

Regulations

Part C: Complaints Procedure

Version number	Date approved	Reason for production/revision	Author	Proposed next review date
V3.0	Sept 2022 AcBo	Updated for ICMP awards	Quality Officer / Manager	Biennially and as required
V2.0	Sept 2020 AcBo	Annual review	Quality Manager	Biennially and as required
V1.2	25/06/19 Academic Board	Inclusion of additional guidance for complaints against members of staff	Deputy Registrar	Annually and as required
V1.0	25/06/19 Academic Board	Annual review	Deputy Registrar	Annually and as required

Related policies and documents

- Anti-Bullying Policy
- Academic Appeal
- Refund Policy
- Public Interest Disclosure
- Student Disciplinary Regulations
- Staff Disciplinary and Grievance Policy
- Zero Tolerance Policy
- Programme Handbook

External Reference

[UK Quality Code for Higher Education](#), Advice and Guidance: Concerns, Complaints and Appeals. ICMP has fair and transparent procedures for handling complaints which are accessible to all students. Findings from complaint investigations will be used to improve services for students and the student experience. Recommendations are monitored by the Academic Standards and Quality Committee.

[OIA Good Practice Framework](#), Handling Complaints and Academic Appeals.

Introduction

- 1.1. The purpose of this document is to detail the roles and responsibilities and the key principles and processes followed in conducting cases of complaints.
- 1.2. ICMP is committed to providing a high-quality experience for students. It recognises that on occasion a student may be dissatisfied with the standard of service at ICMP and may wish to pursue this further.
- 1.3. The process is as follows (see Section 7 for further information):
 - 1.3.1. Informal resolution
 - 1.3.2. Reporting a complaint
 - 1.3.3. Formal stage
 - 1.3.4. Review stage
- 1.4. When a complaint is received ICMP seeks to resolve it as quickly and fairly as possible, whether the complaint is about services provided by ICMP, behaviour of any staff member, student or visitor, or any other issue.
- 1.5. The management of student complaints at ICMP is guided by the Office for Independent Adjudicator for Higher Education's (OIA) Good Practice Framework.
 - 1.5.1. The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. ICMP is a member of this scheme. If you are unhappy with the outcome, you may be able to ask the OIA to review your complaint following conclusion of the ICMP process. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right [here](#).
- 1.6. The ICMP Complaints Procedure applies to the following:
 - 1.6.1. All students enrolled or previously enrolled on award-bearing or non-accredited (short) programmes at ICMP, provided the complaint is raised within one calendar month of leaving the programme. Complaints outside of this time limit are at the discretion of the Reviewer.

2. Definitions

- 2.1. As guided by the OIA's Good Practice Framework, ICMP defines a student complaint as an expression of dissatisfaction by one or more students about a Provider's action or lack of action, or about the standard of service provided by or on behalf of the provider.
- 2.2. Complaints may relate to (though not be limited to):
 - 2.2.1. **Student experience** e.g. relationships with ICMP services, conduct of ICMP staff etc.
 - 2.2.2. **Teaching and learning experience** e.g. quality of teaching, teaching facilities, failure on the part of ICMP to meet stated obligations

2.2.3. **Academic services** e.g. library services

2.2.4. **Administrative services** e.g. Registry, Finance etc.

3. Roles

3.1.1. **The Complaints Team**, has oversight of all processes and documents relating to complaints in order to carry out reporting requirements;

3.1.2. **The Investigating Officer**, who has experience with complaints, assigned to investigating at Stage 2. Where the matter of a complaint makes this necessary, ICMP may appoint an external investigating officer;

3.1.3. **The Reviewer**, who is a senior member of ICMP staff (Registrar, Chief Operating Officer, Dean etc.) assigned by the Complaints Team when required to complete a second review of a complaint following a request. The Reviewer will not have had involvement with the investigation of the complaint;

3.2. No person may be Investigating Officer and Reviewer in relation to the same complaint. A person shall be considered to have a conflict of interest in a complaint if they have been Investigating Officer or Reviewer in a previous complaint by the same complainant.

4. Exclusions

4.1. The ICMP Complaints Procedure does not cover the following;

4.1.1. **Academic Appeals**

Appeals against the decision of an assessment board is handled under the [Academic Appeal processes and procedures](#) outlined in the Programme Handbook.

4.1.2. **Complaints relating to academic matters**

Academic matters mean specific concerns a student may have about the provision of academic courses and related services, including complaints about the conduct and management of academic appeals.

4.1.3. **Complaints relating to a student**

Complaints relating to a student's behaviour should be raised to a member of staff who will then raise the case through the Student Disciplinary Procedure. Cases of misconduct may include, but not limited to; failure to adhere to the [Student Charter](#) or [Zero Tolerance Policy](#), instances of deliberate disruption or use of defamatory language.

