

RCA Student Complaints Policy and Procedure 2025/26

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	Conduct and Complaints Manager
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Related Policies	 Student Misconduct and Disciplinary
	<u>Policy</u>
	 Prevention of Harassment and Sexual
	Misconduct Policy (for students)
	 Equality and Diversity Policy (including
	ant-discrimination statement)

Student Complaints Policy

1. Introduction

1.1. The RCA is committed to providing all students with a high-quality experience during their studies. We also recognise that, on occasion, students may feel dissatisfied with something the College has done or not done, or with the standard of service provided. The Student Complaints Procedure is available to all students where it is not possible to resolve a concern informally (Section 3 of this Policy (page 2) explains possible informal resolution options). The Student Complaints Procedure is designed to address complaints fairly, transparently and in a timely way.

2. Policy scope

- 2.1. A complaint can be defined as an expression of dissatisfaction that requires a response. In the context of the RCA, The Student Complaints Policy is designed to address matters that affect the quality of a student's learning opportunities or student experience. The Policy covers complaints about both academic and non-academic services provided by the RCA, and complaints related to staff.
- 2.2. Circumstances covered by the student complaints procedure include:

- If the College has not met obligations outlined in programme specifications or in policies that support the wider student experience
- If a student has been given misleading or incorrect information in prospectuses or other promotional information that the College has published
- Concerns about the delivery of academic programmes, the supporting administration, facilities, learning resources or services
- Circumstances that have caused significant disruption to studies
- The approach the College takes to student welfare, financial support or the implementation of the UK Government's immigration policy as it applies to Higher Education students
- Complaints about the conduct of a member of staff. Students may find it useful to read the
 <u>Student Misconduct and Disciplinary Policy</u> and the <u>Prevention of Harassment and Sexual
 <u>Misconduct Policy (for students)</u> for more information about what constitutes unacceptable
 behaviours which may give cause for a complaint
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- Services delivered by organisations or individuals contracted by the RCA that impact RCA students
- 2.3. If a student wants to complain about the conduct of another student, this should be done under the <u>Student Misconduct and Disciplinary Policy</u> instead.
- 2.4. Matters relating to the Students' Union should be raised under the RCA Students' Union Complaints Policy.
- 2.5. Any student registered on an RCA programme may use the complaints procedure within three months of the date of the incident being complained about. This includes for up to two months after the end of a student's registration with the College.
- 2.6. Students should use the version of the complaints policy and procedure for the year in which the issue arose which is being complained about, regardless of the year in which they first registered at the RCA.

3. Informal resolution

- 3.1. Local, informal resolution can be the most effective and quick way to resolve complaints. Students are encouraged to address complaints informally as early as possible, if they feel able to do so. Complaints about specific issues within an Academic School should be raised with the staff member responsible, or the Head of Programme. Complaints about a College Service should be raised directly with the staff member responsible, or the Head of Service.
- 3.2. As well as the option of raising complaints directly with the relevant staff members, the RCA provides regular opportunities for students to share feedback, for example:
 - Talking to <u>the Students Union</u>. The SU is an independent body and can raise issues with the RCA on students' behalf
 - Each programme has at least one student representative (coordinated by the Students Union) who can take concerns forward on students' behalf

- Programme Forums and Doctoral Students Forums provide an opportunity for formal communication between students and staff relating to aspects of their academic and student experience
- The annual student survey which all students are invited to complete
- Reporting a complaint on the RCA Report and Support site. This does not normally lead to
 an automatic investigation of a complaint. The student will be contacted by a member of
 the Student Support team and offered a meeting to discuss their complaint and what they
 want to happen next (including the option for it to be formally investigated). They will also
 be informed about available support.
- 3.3. An appropriate staff member may be able to support with raising an informal complaint, via Report and Support or the RCA Students' Union, or a member of academic programme staff.
- 3.4. Engaging in informal resolution is not a barrier to bringing a formal complaint at a later time. However please note this is optional and students can instead choose to move straight to a formal process without taking informal action first.

4. Stages of the Student Complaint Procedure

- 4.1. The complaints procedure is designed to be fair, efficient and transparent and comprises three stages:
 - Stage 1: Local Resolution where we aim to resolve the majority of complaints
 - Stage 2: Formal Investigation and Resolution if a student is dissatisfied with the outcome of Stage 1
 - Stage 3: Review where the Stage 2 outcome can be reviewed in specific circumstances

5. Dignity and Respect

- 5.1. No student will be disadvantaged in their studies or in any other way by submitting a complaint. The only exception is if a student submits a vexatious complaint (there is more information about this on page 6).
- 5.2. Each party in a complaint case will be treated fairly, with dignity, and supported through the process.
- 5.3. All students and staff engaging in the complaints process must behave with dignity and respect to each other. Abusive behaviour will not be tolerated. The complaints procedure will be halted where unreasonable behaviours occur. The College will use the Student Misconduct and Disciplinary Policy where behaviours could constitute misconduct.

