

## Complaints and Grievance Policy

*Last reviewed: 27/09/2021*

Spirit Studios' aim is to provide a supportive environment for our students, and to be responsive to concerns when they are raised.

We do recognise however that there may be occasions when you have cause for complaint about the service you have received; when this happens, the Complaints Policy is intended to provide a straightforward and fair system which ensures an effective, prompt and appropriate response.

We aim to handle complaints in a way that:

- Takes your issues seriously and deals with them in an appropriate and empathetic manner;
- Encourages conciliation and seeks to resolve issues as early as possible;
- Ensures a full and fair investigation;
- Addresses all the points raised and provides an effective response and appropriate amends;
- Operates within established timescales.

We aim to treat all concerns brought to our attention in a serious and constructive manner, and every effort will be made to ensure a satisfactory resolution. Please be assured that you can use this procedure without fear of recrimination or retribution.

In all circumstances with student complaints and grievances, we have an internal process to address your concerns and try to resolve matters as quickly as possible. However, if you are dissatisfied with the outcome of the internal procedure there are other external bodies who may be able to help.

### **Degree students**

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. We are a member of this scheme. If you are unhappy with the outcome of our internal processes, you may be able to ask the OIA to review your complaint. 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, [OIA Student Pages](#).

Before you contact the OIA, you will need to have completed our internal procedure, and we will issue you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes. You can find more information about Completion of Procedures Letters and when you should expect to receive one: [Completion of Procedures Letters](#).

### **Industry students**

Spirit Studios is accredited by the British Accreditation Council (BAC) which provides inspection-based accreditation to enhance the standards and quality of independent

further and higher education and training institutions. If you are unhappy with the outcome of our internal processes, you may be able to ask BAC to review your complaint. You can find more information about making a complaint to BAC on this link: [BAC Complaints Procedure](#)

The procedure in this document does not apply where there is a separate mechanism in place, for example: in appeals against assessment board decisions.

There is a handy flowchart of this process at Appendix B at the end of this document.

## **What is a complaint or grievance?**

A complaint or grievance is defined as an expression of dissatisfaction by one or more students about any programme of study or related facility or any other service provided by Spirit Studios, which has materially and negatively affected your experience as a student here.

In most cases where you may experience dissatisfaction, the best course of action is to speak to a member of staff as soon as possible; usually your personal tutor. These types of concerns can generally be resolved quite easily without going through an informal complaints process.

A complaint or grievance may be raised individually or collectively by a group of students. Where complaints are raised collectively, the complaint should include a signed statement from all parties confirming that they have been affected by the issue or incident, and authorising Spirit Studios to correspond with a single named spokesperson.

## **Process**

It is always best to raise your complaint as early as possible, since any delay may affect our ability to properly investigate the complaint, or provide an appropriate response. It is important that you gather all relevant material pertaining to the complaint and submit this in reasonable time with as much detail as possible.

All complaints are investigated, and confidentiality will be maintained during the process to safeguard the interests of everyone concerned, unless disclosure is necessary to progress the complaint. Spirit Studios expects that everyone will respect the confidentiality of the process. Any individual about whom a complaint is made will have the right to be informed of the fact and nature of the complaint by their line manager or personal tutor. We will ensure that anyone investigating or deciding on a complaint has had no prior involvement in the complaint.

Any student who lodges a complaint or who has had a complaint lodged against them will be entitled to be accompanied by a person of their choosing in any interview undertaken as part of the process. You may seek representation from the Students' Union or you may choose to be accompanied by a friend. If you lodge a complaint but cannot attend an investigation meeting, you may not be represented, unless there are exceptional reasons (such as a health condition) which deems this necessary.

Where a complaint is found to be justified in full or in part, we will notify you of any appropriate remedial action. If the complaint is found to be not justified, the reasons for the decision will be communicated, together with details of any further recourse that is available.

## **Complaint/Grievance stages**

### **Stage 1 Informal Grievance**

In the first instance, and where it is felt that a resolution is easily achievable, concerns should be raised with the relevant member of staff (normally the module tutor) as soon as possible. In most cases the issue can be resolved immediately or within a given time frame; however where this is not possible, the member of staff will advise you about any alternatives, including this formal Complaints and Grievance Procedure.

### **Stage 2 Formal Complaint**

Where your initial concerns have not been satisfactorily resolved, or where the issue is more complex and requires detailed investigation (e.g. where a complaint relates to the conduct of staff members or covers a number of different incidents), it may be advisable to proceed to Stage 2 Formal Complaint.