4.1.4. **Whistleblowing**

Matters of public interest should be dealt with under the [Public Interest Disclosure \(Whistleblowing\) Policy](#).

5. General Principles

5.1. **Timely and transparent procedures**

5.1.1. All complaints are dealt with in a timely manner and through processes which are clear, straightforward and transparent. The purpose and scope of each step of the process will be communicated to all parties involved.

5.2. Anonymity or third-party complaints

5.2.1. ICMP expects that persons with concerns should be responsible for making these concerns known themselves. Complaints made by a third-party will only be admitted to these procedures under exceptional circumstances and with the student's written consent.

5.2.2. Complaints require investigation to enable resolution. For practical reasons therefore, no action will be taken in the event of complaints made anonymously unless submitted via the Zero Tolerance Policy.

5.3. Submission in good faith

5.3.1. ICMP presumes that all complaints are submitted in good faith and will not disadvantage any student for bringing forward a complaint

5.3.2. Complaints that ICMP considers to be unreasonably persistent or vexatious will not be considered and could result in action through the [Student Disciplinary Procedure](#). The Complaints Team will write to the student explaining why ICMP are terminating consideration of the matter. The student will then be provided detail of how to appeal against the decision.

5.4. Impartiality in investigation

5.4.1. All complaints are investigated by staff who have no material interest in the complaint.

5.5. Privacy

5.5.1. Staff investigate complaints with due regard for the privacy of all parties. The complaint is only disclosed to those immediately involved and/or those whose participation is necessary for a resolution. All parties are required to respect the confidentiality of the process.

5.6. Confidentiality

5.6.1. Confidentiality will be respected in conducting all aspects of the complaint's procedures. However, any student or member of staff about whom a complaint is made will have the right to be informed of the complaint and its nature and have access to any relevant evidence.

5.6.2. If a student requests that their identity be kept confidential, this is respected up to the point where disclosure is necessary to progress or resolve the issue, in which case the complainant is informed in advance of the disclosure.

5.6.3. ICMP will not disclose any information to third parties regarding investigations and outcomes from student complaint cases unless legal exceptions under the [Data Protection Act](#) apply.

5.7. Immediate Action

- 5.7.1. Some complaints may require immediate action, these may include, but are not limited to:
- i. complaints involving a threat of serious harm;
 - ii. cases where the impact of the issues raised has detrimental consequences for the student's mental health;
 - iii. complaints relating to disability support;
 - iv. issues of serious and repeated service failure;
 - v. issues of a highly sensitive nature.

5.8. Student Representation

5.8.1. Students involved in a student complaint shall have the right to be accompanied to any discussions, meetings, or hearings by a friend or student representative.

5.8.2. At least 48 hours before the discussion, meeting or hearing, the student should advise the meeting organiser of the name and the relationship of the person accompanying them.

5.8.3. The ICMP complaints procedure is an internal process and does not have the same degree of formality as a court of law. As such, legal representation is not permitted at any discussion, meeting or hearing.

5.9. Advice and Guidance

5.9.1. Complainants may wish to consult with the following sources of advice when considering their complaint:

- i. Programme leader or deputy programme leader
- ii. Student Services can offer information and guidance on many aspects of student life and can signpost to appropriate specialist services, studentwellbeing@icmp.ac.uk
- iii. The Complaints Team can provide information and guidance on the complaints procedure, complaints@icmp.ac.uk
- iv. ICMP Student Officers, studentvoice@icmp.ac.uk
- v. [Citizen's Advice](#)

5.10. Complaints Including Elements of Appeal

5.10.1. Where a complaint also contains within it an element of an academic appeal, it is not possible for the academic appeal to be dealt with under this procedure. A separate appeal must be lodged in line with the procedures outlined in the relevant Programme Handbook.

5.11. Complaints including a request for a reimbursement of fees

5.11.1. Complaints which include a request for a reimbursement of fees go straight to Stage 2, any recommendations determined by the Investigating Officer will be reported at the Refund Committee who will process the request.

5.11.2. The Investigating Officer's decision on issuing a reimbursement cannot be overturned by the Refund Committee.

5.12. Complaints against ICMP staff

5.12.1. ICMP staff is defined as individuals who have a contract of employment with ICMP. As ICMP engages tutors and other workers in a variety of ways, not all individuals teaching and working at ICMP are ICMP staff.

5.12.2. Where a complaint is against a member of ICMP staff the following principles apply:

- i. an assumption of no fault until the balance of evidence from the investigation demonstrates otherwise;
- ii. the right of the member of staff to be informed of the complaint and have access to any relevant evidence presented;
- iii. the right of the member of staff to be accompanied to any discussions, meetings, or hearings by a colleague;
- iv. the right of the member of staff to know the outcome of the complaint; and
- v. confidentiality of the process will be respected.