6. Equality and Diversity

6.1. Complaints are considered within the context of the RCA Equality and Diversity Policy.

6.2. Reasonable adjustments will be made to the application of the policy and procedure due to a disability or health condition to ensure fair access. Please make any requests for reasonable adjustments known when submitting a complaint.

7. Support

- 7.1. If a student is unsure about making a complaint or needs advice on how to proceed, the <u>RCA Students' Union</u> can provide independent advice and support.
- 7.2. If matters relating to a complaint are impacting negatively on wellbeing or mental health, confidential support is available from <u>Student Support</u>.

8. Health Safety and Wellbeing

8.1. The College is obliged to maintain the health, safety and wellbeing of students in accordance with the UK and College Health and Safety legislation and policies. There will be situations when the College will be required to adapt and potentially suspend academic and technical delivery in order to fulfil its statutory duty. The College will endeavour to ensure that any disruption is minimised and that any changes will aim to continue to support a positive student experience, as far as practicably possible.

9. Confidentiality

- 9.1. The College will have due regard towards maintaining confidentiality in relation to any complaint but, for it to be considered fully, the content will usually need to be disclosed to members of staff who need to be involved in order to resolve it. This may include staff who manage the complaint, who undertake the investigation, who are named in the complaint, are witnesses to the matters it raises, and staff who are decision makers in the procedure. The College's Senior Leadership Team will be briefed on a complaint that may have significant reputational implications. Witness statements will normally need to be shared within a complaint investigation report with the complainant and anyone who is the subject of the complaint.
- 9.2. By submitting a complaint, the student consents to the disclosure, storage and sharing of information relevant to the complaint within the College at all stages of the procedure. If this causes concern for the student, this can be discussed with the Students Union or Student Support before submitting a complaint, or with the Complaints Manager after submitting a complaint. However, not providing consent may affect the College's ability to consider the complaint fully. A copy of the complaint casefile will also be retained in accordance with the College's Data Protection Policy.

10. Fairness and Transparency

10.1. The complaints process is designed to ensure that staff involved in its response are sufficiently independent from the topic that you have raised. Although the first stage of a complaint is an investigation by the School or Service that is the subject of the complaint, this is because they are the most likely to be able to offer a remedy. If a student is dissatisfied with the Stage 1

response, they can make a Stage 2 complaint where it will be investigated by someone not connected with the subject of the complaint.

11. Anonymous Complaints

- 11.1. A student will not be disadvantaged in any way by submitting a complaint and complaints are managed confidentially (see section 9 above). Students are encouraged to talk to a member of staff or the Students' Union or Student Support if, despite these assurances, they are concerned about raising a complaint without doing so anonymously. The Students' Union or member of staff can advise the student whether, if they chose to make an anonymous complaint, there are any actions that the College is able to take without the reporting party's details being included in a complaint.
- 11.2. If a student wants to report a complaint anonymously this would need to be done via the RCA Report+Support site, which has more information about anonymous reporting. The College is usually unable to investigate anonymous complaints under this procedure as we are unable to complete an appropriately robust investigation. However, any anonymous complaints that are submitted through Report+Support will be recorded and may be notified to the School Dean or Service Lead where doing so would not identify the reporter.

12. Complaints about members of staff

- 12.1. If a student makes a complaint about a member of staff, it will normally be investigated through the relevant stage/s of the student complaints procedure.
- 12.2. If a complaint is upheld, this will be referred to the People and Culture team for a decision about any action that may be taken under the Staff Disciplinary Policy.
- 12.3. The student will usually be informed if all or part of the complaint is upheld or not. They will not be informed of any staff developmental or disciplinary actions that may follow the complaint outcome.

13. Group Complaints

- 13.1. Sometimes students may wish to submit a complaint as a group where they identify that more than one student is negatively affected by the same matter in the same way.
- 13.2. The Complaints Policy and procedure applies equally to complaints submitted by individuals or a group. For a group complaint, the group will need to nominate one or two lead representatives.
- 13.3. Where a group complaint is made, only one complaint form needs to be submitted, with each student's name and ID number on it. The group will need to agree to the text that forms the basis of the complaint and the supporting evidence before it is submitted. The Student Conduct and Complaints Manager will contact each student named as a signatory to the complaint to confirm that they wish to progress the complaints process as part of the group. Only one outcome letter will be issued in response to a group complaint; it will be for the group representative to communicate the outcome to the rest of the group.

