

Istituto Marangoni London Student Complaints Procedure

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1. INTRODUCTION

1.1. Istituto Marangoni recognises that there may be occasions where students wish to raise legitimate complaints relating to their course, or the facilities and services provided by the School. It is important for both students and staff to know that such complaints will be dealt with seriously, transparently and without fear of recrimination. To ensure this, Istituto Marangoni London has in place a Student Complaints Procedure which details the processes and parameters for making a complaint, alongside how complaints may be responded to.

1.2. This procedure is designed to ensure that all student complaints are heard and responded to in a matter that is fair, transparent, timely and based on the consideration of relevant evidence. It will safeguard, as far as is reasonably practicable, the interests and well-being of any student making a complaint and of Istituto Marangoni London staff who may be named or otherwise involved in a complaint.

2. PRINCIPLES AND SCOPE

2.1. Through this policy, the School commits to:

- treat complaints with the seriousness they deserve;
- deal with complaints in a timely manner;
- ensure that complainants will not be disadvantaged as a result of making a complaint;
- handle complaints in confidence and only give people the information that is required to investigate and resolve the complaint properly;
- answer all aspects of a complaint and ensure that the response is clear.

3. WHAT IS COVERED BY THE COMPLAINTS PROCEDURE?

3.1. Istituto Marangoni London Student Complaints Procedure covers learning opportunities for registered students and actions by the School or failures by it to act on services it provides for its students or which are provided by others on its behalf.

3.2. All information submitted in relation to complaints shall be dealt confidentially, and only disclosed as necessary to progress the complaint. All parties (including students) are expected to honour the confidentiality of complaints. All personal information shall be handled in accordance with the School's Data Protection Policy.

3.3. The School confirms that making a complaint in good faith about any aspect of the learning opportunities or services it provides for students will not compromise or otherwise affect their standing with the School, prejudice their progress, or how they are treated by it or its staff.

3.4. A complaint may include, but is not limited to:

- Perceived failure by Istituto Marangoni London to follow an appropriate administrative process or satisfactorily apply an institutional policy;
- Perceived failure of Istituto Marangoni London to meet obligations outlined in Programme /Student Handbooks;
- Concerns about the quality of facilities, learning resources or services provided by Istituto Marangoni London;
- Concerns about organisations or contractors providing a service on behalf of Istituto Marangoni London (including placement providers);
- Perceived deficiencies in academic provision (e.g. scheduling of classes, amended submission dates, submission procedures for assessed work, inconsistent advice, provision

of feedback, quality or frequency of supervision);

- Perceived deficiencies in standards of service, for example, support facilities or administrative services;
- Perceived misinformation about an academic programme;
- Dissatisfaction with the level and availability of pastoral support;
- Inappropriate behavior or conduct by a member of staff or contractor;
- Allegations of harassment, bullying or victimisation.

3.5. Where a student submits multiple complaints relating to the same issue, the School reserves the right to treat the matter as a single complaint. Complaints relating to staff conduct will be referred to HR as a disciplinary matter where appropriate.

4. TIMESCALES

4.1. Complaints should be raised as soon as possible to ensure prompt investigation and swift resolution. Students who wish to make a complaint must invoke the informal (stage one) complaints procedure within one calendar month of the incident that has given rise to the complaint.

4.2. Students who wish to make a formal complaint must do so within three calendar months of the incident that has given rise to the complaint.

4.3. Students who have left the School (including recent graduates) may make a formal complaint within three calendar months of their registration ending.

4.4. Only in exceptional circumstances, and with supporting evidence, will complaints be considered outside of these timescales.

4.5. Student complaints will normally be dealt with within two calendar months from receipt of a formal (stage two) complaint, but the School reserves the right to make a reasonable extension to this timescale during student vacation periods. For complaints that are about serious matters (for example, involving the health, well-being or personal security of a student and/or other students or staff) the School may consider whether to take the matter immediately to the formal (stage two) of the complaints procedure.