5.12.3. Where a complaint involving an allegation of misconduct by a member of staff is upheld, this may form the basis of further action under the Staff Disciplinary Procedure.

5.12.4. Staff complaints against another member of staff will follow ICMP's [Grievance Policy](#)

5.13. Staff involvement in the Complaints Process

5.13.1. It may be appropriate for a member of staff to be called as a witness or provide information as part of a complaint investigation. In these circumstances it is expected that ICMP staff will support the operation of the procedure.

6. Principles Relating to the Handling of Student Complaints

6.1. Complainants must be made aware that, in the interests of fairness, those who are either themselves the subject of the complaint, or responsible for the provision or service complained about, will be invited to comment on the complaint at the earliest opportunity.

6.2. Complainants will be allowed reasonable time to seek advice for any meeting which forms part of the process, whether at the informal or formal stages of the procedures.

6.3. At all stages of the informal and formal procedures, every effort should be made to come to a resolution acceptable to all parties, including through informal discussion and agreement, should that be the complainant's wish. This can be achieved by bringing the complainant and the department and/or person addressed in the complaint together to have an informal conversation prior to launching the formal stage.

6.4. It is recognised that where a case is complex the deadlines for investigation may be extended in consultation with the Complaints Team. The complainant will be kept informed of progress and any foreseen delays within fifteen working days of receipt of the complaint.

6.5. At any stage of the procedures, it may be necessary to refer the complainant to ICMP's student support services, particularly where the process and nature of the complaint may have a significant impact on the complainant's capacity to continue their studies.

6.6. All complaints must be reported and progress monitored via the Complaints Database.

- 6.7. The Complaints Team maintain all physical and digital records.
- 6.8. Students may submit a group complaint if appropriate for the situation; in such cases, one or two students will be nominated as the principal contact during the complaint procedure who will receive all correspondence relating to the case and be responsible for disseminating information to the other complainants.
- 6.9. ICMP's final position on a complaint investigation is signed off by a member of senior management (e.g. Dean or Registrar) in order to provide assurance that this is the definitive response of the provider and that the case has been managed professionally.
- 6.10. Findings from complaint investigations will be used to improve services for students and the student experience. Recommendations are monitored by the Academic Standards and Quality Committee.

Process

7. Informal Resolution: Stage 1

- 7.1. An informal complaint is defined as a concern that is raised by a student either verbally or in writing with a member of staff.
- 7.2. Complaints should normally be raised within one calendar month of the event. In exceptional circumstances the timeframe could be expended, for example if a student is unable to submit a complaint within one calendar month.
- 7.3. Where possible, students should seek to resolve their concerns with the person directly responsible for the subject of their complaint as soon as the issue arises. This can be done through arranging a face-to-face discussion with the department or asking an appropriate member of staff to explore resolutions.
- 7.4. The Quality Office are responsible for supporting Stage 1 complaints and are responsible for arranging opportunities to resolve complaints informally.
- 7.5. Programme Leaders and Heads of Professional Services Departments are responsible for identifying and implementing Stage 1 informal resolutions.
- 7.6. Staff, Services and Facilities should seek to address any complaints on an informal basis as soon as they are drawn to their attention.
- 7.7. The Quality Office is required to keep a written record of the meeting.
- 7.8. The member of staff will also consider whether it would be appropriate to seek to resolve the complaint by means of an alternative dispute process, such as mediation or conciliation.
- 7.9. It is anticipated that it will be possible to resolve many concerns at this stage before it becomes necessary to take a complaint to a formal investigation. If a student's concern has not been resolved to their satisfaction, they have the right to proceed to a formal investigation.

7.10. Upon completion of the informal stage (Stage 1), the student will be provided with a written response to the complaint detailing the proposed resolution, or, if no resolution has been proposed, an explanation of why.

8. Formal Stage: Stage 2

8.1. The formal complaints process is triggered when early resolution was attempted but the student remains dissatisfied, the issues raised are complex and will require a detailed investigation or the student declines to engage with early resolution.

8.2. Where a complaint is submitted without consideration through the informal proceedings, the Complaints Team will refer the complaint back to the informal stage unless it is deemed appropriate to initiate the formal procedures without having attempted informal resolution.

8.3. Stage 2 involves the submission of the Complaints Form to the Complaints Team by emailing complaints@icmp.ac.uk. Complaints should be submitted within one calendar month of either; the written response from Stage 1 or the incident taking place which meets the criteria to bypass Stage 1.