- 13.4. If we identify during a complaint investigation that members of the group complaint have been affected negatively by the same matter but in different ways, we will split consideration of the complaint into sub-groups or assess cases individually to ensure fairness.
- 13.5. Where the College receives multiple complaints from individual students about the same issue, we will consider the benefits of considering the matter as a group complaint. However, if a student has submitted an individual complaint and does not wish for this to be considered as part of a proposed group or sub-group, they retain the right for their case to be considered individually.

14. Vexatious Complaints

- 14.1. The College reserves the right not to investigate vexatious, malicious or frivolous complaints. Examples of this include any of the following scenarios:
 - There is no basis to the complaint, and its main reason is to cause distress, disruption or harassment
 - The matter is trivial or frivolous
 - The student is aware that the matter is already being dealt with
 - The student persists with a complaint that has been closed
 - The student makes excessive or repeated demands
 - The student's behaviour or language is unacceptable or abusive
 - The student requests unrealistic or unreasonable outcomes
- 14.2. The College also reserves the right to take disciplinary action against anyone making vexatious, malicious or frivolous complaints, under the RCA Student Misconduct and Disciplinary Policy.

15. Meetings

- 15.1. Any student or member of staff attending a meeting to discuss a complaint or attend a hearing can be accompanied by someone else for support, if they wish to. This person can be another student or a Students' Union representative or a friend from outside the College or member of staff respectively.
- 15.2. The role of the accompanying person is to support the student. They may also be consulted for advice during the meeting. They may speak on a student's behalf but may not answer questions on a student's behalf. The College would need to see written consent for another person to represent a student (i.e. speak on their behalf) in a meeting or in any part of the Student Complaints Procedure. A student accompanying another student to a meeting cannot also be a witness to the incident being complained about.
- 15.3. The RCA Student Complaints Procedure is an internal procedure and not a formal legal process, therefore the College does not normally expect legal representation to be required for either students or the College.

16. Reporting on and learning from Student Complaints

16.1. Complaint outcomes can lead to improvements in the student experience. A report on the number of complaints received and the outcomes will be considered by both the Senate and the Council on an annual basis. The College will compile an annual report of the themes and broad outcomes arising from complaints and will share this with the Senate and with the College Council. This report will also provide an overview of broader actions the College has taken in response to complaints to minimise future cases. These reports do not contain students details.

17. Office for Students

17.1. The Office for Students is the regulator for universities and colleges in England and publishes information for students about the process for making complaints.

18. RCA Student Complaints Forms

To submit a formal complaint, the following forms should be used:

• Stage 1 or Stage 2 complaint: <u>RCA Student Complaints form</u>

• Stage 3: Stage 3 Review Form

RCA Student Complaints Procedure 2025-26

Preparing your complaint

- 1. Students are encouraged to read the Student Complaints Policy and Procedure carefully before submitting a formal complaint.
- 2. The <u>RCA Students' Union</u> offers students independent advice on their proposed complaint or about the College complaints process.
- 3. A complaint should normally be submitted no longer than three months after the incident to which it relates. However, we understand that in some circumstances it may take longer than this, for example where a matter has significantly impacted someone and this has caused a delay in submitting a complaint. Students should explain the reason for the delay on the complaint form and we will consider whether the complaint can be investigated beyond the deadline.
- 4. We aim to address complaints in the *working days* timescales set out in the procedure below. If a complaint is particularly complex, we may require further time to respond. We will always let a student know if we are unable to meet the published timescale and the reason why.
- 5. If a complaint contains matters that extend beyond the remit of the complaint procedure, we will assess how we can best manage all matters in the most effective way and will explain this.
- 6. As noted in our Student Complaints Policy, no student will be disadvantaged in their studies or in any other way by submitting a complaint.

Stage 1: Local Resolution

- 7. Stage 1 is the first stage of the complaints procedure and provides the opportunity for a complaint to be addressed in the School or Research Office or Professional Service Department to which the matter relates.
- 8. Complaints should be made using the <u>RCA Student Complaints Form</u>. This asks for a summary of the complaint and the outcome that is being sought.
- 9. The Student Conduct and Complaints Manager will acknowledge receipt of a complaint, normally within 3 working days.
- 10. Depending on the subject matter of a complaint, the Student Conduct and Complaints Manager will contact either the Associate Dean of the relevant School, or the Head of a Service to ascertain which staff member(s) the complaint should be shared with for a response.