A complaint or grievance should be made in writing using the complaints form in Appendix A, normally within 10 days of the incident or situation arising. A Complaints Form can also be downloaded from our website. Complaints are dealt with in the first instance by the Curriculum & Quality Manager; on receipt of the complaints form, an investigation will take place, and all parties concerned will be interviewed separately by a senior member of staff.

The matter will be considered in the light of all evidence produced, and a decision made. A written report will be compiled, which will include any statements from the complainant, third party, or any other witnesses to the incident/series of incidents or situation. You will then be notified of the outcome within 15 days of receipt of the complaint.

### **Stage 3 Formal Complaint Review**

Should you feel that the complaint has not been dealt with satisfactorily you may submit a request for a review of the decision. A request should be made within 15 working days of receipt of the Stage 2 decision, and detailed instructions on this will be given with the Stage 2 outcome letter. The purpose of Stage 3 is to review the action(s) and decision(s) taken at the previous stages, and you are advised to seek advice (perhaps from the Students' Union) before progressing to this stage.

A Stage 3 review should be requested only if:

- New evidence or circumstances have become known, which you could not have reasonably made known at the time of the Stage 2 complaint;
- Stage 2 of this Procedure was not conducted fairly and/or in accordance with due process, and this materially affected the outcome;
- The decision and outcome of the Stage 2 complaint were unreasonable in the light of the evidence provided.

The Stage 3 review will be carried out by a Panel comprising three senior members of staff who have not been associated with the original complaint. The Panel will review the case and may request further information from you, and will consider whether the relevant procedures were followed at Stage 2, the outcome was reasonable, and a clear rationale was provided for the Stage 2 outcomes. They will also consider valid reasons for the late submission of new evidence.

The decision and outcome of the Stage 3 review will be communicated to you by the Director of Spirit Studios, normally within 15 working days of receiving the request for a review.

#### **Stage 4 Independent Review**

For degree students who are dissatisfied with the outcome of their complaint and have exhausted our internal complaints process, options are available to seek resolution through further levels of investigation.

For service related complaints, please contact the [Office of the Independent Adjudicator](#).

For quality of learning complaints, please contact the relevant university partner and follow their procedure.

For industry students who are dissatisfied with the outcome of their complaint and have exhausted our internal complaints process, please contact the [British Accreditation Council](#).

#### **Proviso**

Spirit Studios may decline to deal with complaints which are intended to cause annoyance, or are malicious or frivolous. A complaint may be considered to be as such when it:

- Clearly does not have any serious purpose or value;
- May or may not be the latest in a series of requests;
- Is designed to cause disruption or annoyance;
- Has the effect of harassing Spirit Studios and/or our staff;
- Can be fairly characterised as obsessive or manifestly unreasonable;
- Has the evident intention to do harm or mischief;
- Has no clear desire for a sensible or reasonable form of redress or where no redress is sought and therefore malice may be implied;
- Is clearly not serious or sensible in content, attitude or behaviour.

Where there is reason to believe that a complaint falls under these categories, the matter will be referred to the Curriculum & Quality Manager who may decide to reject the complaint. Reasons will be given as to why the complaint is considered to be an abuse of process. We may also consider disciplinary action for malicious complaints.

All action under this procedure will normally cease on receipt of formal correspondence from a solicitor on behalf of a student, or on the instigation of legal proceedings against Spirit Studios in relation to the matters complained about.

## Appendix A - Complaints and Grievance Form

<b>Full Name</b>	
<b>Course</b>	
<b>Student Status</b> (Please tick one) Current Student <input type="checkbox"/> Past Student <input type="checkbox"/> Other (please specify) <input type="checkbox"/>	
<b>Student Number</b> (Current/Past students only)	
<b>Contact Address</b>	
<b>Telephone</b>	
<b>Email</b>	
<b>Statement of Complaint or Grievance</b> (Please explain the nature of your complaint here or attach a statement of your complaint in separate sheet)	

<b>List of documents</b> <i>(Please list all documents which you have attached to support your complaint or grievance)</i>		<b>Received</b> (Admin only)
<b>Nature of redress sought</b> <i>(Please indicate what outcome or further action you would expect.)</i>		
<b>Signature</b>		<b>Date</b>
<b>If this form has not been completed by the person making the complaint, please complete this section:</b>		
<b>Name:</b>		<b>Signature</b>
<b>Relationship to the person making the complaint:</b>		
<b>If this form is being completed by a spokesperson making the complaint on behalf of a group, please complete this section:</b> We, the undersigned, authorise the named spokesperson at the top of this form to submit this complaint on our behalf and that we have all been materially affected by the cause of this complaint. We authorise that all communication regarding this procedure should be directed to the spokesperson. This list may be added to.		
<b>Name:</b>		<b>Signature</b>

## APPENDIX B - Complaints and Grievance Process Flowchart