8.4. On receipt of a formal complaint, the Complaints Team will review the submission to check that the complaint is submitted under the correct procedure, within the set deadline, and in the required format. If the complaint is rejected, the complainant will be notified and given reasons for this decision. The complainant may request a review of this decision, as described in Section 10.

8.5. The complaint at this stage will be assigned an investigating officer who will seek to resolve the complaint within ten working days unless the complexity of the complaint requires additional time. In such circumstances, the Complaints Team will be kept informed of any delays by the investigating officer and will communicate the reason for any delay to the complainant.

8.6. The student may be invited to meet with the investigating officer to discuss the complaint. Where the Investigating Officer considers it necessary or beneficial to meet the student, the student will be notified and informed of their right to be accompanied by a friend or student representative. A member of the Complaints Team will be in attendance as notetaker

8.7. The investigating officer shall determine whether the complaint is justified and will put forward any suitable resolutions based upon their findings. The investigating officer will also put forward any recommended alterations to ICMP practice to reduce the risk of a similar situation occurring.

8.8. Following completion of the investigation, the investigating officer's report and suggested outcomes will be presented to the Complaints Team who will ensure the outcomes are communicated to the complainant and that the Complaints Database is updated. The outcome will be provided to the complainant by the Complaints Team within twenty working days of receipt of the complaint, unless the complexity of the complaint has resulted in delays requiring additional time. Where the complaint has been found unjustified, the reasons for the outcome will be clearly explained to the complainant.

8.9. If the complaint is upheld, ICMP will explain how and when a remedy will be implemented.

- 8.10. Once the outcome of the investigation and any proposed solutions are communicated to the complainant, they have ten working days to respond to ICMP to confirm whether they are willing to accept the outcome, or if they wish to seek a review. If the complainant does not respond within the timeframe, the case will be considered closed,
- 8.11. The complainant will receive information about the student's right to take the complaint to the review stage, the grounds on which they can do so and the time limit for requesting a review.

9. Mediation and Conciliation

- 9.1. As part of the investigation, it may be appropriate to use mediation and conciliation to help understand the concern and assist with producing a swift and mutually satisfactory outcome for all parties.
- 9.2. Mediation and conciliation are voluntary processes where an impartial third party helps parties to a dispute resolve issues confidentially.
- 9.3. If mediation is agreed during the formal stages of a complaint investigation, revised timescales will be agreed, and the Complaints Team will organise a meeting. It may be necessary to restart the formal process if agreement cannot be reached.
- 9.4. Whilst the mediation service is in confidence, the Complaints Team will retain appropriate records of the meeting.

10. Review Stage: Stage 3

- 10.1. If the response issued at the conclusion of Stage 2 is not considered by the student to be satisfactory, the student may request a review in writing within ten working days from the date of the notification of the outcome of the Formal Complaint.
- 10.2. A request for review can only be considered in the following circumstances:
- 10.2.1. The complainant has evidence that there has been a material procedural irregularity;
 - 10.2.2. That there is evidence that all of the relevant information was not considered during the informal and formal stages;
 - 10.2.3. There is additional evidence that has not previously been considered and could not reasonably have been made available at an earlier stage.
- 10.3. The Review stage will not usually consider the issues afresh or involve a further investigation. A complaint must have been considered at the formal stage before it can be escalated to the review stage.
- 10.4. The request for review should be submitted to complaints@icmp.ac.uk via the [Student Review Complaints Form](#) in order to determine whether the student has grounds under which their complaint can be considered.
- 10.5. If the Reviewer determines that there are valid grounds for a review, the Reviewer shall review the case and may take one of the following actions:
- 10.5.1. Uphold the outcome of the Formal Complaint; or
 - 10.5.2. Refer the case back to relevant department with recommendations for reconsideration.

10.6. A decision will be made within twenty working days of receipt of the request for a review. The Reviewer will provide a report to the Complaints Team who will then inform the complainant of the outcome.

10.7. The decision of the Reviewer is final. This is considered the end of ICMP's internal procedures.

11. Completion of Procedures

11.1. Following the outcome of the Stage 2 or the review stage the complainant will be issued with a Completion of Procedures letter. Information about Completion of Procedures Letters can be found in the [OIA Framework](#).

12. The Office of the Independent Adjudicator

12.1. Following the issue of a Completion of Procedures letter, the complainant may lodge a complaint with the Office of the Independent Adjudicator (OIA) for Higher Education. Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the complaints team, complaints@icmp.ac.uk

12.2. The grounds, eligibility for review and outcomes shall be determined by the Office of the Independent Adjudicator.

12.3. A report on the findings of cases considered by the Independent Adjudicator will be received by the Academic Standards and Quality Committee.