- 11. If it is evident from the information in a complaint form that the student has already taken steps to resolve the matter locally but has been unable to reach a satisfactory outcome, the Student Conduct and Complaints Manager can decide to process the complaint at Stage 2 (see paragraph 20 onwards).
- 12. If a complaint relates to more than one area of the College (e.g. a School and a Service Department or two Schools), the Student Conduct and Complaints Manager will liaise with staff in the other part of the College on how to best address it.
- 13. The student will receive an acknowledgement email from the School/Research Office or Professional Service Department normally within 5 working days of them receiving the complaint. This email will either:
 - i. Set out how the complaint has been addressed, or
 - ii. State the actions that will be taken to address the complaint and by when, or
 - iii. Invite the student to meet with the School/Research Office or Professional Service Department complaint lead to discuss the complaint.
- 14. If required, a meeting will be scheduled normally within 10 working days of the complaint being received. The meeting can be held face-to-face or on-line. If a complaint involves more than one part of the College, staff from that other area will be invited to the meeting. A student will be informed of who will attend the meeting.
- 15. At the meeting, the student and the School or Research Office or Professional Service Department complaint lead will discuss the nature of the complaint, the outcome being sought, the actions that the College is able to take in response and by when these can be achieved. If the College is unable to meet the outcomes being sought, they will explain the reasons for this.
- 16. The School or Research Office or Professional Service Department complaint lead or a nominee will take notes of the meeting so that there is a formal record. These will be shared with the student with the complaint outcome. A student has an opportunity to respond to any perceived inaccuracies in the meeting notes. Interviewees are not permitted to record meetings electronically but may take handwritten notes.
- 17. The School or Research Office or Professional Service Department complaint lead will share the outcome of the complaint with the student within 5 working days of the meeting, along with the notes of the meeting. The complaint outcome can either uphold a complaint and offer a resolution, partially uphold a complaint, or not uphold a complaint. The reasons for the decision will be explained in the outcome letter.
- 18. Each School or Research Office or Professional Service Department will keep a confidential record of Stage 1 complaints, including notes from meetings, so that it can monitor the number and nature of complaints that have been raised and the action taken. A record of the complaint will <u>not</u> be held on a student's academic record.

19. We always aim to meet the timescales set out for Stage 1. Should this not be possible, students will be informed of the revised timescale and the reason for the delay. Where a student is unable to submit any requested information within the specified timescale, they will be asked to explain why.

Stage 2: Formal Investigation and Resolution

- 20. If a student is dissatisfied with the outcome of Stage 1, they can request to move their complaint to Stage 2 of the Student Complaints Procedure by completing the RCA Student Complaints Form again.
- 21. A Stage 2 complaint should normally be submitted within 20 working days of receipt of a Stage 1 outcome so that the College can respond to the complaint as quickly as possible.
- 22. The Student Conduct and Complaints Manager will acknowledge a Stage 2 complaint by email normally within 3 working days.
- 23. Normally, within 14 working days of submitting a complaint, a student will receive a further email to state that the College will either:
 - i. Confirm that the complaint will be formally investigated, or
 - ii. Ask for clarification or more information about the complaint, or
 - iii. Reject the grounds for complaint and explain why
- 24. If clarification or more information is requested from a student, a deadline will be given for this. Once the additional information has been provided, the Student Conduct and Complaints Manager will confirm (normally within 5 working days) whether the complaint will be investigated. Reasons will be provided.
- 25. Where a Stage 2 complaint will be investigated, the Student Conduct and Complaints Manager will lead the investigation or appoint an internal Investigator. The Investigator will be from a different part of the College to which the complaint relates and different to the staff involved in Stage 1. On occasion, it may be necessary for the College to appoint an external Investigator should additional or specialist capacity be required.
- 26. The Investigator will:
 - i. Review the complaint and any supporting documentation;
 - ii. Inform the member/s of staff responsible for the issue to which the complaint relates that a complaint has been made, and provide them with the opportunity to respond;
 - iii. Decide if they need to hold one-to-one meetings with either the student, the member(s) of staff or any witnesses should this be helpful to the investigation. Anyone asked to attend a meeting will be given at least 3 working days' notice of the meeting, including information about who will be attending it. Meetings can take place in person or online.