5. WHO CAN SUBMIT A COMPLAINT?

5.1. Student complaints can be made by existing students including students undertaking placements, students on approved periods of suspension, or recent graduates.

5.2. Student complaints may be raised by individual students, or a group of students can raise a collective complaint if they have experienced the same problem. In such instances, the group should identify a single spokesperson. Each member of the group must provide their student ID number and consent to participate in the group complaint. They must also be able to demonstrate that they have been personally affected by the matter.

5.3. Student complaints can also be made by students on a non-credit bearing course of provision (such as Semester and Short Courses), where the student has access to the same facilities as other students. Students who participate in "one off" courses or students who do not have the same access to facilities as other students are also able to make a complaint under this procedure, however those students will not be able to access the Office for the Independent Adjudicator for Higher Education (OIA) services should their complaint escalate further.

5.4. Separate complaints procedures are available for applicants.

6. SUSPENSION OR TERMINATION OF A COMPLAINT

6.1. If a student's complaint overlaps with other School regulations or policies, advice should be sought from the Registrar about how to progress the complaint, if at all. The progress of a complaint through any stage of this procedure may be suspended for a reasonable period.

6.2. The School reserves the right to suspend a complaint's investigation in the event of the complainant pursuing the case through legal proceedings during or prior to engagement with this procedure. The investigation will resume upon completion of any legal proceedings and where outcomes of the proceedings are known. In such cases, the 90-day completion period will be reset.

6.3. The School may, in exceptional circumstances, terminate a complaint at any stage where a student's behaviour in relation to the complaint or investigation is deemed unacceptable or disruptive, or where a complaint is deemed to be vexatious or malicious. In such cases, the School may also invoke the disciplinary procedures in the Student Code of Conduct.

6.4. Examples of unacceptable or disruptive behaviour could include (but not limited to):

- Audio/visual recording of meetings without written permission;
- Threatening, intimidating or abusive behaviour towards any member of staff connected with the investigation process;
- Any attempt to interfere with the investigation process;
- Sending excessive communications, via any medium, to the School team;
- Providing false or manufactured evidence or information as part of the investigation process.

6.5. In the event of the potential complaint termination, students will be given 14 days' notice with a final chance to respond.

7. MAKING AN INFORMAL (STAGE ONE) STUDENT COMPLAINT

7.1. When a student is dissatisfied with the action or lack of action by the London School to deal with unsatisfactory learning opportunities or services, they should raise their complaint directly with their tutor, their Programme Leader or the person who has provided them with a service that they think is not satisfactory or send an email via complaints@istitutomarangoni.com. At this stage, complaints may be made face-to-face, by phone, in writing or by email. Students may appoint a representative to submit the complaint on their behalf and are always advised to keep a record of any complaints made at this stage. This opens an informal (stage one) complaints process, intended to deal with straightforward complaints swiftly and at a local level.

7.2. When making an informal complaint the student should explain to the relevant member of School staff or the service provider the reason for their complaint and the resolution they are seeking. A resolution might take the form of one or more of the following: an explanation why something happened in the way it did; an undertaking that there will be no repetition of the cause of the complaint; an appropriate apology from the individual or from the London School or the service provider and which results in a mutually satisfactory outcome.

7.3. A member of staff at the London School who receives an informal complaint from a student (including a complaint about a service provided for the School by an independent contractor) will forward it to Quality Assurance Office for it to be logged on the School Complaint register and immediately report this to their line manager and the Director of Education, who will advise them how to proceed and ensure that the facts of the complaint are noted. They will also check subsequently whether progress is being made towards resolving the complaint. The School will attempt to ensure that informal complaints are resolved as quickly as possible and within the 30-day timeframe.

7.4. If the student is not satisfied with the proposed resolution to their complaint or they consider that the matter is not being dealt with in a timely manner (for example, more than 30 days have passed from the point at which they made their informal complaint without a resolution being proposed) they may escalate the matter and make a formal (stage two) complaint.

