints Committee for service improvement, PCL or the service concerned will inform the Deputy Vice-Principal (Academic Affairs) of the steps that have been taken to remedy the situation within two months of the date of the Complaints Committee report.
- 9.2 Each year, the Quality Assurance Office will prepare an annual report to the Review and Enhancement Committee which will include the numbers of cases considered at Stages 2 and 3, highlighting any trends, patterns, and recommendations for improvement. The report will be shared with the Staff/Student Liaison Committees, Academic Board and Governing Body.

10 Further Redress

- 10.1 This document represents PCL's internal procedure for the handling of student complaints. Students on certain programmes may be entitled to avail themselves of external procedures via a validating body or other external institution, as detailed in the table below.

Programme/s	Validating body	Link for details of procedure
All Business School Programmes that started September 2016 onwards (all combinations)	University of Kent	University of Kent complaints procedure
All Escape Studios undergraduate and postgraduate programmes	University of Kent	University of Kent complaints procedure
Apprenticeships	ESFA Complaints	complaintsteam@sfa.bis.gov.uk Alternatively: Complaints team Education and Skills Funding Agency Cheylesmore House Quinton Road Coventry CV1 2WT

11 Office of the Independent Adjudicator

- 11.1 PCL is subject to the scheme of the Office of the Independent Adjudicator. You are therefore entitled to ask the OIA to review your complaint once you have exhausted this complaints procedure. You can find further details of the OIA scheme on their website (OIAHE.org.uk). Your complaint should be submitted to the OIA within twelve months of the date of the Completion of Procedures letter.

Appendix 1

Stage 2 complaints – contact details

Complaints regarding	Name of person to send complaint to	Contact details
Student Services	Amy Antonioni (Head of Student Services)	Amy.antonioni@pearson.com
Quality Assurance Office	Dr Boryana Peevska-Cutting, Deputy Vice-Principal (Academic Affairs)	Boryana.peevska-cutting@pearson.com
Business School programmes	Will Holt, Dean of Business School	Will.holt@pearson.com
Marketing/Student Recruitment	Teila Smith, Director, Internal and External External Relations	Teila.Smith@pearson.com
Escape Studios programmes and short courses	Ian Palmer, Dean of Escape Studios	ian.palmer@pearson.com
Library and OLE	Chris Wares, Head of Student Technology and Learning Resources	Chris.wares@pearsoncollege.com
Apprenticeships	Katherine Williams, Head of Contracts and Compliance	katherine.williams@pearson.com

Person responsible	Deputy Vice Principal (Academic Affairs)
Approval date	July 2021
Version Number	5
Effective from	September 2021
Approved by	Review & Enhancement Committee
Date of next formal review	February 2022
Status (Current or Post DAP)	Current