- iv. Notes will be made of the meeting so that there is a formal record. and these will be shared with the interviewee by email normally within 5 working days. The interviewee then has an opportunity to respond to any perceived inaccuracies in the meeting notes and will be given a deadline to do so. Interviewees are not permitted to record meetings electronically but may take handwritten notes.
- v. Write an investigation report that summarises the nature of the complaint, confirms the actions that have been taken within the investigation, states what evidence was considered, and what the findings are.
- vi. Normally complete the investigation within 21 working days of the decision for it to proceed.
- 27. The outcome of the investigation will be for the Investigator to either:
 - Uphold all or part of the complaint and confirm the actions that will be taken in response (the Chief Operating Officer must first approve the actions if there could be legal, financial or reputational implications for the College)
 - ii. Not uphold the complaint and explain the reasons why
 - iii. Exceptionally, establish a College Complaints Panel because the complexity of the case means that it is not possible for the Investigator to form a conclusion.
- 28. The student will receive a copy of the investigation report and the decision by email, as will the person or department that the complaint is related to.
- 29. In the exceptional case that a College Complaints Panel is formed, this will take place normally within 20 working days of notification to the student that this is the outcome. The Panel will comprise of at least one Senior Academic (Associate Dean or Dean, or equivalent) who will Chair, and one Senior Professional Service staff member (SM1 and above) who has not been involved in the case to date, and normally the President or Vice-President or a nominated and trained student representative appointed by the Students' Union. A panel will still proceed if the Students' Union choose not to take part. All staff and Students on panels are required to have completed the College's Unconscious Bias and Race Equality training.
- 30. The Student Conduct and Complaints Manager will organise the panel and the administrative support to minute the panel meeting.
- 31. The Student Conduct and Complaints Manager will provide the Panel with a copy of the complaint and the report from the Investigator. The Panel will ask to meet with the student who made the complaint, the member(s) of staff responsible for the activity about which the complaint relates, and any relevant witnesses. The meeting will take place in-person or online.

- 32. The minutes of the panel meeting will normally be shared within 5 working days with all parties. All parties will have 5 working days to provide any comments or clarifications of accuracy to the Student Conduct and Complaints Manager.
- 33. Students will be provided with the outcome of the Panel decision normally within 10 working days of its meeting. The Panel will decide to either:
 - Uphold all or part of the complaint and confirm the actions that will be taken (the Chief Operating Officer must first approve the actions if there could be legal, financial or reputational implications for the College)
 - ii. Not uphold the complaint and to explain why
- 34. We will always aim to meet the timescales set out in the Stage 2 procedure. Should this not be possible, we will notify the student of the revised timescale and the reason why. Where a case is complex, it can sometimes be necessary to extend the investigation period to ensure that all the facts can be obtained. Again, we will always provide updates should a timescale need to be changed. Where a student is unable to submit information within the timescale we suggest, we would also ask them to provide us with the reason why.

Stage 3: Review of the Stage 2 outcome

- 35. A student may request a review of Stage 2 on the grounds that they believe that either:
 - i. Stage 2 procedures have not been conducted correctly or fairly
 - ii. The outcome from Stage 2 is unreasonable
 - iii. They have new evidence that could make a difference to the outcome which could not have reasonably been provided during the Stage 2 process
- 36. A <u>Stage 3 Review Form</u> should be submitted normally within 15 working days from the outcome of Stage 2 so that the College can act as swiftly as possible. The form explains what information is required.
- 37. The form will be received and reviewed by the Academic Registrar or a senior colleague, nominated by the Academic Registrar, who will normally provide email acknowledgement within 3 working days.
- 38. Normally within 20 working days of submitting the complaint, a student will receive an email to confirm the outcome of the review. It will confirm that either:
 - i. No further action will be taken. This decision will be made where there is evidence to show that the Stage 2 investigation process was carried out correctly and/or that the outcome is reasonable and/or that the new evidence would not make any difference to the outcome.

- ii. There will be a revised outcome approved by the Chief Operating Officer. This will take place where there is evidence to show that there were shortcomings in the Stage 2 investigation process and/or that the outcome was not reasonable and/or that the new evidence submitted changes the outcome.
- iii. The Stage 3 reviewer could exceptionally pass the complaint back to be reinvestigated at Stage 2 if new evidence is deemed to warrant further investigation.
- 39. The Stage 3 decision will be the final part of the College's role in the complaint procedure. A complaint will then be closed, and a Completion of Procedures Letter will be issued. Please see the section below on 'closing the complaint' for more information.

Closing the Complaint

40. A complaint is closed when no further action will be taken by the College to consider your complaint. At this stage, the College will provide a student with a Completion of Procedures letter. This letter provides information about how to contact the Office of the Independent Adjudicator (OIA) if a student is dissatisfied about how the College has managed the complaint. The OIA is an independent body set up to review student complaints about Higher Education providers in England and Wales and is a service that is free to students.