8. MAKING A FORMAL (STAGE TWO) STUDENT COMPLAINT

8.1. A formal (stage two) complaint may be appropriate where the student has declined to engage in the informal complaint stage for good cause; is dissatisfied with the resolution proposed to their complaint at the end of the informal stage; or the grounds for the complaint are serious and/or complex and require a more formal procedure. In this context, 'good cause' may include concern about the safety or well-being of students and others if the matter is not dealt with formally and promptly.

8.2. Formal complaints must be raised as soon as possible after the event that has given rise to the complaint: this makes gathering facts easier and evidence more reliable. Formal complaints should normally be raised within three calendar months of the matter that has given rise to the complaint. For the School to make an exception to this requirement the student will need to show good cause as to why they were unable to raise the matter within the normal time.

8.3. To make a formal complaint the student needs to complete a Complaint Form. The form should detail the grounds for the complaint, together with a statement of what has been done by the student to attempt to resolve the complaint. All supporting evidence must be submitted at this stage as there is no provision to lodge a new complaint or evidence after this stage. The completed form should be submitted using the dedicated email address (complaints@istitutomarangoni.com). Submission of a Complaint Form shall constitute formalisation of a complaint, and all future correspondence regarding the complaint shall be kept on record. Students who might need further support in completing the Complaint Form may seek help from a representative of Student Services.

8.4. Supporting evidence for a formal complaint might include (but not limited to):

- Independent medical evidence
- Financial information
- Witness statements
- Material given to the student by the School or a member of staff that describes the service or support they were to receive which the student considers to be have been misleading.

8.5. In all cases, students making a formal complaint should keep a copy of their completed Student Complaint Form and each item of supporting evidence that they submit with it: this is for their own subsequent use.

8.6. When a formal complaint has been submitted, the student will receive an acknowledgment, normally within five working days. If the student has not pursued the informal process and does not provide a satisfactory explanation as to why the informal stage has been avoided, the Investigating Officer may refer the complaint back to the student to be taken through the informal stage.

8.7. During all stages of the procedure, students may be accompanied to meetings by a member of the School - usually a fellow student. To avoid any conflict of interest, a student may not be accompanied by an academic or administrative staff member from their department.

9. THE INVESTIGATING OFFICER

9.1. A relevant member of the London School academic or professional staff who has had no material contact with the student or the matter under investigation will be assigned to act as the Investigating Officer for the complaint. The Investigating Officer must be able to undertake the investigation without actual or perceived conflicts of interest.

9.2. The Investigating Officer will, in the first instance:

- Contact the student to confirm that they will be conducting the investigation;
- Advise any relevant members of staff of the nature of the complaint;
- Obtain any relevant documentation from Stage 1;
- Invite the student to a meeting to review and clarify the terms of the complaint;
- If the student chooses not to attend a meeting, confirm to the student in writing the issue to be investigated.

9.3. The purpose of conducting an investigation is to establish the facts relevant to the complaint and to provide a full, objective and proportionate response to the student representing the School's clear position.

9.4. All parties shall be given at least 3 working days' notice of a meeting with the Investigating Officer. A meeting may be postponed if a student can provide good reason for non-attendance. Failure or inability of a student to attend a re-arranged meeting will not preclude the Investigating Officer from reaching a conclusion.

9.5. Audio and/or visual recording of meetings is not normally permitted. If, due to exceptional circumstances it is agreed in advance that a student is permitted to record a meeting, the recording is confidential and must not be copied or disseminated in any way.

9.6. The possibility of engaging in mediation to seek early resolution may be proposed by any party at any point during a Stage 2 investigation. Mediation provides both parties with an opportunity to understand what is driving the complaint, and may be more likely to result in a swift and mutually satisfactory conclusion.

9.7. Following completion of an investigation, the Investigating Officer shall produce a written report outlining the process followed, details of any evidence gathered and any additional information for consideration.

9.8. Where a complaint is not upheld, the complainant will be informed of the reasons in writing.

9.9. Where a complaint is upheld, the outcome will confirm what action the School will take to resolve the issue and any timescales for implementation.

10. COMPLETION OF PROCEDURES (COP) LETTER

10.1. The School will issue a Completion of Procedures (COP) letter after the internal complaints procedures have been completed.

10.2. The issue of a COP letter serves the following purposes:

- It fixes the date when the student completes the School's internal complaints procedures;
- It clarifies the issues considered by the School under those procedures;
- It advises the student of the possibility and timescales of bringing a complaint to Manchester Met's review.

11. REVIEW (STAGE 3) BY MANCHESTER METROPOLITAN UNIVERSITY ('THE UNIVERSITY')

11.1. A student may request progression of a case to the Review Stage on the following grounds:

- That the correct procedures were not followed in the consideration of their case through the earlier stages of the procedure;

- That the outcome of the formal stage of the Student Complaints Procedure was not reasonable;
- That there is new material evidence that for good reason was not available at the earlier stages of the Procedure.

11.2. Where a student at the London School is studying for a University award and has received an outcome from a formal complaint that they regard as procedurally flawed, unfair or unreasonable they may request a review by writing to the Student Case Management Team at Manchester Metropolitan University using the dedicated email address (complaintsappeals@mmu.ac.uk). This should be done within 10 working days of the date of the outcome letter issued at the Formal Stage 2.

11.3. The review stage is not an opportunity for a rehearing of the original complaint. The review stage does not reconsider the case and no new or additional complaints can be added at this stage.

11.4. The senior member of staff with responsibility for the Student Case Management Team will initially consider whether the grounds for Review have been met and retains a right to refuse the Review Stage where:

- no prima facie case has been made out in respect of the grounds identified above;
- the request of the Review Stage was submitted late.

11.5. Where the review stage is refused, the senior member of staff with responsibility for the Student Case Management Team will write to the student setting out the reasons for the decision.

11.6. The student will receive a decision on whether their request for Review has been accepted. If the request is accepted, the student will normally receive the outcome of the Review within 20 working days of the date the request for a review was submitted.

11.7. The Reviewer may decide:

- That following Review of the matter, one or more of the grounds for Review were not met by the student and the outcome of Stage 2 is not changed; or
- One or more of the grounds have been met and would have changed the Stage 2 outcome.

11.8. Reviewers may overturn the outcome of Stage 2. Cases where a complaint is upheld on Review may not be returned to Stages 1 or 2 for further consideration. The Reviewer's decision represents Manchester Met's final decision regarding the complaint.

11.9. Where a student complaint is upheld at the Review stage, the outcome must contain detail of what action the School should take to resolve the issue and any appropriate timescales for implementation.

11.10. If the student complaint is not upheld a Completion of Procedures letter will be sent to the student. If the complaint is upheld or partly-upheld at Review stage, a Completion of Procedures letter will only be issued at the request of the student.

12. STAGE FOUR – OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

12.1. The role of the OIA is to review individual complaints by students against higher education providers. They have no regulatory powers over providers and cannot punish or fine them. Before the OIA can consider a complaint, a student will need to have taken the complaint through the internal student complaint procedures of the provider (stages one, two and three). An application to the OIA must be made within 12 months of the issue of a Completion of Procedures letter.

12.2. Examples of the types of complaints the OIA can look at include:

- Academic appeals;

- Extenuating circumstances;
- Teaching and facilities;
- Student accommodation;
- Research supervision (though this may be better dealt with as an appeal);
- Welfare;
- Discrimination - race, gender, disability, age, sexual orientation or religious belief;
- Bullying and harassment;
- Placements;
- Maladministration;
- Procedural irregularities;
- Unfair practices;
- Disciplinary matters, including plagiarism;
- Fitness to practice processes.

12.3 Examples of the types of complaints the OIA cannot look at include:

- Admissions, unless the person complaining is a former student of that higher education provider who is applying for re-admission, and the complaint is directly connected to their time as a student;
- Academic judgement;
- Student employment;
- Something that has already been the subject of legal proceedings in a court or tribunal unless those proceedings have been put on hold;
- Something that has already been considered by another alternative dispute resolution body.